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To cite this article: Sisanda Nkoala (2020) Crimes Against Children: Evaluative Language and News Reports on Sentences, Javnost - The Public, 27:4, 420-432, DOI: [10.1080/13183222.2021.1844500](https://doi.org/10.1080/13183222.2021.1844500)

To link to this article: <https://doi.org/10.1080/13183222.2021.1844500>



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Published online: 19 Nov 2020.



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CRIMES AGAINST CHILDREN: EVALUATIVE LANGUAGE AND NEWS REPORTS ON SENTENCES

Sisanda Nkoala 

This study explores how South African television news reports communicate on sentence proceedings criminal cases involving violent acts against children. These kinds of crimes tend to attract public interest, and the outcomes can be a litmus test on the community's views concerning the justice system. By using cluster criticism to consider the discursive and non-discursive components of selected news reports, the study considers how television news broadcasts use factual and evaluative language and visuals when communicating court outcomes. The paper argues that these broadcasters tend to use evaluative language and visuals, as opposed to factual terms. This tendency can prevent news media from playing the educative role envisaged in the principle of open justice because instead of emphasising the factual aspects of sentencing proceeding, these reports focus on the outcome and the emotive aspects of the cases that entertain rather than educate.

KEYWORDS media-in-law; evaluative language; open justice; television news reports; sentencing proceedings

Introduction

News media are the primary means through which the courts communicate with the public about legal processes and outcomes (Gibson and Caldeira 2009). They are also the mediums the public turns to, to make sense of court decisions. Legal scholar and former judge, Antoine Garapon asserts that “for millions of people, the television has become ... the main, not to say the sole, source of information, culture and entertainment ... and therefore, for many, the only contact they have with the law” (Garapon 1996, 231). An empirical study by (Dorfman and Schiraldi 2001) further confirmed this when it found that three out of every four people in America have formed their opinions on the justice system based on communication from news media sources. Still (Robson and Schulz 2016, 2) note that given how media-saturated the world has become, “the extent of programming and coverage [by the media is] so vast ... it must have an influence on how people view and understand the law.”

One of the theories used to explain how news media communicates on matters of law is called the media-in-law model. Through this conceptualisation, one considers how media texts about the justice system influence the general public understanding on matters of law. This view assumes that because of their prevalence, the public considers these media reports to be reflective of court processes and outcomes. (Robson and Schulz 2016, 4) say this approach pays attention to a media text’s “unique qualities as a

medium and asks how its peculiar ways of world-making shape our expectations of law and justice in our world at large." It considers depictions of the justice system from the perspective of people whose exposure to it is primarily through texts in popular culture. By using this media-in-law perspective, this study assumes that the news media wields incredible influence when it comes to beliefs and views about the law, as argued in the literature discussed above. Gies goes as far as to term this influence "the mass media's iron grip on the popular legal imagination" (Gies 2007, 1). This approach shifts the focus from the letter of the law, which can seem cold and disconnected from other aspects of society, to focus on the context in which the law is lived out, namely in everyday life. Ewick and Silbey (1998) explain it by noting that legality "is not sustained only solely by the formal law of the Constitution, legislative statutes, court decisions, or explicit demonstrations of state power, such as executions. Rather, legality is enduring, because it relies on and invokes commonplace schemas of everyday life" (Ewick and Silbey 1998, 17).

News Reports and Open Justice: Media-in-Law Communication Model

This communication model can also be used to explain why it is that in democracies around the world, the courts view news media as an essential component in how matters of law are communicated to the public, as espoused in the principle of open justice. Defining this principle, former South African Chief Justice, Sandile Ngcobo (Ngcobo 2010) said: "Open justice is the principle that the doors of all the courts in the nation must be open to the public and the press." 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. The idea is that in providing information, the media then creates awareness and encourages public scrutiny, and this, in turn, fosters public confidence in these institutions which are then perceived as open and accountable to the public (Rodrick 2014). While the idea of open justice existed before the advent of mass media, there is no doubt that media coverage of the courts is an integral part of how this value is realised in the contemporary era. Besides the transparency and accountability that media fosters, through this principle of open justice, media coverage of court processes is also touted as serving an educational role through which the public can observe, and hence learn about how court (Ngcobo 2010) (Spigelman 2006). However, undergirding this educative role is the assumption that through the media-in-law communication model, news media communicates on matters of law with the primary intention being to educate the public about these institutions, thus prioritising reporting that is factual, accurate and objective.

