



CHILD RIGHTS REPORTING GUIDELINES IN MALAWI



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Foreword

The media is critical in shaping public sentiment, mobilising positive public participation and creating awareness. With honest, accurate and balanced investigative stories, journalists can be a key influencer in addressing the challenges in the lives of children, to ensure that each child gets the best start in life, is protected, thrives and develops to his or her full potential. But reporting on children and young people can be challenging. In some cases, media coverage places children at risk of retribution or stigmatisation.

The way children are portrayed in the media has an impact on society's attitudes and actions towards children. That is why it is important to ensure that stories about children and young people are backed by data and statistics. Both primary and secondary sources of information help to understand the complexity of the challenges that children face, and the opportunities which can be highlighted by exploring the adequacy and equity of public investments.

Children are important subjects for the media, but a reporter must never take advantage of their vulnerability. Journalists who are aware of the sensitivity associated with reporting on children can improve the representation of children's issues and play a proactive role in portraying children and their rights. The media can protect and promote children's rights in many instances, in exposing their abuse and reporting about their triumphs. There must be space for children's opinions, as well as positive stories of children, their lives and their rights.

These guidelines provide journalists with the necessary information required for children's voices to become a part of daily media coverage, without violating children's rights or international norms and standards. We hope that this will help bring more children's voices to the media- with greater depth and in positive ways which will not harm children but benefit them.

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Chapter 1

INTRODUCTION

1.1 Why the Guidelines?

These guidelines have been developed to offer journalists and other media professionals guidance when making decisions relating to the coverage of children under the age of 18. The aim of the guidelines is to cultivate a media culture that gives due regard to the voices and interests of the child. While the guidelines have been developed primarily for journalists, journalism students and those who work in the media, others can also benefit from the guidance they provide.

The guidelines are built around the notion of the best interests of the child as the overall guiding principle. For these guidelines, the best interests of the child involve child protection and empowerment. Child protection focuses on the right of the child not to be subjected to harm, while empowerment involves giving the child the spaces and opportunities to fully participate in the issues, actions and decisions that affect them. Empowerment also means giving children access to the services they need for their well-being and development. Participation is a fundamental principle that ensures that children add their voices to the issues that have impact on their lives. Overall, the best interests of the child mean that decisions and actions should serve the child in the best way possible for full expression and development. In this vein, through their actions, practices and policies, journalists and media organisations should play a role in creating the best possible conditions for children.

1.2 The Media and Children

All over the world the media are not doing enough to amplify the voices of children. Children's views are rarely heard and considered. Where children feature in the media, they generally do so in negative terms as victims, deviants and other undesirable tags. The media, therefore, commit and reinforce two cardinal sins with respect to children: the sin of omission for excluding children's voices from their platforms, and the sin of commission for reinforcing stereotypes against children through negative labels as victims and deviants.

The International Federation of Journalists (IFJ) highlights the following concerns about media portrayal of children globally:

- Children living in poverty and victims of war and disaster lose their individuality and humanity. They are often portrayed as helpless sufferers, unable to act, think or speak for themselves.
- Coverage of children's issues tends to focus on the sensational while ignoring the broad range of issues confronting children.
- Media reports about children are often one-off stories, with little or no analysis or follow-up.
- The confidentiality of children is not always respected.
- When children feature in the news, they are often portrayed as stereotypes such as starving children in Africa and irresponsible teenagers.
- Stories of child abuse, children involved in crime and street children tend to dominate, while the broader issues of children's rights, such as the right to play, recreation and sport, are often not regarded as newsworthy. The result is an unbalanced impression of children as victims or trouble-makers.

In Malawi, 2021 media monitoring data on child rights reporting from a UNICEF-funded project reveals the following troubling patterns:

- Negative issues such as child marriages and defilement dominate media coverage of children in Malawi.
- The voices of children are largely absent from the media. Children rarely feature as news sources.
- The people whose voices dominate on children's issues are those with power and status.
- Children's stories rarely investigate and analyse the underlying issues that influence the situations children find themselves in.
- The media hardly highlight the specific rights and entitlements that apply to children.

These guidelines have been developed as a response to these sad facts about how the media report issues concerning children. As one way of protecting children and enhancing their voices in decision making, the United Nations Convention on the Rights of the Child (UNCRC), passed in 1989, singles out the following general areas in relation to the media:

- Ways to improve the image of the child through media reporting.
- Encouraging children to participate actively in the media.

