



Article

Open Justice and Hidden Harm: The Experiences of Children and Families Impacted by Parental Imprisonment When Parental Crime Is Reported

Lorna Brookes ^{1,*}, Fran Yeoman ^{2,*} and Thomas McCooley ^{2,*} 

¹ School of Education, Faculty of Society and Culture, Liverpool John Moores University, England L1 9DE, UK

² Journalism and Media Literacy, Faculty of Society and Culture, Liverpool John Moores University, England L3 5UG, UK

* Correspondence: l.m.brookes@ljmu.ac.uk (L.B.); f.h.yeoman@ljmu.ac.uk (F.Y.); t.w.mccooley@ljmu.ac.uk (T.M.)

Abstract

Children of imprisoned parents, who are often described as ‘orphans of justice’, suffer a multitude of disadvantages when a parent is sent to prison. Whilst their experiences of loss, stigma, and social exclusion are well documented, one area that remains critically under-examined is how court reporting processes may further exacerbate these harms. This study explores the lived experience of children 11–17 years ($n = 6$) who had experienced parental imprisonment, and non-offending adults (parents, caregivers, and adult children of offenders/ $n = 6$) in relation to their experiences of parental crime reported in the press. This study also integrates views from individual interviews conducted with journalists and press regulators ($n = 5$), as well as data from a content analysis of three regional and two national newspapers across a three-week period. Findings indicate that current court reporting practices can be, for some children and family members, a contributing factor to their difficulties. Participating children and family members assert that publishing partial home addresses and references to family relationships heightens their visibility in the community, which they say contributes to community backlash and negatively affects their physical and mental wellbeing. The content analysis ($n = 186$ custody related news reports) showed selective disclosure of offenders’ personal and family details. Interviewed journalists strongly defended the principle of open justice and felt legally unable to add the wider context families often wished to share. However, they expressed genuine sympathy for the children, and while resistant to new legal restrictions, were open to developing voluntary guidance to help reduce harm where possible. This study proposes an integrated framework to strengthen ethical journalism and better protect children impacted by parental imprisonment, calling for improved public information, trauma-informed education, participatory research and practitioner tools that centre children’s rights. It argues that open justice must be balanced with relational accountability, ensuring open justice does not come at the expense of children’s wellbeing.



Academic Editors: Victoria L. Cooper and Stephanie J. Bennett

Received: 13 April 2026

Revised: 29 May 2026

Accepted: 17 June 2026

Published: 2 July 2026

Copyright: © 2026 by the authors.

Licensee MDPI, Basel, Switzerland.

This article is an open access article distributed under the terms and conditions of the [Creative Commons Attribution \(CC BY\)](https://creativecommons.org/licenses/by/4.0/) license.

Keywords: children of prisoners; open justice; court reporting; child rights; media ethics; stigma; secondary victimisation; journalism ethics; United Nations Convention on the Rights of the Child (UNCRC); social policy

1. Introduction

Time-Matters UK (TMUK) is a small community-based organisation in Merseyside, UK, that offers support to children impacted by parental or close familial imprisonment

through one-to-one mentoring and support groups. One pertinent issue that children who attend TMUK regularly raise is their distress when their parents' crime is reported in the press; the manner in which this is reported, and the resulting trauma that they endure, they argue is a direct result of these reports.

The children that TMUK supports are a small sample of a much wider cohort. While the number of children affected by parental imprisonment remains unknown, in England and Wales, estimates range from 192,912 children with a parent in prison (HMPPS 2024) to approximately 312,000 (Kincaid et al. 2019). Across Europe, a conservative estimate suggests that around 2.1 million children are separated from an imprisoned parent on any given day (Saunders 2018). Globally, INCCIP (International Coalition for Children of Incarcerated Parents) estimates that more than 22 million children have a parent in prison.

The authors affirm the central importance of open justice, the principle that enables the public to see and understand how the law operates, in which court reporting plays a pivotal role. Open justice serves three core purposes: preserving the legitimacy of the justice system, enabling its scrutiny, and enhancing the accessibility of the law.

