



IPSO (independent press standards organisation) The Editors' Code of Practice Consultation

ECPAT UK response March 2017

About ECPAT UK

ECPAT UK is a leading children's rights organisation campaigning to protect children from child trafficking and transnational child exploitation. We have more than 20 years' experience working directly with child victims of trafficking in the UK; supporting professionals across Government to better protect trafficked children; campaigning to incorporate anti-trafficking and child protection measures in UK legislation; and producing cutting-edge research on child trafficking and child sexual exploitation in the UK and abroad. ECPAT UK is the chair of the Home Office Child Trafficking Group.

Child exploitation and the media

ECPAT UK has worked with the UK and international media for more than 20 years, raising awareness of the issues of child trafficking, child sexual exploitation and modern slavery, as well as influencing media best practice on covering serious cases of abuse. While we have witnessed improved reporting of child exploitation, we continue to identify practices that place vulnerable children at risk and create a discriminatory environment for foreign-born children – including unaccompanied asylum-seeking children – child victims of sexual exploitation and children aged 16 and over; both of which have serious implications for legislative and policy-based child protection responses.

Recent cases have shown media outlets, including the Daily Mail, The Sun, the Daily Star and the Daily Express, publishing photos and personal details of unaccompanied young people, thereby risking their security and increasing their vulnerability to human trafficking and hate crime. These unaccompanied young people have been subjected to an unlawful 'trial by media', which challenges the validity of their rights to asylum by engaging in speculative assumptions about their age and bypasses established legal processes designed to protect those most in need (ECPAT UK, 2017).

The consultation response to the IPSO Editors' Code of Practice that follows takes this increasingly hostile environment to some of the UK's most vulnerable children as its starting point, urging editors to consider the impact of current reporting practices on the safety and security of those most in need of protection.

Definition of a child

The United Nations Convention on the Rights of the Child defines a child as a person aged 18 and under. The Editors' Code of Practice currently defines children as 16 and under. All references to children in the Code of Practice must be amended to **children aged 18 and under**.



The Editors' Code of Practice

- The guidance on the public interest which says “there is a public interest in freedom of expression itself” should be made balanced and should be scrapped or should say: “There is a public interest in freedom of expression itself, in the privacy rights of others in themselves and in the right of the public to accurate information.
- Under *Accuracy*, the code should reflect that the complaints of Third Parties should be considered without requiring the consent of the party(ies) directly affected, unless that party explicitly objects.
- Under *Privacy*, specific regard must be given to the privacy rights of children and victims of crime, including human trafficking and sexual exploitation. The media must take all steps to prevent the publication of information that may reveal directly or indirectly the identity, names or locations of these persons without their express consent, and in the case of children without their consent and the express consent of their carer or legal guardians.
- An additional point should be inserted in the guidance on *Reporting cases of child abuse*. When reporting child abuse – including child trafficking, modern slavery, child sexual exploitation, child abuse imagery online and more – care should be taken to avoid printing graphic and voyeuristic accounts of child abuse in order to prevent traumatising and dehumanisation of victims.
- Under *Reporting of crime*, a note should be inserted to clarify reporting on human trafficking, by cautioning against conflating trafficking and people smuggling. Human trafficking involves *exploitation* and does not require the crossing of international borders. By contrast, people smuggling does not always result in *exploitation* (as defined in criminal law) and requires the crossing of international borders.
- Under *Children*, all reference to “children under 16” should be replaced with “children under 18”.
- The title *Children in sex cases* must be reworded. Any legal case referring to “children” and “sex” will implicitly involve the abuse of children. The wording must be changed to *Cases of sexual abuse of children* to reflect the severity of these issues.
- Under *Children in sex cases (Cases of sexual abuse of children)*, all reference to “children under 16” should be changed to “children under 18”.
- Under *Children in sex cases (Cases of sexual abuse of children)*, a note should be made to prevent the use of all language, such as “child prostitution”, “child pornography”, “child sex”, “child sex tourism” and more, that serves to undermine the severity of the abuse suffered by children in these circumstances and infers that children are complicit in or have consented to their abuse. Under law, no child can consent to exploitation. The Government



itself has removed reference to such outdated terms in its official publications (see: <http://www.dailymail.co.uk/wires/pa/article-3480216/Term-child-prostitution-removed-Government-publications.html>).

- Under *Discrimination*, point i) must be expanded to include immigration status and ethnicity in relation to prejudicial or pejorative language.
- Under *Discrimination*, care must be taken to avoid the use of dehumanising language in reference to migrants, refugees and unaccompanied children, including the use of “illegal immigrant” and other such discriminatory phrases.

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