



The case of Nadia Neethling is exceptional, and has presented the media with particularly difficult choices in reporting. She was first named and shown in the media over a week ago, after being abducted while walking home. She was, thankfully, found a few days later and at the time was said to be in good health and that she had not been abused. Recent events saw the arrest and charging of two people in connection with her abduction. It has also subsequently come to light that the two people arrested have been charged with indecent assault. While some media have been extremely careful in their reporting of the case, others have displayed a flagrant disregard for the privacy of the child.

Ordinarily any child under the age of 18 who has been abused cannot be named or identified in the media. The terms of Section 154 of the Criminal Procedures Act in this regard are quite clear. To that extent it appears that the media may have broken the law in naming the child concerned. Die Beeld, reports however, that the legal opinion of the Senior State Prosecutor, Mr Weideman, was that due to the public interest, and that the public would have made the connection had the child not been named, that it was permissible for the media to publish the names of the accused and the victim. That permission to publish the girl's name was given was unusual and while it may have been legal, it could not be argued, as is required by section 28(2) of the constitution to have been in the best interests of the child. That said, it would have been a nearly impossible task for the media to have dealt with the case without having named the child. But it must be stressed that already just by having identified her again and showing her again her interests were sidelined.

Children are afforded special protection in our society, protective measures have been codified in a range of laws, including the Criminal Procedure Act and Child Care act (both of which make specific reference to children and the media). In addition to the various laws there are numerous conventions and guidelines as well as section 28 of our constitution. It seems fair to assume that in the case of this girl child, precisely because the legalities are not clear and precisely because it is an

unusual case that the media should have exercised extreme caution and sensitivity in reporting the events and issues. Some media, notably Die Beeld, The Star and The Citizen made clear efforts to ensure that while they had named the girl they did not go into any details of the alleged assault. Die Beeld even went as far as to include an article on why they had reported the names and to include a request by the Senior State Prosecutor, Mr Weideman, that the media deal with the details of the case in a sensitive manner.

It cannot be argued, further, that it is in any way in the best interests of the girl to have the details of her assault made public. This constitutes a severe invasion of her right to privacy. While e-tv was not the only media to have detailed the girl's trauma, the report on the 19h00 bulletin displayed an insensitive disregard for her interests and right to privacy, and those of her family. Details of what was alleged to have happened to her were given as images of the girl smiling on her return were shown. Child abuse in any form should not be tolerated. It is also understandably a highly emotive issue which often exposes the most base and degrading human behaviour. It does therefore place an added responsibility on the media to treat such cases with the utmost care and consideration. (That e-tv chose to report the case in such a manner also serves to undermine their proactive attempt to deal with child abuse as evidenced by previous items.)

The callous and dramatic manner in which some of the reports of her assault have been detailed are an indictment on those media and arguably constitute a human rights violation. The MMP calls on the media to continue to report on issues of missing and abused children but to do so, as far as possible, with the best interests of the child in mind.

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