However, there is a legal and ethical tension between open justice and child rights, and meanwhile the issue of how crime and court reporting impacts children when a parent is sent to prison has received little scholarly attention. Although there is a plethora of literature that notes stigma, grief, and social isolation as consequences of parental imprisonment (Siegel 2011; Saunders 2018; Bocknek et al. 2009), there is a dearth of literature that explores how to balance the protection of children with the principle of open justice. Squaring this particular circle presents a persistent challenge. Open justice demands that court proceedings and their outcomes are visible to the public, but an under-studied consequence of this principle is the risk that children of defendants can be exposed to stigma, distress and possible long-term harm as a result. Despite recognition that children are one of the most vulnerable groups globally (Jones and Hirschfield 2015), the invisibility of this issue within both policy and academic discourse persists.

This research was, therefore, born from a desire to explore whether it is possible to strike a principled balance that maintains confidence in the justice system while safeguarding the rights and wellbeing of children who bear no responsibility for their parents' criminal offences. Focussing primarily on digital forms of newspaper journalism rather than broadcast, because the latter tends to include coverage of only the most high-profile offences, this study attempts to bridge the gap between discourses around rights for children impacted by parental imprisonment and on media ethics, domains that have typically been considered separately.

The project was co-led by three researchers from Liverpool John Moores University: an academic practitioner in the School of Education who is also the founder of TMUK, and two academic specialists in journalism from LJMU. This project was funded via the Merseyside Violence Reduction Partnership. Child participants in this study are under 18 years old which reflects the UNICEF definition of child (United Nations 1989). Throughout this paper the word 'parent' encompasses any primary caregiver whether or not they are legal parents.

2. Literature Review

2.1. *Children of Prisoners as Hidden Victims*

Parental imprisonment is an Adverse Childhood Experience (Brookes 2025) and is associated with a five-fold increase in exposure to other ACEs (Turney 2018). Numerous academics (Bülow 2022; Minson 2020; Murray and Farrington 2008; Scharff Smith 2014) describe children with a parent in prison as 'hidden' or 'forgotten victims' of criminal justice systems, and the United Nations also have identified them as one of the most vulnerable

cohorts of children globally (Jones and Hirschfield 2015). Despite this, their rights and needs are rarely considered within criminal justice policy, with systems typically failing to uphold their right to protection from harm (Bülow 2022). Although international frameworks such as the United Nations Convention on the Rights of the Child (UNCRC) affirm children's rights to protection, privacy and family life, these rights are not routinely extended to children impacted by parental imprisonment. This issue is particularly pertinent in the context of court reporting, where the principle of open justice sits in tangent to the protection of this vulnerable and disadvantaged group.

2.2. Stigma and the Social Construction of Shame

The stigma endured by children impacted by parental imprisonment remains one of the most pervasive harms suffered by this cohort (Arditti 2021; Siegel 2011, Gilani 2023). Siegel (2011) strongly asserts that whilst there is very little evidence of 'probable intergenerational incarceration' there remains a societal belief that children with a parent in prison are likely to be destined to a future in which they themselves become criminals. Saunders (2018) notes three main forms of stigma affecting children with a parent in prison that include perceived stigma (internalised fear of judgement), enacted stigma (direct ostracisation and discrimination), and projected stigma (defensive resistance to perceived social judgement). This stigma not only isolates children but can limit their access to education, and socialising in their community. Public dissemination of information about a parent's crime often amplifies this stigma and impacts a child's sense of self (Cooper et al. 2023). While previous research indicates that children affected by parental imprisonment can demonstrate resilience when appropriate support is available (Beresford 2025b), this study suggests that the intersection of stigma and public exposure, particularly through media coverage, may be associated with increased risks of bullying, social exclusion, and heightened shame and anxiety, which may in turn affect children's emotional adjustment following a parent's imprisonment (Cooper et al. 2023). The extent and experience of stigma and shame may also be shaped by additional contextual factors, including the nature of the offence, the location and visibility of the offence (particularly where there is significant media coverage), and cultural, ethnic, and religious contexts which may influence norms around family reputation, judgement, and social acceptance. Previous research suggests that more morally stigmatised or socially condemned offences may intensify children's experiences of shame and secrecy (Saunders 2018), while broader social and penal contexts shape the degree to which stigma is experienced and internalised (Murray and Farrington 2008). In addition, children may experience 'associative stigma' arising from societal attitudes toward crime and deviance, which are themselves culturally and contextually mediated (Dawson et al. 2013).