- Protecting children from harmful influences in the media

The Convention obliges the media to disseminate information that promotes the child's well-being in the broadest sense. This can be achieved by, among other things, promoting the right of children to express their views freely in all matters affecting them, providing opportunities for children to exercise their right to freedom of expression, casting the spotlight on the policies and actions that violate children's rights and facilitating children's participation in public life. The idea is that the media could play a crucial role in shaping public sentiment towards children, mobilising positive public participation on issues that affect children and creating awareness on the important actions needed to safeguard the interests of the child. It is an important principle that when children and young people are involved in public policy making, they move from being passive recipients of adult decisions to rights holders who are able to help shape their lives and their society.

To safeguard the welfare and interests of children, Section 23 of the Constitution of the Republic of Malawi provides for the following rights:

1. All children, regardless of the circumstances of their birth, are entitled to equal treatment before the law, and the best interests and welfare of children shall be a primary consideration in all decisions affecting them.
2. All children shall have the right to a given name and a family name and the right to a nationality.
3. Children have the right to know, and to be raised by, their parents.
4. All children shall be entitled to reasonable maintenance from their parents, whether such parents are married, unmarried or divorced, and from their guardians; and, in addition, all children, and particularly orphans, children with disabilities and other children in situations of disadvantage shall be entitled to live in safety and security and, where appropriate, to State assistance.
5. Children are entitled to be protected from economic exploitation or any treatment, work or punishment that is, or is likely to—
 - a) be hazardous;
 - b) interfere with their education;
 - c) be harmful to their health or to their physical, mental or spiritual or social development.

In addition to the Constitution, the Malawi National Youth Policy (2013) aims to “create an enabling environment for all young people to develop to

their full potential in order to contribute significantly to personal and sustainable national development.”

These guidelines, therefore, seek to contribute towards this ideal world for children. The reporting standards focus on the following areas: how to use children as sources in the media; how to report on children in conflict with the law; covering children in disaster situations; dealing with children with disabilities as well as children who have experienced or witnessed violence. The last chapter offers guidance on using children's images.

The hope is that media practitioners, organisations and other stakeholders will embrace these guidelines and integrate them in their daily work to raise the profile of children in Malawi as well as to promote and protect their rights.

Action Corner

What specific and deliberate measures does your media organisation have for integrating the voices and perspectives of children in the content you disseminate?

Chapter 2

GENERAL PRINCIPLES OF MEDIA REPORTING ON CHILDREN



The principles and standards presented in this chapter provide general guidance beyond specific situations. They oblige journalists and media organisations to provide opportunities for children to express their views on the issues that affect them. They also oblige journalists and media organisations to maintain the highest standards of ethical conduct in covering children. Journalists and media organisations shall:

- 2.1 Children's Issues:** Ensure that children's issues and voices are given sufficient attention in their platforms.
- 2.2 Accuracy and Sensitivity:** Achieve the highest possible professional standards with regard to accuracy and sensitivity when covering issues involving children.
- 2.3 Damaging Information:** Exercise utmost care to avoid disseminating information which is damaging to the best interests of children.

- 2.4 Stereotypes:** Avoid perpetuating and reinforcing stereotypes against children in programming, reporting, advertising and other media outputs.
- 2.5 Ensure No Harm to Children:** Give serious consideration to the potential consequences of publishing content concerning children to prevent and minimise harm.
- 2.6 Child's Identity:** Only reveal the identity of the child when doing so is obviously in the child's best interests or the general public interest. For example, children's voices are needed in media reporting that seeks to achieve reform or areas related to child rights activism. In such instances, the identity of the child can be revealed. However, this should be done with the consent of the child and the parent or guardian.
- 2.7 Children as Sources of News:** Obtain permission from the parent, guardian, carer or legitimate institutions before using children as sources of news and information.
- 2.8 Check, Check, Check:** Verify the credentials of any organisation purporting to speak for or to represent the interests of children.
- 2.9 Stigmatizing Children:** Avoid actions that stigmatize children in the media. These actions could be publishing images of street children that consistently show them as violent or portraying children with mental health problems as unattractive.
- 2.10 Commercial Communication:** Take measures to avoid exploitation of children's issues or images for commercial purposes. For example, avoid publishing images of children for commercial purposes unless the images do not degrade the children involved and there is evidence that the use of the images was duly authorised by the children's parents, guardians, caregivers or any legitimate authority.
- 2.11 Children and Disasters:** Take steps to ensure that coverage of disasters highlights the specific ways in which the disasters affect children. In addition, provide programming and content that capture the voices and issues of children affected by disasters.
- 2.12 Obscure or Change Identities of Children who Are:** Victims of sexual abuse or exploitation; HIV positive unless it is in their best

interests; or those in conflict with the law. In general, when children are victims in any situation, obscure their identities. In those exceptional cases where you need to reveal the identities of children who are victims, always seek their consent and permission from a parent or guardian.