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. Noting this, Rodrick argues, "to the extent that media reports are detailed, accurate and give a comprehensive account of typical cases that come before the courts, the media augment the educative effect of the principle" (Rodrick 2014, 128). Research into this has found that in how they report on court cases and outcomes, the news media relies on different imperatives from those espoused by the courts, and the idea of open justice. This is because when putting together this product called news, journalists use a set of criteria that they come to internalise as a

result of formal training, as well as the informal socialisation they go through in the news organisations they work in (Harrison 2006). A study by Bob Roshier (Roshier 1973) on factors associated with the newsworthiness of crime and justice news reports found that the incidents that get media coverage are not necessarily those that are most informative and educational, but rather those that are most interesting, and perhaps entertaining, for the public. Thus there tends to be a disproportionate amount of media focus on particular court cases, even if those cases are not a proper reflection of the most pressing criminal justice issues.

In its examination of news reports on court processes and outcomes in South Africa, this study endeavours to make some aspects of this deep structure that drives coverage in this context more transparent. This can help us unmask the unacknowledged, yet prevailing beliefs that are advanced in how these influential reports are constructed, and further how these may shape the public's deliberations on notions of criminality and justice. By using Kenneth Burke's framework of language as symbolic action (Burke 1966), the study considers how words and visuals are used in television news reports on sentencing procedures, to communicate particular perspectives on notions of justice and how these are enacted in these institutions to the public.

Conceptual Framework

Burke's conceptualisation of language as symbolic action is relevant when considering the media-in-law communication model because it directs the analysis to how those who craft news media texts use words and visuals to "identify symbolically their perspectives as they attempt to define situations, create orientations or attitudes and shape an individual's view of reality" (Foss 2017). While he does not explicitly define this notion of language as symbolic action, he argues that all language is persuasive because not only is it a tool used to say things, it is also a tool used to *do* things. Thus when a particular court outcome is defined as a "*harsh sentence*," or the featured visuals of an accused person portray them displaying intense emotion during sentencing proceedings, those choices are not merely about relaying information around the outcome; they direct the audience to interpret that outcome in a particular way, which usually aligns with the perspective of the journalists who crafted the story (Burke 1950).

To explain how this works, Burke introduces the idea of terministic screens which he describes as filters, or screens, through which we view reality as it is expressed through language (Burke 1966). Describing one court outcome as harsh and another as a sign that justice has been served is an example of terministic screens at work. Our interpretation of what a particular court sentence means is informed by how it has been described. Burke posits that there is no way of avoiding terministic screens "since we can't say anything without the use of terms; whatever terms we use, they necessarily constitute a corresponding kind of screen; and any such screen necessarily directs the attention to one field rather than another" (Burke 1966, 50). While Burke uses language in the discursive sense, because the perspective that undergirds the concept of terministic screens is symbols used from communication, it can be applied to visual communication too. In fact, in expounding on how he came to the idea of terministic screens, Burke states that it was inspired when he came across "different photographs of the same objects, the difference being that they were made with different color filters." (Adoni, Cohen, and Mane 1984, 34)

argue that when it comes to television, persuasion occurs when the “symbolic representation of reality is based on selection and editing of material derived from reality, and thus depicts only a certain part of reality and portrays it from a specific point of view.” This “certain part of reality” and the “specific point of view” articulated by the reports is what the analysis is most interested in since it is what may point to the perspectives advanced by the coverage. Moreover, because of the audio-visual character of television, the study is interested in the crafting of television news reports as texts that are both visually and discursively persuasive since this medium uses these strengths as a platform for socialisation (O’Guinn and Shrum 1997).