2.3. Disenfranchised Grief and Loss

Whilst the suffering that children experience when a parent dies understandably provokes much societal sympathy and support, the loss of a parent to prison is rarely recognised or validated. The term 'disenfranchised grief', coined by Doka (1989), refers to grief that cannot be openly acknowledged or socially validated. When society does not recognise grief as legitimate, the person grieving can feel silenced, ashamed, and isolated. For children impacted by parental imprisonment, they are grieving a parent who is alive, but whose absence cannot be safely shared. Children experiencing parental loss to imprisonment, who may be denied emotional validation by schools, peers, or even extended family members, can internalise shame and blame themselves. Bocknek et al. (2009) found that children experiencing parental imprisonment and disenfranchised grief exhibit symptoms consistent with post-traumatic disorder.

The public exposure of a parent's offence through court and media reporting can intensify this disenfranchisement by transforming private pain into a public spectacle. Siegel (2011) and Bülow (2023) argue that when a child's experience of loss is publicly stigmatised rather than compassionately acknowledged, their opportunity to heal and recover from the removal of their parent to prison is severely impeded.

2.4. Children's Rights and the Principle of Privacy

The United Nations Convention on the Rights of Child (UNCRC) asserts that children have the right to privacy (Article 16) as well as the right to protection from discrimination based on parental status or actions (Article 2). However, there is a tension between these rights and principles of open justice and press freedom. Saunders and McArthur (2020) stress that because offenders' children are rarely considered in criminal justice policy, they tend to be framed as appendages to their parents rather than rights-holders. Indeed, the welfare of children when a parent is arrested and sentenced to prison is often unconsidered in the UK's legal landscape (Gampell 2017).

A child's right to privacy is particularly impacted in cases where media coverage makes children indirectly identifiable through the publication of a parent's name or address. In a health briefing for Liverpool, in relation to shaping Liverpool as a 'Child Friendly City' Brookes et al. (2023) stressed that children are seriously harmed as a result of negative media attention surrounding a parent's offence and their trauma experiences when a parent goes to prison are significantly compounded by insensitive reporting in the press (Brookes et al. 2023).

Blecher-Prigat (2018) argues that children's privacy interests are distinct and separate from those of their parents and therefore deserve independent legal recognition. To some extent, the Editor's Code administered by the Independent Press Standards Organisation, the self-regulatory body that oversees most of the major newspaper publishers in the UK, agrees, in that clause 6 states that: "editors must not use the fame, notoriety or position of a parent or guardian as sole justification for publishing details of a child's private life". Clause 9 stipulates: "relatives or friends of persons convicted or accused of crime should not generally be identified without their consent, unless they are genuinely relevant to the story" (2025).

However, in legal terms, children with an imprisoned parent usually receive no automatic right to anonymity, whereas children who are victims, witnesses, or otherwise directly involved in the criminal justice system are formally recognised as vulnerable and granted protections if deemed appropriate by a judge. This means that they can be indirectly identified or exposed to harm through the naming of their parent, or through references to that parent having children and details about their family life being shared in court. Children impacted by parental imprisonment thus fall into something of a legal blind spot compared with other children who might be defendants, witnesses or victims within legal processes and benefit from more formalised reporting restrictions.

