

AGAINST CHILD ABUSE
COMMENTS ON
INFRINGEMENT OF PRIVACY BY THE MASS MEDIA CONTRIBUTING TO
ADVERSE IMPACT ON VICTIMS OF CHILD ABUSE

1. The Mass Media is an important stake holder in child protection and the prevention of child abuse. It helps to disseminate important message and concepts regarding the problem, its extent, its contributing factors, its management and its prevention and helps to monitor policy and practices. More importantly it explicitly and implicitly impacts upon the value system in the community.
2. The Against Child Abuse has worked intensively with the Mass Media through our 23 years of service through press conferences, interviews, press release etc. etc. publicizing and commenting on cases, issues and projects. This paper is based on such experience accumulated through these years to reflect concerns observed in the best interest of children balancing a respect for freedom of speech/freedom of press and adequate child protection.
3. We propose to the Law Reform Commission of Hong Kong to attend to the following concerns:
 - a. Photos of the child victim publicized or photos and names though not included, the report included other photos or descriptions that still disclosed victim's identity.
 - b. Unprofessional and/or unethical means adopted in order to obtain information, such as not revealing reporter's true identity in interviewing victim and related parties, not interviewing or obtaining information of victim with guardian's and/or child's consent, not revealing true reason of how information taken would be used.
 - c. Publicizing unnecessary details sometimes irrelevant to the case contributing to embarrassment and disturbance.
 - d. Exaggerations, misleading and sensational captions and photos, cartoons.
 - e. Confusing and/or judgmental reporting of cases.
4. The following are some case illustrations of the above listed concerns:

Case I

The picture of a child victim of suspected multiple abuses (physical abuse and neglect by his natural mother) was taken and published in Hong Kong newspapers after his case was out of necessity being reported to police. Reporters took pictures of the child and his cat being chained to his bed. This picture appeared in many local newspapers. The family was badly disturbed and regretted for seeking help from the NGO. Relatives and neighbors of the family discussed about their affairs and friends of the child teased him in school and at home.

Case2

A young adult victim of suspected sexual abuse by a clinical psychologist reported the suspected incident to ACA. With considerable counseling and support facilitating victim consent to report the case to police, the victim after much persuasion agreed to police intervention. Nevertheless, the thought of her case being heard in court with reporters

attending and because of the fear of her case being reported by some local magazines, eventually she insisted not to further pursue her case.

Case 3

A victim of suspected neglect and psychological abuse by a personnel of a child care centre, was the next day followed by a reporter who interviewed the child with the maid without disclosing identity or obtaining proper consent from the child or the parent. The child was further frightened by a stranger (the reporter) and the parent was furious. Eventually because of the unpleasant publicity, they decided not to further pursue the matter.

Case 4

The story of a victim of suspected physical abuse by her mother was published with the photos of the school of the victim and her partial address. The reporters waited outside the school for the victim and his family. Such acts intensified the disturbance to the school and more importantly to the child and family. The child started recanting of what actually happened trying to put an end to the ordeal.

Case 5

The photo of a father who physically abused his son was published with detail description of the family background irrelevant to the case. Furthermore, inaccurate accusations were also reported in details in a rather judgmental and blaming tone. The report triggered provocative response from neighbors and colleagues of the father. Classmates of the son teased him with the newspaper cutting of his father.

Case 6

A couple offered information regarding their difficult child management experience to the media in a press conference organized by ACA. The inappropriate management was exaggerated as serious abuse and wrongly described as violent and abusive relationship. The parents were regretful of their involvement in an otherwise very worthwhile cause.

5. We support the information and recommendations covered by the Victim Support and Women Against Rape.
6. We believe that the existing self regulatory and monitoring mechanisms are ineffective in ensuring victim safety and victim's privacy being respected. Thus an independent, mandated monitoring body provided with resources for execution and education, composing of experts from the field and outside the field and reputable parties from the community seems a better option.
7. We believe that clear principles and guidelines outlining areas of concerns of infringement of privacy must be written down and publicized. Such principles and guidelines must be updated and reviewed on a periodic basis. An updated audit of the situation must be registered to reflect extent of the problem and its handling.

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