

Research Paper

Children. Pictures. Rights

Personal Rights of Children in the Context of Digital Media Use in the Family

English Summary

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This study examined how Sharenting - the use of digital media to share data, especially images of children (especially in social networks) with others – is practised in families. On the basis of 37 interviews with children and parents, it was empirically reconstructed how media education in the interviewed families is structured, in which parents and children deal with children's data in the context of digital media. Focusing the question of how digital media use and sharenting are embedded in everyday family life, we analysed to what extent children are involved in parental media practices and decisions, and how the personal rights of the children are dealt with. The research asked how familiar children and parents are with digital media and what role these media play in everyday family life. In particular, the question of how to deal with data protection and the right to one's own image as well as the involvement of children in decisions concerning their data were examined. An issue here was also how parents deal with the tension between autonomy and protection in the context of media education and how they perceive and shape their parental responsibility in the context of digital media use.

Digital media = social network services are part of everyday family life.

The findings of the study show that digital media have become part of everyday family practices. In all families interviewed, social networks and mobile media are a natural part of communication between family members. They are also associated with family practices such as photographing and sharing photos with acquaintances, friends and other family members. All of the children who participated in this research use services that they are not yet allowed to use, according to the age limits stated in the General Terms and Conditions of Social Networks such as WhatsApp, YouTube or Snapchat, because they have not yet reached the minimum age.

WhatsApp, Facebook, Instagram, YouTube and Snapchat are available on the parents' smartphones. Facebook is perceived as "public" and WhatsApp as private. Children's data are shared on WhatsApp by parents far more carefree.

All parents interviewed own smartphones and usually have installed popular apps (e.g. WhatsApp, Facebook, YouTube, Instagram) on them. The majority of parents in the study distinguish Facebook as "public" and WhatsApp as "private". As a result, parents are more reflective of what they publish on Facebook and share data about WhatsApp largely without hesitation.

Parents feel largely overburdened by media education and find themselves in a conflict between shifting responsibility and controlling the privacy of their children.

All in all, the results show that parents are very concerned with the question of how they can support their children's use of the media in an educational way and also reflect on their own practice. They try not to lose touch with the developments in the media and at the same time perceive themselves as overwhelmed. The ambivalence of autonomy and protection in the context of established digital media leads parents to resort to sometimes problematic strategies: Since it no longer seems justifiable for some parents to prohibit children from using services such as WhatsApp in the peer context, which

are not yet approved for their age, parents face a complex control problem. Parents then try to limit the autonomy associated with the use of services by intervening, in some cases deeply, in the child's privacy. They make the children give them passwords for social network accounts, regularly search the child's smartphone including the WhatsApp messages and chat history sent, find out the children's whereabouts through Snapchat's location query, or use control apps to check what the child has used and with whom it has communicated. On the other hand, there are a number of parents who "trust" the child out of their own helplessness and lacking knowledge and assume that the children are already doing 'the right thing' - largely without parental control. Thus, the parents shift their responsibility to the children - in a context in which even the adults hardly feel able to know what the right thing would be.

Children have precise ideas as to whether, when and with whom pictures of them may be shared – but they are generally not involved in these decisions by the parents and would reveal fewer pictures.

The children have a pretty clear sense of when they want to have photos taken of them and under what circumstances. For them, the criteria are trust in the potential addressees, the positive or negative content of the picture, the shameful potential or feared sanctions based on the content depicted, as well as their recognisability. The criteria relevant to them diverge, and they problematise content that is considered unproblematic from an adult's point of view. They also make a clear distinction between different levels of publicity and different groups of people.

The parents are often unaware that some of the children have significantly different ideas about the privacy of photos. In general, on the basis of the statements made by the children and parents surveyed, it can be established that, as a rule, the children would reveal significantly fewer pictures than their parents.

The protection of data is marked by contradictions among parents and children.

Some of the parents' statements about how they protect their children's data is thwarted by their actual practice.

The children, too, deal contradictorily with the rights to their own image: They want their pictures not to be shared without being asked, but they themselves state that they share the pictures of others – as long as those do not expressly protest – without further asking. What is considered worthy of protection from a parental perspective is not necessarily identical to what the children consider worthy of protection. In releasing images that the children do not want to see shared, and in terms of what is considered worthy of representation, parents usually make the decision alone – sometimes against the wishes or protests of the children.

Regardless of their educational background, most of the parents surveyed do not feel sufficiently able to protect their children or their data in the context of digital media use. The parents have approximate knowledge that data collection is problematic in the context of social networks and apps, but they neither have sufficient knowledge about the providers and their data use nor sufficient knowledge that would enable them to act in this context. With regard to data collection through Facebook, Google & Co, parents' attitudes alternate between resignation, ignorance, pragmatism, helplessness and naivety.

Inadequate information, pragmatism, helplessness and habituation lead parents to violate the rights of the children "quasi incidentally".

In principle, parents want to protect their children's data, but mostly they do not feel secure when using different services. A melange of lacking information, uncertainty, helplessness and powerlessness, but also adaptation to the usage logic of digital services is the basis of the inadequate data protection strategies of parents. This can be seen, for example, when images are shared by one simple click and "because it is so practical". Thus, the violation of the children's rights to their own image becomes a simple and no longer reflected practice that is no longer questioned with regard to its ethical (and possibly even legal) legitimacy in favour of a comfortable form of maintaining relationships with others.

The myth of the "negotiating family" does not show itself when it comes to the everyday family practices of photographing and sharing images of children. Often, children's protests against the posting of photos remain futile.

The different standards of children and parents for the protection of images show that it is obviously ultimately difficult for parents to generally anticipate when it is legitimate for the child to be photographed and when an image can be shared with the consent of the child. As a consequence, children always need to be asked for their consent in every situation. Empirically, on the other hand, the rule has established itself in the families interviewed that parents presuppose the consent of the children to their actions and therefore generally do not ask about it or some even ignore the children's objection if they do not want a photo of them to be taken or shared.

Advertising and product placement are not recognized by children on YouTube.

Confronted with an example from "Miley's World" („Miley's Welt“), it turned out that none of the children could recognize the purpose of the product placement or the advertising in the video. However, the older children had a peculiar feeling about it, but not all of them were able to name it exactly. Only after the product placements were explicitly explained to the children did it become easier for the older children to understand the mechanisms behind product placements, even though they did not recognize them from the outset.

"Normal" generational orders in the family imply that children's rights are often not taken into account.

Focusing the perception of parental responsibility and its execution, the reported practices can be understood as expressions of common forms of regulation of media use in the family – and this in a relatively broad range. The low participation of children does not correspond to the myth of the "negotiation-oriented milieu", but shows everyday educational practice. Childhood concepts and generational orders as well as the parents' available knowledge of data protection issues and the resulting consequences provide the framework for the protection, participation and respect of children's autonomy. The consideration of children's rights in the contexts examined is often a void.

Full Paper (German): https://www.dkhw.de/fileadmin/Redaktion/1_Unsere_Arbeit/1_Schwerpunkte/6_Medienkompetenz/6.13_Studie_Kinder_Bilder_Rechte/DKHW_Schriftenreihe_4_KinderBilderRechte.pdf