2.5. Open Justice and Media Practice

The notion of open justice is a long-standing and central principle of British media law. In *Scott v Scott* (1913), the House of Lords stressed that court cases should be held in public to ensure that people are held accountable and to prevent arbitrary decision-making within the criminal justice system. In the years since, this principle has been repeatedly upheld in legislation and judicial guidance (Judicial College 2016; Harrison et al. 2024), with media reporting seen as a mechanism that not only provides transparency but also ensures public confidence in the justice system. The Reporters' Charter (HM Courts and Tribunals Service 2022) again points out that journalists are entitled to attend court proceedings and obtain case details unless they are restricted by a court ruling. However, Doughty et al. (2018)

point out that whilst reporting restriction orders (RROs) can be used to protect vulnerable individuals, they are rarely applied to the children of defendants unless the risk of harm to the child is immediate and considered severe.

UK press regulation states that “relatives or friends of persons convicted or accused of crime should not generally be identified without their consent, unless they are genuinely relevant to the story” (IPSO 2025). However, it is possible for court reports to include information that exposes relatives without directly naming them. Chiefly, it is standard practice in UK court reporting to publish a defendant’s name, age and partial address (street name and area but not house numbers or house names). The Independent Press Standards Organisation (IPSO), which regulates many UK newspapers and magazines, explains that the rationale for including addresses is to avoid defaming others with the same name as the offender (IPSO 2025). This happened in 1940 when in *Newstead v London Express Newspapers Ltd.* [1940] 1 KB 377 the Daily Express reported that ‘Harold Newstead, a 30-year-old Camberwell man,’ was jailed for nine months for bigamy. A different Harold Newstead, who worked in Camberwell, sued. He claimed the report was understood to refer to him, and he won. He argued that if the description was true of another person, which in this case it was, then it was the paper’s duty to give a precise description, including an occupation and address (Harrison et al. 2024). However, the publication of these details can also indirectly leave defendants’ families and children exposed to identification, potentially resulting in them being vulnerable to harassment and social isolation.

The potential impact on both defendants and their families of personal and address details being published as part of court reports has been exacerbated by changes to the information eco-system. Firstly, the shift to online publication means court reports are now publicly accessible and remain available long after sentences are served. Secondly, social media users can easily recirculate the information, either at the time of the original report or later, while at the same time presenting it in misleading or decontextualised ways.

Indeed, the [House of Commons Justice Committee \(2022\)](#) recognises that this can perpetuate stigma and prevents families from ‘moving on’. [Transform Justice \(2022\)](#) finds that social media dissemination can undermine the traditional safeguards of conventional reporting. Lord Sumption observed in *Khuja v Times Newspapers Ltd.* (2017, para 15) that Article 8 of the European Convention on Human Rights, the right to a private family life, is becoming increasingly relevant to discussions about the impact of the digital age on open justice since “*the resonance of what used to be reported only in the press and the broadcasting media has been greatly magnified in the age of the internet and social media*” (*Khuja v Times Newspapers Limited and others* [2017] UKSC 49 para 15).

2.6. Ethical and Policy Implications

Clearly there is a friction between journalistic ethics, legal obligations, and the rights of children impacted by parental imprisonment. Whilst open justice supports transparency, inadvertently this can mean that innocent family members suffer harm. [Doughty et al. \(2018\)](#) and [Saunders \(2018\)](#) argue for a recalibration of this imbalance through the development of child-sensitive media guidelines. The San Francisco ‘Bill of Rights for Children of Incarcerated Parents’ provides a potential framework through which children’s rights to safety, dignity, and protection from judgment based on parental status might be considered ([San Francisco Children of Incarcerated Parents Partnership 2003](#)). In sum, the Bill recommends reforms across law enforcement, courts, prisons, statutory and community agencies to ensure that children are safe, informed, emotionally supported and free from stigma. In the UK, these proposals reflect core principles of the ([Children Act 1989](#)) and developments such as the ([Domestic Abuse Act 2021](#)), which recognises children as victims. The reforms

also align with discussions around the [Victims and Prisoners Bill \(2023–2024\)](#), reinforcing the need for consistent protection and sensitive handling of children affected by crime.