2.13 *Diversity and Inclusion:* Make it a principle to feature children from all backgrounds such as those from rich families, children living in poverty and those with disabilities. In addition, the media shall maintain a balance of gender and cultural identifications.

2.14 *Follow Data on Children:* Statistics provide an important window into the lives of children in their complexity, why they face particular situations as well as what the future holds for them. Take special interest in accessing the data on children in order to unpack them to tell the underlying stories about children and their lives.

2.15 *Track Public Spending and Policies on Children:* Public spending and policies on children have important effects on the lives and welfare of children. Follow spending patterns and other policies on children to understand the priorities given to children's issues and to highlight the actions needed to address the gaps in financing and policy making.

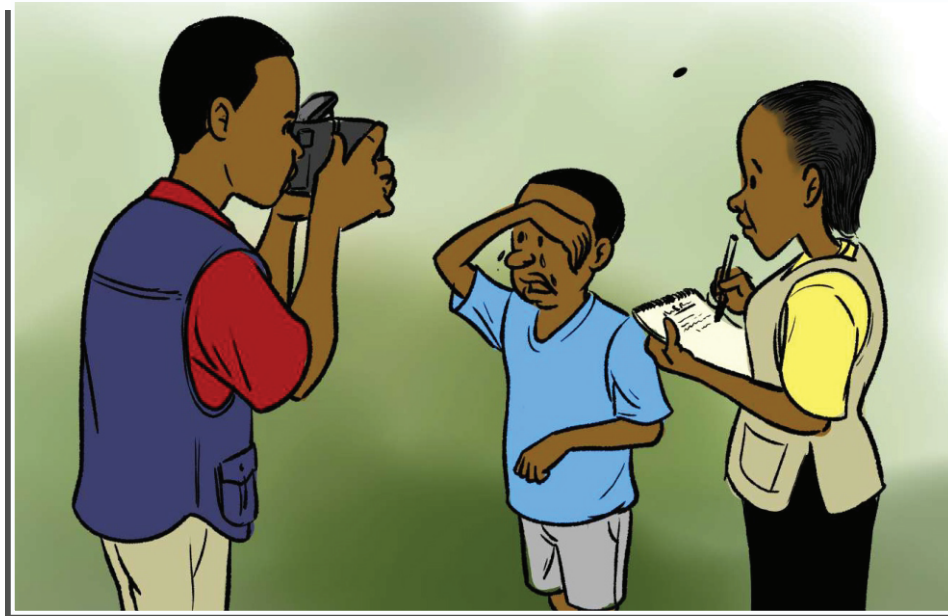
2.16 *Get Grounded in the Policies and Laws Affecting Children:* Effective reporting of children's issues is based on a solid understanding of the laws, policies and other instruments that affect the lives of children. It is important, therefore, for journalists to have sufficient knowledge of these instruments in order to report children's issues meaningfully. Some of these laws and policies have been presented in the references section at the end of these guidelines. In the context of the new media, knowledge of the Electronic Transactions and Cyber Security Act (2016) is particularly important in order for journalists to navigate the professional demands and pitfalls created by the new communication platforms.

Action Corner

Reflect on your coverage of the issues concerning children. Do you think your reporting is generally guided by the best interests of the child as captured in the general principles above?

Chapter 3

CHILDREN AS MEDIA SOURCES



Children are not the usual sources for journalists and other media professionals. As research has shown, children rarely find themselves in the news. However, regardless of their stage of development, children and their voices matter. In obtaining information from children, whether through the typical interviews or other approaches, the important principle should always be to promote and safeguard the best interests of the child. These interests relate to the safety, welfare and well-being of the child as well as giving the child the opportunity to add their voice to the issues that affect them. The best interests of the child must override any other considerations.

Guidelines for Using Children as Sources of Media Content

3.1 Amplify Children's Voices: As a journalist or media organisation, take deliberate and active steps to ensure that children's voices are heard. The under-representation of children in media content illustrates their exclusion from the issues that impact on their lives.