Case Study

Method

The study employed cluster criticism as the method of analysis. Based on the conceptual framework discussed above, cluster criticism is employed with the view that in how the symbols of communication are used, namely language and visuals in this instance, one can understand the motives behind what is being communicated since language reflects the communicator’s views of reality (Burke 1950) (Burke 1966). Cluster criticism is a method of rhetorical criticism wherein the critic focuses on the relationships and meaning between terms in the text (Foss 2017). Burke explains this approach by stating: “Now, the work of every writer contains a set of implicit questions. He uses “associational clusters.” And you may, by examining his work, find “what goes with what” in these clusters – what kinds of acts and images and personalities and situations go with his notions of heroism, villainy, consolation, despair, etc.” (Burke 1974, 20). Burke posits that in examining these associational clusters, the critic can move towards understanding the complexities that underlie what the text is saying.

Data and Selection Procedure

The data used in this study is from English television news reports that were broadcast by the South African public broadcaster, the South African Broadcasting Corporation (SABC), as well as the biggest free-to-air television channel in South African, eTV over 50 days between September 15 and October 20, 2019. Television was chosen as the medium because of the traditional forms of mass media, namely print, radio and television, television is the only one that combines moving visuals, audio and text in its re-presentations of reality. This combination is by far the most realistic for audiences since it relies on visuals to show them what transpired in a particular incident, and audio to ensure that those involved in an incident are allowed to speak for themselves. Furthermore, by exploring news coverage of court developments and decisions from South Africa, the study hopes to add to the body of scholarship which is dominated by perspectives from the global north, particularly North America (Robson and Schulz 2016).

The news reports that were selected from the SABC and eTV bulletins were those that were based on sentencing proceedings in a criminal matter where the accused was found guilty of a violent crime against at least one child. The focus on violent crimes against children was informed by the fact that in that particular year, these types of crimes, under the broad umbrella of violent crimes against women and children, were very topical in South

Africa, and were the subject of several discussions and debates across various media platforms. The focus on the sentencing procedures, as opposed to other aspects of the court process, such as the judgements, was driven by research that has found that because of the distorted ways in which media communicates about sentencing procedures, the public has misconceptions around how these work and what they mean (Berry et al. 2012) (Roberts and Doob 1990).

Based on this criterion, three cases were deemed suitable for further analysis. The first was the judgement and sentence of Nicholas Ninow, a 21-year old man who was found guilty of raping a 7-year old girl in a toilet at a restaurant in Johannesburg in 2018. In the period under consideration, the outcomes that were communicated in this case were the final judgement that found him guilty of rape and two other charges related to the incident, as well as the sentence which was life in prison. The second story relates to Zintle Maditla, a 25-year old woman who was found guilty of murdering her four children aged 8, 6, 4 and 11 months in 2018. In the period under consideration, the news reports dealt with her giving testimony as part of sentencing proceedings, as well as the actual sentence which was given as four life terms behind bars. The third story related to a Nkosingithi Ndlela, a 38-year old man who was found guilty of murdering his two children aged 7 and 3 in August 2019. In the period under consideration, there was one news report filed concerning this case, and it focused on the handing down of the sentence of two life terms.