However, there is little empirical evidence from the UK context on how journalists and media professionals interpret and apply ethical norms in practice in relation to children whose parents are sent to prison. This research therefore fills an important gap by examining the interface between journalistic practice and the lived experiences of children impacted by parental imprisonment. It explores what reforms might better align open justice with child rights.

3. Methodology

3.1. Research Aims

The project formed part of a partnership between TMUK and Liverpool John Moores University (LJMU). The project was funded by the Merseyside Violence Reduction Partnership and additional internal research funding from LJMU. The project aimed to:

- Bridge the gap between these two ‘worlds’ (children and families, and journalists) which are seldom examined together.
- Encourage journalists to pay closer attention to and gain a better understanding of what children and families experience when a parent’s crime is reported in the press.
- Enable children and families to learn more about why journalistic decisions are made, and their motivations.
- Generate evidence to inform best practice for journalists that adhere to both open justice and children’s rights frameworks.
- Generate a resource for children and families to educate them on how journalism works and why, and where to go if they want more information, or to make a complaint.

The study was designed as an applied, participatory project to produce both empirical findings and practical recommendations for ethical journalism and support for children and families impacted by parental imprisonment.

3.2. Project Design

This study adopted a qualitative approach. Two focus groups were conducted with the families impacted by parental imprisonment. One focus group explored the views of children (11–17 years), and one focus group explored the views of non-offending adult family members (18 years+). Individual semi-structured interviews were conducted with journalists to understand their perceptions of their role and obligations. A content analysis of three regional and two national newspapers across a three-week period was also conducted, considering articles in relation to offence type, references to parenthood or children, use of photographs and publication of addresses. It is important to highlight that the interviewed journalists and press regulators were *not* those who covered the cases of the parents of the interviewed children in this study.

The inclusion of these groups enabled a triangulated approach, strengthening the robustness and credibility of the findings through the integration of multiple viewpoints. While the study centres on children’s experiences, relying solely on their accounts provides only a partial understanding. Non-offending parents, caregivers and young adults offer important contextual insights into family dynamics, support structures, and observed impacts that younger participants may not always be able to fully articulate. In parallel, journalists provide an essential lens on how such experiences are represented, framed, and communicated in the public domain.

3.3. Ethical Approval and Safeguarding

Ethical approval was obtained from the Liverpool John Moores University Ethics committee and the study adhered to the principles of informed consent, confidentiality, and voluntary participation in accordance with the British Educational Research Association (BERA) guidelines (BERA 2018). Anonymity was rigorously protected. No identifying details were recorded in transcripts and participant codes were used throughout. A crucial aspect of the data collection was the relational approach underpinning Time-Matters' work. The session was facilitated by practitioners with whom participants, including both children and adults, had established, trusting relationships through ongoing programme engagement. This existing rapport contributed to a familiar and supportive environment, reducing any perceived pressure to perform or disclose sensitive information and enabling participants to engage at their own comfort level.

Participants were made aware that they were not required to share personal or potentially sensitive experiences, while also being able to draw on such experiences if they wished. Facilitators remained attentive throughout to the dynamics of the discussion, actively monitoring for any signs of discomfort and redirecting where necessary to prevent pressure or over-disclosure. This approach aligns with established ethical frameworks for research with children and adults (e.g., BERA 2018; UNICEF UK 1989), particularly with respect to ensuring voluntary, non-coercive participation, supporting agency, and prioritising participants' autonomy and emotional safety. Due to the potential triggering nature of children and impacted adults recalling traumatic events, support was made available through TMUK following participation including access to the TMUK counselling and psychotherapy service if needed.