- 3.2 *Child-friendly Environment:*** Ensure that you interview the child in a familiar environment and in the presence of a parent, guardian or somebody who is connected to the child. Pay attention to where and how the child is interviewed. Limit the number of interviewers and photographers. Make sure that children are comfortable and able to tell their story without outside pressure, including from the interviewer. In film, video and radio interviews, consider what the choice of visual or audio background might imply about the child.
- 3.3 *Permission Before the Interview:*** Before interviewing a child, obtain informed consent from the child's parent, guardian or caregiver. Where possible and appropriate, the permission should be in writing.
- 3.4 *Dealing with Child Abusers:*** In cases where the parents or guardians are the people who abuse or exploit the child, conducting the interview in their presence could hinder the child's full self-expression. In such situations, devise reasonable means of obtaining information in the best way possible to protect the interests of the child. For example, you could seek the permission of community leaders or child protection committees.
- 3.5 *Purpose of the Interview:*** Explain the purpose of the interview and its intended use. This will create a good and natural environment where the children can open up and freely discuss the issues that concern them. Section 1.3 of the Media Council of Malawi Code of Ethics and Professional Conduct obliges journalists to inform sources that they are being interviewed for a story.
- 3.6 *Child Privacy:*** In interviewing and reporting on children, safeguard the child's right to privacy and confidentiality. In addition, protect children from harm and retribution, including the potential of harm and retribution.
- 3.7 *Nature of Questions:*** Avoid questions, attitudes or comments that are judgmental and expose the child to danger or humiliation. Also avoid questions that reactivate the child's pain and grief from traumatic situations.

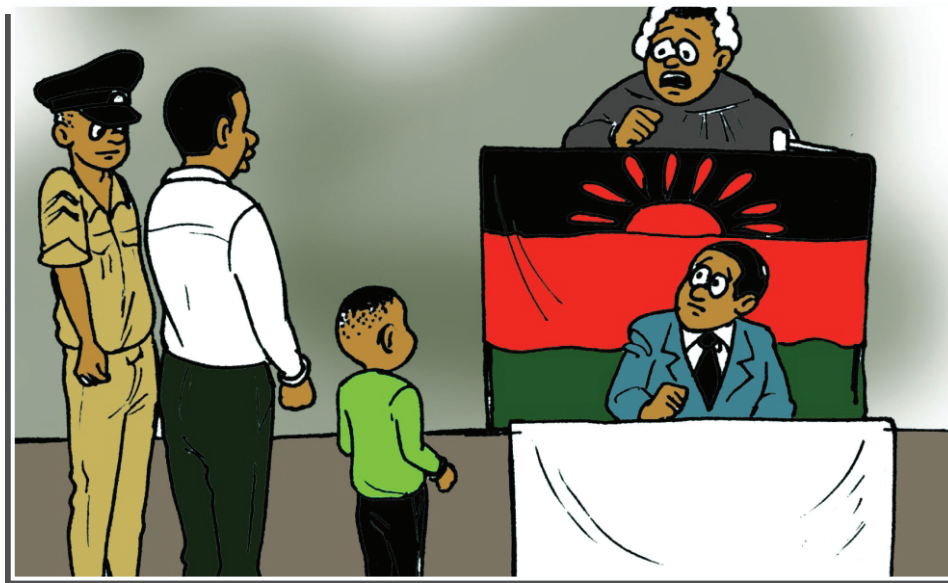
3.8 Discrimination: When using children as sources of news, adverts and other media outputs, avoid discrimination based on sex, race, age, religion, status, educational background, physical abilities or other considerations. In this context, disability refers to a long-term physical, mental, intellectual or sensory impairment, which, in interaction with various barriers, may hinder the full and effective participation in society of a person on equal basis with other persons. The Media Council of Malawi Code of Ethics and Professional Conduct also requires journalists to avoid discrimination in any form. Section 3.11 (III) of the Code states that “A journalist shall avoid prejudicial or pejorative reference to a person's race, colour, ethnic origin, religion, sex or sexual orientation or to any physical or mental illness or disability unless such reference is relevant to the story.”

Action Corner

Children need to be given the space and opportunities to participate in the issues that affect them. They can be used as sources of news or they can participate in the production of media content. In your media organisation, do you take active and deliberate measures to use children as news sources in the relevant issues?

Chapter 4

CHILDREN IN CONFLICT WITH THE LAW



By its very nature, news thrives on negatives: hunger, violence, crime and other occurrences. This is because negative news screams and sells while positive news whispers. That is why when children come into conflict with the law journalists generally treat the issue like any other news item. This should not be the case. It is vital to realise that children in conflict with the law are children at risk; hence, coverage of such issues should protect their best interests.

