

SUBSIDIARY LEGISLATION 350.17

REQUIREMENTS AS TO STANDARDS AND PRACTICE APPLICABLE TO DISABILITY AND ITS PORTRAYAL IN THE BROADCASTING MEDIA

22nd March, 2007

GOVERNMENT NOTICE 260 of 2007.

The title of these requirements is the Requirements as to Standards and Practice applicable to Disability and its Portrayal in the Broadcasting Media. Citation.

1. Introduction

1.1 These Requirements as to Standards and Practice have been made by the Broadcasting Authority in virtue of article 20(3) of the Broadcasting Act, Chapter 350 of the Laws of Malta.

1.2 There is no doubt that persons with disabilities are persons first and foremost, who have full human and civil rights, and are entitled to dignity and respect. The social exclusion of persons with disabilities by the majority is an example of social intolerance. The frank acknowledgement of differences is an important step in the attainment of an inclusive society. When disabled people seek to be addressed as persons, they are not negating their disability, but placing it in its context. The "news value" of disabled persons is their overcoming of the hurdles society puts in front of them. In so doing, they are making themselves less disabled, and also contributing directly to the mainstream of society.

1.3 A major contributory factor to disability is prejudice, stereotyping or "institutional discrimination" against disabled people. In this respect the media has enormous power to either perpetuate stereotyping and prejudice, or educate the public to have a more understanding, positive attitude towards disabled people.

1.4 It is the commonly accepted myths and stereotypes about disabled people that make disability an extraordinary thing. The common assumptions about disability focus on the disabled person's lack of abilities. Indeed, the negative terms most frequently used to describe disabled people as: "crippled", "handicapped", "less fortunate", all accentuate the disabled individual's biological (or medical) imperfections. All these negative terms compare disabled persons less favourably with their (presumably) more "fortunate" peers.

1.5 Even more "politically correct" designations, such as, "differently challenged", impaired, persons with special needs, etc, accent the disabled person's apartness, the disabled individual's dislocation from the group and the community.

1.6 Many of the definitions of disabled people and disability have been created by non-disabled people who tend to equate

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disability with the individual's physical and/or intellectual impairments; that is, they focus on the biological, or medical aspect. So widespread is this belief that it is biological impairment and lack of function which create disability, that the World Health Organisation (in the early 1980s) based its own definitions on these assumptions. The whole focus of this viewpoint is on the individual and their perceived inadequacy.

1.7 However, over the last twenty years this viewpoint has been systematically and widely rejected, by disabled people and their organisations. They argue that by focusing on individual, medical inadequacies the so called "medical model" of disability holds disabled people themselves responsible for any difficulties they may encounter during the course of their daily lives. At the same time it totally ignores the restrictive environments and disabling barriers created, not by the disabled persons, but by a society in general.

2. Misrepresentation of Disabled People

2.1 It is difficult to overestimate the damage caused by negative terms and the resultant negative images of disabled people. Disabled people often feel they are misrepresented by the way in which they are portrayed in words, pictures and sound on the mass media.

2.2 Representation of disabled people as "different" or "special" simply because of their disability; imagery is used which portrays them in extreme terms, such as the "hero" or "victim" approach:

- i. VICTIMS are portrayed as tragic helpless and pathetic;
- ii. HEROES are portrayed as eternally cheerful, superhumanly good and tremendously courageous;

2.3 The patronising attitude towards disabled people reinforces stereotypes even when they are presented positively. This happens, for example, when disabled persons are praised for achieving something that would be unremarkable if done by others.

2.4 The frequent use of particular phrases and terms in daily language which may be purely subjective and result in inaccurate, patronising and ultimately damaging imagery. This includes the use of emotive terms like "afflicted", "stricken", "sufferer" and "victim", the use of phrases such as "confined to a wheelchair", the treatment of disabled people as if they were a homogenous group instead of a diverse group of individuals and the making of assumptions or generalisations about how disabled people feel.

2.5 The portrayal of impairment, especially when evident, by focusing on the individual's impaired condition at the expense of the person's other attributes.

2.6 Lack of consultation with disabled people and their organisations about issues affecting their lives.

2.7 The undignified portrayal of disabled people during

broadcasts of fund-raising events and charity campaigns depicting them as uni-dimensional stereotypes.

2.8 The ridiculing of the disabled in productions, especially teleserials exploiting disability for humour.

2.9 Failure to check accuracy of information before it is broadcast; and

2.10 The portrayal of disabled people in a sensational manner.

3. Broadcasters' Responsibilities

3.1 It is the responsibility of all Broadcasters to be sensitive to problems outlined above and to avoid them.

3.2 Moreover broadcasters should take positive steps in order to ensure a more inclusive representation of disabled persons in programming.

3.3 Broadcasters should aim to recruit disabled persons to work among their staff and in particular the portrayal of disabled persons in drama should wherever possible be carried out by disabled actors.

3.4 Broadcasters are in duty bound to minimise common problems such as those of physical access which impede the participation of disabled persons in broadcasting activity.

3.5 Broadcasters should be guided by such policy which may from time to time be officially adopted regarding the portrayal of disabled persons in the media.

3.6 Each station shall be responsible for the way disabled persons and disability issues are portrayed in every broadcast, including the responsibility to refer to the competent organisations and authorities on matters relating to disability.

3.7 Where a licence is issued the broadcaster will be expected to portray disabled persons and disability issues in a proper way.

3.8 Overall, the guiding principle of broadcasters should be to deal with disabled persons without dwelling on their disability, unless the topic being presented is specifically that of disability; when the latter is the case to treat the subject with due dignity and fairness.