3.4. Recruitment

A targeted recruitment strategy for participants was employed. All children and young people (C/YP) approached were members of TMUK and were in receipt of ongoing emotional support in relation to the imprisonment of a parent. Children approached were no younger than 10 years old and no older than 17 years. Staff at TMUK contacted parents/caregivers of children within this age bracket to see if they would be open to their child taking part, via email, and if interest was shown, a follow up explanatory phone call was made to provide more information. Those who had been members of TMUK for less than six months were excluded, as it was considered unethical to invite participation before they had sufficient time to engage in the wider therapeutic support that TMUK provides.

Non-offending adults with lived experience from TMUK, were also invited to participate, and understood they would be interviewed in a separate focus group from the children. Whilst they were not remunerated for their involvement, taxis were provided for anyone who needed transport to their focus group, and refreshments were provided on the day. Research and change-making opportunities are embedded within the culture at TMUK, and many TMUK members state that they enjoy taking part in these opportunities in the hope that their views will have a positive impact for future policy and practice.

Data Collection from children and non-offending adult family members.

Two focus groups were conducted between May and June 2023. Across the 2 focus groups, there were 12 participants from across 8 different families.

Focus Group 1: This comprised of six children aged between 11 and 17 years, all of whom had experienced parental imprisonment.

- Two of the children had a father currently in prison.
- One child had an uncle currently in prison. This uncle was seen by this participant as a 'big brother' and key caregiver, as she had grown up in the same household as him.
- Two of the children had a dad that was in prison who had been released.

- One child had a mother that was in prison who had been released.
- Two children were siblings.

Focus Group 2: This comprised of six non-offending adults, including partners, care-givers and adult children of offenders.

- One had a partner currently in prison.
- One had a father currently in prison.
- Two had experienced the imprisonment of a father as a child.
- One had a mother who was in prison who had been released.
- One had a husband who had been to prison who had been released.
- Two participants, a mother and her daughter, attended together.

Focus group questions for the children and adult participants impacted by parental imprisonment.

A semi-structured interview schedule guided both child and adult focus groups, with wording adapted appropriately for each focus group.

- Where was your parent's (family members) crime reported? Newspaper? Social Media? TV?
- What do you remember about this?
- How did this affect you? At school or college? At home? Work? In your community? How did it affect your mental health, if at all?
- Do you understand why crime is reported in press?
- Would you like to understand the role of journalists better?
- What do you want journalists to know about children with a parent in prison?
- Is there anything else you want to say about the reporting of a parent's crime in the press.

3.5. Interviews with Journalists and Media Regulators

Five semi-structured interviews with representatives from the press industry were conducted between July and August 2023. This purposive sample was chosen to reflect a cross-section of journalistic and regulatory voices with direct relevance to court reporting and press ethics.

- Two practicing court reporters employed by regional newspapers
- One practising freelance court reporter
- One representative from the Independent Press Standards Organisation (IPSO)
- One representative from the National Union of Journalists (NUJ) Ethics Committee.

Interviews lasted between 40 and 60 min and were conducted either in person or via Microsoft Teams. Interview questions explored journalists' understandings of open justice, perceptions of harm to families, awareness of existing ethical guidance and willingness to engage in reform. This dataset offered valuable insights into the institutional and normative constraints shaping journalistic practice. The following semi-structured interview schedule guided the interviews.

- What to your mind is the purpose of reporting on court hearings?
- How has court reporting changed in recent years? [prompt: in terms of working practices/types of stories covered/legal constraints etc.]
- Do you feel that your own court reporting/that of the industry more widely adheres to the regulatory codes/relevant laws?
- What are the challenges in adhering to those laws/codes?

- In broad terms, do you or your outlet ever not report on ethical grounds something that is not expressly prohibited by law or the IPSO/IMPRESS/OFCOM code?
- To what extent if at all do you consider the impact of your reporting on the families of those involved, and in particular the families of defendants? Should it be a consideration?
- Does the fact that a defendant has children make any difference to the way in which the case is reported or the details about that defendant that are published? Should it make a difference?
- What if any ethical guidelines/best practice advice are you aware of in relation to the reporting of crimes committed by the parents of minors?
- Would you support the introduction of voluntary best practice guidance in relation to the reporting of crimes committed by the parents of minors?
- Would you support the introduction of stipulations in relation to the reporting of crimes committed by the parents of minors into the regulatory codes or NUJ Code of Conduct?
- What do you think would be the impact of [insert example of specific change cited from the focus groups] on court reporting?