Remember that children are entitled to a second chance after their encounter with the law. Section 90 of the Child Care, Protection and Justice Act (2010) provides that a police officer or any person effecting the arrest of a child shall ensure that:

- a. the child has been informed of his or her rights in relation to the arrest or detention and the reasons for the arrest in a manner appropriate to the age and understanding of the child;
- b. there is no harassment or physical abuse of the child;
- c. the child is provided with medical attention where necessary;
- d. there is no use of handcuffs, except if the child is handcuffed to the

- arresting police officer or the person effecting the arrest;
- e. the child is not mixed with adults;
- f. the child is provided with nutritious food;
- g. the child is accompanied by a parent, guardian or appropriate adult as far as it is practicable to do so;
- h. a parent, guardian or appropriate adult is informed immediately after the arrest if such parent, guardian or appropriate adult was not present at the time of the arrest;
- i. in serious offences, the child is provided with legal representation;
- j. the child has been provided with counselling services where possible.

In addition, section 14 of the Penal Code states that:

- a. A person under the age of ten years is not criminally responsible for any act or omission.
- b. A person under the age of fourteen years is not criminally responsible for an act.
- c. A male person under the age of twelve years is presumed to be incapable of having carnal knowledge.

Guidelines for Covering Children in Conflict with the Law

4.1 *Spotlight on Underlying Issues:* Beyond the personality of the child, there are broader social issues that influence children to be in conflict with the law. In your coverage of issues concerning such children investigate and analyse these underlying issues in order to focus attention on the core issues around the problem.

4.2 *Use of Language:* Avoid using overly negative labels when describing young offenders. These degrading words could be criminals, thieves, murderers or hooligans. Do not use the words such as 'found guilty,' 'conviction' or 'sentence' when reporting the outcome of the court proceedings involving children. Legally, children are found responsible for the offences they are charged with. They are not found guilty. This is in line with the Child Care, Protection and Justice Act (2010).

4.3 *Identity of the Child:* Protect the identity of a child who has been charged or found liable. Always consider the best interests of the child when making considerations for disclosure. To protect the child's identity, take all necessary measures to avoid revealing any information that could identify the child. The information could be about family members, where the child lives or goes to school. Section 139 of

the Child Care, Protection and Justice Act (2010) says that “that no media report of any proceedings in a child justice court shall reveal the name, address or school, or include any particulars that could identify parties to the proceedings, or witnesses and no picture shall be published in any media report as being or including a picture of the child concerned in such proceedings.”

4.4 *Presumption of Innocence:* The Constitution of the Republic of Malawi stipulates that any suspect should be presumed innocent until proven otherwise by a competent court of law. Section 42, sub-section 2 (f) (iii) of the Constitution states that an accused person has the right “to be presumed innocent and to remain silent during plea proceedings or trial and not to testify during trial.” This principle also applies to children in conflict with the law. Respect all rights of the children related to the investigation against them, their right to defense and specific care. Thoroughly check the facts before you speak of children who have committed violence so that you know exactly what happened.

4.5 *Right Questions:* Avoid asking children misleading questions and do not imply the answer. Present the context in which the events unfolded, the child's experience of what happened and the consequences for the child.

4.6 *No Heroes:* In your coverage of children in conflict with the law avoid turning them into heroes. This is to avoid encouraging their peers to imitate their behaviour.

4.7 *Follow-up on Children:* A suspected child or one found responsible for a crime is not supposed to be kept in a police cell or prison, but rather in safety homes or reformatory centres.

Action Corner

As a reporter or editor you must have covered stories about children in conflict with the law. In the stories you reported, which principles of reporting such situations did you uphold and which ones did you flout?

Chapter 5

CHILDREN WHO EXPERIENCED OR WITNESSED VIOLENCE



Children find themselves in situations where they have to endure the psychological burden of the violence they have experienced or witnessed. Violence against children can be physical, psychological, sexual, economic deprivation, neglect, human trafficking, forced marriages, excessive labour, bullying or online sexual bullying (sextortion). Whether they have experienced the violence directly or indirectly, the impact of the violence can have long-lasting impact on the mind and body of the child.