Data Analysis

The procedure followed was based on the three steps approach described by (Foss 2017) in her work on rhetorical criticism. Firstly, the key terms and concepts were determined. In the case of these news reports, these were: the crime, the criminal, the child victims, the court, and the community. In terms of the criminal, consideration was given to the words and visuals used as biographical terms used in reference to the accused, as well as any discursive and visual references to his or her emotional state and posture during the court hearings. Similarly, consideration was given to the words and visuals used when referring to the child victims. In terms of the crime, consideration was given only to how the crime was referenced using words since there were no visuals related to the crime in any of the reports considered. For the terms on the court, consideration was given to how words were used to explain the decision the court had arrived at, and how that decision was made. Consideration was also given to the visual depictions of the presiding officers who, in handing down the sentence, do so on behalf of the court. Finally, in terms of the community, consideration was given to terms used by third parties, namely members of the public and the relatives of the accused, in the news coverage. These were identified as the key concepts because even though the details differed in each news report, each case made some reference to the criminal, the child victim(s), the crime, the court, and community perspectives on the outcome.

The second step of the cluster criticism was to consider the words and images associated with the key terms in these stories. The collection of these elements is what is referred to as a cluster (Foss 2017). It was found that there were two types of word- and image-clusters that could be associated with the key terms in these stories. The first were factual, and the second were evaluative. Factual clusters were those that referred to the key terms to elaborate on the factual elements. Evaluative clusters involved words and visuals that

were clearly used to convey a value judgement or an interpretation of a key term. An example of this is the description of the crime Ninow committed. In one report it was termed a rape; in another it was termed as a violation. The first instance is a factual description, and the second is evaluative. Table 1 below provides more examples of these. Terms were deemed to be evaluative or factual based on what they were deemed to be trying to do in their reference to the key term. As such, terms such as “mother” and “father” could be deemed to be a factual reference in one context and an evaluative reference in another.

The final step, discussed below, was to consider the relationship between the clusters and the key terms to understand better how these television news reports used words and visuals to communicate on the sentences handed down in cases involving violence against children.

Discussion

The Crime

The clusters used in reference to the crime tended to employ factual terms when referring to the crime itself, and evaluative terms when referencing the stated reasons, the crime was committed. Legal terms such as “rape” and “murder” were used to state what the accused had done, indicating an inclination to report on the crime by using the correct legal terminology. There was one exception to this, and that was in the Ninow rape case, where the report stated that he was being sentenced for “violating a 7-year old girl.” The reports all made references to the reasons the accused had given for why they had committed the crime. In those, the journalist employed evaluative language about the accused’s state of mind at the time. Phrases such as “extremely emotional and angry,” “the 25-year-old may have been stressed” and “he was on the third day of a drug and alcohol binge.” Whether these descriptions were quoted directly from the testimony given by the accused in mitigation of sentence, whether they were the journalists’ own interpretations of the reasons advanced is unclear. Their inclusion in the news reports prompts the viewer to interpret the crimes through a mental filter where the accused is someone who was either not emotionally stable or mentally sound at the time of meting out the violence.

The Criminal

Concerning the criminal, the cluster of terms that dominated the news reports employed evaluative language and visuals. Maditla is described as a “25-year old single and unemployed mother of four” who confessed to murdering her children “after she allegedly discovered the father of two of her children with another woman.” A similar narrative is employed when reporting on Ndelela’s crime wherein he is described as a “38-year old Mpu-malanga father” who was a “former court interpreter” and confessed to murdering his children “after his wife left him.” These details steer the focus towards the motives behind the murder, namely parents who suffered grave moral injustice at the ends of their romantic partners, which then prompted them to behave in uncharacteristic ways. The perspective of this behaviour being uncharacteristic is evident in the references that these parents not only had suffered this moral injustice, but on the part of Maditla, this injustice was behind her “stressing about how she would take care of her children,” and on the part of Ndelela, the argument with his wife, and her subsequent threat to leave him caused him to become “extremely emotional and angry, and when his wife left, in a rage he hanged his children.”

