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Media reports on crimes against children focus on emotion rather than facts – study

Acknowledging that the advent of mass media has been one of the most significant developments in shaping the world as we know it today, recent University of Cape Town (UCT) PhD graduate Dr Sisanda Nkoala wanted to understand how that shaping occurs and what it persuades us of.

Her doctoral thesis focused on the television news reporting – during a one-month period in 2019 by South Africa’s two biggest television broadcasters, the South African Broadcast Corporation (SABC) and eTV – on sentencing proceedings in a criminal matter where the accused was found guilty of a violent crime against at least one child. She found that instead of reporting in a purely factual manner to help the public better understand the judicial behaviour and the processes and outcome of a case the news report focussed more on emotive language and visuals.

In democracies around the world, the courts view news media as an essential component in how matters of law are communicated to the public. The news media fosters the idea of open justice by making it possible for the public to develop reliable perceptions through direct observation of judicial behaviour and the processes and outcome of a case.

“Scholars who have looked at the factors that shape opinions on the criminal justice system argue that most people’s views are not based on having had a personal encounter with the system. Instead, the perspectives are informed primarily by what they have seen, read and heard in secondary sources, such as the mass news media. The point of departure in this study is that in these news reports, one can observe how verbal and visual symbols of popular culture have been used to shape attitudes and beliefs around crime and justice in South Africa,” shared Nkoala.

For open justice to find expression in the media-in-law communication model, the emphasis needs to be on news reports that allow the public to observe the evidence and deliberations directly, as opposed to news reports that primarily assign meaning to these processes and outcome for them.

According to Nkoala, the inclination in the reports towards evaluative language that draws attention to the emotive aspects of sentencing proceedings in cases involving violence

against children undermines the educative role envisaged through the principle of open justice.

“While the crimes are often referred to using the correct legal terminology, the fact that the reports also focus on the reasons advanced by the accused as to why he or she committed the crime, also makes this aspect of the reporting appear more evaluative than factual. With the victims being children, the use of their photos at instances when the reports refer to the gruesome nature of the crime committed makes this emotionally provocative. The perspectives from the community further add to the evaluative tone of these reports as the views featured often reference calls for sentences that will serve as punishment and a deterrent. However, there is no indication that these calls are based on an understanding of what informs legal the outcome,” she said.

“Finally, because of the exclusion of explanations from the judicial officers on how the sentence was arrived at, viewers are left to draw their conclusions based on the most salient terms and visuals used, which in this case are based on the emotional appeal of the accused, the provocative references to the victims and the crime, and the sentiments expressed by the public on what these sentences mean.

“The danger in not centring news reports on the pronouncements of the judicial officer is that the other elements do not provide the educational perspective on what the sentences mean.”

As she reflects on her PhD journey Nkoala recalls how she found herself having to balance her personal, professional and academic work; she believes more thought needs to go into support initiatives that consider the diverse backgrounds and experiences of PhD candidates. “My greatest challenges have been trying to access some opportunities as a mother of three young children. In how some initiatives are conceptualised, such as workshops, conferences, writing retreats, the perspective seems to be that PhD students are young people who don't have children and can thus be away for long periods of time.”

But this did not stop Nkoala and because of her motivation and the support of those around her she was able to finish her studies in record time, publish 12 peer-reviewed journal articles and book chapters, and present at various local and international conferences. She is also elated at being invited to join the Golden Key initiative, an honour granted to those who graduate in the top 15% of their cohort.

[Read her research article 'Crimes Against Children: Evaluative Language and News Reports on Sentences' online.](#)



Dr Sisanda Nkoala with her children: Zhakiya, Zhane and Azikiwe
Photo: Nkanyiso Ncube

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