According to UNICEF, around the world every five minutes a child dies as a result of violence. Studies also show the long-term effects of violence on children's emotional well-being, overall health, resilience capacity and their ability to reach full potential in life. Given the enormous toll that violence takes on the fragile minds and lives of children, it is important to ensure that children who experience violence receive adequate protection from further harm. In Malawi, cases of defilement and tough court sentences for the offenders illustrate the extent to which violence against children has become a serious problem.

Guidelines for Covering Children in Violent Situations

- 5.1 Avoid Sensationalism:** In reporting violence affecting children, avoid sensationalising the violence. Focus on the key aspects of the issue. For example, in reporting cases of defilement avoid providing minute details about the crime such as how the defiler took off the child's clothes. Such reporting degrades the victim further and trivialises their experiences.
- 5.2 Underlying Problems:** Investigate the underlying issues perpetuating violence against children. Violence against children does not occur in a vacuum, so get to the bottom of the problem.
- 5.3 Societal Change:** Your coverage of children who encountered or experienced violence must call for societal change to address the plight of children. Violence against children is largely rooted in social norms. Changing such norms will help to improve the situation for children.
- 5.4 No Stigmatization:** Avoid reinforcing stigma and stereotypes against children who are victims of violence.
- 5.5 Emotional Torture:** When interviewing the child affected by violence, take measures to avoid exposing the child to more emotional and psychological pain the violence inflicted on them.
- 5.6 Child's Preferences:** In some instances, children may not want to answer some questions. In such cases, do not force or induce the child to answer such questions.
- 5.7 Future Consequences:** In presenting what happened to the child, consider the possible future consequences of the content on the child. For example, will the publication of the events likely put a lifetime of stigma on the child?
- 5.8 Coverage of Positive Strides:** The focus should also be on the positive strides that government and other partners are undertaking to uplift the lives of children. Such stories will be a beacon of hope for children and other stakeholders.

Action Corner

As a journalist or media organisation, have your reporting and actions sufficiently called for societal action to address the social norms that perpetuate injustices against children?

Chapter 6

CHILDREN WITH DISABILITIES



Children with disabilities face an additional burden over and above the incapacitation itself. Childhood is a vulnerable period in one's life, but with disability children have to shoulder the extra burden of having to cope with the stigma that sometimes comes with the disability. That is why some children and even adults with disabilities can become emotionally fragile as they try to deal with the social pressures on account of their disability.

According to the 2018 Malawi Population and Housing Census, the overall prevalence of disability among children aged 0-17 was 6 percent without taking into account children with albinism and epilepsy. The census also established that the most common types of disabilities among children were hearing (25 percent) and visual impairments (24 percent) followed by self-case (16 percent) and intellectual impairments (15 percent). Section 13 (g) of the Constitution of the Republic of Malawi obliges the State to enhance the dignity and quality of life of people with disabilities by providing adequate and suitable access to public places, fair opportunities in employment and the fullest possible participation in all spheres of Malawian society. Journalists can help to ensure that children with disabilities enjoy such opportunities.

Guidelines for Covering Children with Disabilities

- 6.1 Capture the voices of Children with Disabilities.** Typically, reporters reach out to non-disabled parents or relations as the primary sources for stories about disability. Family members can only understand disability through external lenses, so you should only reach out to them when telling stories about their personal experiences. They should never be allowed to speak as the “authentic voice” of any person with disability. Instead, seek out actual people with disability to talk about disability.
- 6.2 See the Child Before the Disability:** When reporting issues to do with children with disabilities, see the child before the disability. The disability should not define who the child is. The disability should only become the story if the issue specifically involves or concerns the disability. Always ask yourself whether you have sufficient justification for focusing on the disability in your reporting. Can the issue of the disability be avoided without compromising the story?
- 6.3 Call to Action:** Journalists and media organisations are encouraged to highlight the positive stories about the incredible abilities of children to overcome their disabilities and live full, productive and meaningful lives. Such positive stories about children empower them and illustrate the fact that a disability is only a condition.
- 6.4 Special Needs:** Children with disabilities have special needs. Investigate whether facilities are available to meet the needs of such children.
- 6.5 Laws and Policies:** Investigate whether the laws and policies affecting children in Malawi are adequate to protect and empower them. Also investigate the extent to which the laws and policies include and address children's issues.
- 6.6 Discrimination:** Highlight and analyse the possible instances of discrimination against children because of their disabilities. This could be in schools, families, churches and other areas.
- 6.7 Language and Tone:** Avoid attaching negative tags to the disability. Avoid using language such as crippled, invalids, retarded and

handicapped. Instead, use more positive or neutral terms such as children with special needs, children with physical and intellectual disabilities or words related to the specific condition.