3.6. Content Analysis of Court Reporting

A content analysis of crime reports was undertaken across three regional and two national papers over three weeks between 12 June and 2 July 2023. Each article was considered in relation to offence type, references to parenthood or children, use of photographs and publication of addresses. The aim of the exercise was to assess how routinely details with potential implications for children's privacy were included. This also added to the empirical data to further understanding in journalistic norms.

3.7. Analytical Framework

Data analysis was grounded in an interpretivist framework, acknowledging that participants' accounts reflect socially and culturally mediated understandings of justice, media ethics, and family identity (Bryman 2016). Transcripts from focus groups and interviews were coded using Braun and Clarke's (2006) method of thematic analysis.

3.8. Analysis Proceeded as Follows

First, the perspectives of children and non-offending adult family members were examined using Braun and Clarke's (2006) reflexive thematic analysis to identify shared experiences of harm, privacy violation, and perceived media insensitivity. Secondly, interviews with journalists and regulators were analysed, again drawing on thematic analysis, to understand professional rationales, ethical boundaries, and potential for reform. It is important to note that the views unearthed from the children's and adult's focus groups informed the discussions that took place with the journalists. Thirdly, findings from the content analysis were used to triangulate the qualitative data, enabling a more comprehensive understanding of patterns of media behaviour and the extent to which these aligned with reports from children and families. This integration strengthened the validity of the study's conclusions and supported the development of concrete, evidence-based recommendations for ethical reporting.

3.9. Reflexivity and Researcher Positioning

As the research was conducted in partnership with TMUK, the research team's positionality was acknowledged as an important analytical factor. One lead researcher had a dual role as both an academic and founder of TMUK provided privileged access to participants and insider knowledge of the emotional terrain of parental imprisonment. At

the same time, this proximity required reflexive vigilance to avoid over-identification with participants and to maintain analytic distance. The study thus combined academic rigour with community-based praxis, seeking not only to document harm but to empower participants by centring their lived experience within professional and policy discourse. The methodological design reflects an ethical commitment to participatory research, aligning with calls for child rights-based approaches that foreground the voices of affected children in policy formation (Lundy 2014).

4. Findings

Five major themes were identified from the focus groups with children and non-offending adults that highlight the family perspective. Please note: ‘families’ denote the collective views from both the child and non-offending adult participants.

1. Families claim that crime reporting is detrimental to their well-being.
2. Families claim there are inaccuracies and sensationalism in court reports.
3. Families claim that defendants’ children who are unrelated to the case are unnecessarily included in court reports.
4. Families claim that the publication of home addresses impacts their safety.
5. Families claim that the permanence of online reports creates lasting ‘digital stigma’.

These themes were then considered alongside journalists’ and regulators’ perspectives, which provided insight into the professional and institutional frameworks shaping these practices. It is important to understand that the researchers did not seek access to or analyse participants’ related court case reports for ethical and methodological reasons. Specifically, requesting these materials was considered potentially intrusive and could have risked re-triggering distress or trauma for participants, given the sensitive nature of their experiences.

In addition, the study was designed to elicit participants’ general perspectives and reflections rather than to document or verify individual legal cases. Analysing court reports would have shifted the focus towards case-specific detail, which was beyond the scope of the research. The approach therefore prioritised participants’ wellbeing and autonomy, while maintaining a focus on broader experiential themes.

The researchers also note that the sample size does not support statistical generalisation. However, the aim of this study is not to produce generalisable findings, but rather to offer in-depth, qualitative insight into the lived experiences of children and non-offending adult family members impacted by media reporting of parental crime.

4.1. