



# MEDIA COVERAGE OF CHILDREN'S AND ADOLESCENT'S ISSUES

## EXECUTIVE REPORT

MAY 2019

**SÍNDIC**

EL DEFENSOR  
DE LES  
PERSONES



REPORT ON  
MEDIA COVERAGE OF  
CHILDREN AND  
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## MEDIA COVERAGE OF CHILDREN'S AND ADOLESCENTS' ISSUES

Following the media coverage of cases with children and adolescents involved, on May 3rd, 2019, the Catalan Ombudsman submitted a report to the Parliament of Catalonia to tackle this issue.

The information society generates important challenges in safeguarding the rights to privacy, honour and image of most vulnerable children and adolescents, especially those who are most unprotected. Children are subject to media attention, and especially children who have been victims of abuse or are in situations of special vulnerability.

Too often, the Administration and the media are still not able to carefully preserve the rights of children who are victims of abuses, ill-treatment or other abusive or criminal acts that are object of media coverage. Likewise, data related to their identity with regards to facts that can often be traumatic may also affect their physical and psychological recovery and may involve double victimization.

In this regard, the role of administrations and other control institutions must also be taken into account in order to protect especially the interests and rights of children when they appear in the media.

The Catalan Ombudsman, in its role of defending the rights of children, considers it is necessary to discuss the media coverage of children and adolescents, their participation in the media, and the way in which the social communication function is exercised by the media in this field.

It should be born in mind that the dissemination of the identity or the image of children can not only damage their rights to honour, privacy and own image, but also disturb their physical, psychological, moral and social development.

The Catalan Ombudsman recommends the media to bear in mind the child's best interest, when working and dealing with these and other issues that affect children and adolescents, and that, as social media, they contribute to the promotion and defence of children's rights.

The document includes a decalogue of the main violations of rights by the media and other agents, and also includes the most relevant rights that can be put in conflict when it comes to making decisions about the most appropriate media approach in certain cases. Main ex officio actions, complaints received in this area and an analysis of the regulatory framework can also be found in the report.

### Decalogue of main violations

1. Some media approach of children do not give special consideration to the fact that they are children: Example: video of a four-year-old child in a summer camp saying swearwords that it becomes viral
2. The revelation of the identity of a child or adolescent in the context of a noteworthy fact. Example: publication of details about a case of sexual abuse that allows the victim to be identified.
3. The adult-centred perspective. Often children and adolescents do not appear as a collective subject of rights, but as a vulnerable group that is not an active part of society and that is therefore excluded from participation and public opinion.

4. Stigmatization of the especially vulnerable child. Double discrimination Example: conflict, aggressiveness and precariousness related to childhood and adolescent in foster care.
5. Children appear to be linked to opinions, activities, beliefs of their parents, legal guardians or relatives. Example: the political instrumentalization of children. Two complaints are received regarding the dissemination of foreground images of children in weekend newscasts without the consent of their parents.
6. Invisible children. The involvement of children and adolescents in the media must be enhanced, based on their interests and woes, promoting their participation, beyond entertainment and taking into account their real interests.
7. The media impact above the child's best interests. Example: publication of personal data of a teenager in relation to the violent death of her mother.
8. Negative impact on child care services. Examples: the criminal prosecution of teachers or the media impact of the violent death of a high school teacher.
9. The duty of reservation and professional secrecy. Examples: Publication of a book on sexual abuse in a foster home that reveals personal data of the victims.
10. Avoid the double victimization. Example: media treatment of a conviction for bullying.

The Catalan Ombudsman recommends the media, the administrations and the control bodies, such as the Catalan Audiovisual Council or journalists associations, that responsibility in the promotion and defence of children's rights be assumed and that, according to child's best interest principle, safeguard the rights to privacy, honour and privacy of children and adolescents. In this regard, the Catalan Ombudsman emphasizes that the child's best interest is the key to determining, in case of collision of rights, what is the most appropriate decision in the communication and disclosure of facts, news or images.

The other recommendations focus on raising awareness campaigns, regulating and gathering best practices, strengthening the work of the supervisory and control bodies, and encouraging the participation of children in the media.

Regarding the rights that may come into conflict, the report highlights the rights to privacy and honour, the right to data protection and own image of children and adolescents, the right to emotional recovery of children victims of abuse, the right to freedom of information and literary creation, and the duty of reservation, confidentiality and professional secrecy.

The right to information is closely linked to the construction of critical opinion and the configuration of a democratic and plural society, as well as freedom of expression, to which children and teenagers are also entitled. The active participation in the media and the media education of children and adolescents are essential for their development as people in a democratic society.

According to the Catalan Ombudsman, in all cases, it is necessary to guarantee the physical and emotional well-being of children and adolescents who appear in the media and respect their right to express themselves, while ensuring that their rights to privacy, honour and protection of own image are not violated.

Given this important role, companies and communication professionals should not avoid the social responsibility that this entails. In this sense, self-regulatory codes have been developed and control bodies have been promoted to contribute to the fulfilment of the task entrusted to the media.

However, it becomes imperative to move even further in the following fields: the self-regulation and co-regulation of professionals and communication companies, to act responsibly with regard to the protection and rights of children; education in communication and media that gives children and families tools to make a creative, critical and responsible use of the media, and the monitoring of the obligations of the audiovisual communication service providers by regulatory authorities.

Also the Catalan Ombudsman calls for the consumers responsibility and awareness to contribute promoting and defending children's rights.

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