TABLE 1
Cluster terms

	Nicholas Ninow	Zintle Maditla	Nkosingathi Ndlela
Crime	violating a seven-year-old	This after she allegedly discovered the father of two of her children with another woman. Judge Mphahlele detailed the events of the fateful day. Four young lives cut short. A murder the mother had planned, and she never showed remorse.	murder committed last month after his wife left him. killing of his two children by hanging them with his ties he claimed that he suspected that his wife was cheating on him. On the day of murders, he says he had a heated argument with his wife Ntombi Ndlela he got extremely emotional and angry, and when his wife left, in a rage he hanged his children then tried to kill himself but was unsuccessful. Ndlela said he handed himself over to the police to show remorse.
Criminal	<i>Visual: Close up shot of Ninow in the dock with his head bowed, wiping away tears</i> Dros rapists The man who pleaded guilty for violating a seven-year-old Self-confessed child rapist Convicted rapist notoriously known as the Dros rapist 21-year old man	<i>Visual: Close up shots of Maditla in the dock with her head bowed</i> A 25-year-old single and unemployed mother of four She says she can't sleep at night because of her guilty conscience. But the state argues Maditla broke down the mother who murdered her four children <i>Visual: Wide shot of Maditla walking down to the holding cells. She reaches out to hold the hand of someone in the public gallery. As she walks down she is crying</i>	<i>Visual: Medium-wide shot of the accused in the dock, taken from a side profile</i> The former court interpreter 38-year old Mpumalanga father

(Continued)

TABLE 1
(Continued)

	Nicholas Ninow	Zintle Maditla	Nkosinathi Ndlela
Court	Throngs of activists flocked to court GA to learn Ninow's fate The judge gave a graphic account of Ninow's actions	the judge was clearly unmoved. "I must be punished for what I did" chilling admission of Zinhle Maditla.	
Child Victim(s)	7-year old little girl the young rape survivor <i>Visual: Close up of a court microphone. The object is the only thing featured in the frame. This is used while the journalist refers to the girl's testimony</i> 7-year old girl the child the girl	<i>Visual: Still image of a young girl followed by still image of a young boy, followed by an image of a young girl, followed by an image of a baby</i> The decomposing bodies Four young lives	his two children
Community	The state is expected to call for harsher sentencing, which is life imprisonment, and the defence is also expected to ask for leniency and mercy. the speedy conclusion of the trial Activists want the sentence to reflect the country's anger against the high rates of femicide and rape. Activists reiterated their call for the case to be used as a strong warning against the scourge of rape in the country. But in the wake of violence against women and children around the country, there have been calls for harsher punishment for perpetrators.	Tears began to flow when Maditla apologised to her family her mother and the fathers of her children. <i>Visual: Maditla standing up talking to some people who were in the court gallery. One of them puts his hand on her shoulder in a comforting gesture. Another one hugs her as they leave the court</i> Maditla's family is shocked, yet pleased that justice is being served. Judge Mphahlele says the sentence should serve as a deterrent to others.	I am happy that he has been sentenced, but a sentence won't bring back my kids.

These descriptions are given against the backdrop of statements that these accused have admitted to the crimes and are expressing “remorse” and “regret” for what they did.

The descriptions used about Nicholas Ninow are markedly different. There is a factual reference to his age, namely a 21-year old man, but the term most used to describe him is “rapist.” He is called a “self-confessed child rapist,” a “convicted rapist” and a man “notoriously known as the Dros rapist.” Unlike in the cases involving the children’s parents, the reports do not refer to Ninow’s life beyond the descriptor of being a “rapist.” We do not know if he is employed or unemployed or whether he was stressed or not at the time of the crime. With the two other cases, the reports paint a fuller picture by alluding to the employment situations of the accused, as well as other personal dynamics, such as being in romantic relationships that appeared to be breaking down. Another notable aspect of the cluster of terms used for Ninow as a criminal is the fact that even though he was found guilty of two other crimes, namely drug possession and defeating the ends of justice, the only one used to characterise him in these reports is the one of rape.

