



e-tv: Violating the rights to privacy and dignity

One of the central principles of journalism is the protection of the rights to dignity and privacy. The importance of sensitive coverage of those who are grieving, who have endured trauma, is enshrined in journalistic codes of conduct throughout the world. The commercial free-to-air channel, e-tv, has demonstrated some very concerning trends in media coverage over the last month.

One such cause for concern was the coverage of the Marissa Naidoo kidnapping case, shown on prime time news on the 19th of September 2005. e-tv chose to lead with the Naidoo case and showed graphic images of Mrs Naidoo as she spoke about the kidnapping of her daughter. The story was intrusive in its close-up focus on the crying woman as she expressed hope that Marissa would be returned alive.

In another instance during September, e-tv again appeared to show disregard for the rights to privacy and dignity. The coverage in question was a follow-up story after the discovery of the burnt body of 8-year-old Veronique Solomons. The item focused on the realisation by the Solomons that the charred body of a child that had been found by the police was, in fact, their daughter (27/09/2005, repeated 28/09/2005).

The item unfolds like a horror story. The initial story on the child's disappearance (15/09/2005) detailed the Solomons' conviction that the burnt remains of a child found close to their home were not those of their daughter, who had been reported missing a few days before. The report in question follows the police confirming the DNA tests on the burnt remains, and relaying the dreaded information to the Solomons. The camera focuses on the Solomons' shock and distraught response to the news. In dwelling on the tearful parents in their state of shock and grief, it would appear as if e-tv decided to focus on the drama of the anguished parents, rather than safeguarding their human rights to privacy and dignity.

The importance of safeguarding human rights is emphasised in the Society of Professional Journalists' Code of Ethics, which states:

- Show compassion for those who may be affected adversely by news coverage. Use special sensitivity when dealing with children and inexperienced sources or subjects;
- Be sensitive when seeking or using interviews or photographs of those affected by tragedy or grief;

- Recognise that gathering and reporting information may cause harm or discomfort. Pursuit of the news is not a license for arrogance (www.spj.org/ethics_code.asp).

As an independent non-governmental organisation that monitors the South African news media for the representation of human rights-related issues, the Media Monitoring Project (MMP) is particularly concerned over the recent trends in the coverage of sensitive issues. Recent monitoring has revealed that human rights considerations do not always inform the manner in which certain incidents are reported.

Notably, e-tv is to be commended for conducting follow-up stories on missing children, as well as meeting its public service mandate in broadcasting a plea for anyone with information about Solomons' death to come forward. However, the MMP believes that the coverage of the confirmation of their daughter's death to the Solomons constituted a serious abuse of the parents' constitutional rights to privacy and dignity. It is particularly worrisome that not only were the parents denied the right to grieve in private, but also that the e-tv cameras chose to film the precise moment when the parents were informed by the police of their daughter's death. This coverage violated the parents' rights to dignity by showing them in this period of extreme grief and sorrow. The MMP submits that by placing the Solomons on national television during this very private moment, e-tv denied the family its right to privacy and dignity.

It should be noted that in order for this footage to be attained, the e-tv news team would have needed the cooperation of the police and the Solomons themselves. However, although the Solomons may have given consent, such consent needs to be informed, in order to be legal and within the parameters of various codes of conduct and guidelines for journalists. Given the circumstances and the extreme grief already experienced by the Solomons in the loss of their daughter, it seems unlikely that such informed consent was obtained. Even if the Solomons gave permission for the visuals to be broadcast, it is unlikely that they were truly capable of giving informed consent, due to their emotional state.

It would appear as if e-tv made the deliberate choice at least two junctures to show this scene. Firstly, in shooting the scene, the channel presumably had some idea that the Solomons could receive the news that their daughter had died, but the decision was made to film the scene and to continue filming as the bad news was delivered. Secondly, e-tv made an editorial decision, after shooting the footage, and full aware of the contents of the footage, to broadcast the item on prime-time television.

While the incident can indeed be seen as newsworthy, the question arises as to whether the visuals added any value to the story. The question to be asked is whether the item was strengthened with the use of the - albeit powerful - visuals, which violated the Solomons' rights to privacy and dignity. It could be argued that other visuals would have functioned just as well, since it would have been clear to the viewers that the parents were distraught by the news. Previous MMP research has shown that scenes of despair, particularly of black women wailing, are a common feature of media discourse surrounding disaster and tragedy. Often such scenes are not pivotal to the story, but merely included to add an

element of drama. Such practice is extremely unethical, and unfair to the people involved.

The police service is also complicit in the abuse of the Solomons' rights by allowing the e-tv cameras access to the revelation of the identity of the child's remains to her parents. The police must surely have been aware of the impact of the news on the Solomons and would appear, therefore, to have failed in their duty to protect the Solomons' rights.

The SABC's editorial policies prohibit the broadcast of such visuals in news programming. According to the SABC's editorial policies, the right to privacy may only be overridden by "legitimate public interest" (SABC Editorial Policies, 2004, p.13). The policies also commit to reporting on people who are in distress or suffering in a sensitive manner, so as not to compound the suffering of those who have endured loss (p.24).

If the SABC has made such a commitment to ethical coverage, it could be reasonably expected that similar considerations inform the coverage of traumatic events on e-tv. The commercial nature of e-tv should not excuse the broadcaster from meeting its public service and ethical responsibilities. The MMP would like to encourage e-tv to not broadcast scenes that compromise the privacy and dignity of people who are suffering.

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www.spj.org/ethics_code.asp