6.8 Sound Knowledge of the Disability: Develop enough understanding of the disability you are reporting. Do enough research to speak or ask about the disability from a position of knowledge.

6.9 Don't bury the child's Personality: In your reporting, make sure the personality, skills, interests, talents and feelings of the child with a disability do not remain in the background. These are part of the child's life, so tell the full story.

6.10 No Undue Pressure on the Child: Do not press or force children to speak about their disabilities if they are unwilling to do so.

6.11 Appropriate Questions: When interviewing children with disabilities, avoid asking questions that have the potential to arouse negative emotions in the children.

Action Corner

When planning content on children with disabilities, do you try to balance the need to highlight positive stories about such children while also casting the spotlight on the actions needed to protect them from harm?

Chapter 7

USE OF CHILDREN'S IMAGES



Media images are a powerful tool for seeking and driving change in society. However, while images can have a positive impact on the lives and interests of children, they also present a particular challenge because of their potential to do serious damage to the affected children. This is especially the case in this era of the new media when information and images can go viral in an instant. The huge risks associated with the new media have been recognised by governments and other institutions around the world as laws and policies have been enacted to regulate the distribution of images and other items.

Sections 24 and 85 of the Electronic Transactions and Cyber Security Act (2016), for instance, prohibit online public communication of child

pornography. Among other offences relating to child pornography. Section 85 of the Act states that any person who exposes a child to pornographic material through an information system and possesses any child pornographic material in a computer system or on a computer data storage medium commits an offence and shall, upon conviction, be liable to a fine of K10,000,000 and to imprisonment for fifteen years. In addition, Section 160D of the Penal Code stipulates that “Any person who, with intent to commit an offence, shows, sells, or exposes offensive material to a child, shall be guilty of an offence and shall be liable to imprisonment for seven years.”

Considerations When Using Images of Children

When deciding whether or when to use images of the child, consider the checklist of questions below:

- 7.1 *Best Interests of the Child:*** The issue of the best interests of the child is a recurring theme in these guidelines because it provides the basis for any action that promotes and safeguards the safety and welfare of the child. In deciding to use images of children, consider whether the images are empowering and protecting children. Are the images amplifying the children's voices on the issues that affect them? Are they not exposing the children to harm?
- 7.2 *Telling the whole Story:*** Do the images you use portray the whole complexity of children's lives? Do they tell the achievements, successes and aspirations of children? Do they highlight the actions needed to protect children from harm? Is there data and evidence to support the stories the images are telling about children?
- 7.3 *Consent:*** Do you have the consent of the adults or institutions responsible for the child in order to take and disseminate their images? Despite the consent of the adults, have you thought out whether the dissemination of such image does not threaten the child's physical, mental, moral or social development?
- 7.4 *Right Context:*** In using images of children, are you doing so in a context that resembles the original intention for which they were taken?
- 7.5 *Stray Bullets:*** Are you careful not to unintentionally cover children who are present at scenes where improper acts are being committed? Have you watched the video footage in advance to make sure that no

child has been filmed, even in the background, in a manner compromising for him/her?

7.6 Sanitizing Negative Acts: Have you paid attention when selecting images of children engaging in negative acts that you do not end up promoting or advertising such conduct?

7.7 Non-Disclosure: When protecting the identity of a child at risk, have you made sure your shot does not accidentally expose any other details that would allow the child to be identified, such as address, school name or an easily identifiable site near the residence of the child?

7.8 Disadvantaged Children: Have you looked for a manner of depiction of disadvantaged children that does not offend their dignity and does not intensify the shocking elements in the story?

7.9 Substituting Images: Do you realise that the use of a photograph of another child in order to cover up the identity of the child who is the subject of the piece of reporting puts the second child into an inappropriate context and risk?

7.10 Child's Dignity: Have you represented children in a dignified, respectful manner? Are you not representing children as hopeless or passive victims?

7.11 Protecting the Child: Have you protected the identities of children who are victims of sexual exploitation and those charged with or found responsible for a crime? Have you protected the identities of any children if being identified puts them at risk of reprisal?

7.12 Sexualized Images: Have you avoided the use of sexualised images of children in your platforms?

7.13 Abuse of Children: What is your motive when capturing and sharing pictures of children in dire poverty, hunger-stricken or greatly affected with other problems? Is it to serve their best interest?