In terms of the visuals the reports used, the images used in reference to the accused were evaluative. While we “saw” the accused, the way they were depicted was to advance a perspective that emphasises their emotional states as an expression of their remorse. Particularly in the news reports featured on the days when the accused gave testimony in mitigation of sentence, there were many instances where close-up visuals of an emotional Maditla or Ninow in court either crying or looking down and appearing to avoid eye-contact suggesting shame. An example is as follows: “Maditla broke down (*visuals: the camera pans down to reveal Maditla with her folded arms*) in court during her testimony.” These visuals reinforce this and suggest that she is extremely sorry for what has happened.

In writing about the use of the close-up shots in television, Derek Bousé notes that this kind of shot is used to create a false sense of intimacy, because of how close it brings the viewer to the subject (Bousé 2003). The point of this shot is to move the focus away from the subject’s surroundings, and instead by focusing on their actions and emotions, to give the viewer a sense that they are engaging directly with the person (Heiderich 2012). The effect of framing the accused using this shot is that viewers can see the accused from a vantage point that not even those who were in the court-sitting with him were able. Further, in using these shots to depict the remorse and regret expressed by the accused, the viewer is given a sense of the intense emotions the accused may have experienced as they expressed this regret. This is probably one of the features that watching court proceedings on television has that cannot be experienced in another way, including from being present in court. Through the use of cinematographic techniques, the vantage point that viewers have on “reality” is different from what it would be through in-person experiences. Hungarian film theorist Be ‘la Bala ‘zs argued that because of particular psychological appeals, close-up shots are the best shots to use for revealing a character’s emotions and making suggestions around their psychological state (Balazs 1970). Using it in the context of these sentencing procedures then is intended to play into the idea that this aspect of the legal process is about emotions.

The Child Victims

The clusters for the victims similarly relied on evaluative visuals. In the two murder cases, photos of the victims are displayed to coincide with very emotionally charged

portions of the narrative. In the Maditla case, the display of the photos of her respective children coincides with a portion when the journalist says “The decomposing bodies of (*Visual: photo of a young girl*) eight-year-old Minentle (*Visual: photo of a young boy*) six-year-old blessing, (*Visual: photo of a young girl*) four-year-old Shinikwa, and eleven-month-old Ethan (*Visual: photo of a baby*) were found wrapped in blankets on December 30 last year.” While the photos featured are of smiling children, the words that accompany them evoke a more gruesome image. In introducing these visual, the preceding term of “decomposing bodies” prompts the viewer to look at them through a mental where he or she imagines the happy children depicted in those picture as decomposed bodies found wrapped in blankets. Similarly, in the Ndlela case, photos of his smiling children are featured as the journalist describes the details of how they died, stating “Nkosinathi Emmanuel Ndlela confessed to the killing (*Visual: two photos arranged as a collage of two children*) of his two children by hanging them with his ties.” In the Ninow case, we do not see the victim at all since she is alive, and the law prohibits revealing the identity of victims of sexual assault, especially children. However, when she is mentioned in the reports, terms such as “young rape survivor,” “a 7-year old little girl” and “child” are used, drawing attention to her age.

The Court

In all three cases, reference was made to statements made by the presiding officer at the time when the sentence was being handed down. In these instances, the cluster terms were evaluative, while the visuals used adopted a more factual depiction. In the Maditla case, two soundbites are included from the judge. The first is when she delivers the sentences, and the second is when she responds to Maditla’s assertions of being remorseful by stating “[Maditla] claims that she was in the meantime tormented by her conscience, but she failed to seek help and/or report the matter.” The presiding officer in the Ndlela case is not quoted directly. His statement is paraphrased to state that he “told Ndlela that handing himself over to the police and pleading guilty was not enough mitigation for a lesser sentence.” What is missing in these reports is a discussion on the sentencing rationale. Instead, in foregrounding terms that allude to the emotional states of the accused and their expressions of regret, which are subsequently rejected by the court, the suggestion being made here is that these sentencing procedures are primarily about gauging how remorseful the accused feels.

It is noteworthy that the officers are featured delivering an outcome. In the Maditla case, the presiding judge is quoted directly giving out the sentences. “In respect of count one, for the murder of the little Minihle Maditla, you are hereby sentenced to life imprisonment. Count two in respect of the murder of the little Blessing Maditla, you are hereby sentenced to life imprisonment ...” The judge in the Ninow case is also featured handing down the sentence. “Rape, you are sentenced to life imprisonment. Possession of drugs, you are sentenced to five years imprisonment ...” In both of these cases, the soundbites chosen do not allow the presiding officer to elaborate on how the sentences were arrived at. Instead, the journalist is the one that paraphrases what the presiding officers would have said in court when justifying the sentences. “The judge gave a graphic account of Ninow’s actions ...,” “the judge was clearly unmoved.” This choice in soundbite places emphasis on the presiding officers’ role as people who announce outcomes rather

than their role as people who deliberate on the presented evidence and arrive at a finding.

In terms of the footage used of the judicial officer, the shots are almost exclusively medium shots, which are the types of shots typically used when one films an interview because they are framed as an approximation of how close to a person one would be when engaged in a conversation (Heiderich 2012). They are close enough such that we feel like we are looking at the person in the eyes akin to what would happen when we are engaged in a conversation, but not too close that we focus on the facial expressions and get drawn into the emotions. Thus the medium shots are used to establish a psychological distance between the viewer and the judicial officer, to infer a sense of objectivity in the decision being announced. These shots are used when the intention is to go for the neutral narrative approach where we are not engrossed in the person's emotions, as expressed in the facial expression. However, at the same time, we are not focused on what is happening in their surroundings. The officers are also featured as they read the judgement, ensuring that what they have to say is understood in the context of their role as the final arbiters on the sentence the accused deserves. Here the idea of clustering around the key term, which in this case is the judicial officer, occurs visually through the most dominant visuals used when referencing this subject in the story. The difference between the close up emotive visuals of the accused and the medium more objective visuals of the judicial officers alludes to the fact that it is not just in what is said about the key terms in these types of news reports, but what is shown.

The Community

The final aspect worth considering in these stories is how the opinion of the community, including political parties, civil society organisations as well as family members of the victims and accused are featured. This inclusion of these voices is a feature observed in all three stories. In the Maditla case, this is expressed through the inclusion of a perspective from a relative whose exact relation to Maditla and her children is not clearly stated. In the Ndlela case, this is expressed through the inclusion of a soundbite from the deceased children's mother. In the Ninow case, the public gallery is featured quite frequently in the visuals used, and in most of these instances, this is done through a wide shot of the public gallery which is full of people in political apparel.

These community voices are featured expressing perspectives that the criminals in question should be sentenced to at least one life term in prison. The words and terms surrounding this perspective are that "we don't want him ever to come out of jail" and "harshest sentence," "maximum sentence" These are the direct words from these actors. In summing up these views, the journalist states "Activists want the sentence to reflect the country's anger against the high rates of femicide and rape." Thus, the implication from this is that for these third parties, sentences handed down by the courts are about punishment and deterring other would-be criminals. Summarising a view on the community's views on the sentencing procedures, the journalist states "Activists reiterated their call for the case to be used as a strong warning against the scourge of rape in the country." In one report the journalist further paraphrased the perspective from the presiding officer, saying that the officer "says the sentence should serve as a deterrent to others."

Conclusion

When we consider television news reports on court outcomes using Burke's notion of terministic screens, we uncover how words and images are used concerning the key terms that form part of news reports on sentencing proceedings, to understand better how they are used to communicate particular perspectives to viewers on these outcomes. In the analysis above, what emerges is that the inclination in the reports is towards evaluative language that draws attention to the emotive aspects of sentencing proceedings in cases involving violence against children. This undermines the educative role envisaged through the principle of open justice, as (Rodrick 2014, 128) argues: "to the extent that reports and commentary are inaccurate, biased, ill-informed, superficial or sensational, their educative effect must be questioned." 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. 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.

Disclosure Statement

No potential conflict of interest was reported by the author.

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