Action Corner

Sometimes advocacy institutions such as non-governmental organisations use images such as those capturing emaciated children to mobilise support for people in need of food aid. What is your opinion about the use of such images? Would you allow the use of the images in your platforms?

Concluding Thoughts

The guidelines presented in this handbook are designed to provide general guidance for the reporting of children in the media. They do not cover every possible practical situation where journalists are required to make sensitive judgement calls about the best possible ways of reporting children and the issues that affect them. Nevertheless, while not exhaustive and prescriptive, the guidelines offer a good starting point for journalists and others interested in children's issues to do further exploration of the varied ways through which they can contribute towards the ideal environment for children.

Although the guidelines do not possess the coercive power of the law, they impose a moral and professional obligation on journalists, media training institutions and media organizations to play their part in ensuring that children live in environments that facilitate their optimal development. The guidelines are a call to the media to utilize the enormous power they possess to amplify the voices of children and contribute towards a world where children are able to realise their full potential. The implication for journalists not embracing these principles is that they fail to add their voices and actions to the efforts that seek to make the world a better place for children.

These guidelines build on the foundation of the professional standards for ethical journalistic practice that journalists, media organisations and media professional associations already enforce among themselves, their members and employees. The guidelines are, therefore, a contribution towards a culture of robust media self-regulation in Malawi. This professional culture is exemplified by the existing self-regulation systems and mechanisms which safeguard media independence, responsiveness and accountability.

The guidelines also reflect the best international practices for child rights reporting. These international best practices have been promoted by a wide range of global institutions such as UNICEF, International Federation of Journalists and other stakeholders. However, while the guidelines have benefitted from universal international perspectives, they have been designed to respond to and address local realities for ethical child rights reporting.

References and Resources

- African Union. (1999). *African Charter on the Rights and Welfare of the Child*.
- Barry, C and Jempson, M. (2005). *The Media and Children's Rights*. UNICEF & MediaWise
- Forde, L, et al. (2020). *The Right of Children to Participate in Public Decision-Making Processes*. Save the Children.
- Government of Malawi. (2010). *Child Care, Protection and Justice Act*.
- Government of Malawi. (2016). *Electronic Transactions and Cyber Security Act*.
- Government of Malawi. (2020). *A Situation Analysis of Children with Disabilities in Malawi*.
- Government of Malawi. (1994). *The Constitution of the Republic of Malawi*.
- Government of Malawi. *Children and Young Persons Act*
- Government of Malawi: (1930). *The Penal Code*
- Government of Malawi. (2014). *Marriage, Divorce and Family Relations Act*
- Government of Malawi. (1968). *Criminal Procedure and Evidence Code*
- Government of Malawi (1949). *Adoption of Children Act*
- Government of Malawi. (2015). *Trafficking in Persons Act*
- Government of Malawi. (1997). *Occupational Safety, Health and Welfare Act*
- Government of Malawi. (2006). *Prevention of Domestic Violence Act*
- Government of Malawi. (1966). *Malawi Citizenship Act*
- Government of Malawi. (1979). *Liquor Act*
- Government of Malawi. (1956). *Dangerous Drugs Act*
- Government of Malawi. (1989). *Refugee Act*
- Government of Malawi. (2000). *Employment Act*
- Government of Malawi. (2013). *National Policy on Early Childhood Development*
- Government of Malawi. (2009). *National Strategic Plan for Early Childhood Development: 2009-2014*
- Government of Malawi. (2003). *National HIV/AIDS Policy*
- Government of Malawi. (2013). *National Youth Policy*
- Government of Malawi. (2014). *National Policy to Combat Gender Based Violence*
- Government of Malawi. (2010). *National HIV/AIDS Workplace Policy*
- Government of Malawi. (2004). *Education for All National Action Plan*
- Government of Malawi. (2001). *Education Sector Policy and Investment Plan*
- Jempson, M. (2006). *How to Report on Children in Crises*. MediaWise.
- International Federation of Journalists. *Guidelines and Principles for reporting on issues involving children*. Available on www.ifj.org. Accessed on 01/11/2021.
- UNICEF. (2007). *Children's Rights and Journalism Practice: A Rights Based Perspective*.
- UNICEF. (2018). *Children and the Media: A Guidebook for Ethical Reporting*.
- UNICEF *Child Rights Reporting Guidelines*. Accessed on www.unicef.org
- United Nations. (1989). *Convention on the Rights of the Child*.
- United Nations. (2006). *Convention on the Rights of Persons with Disabilities*.



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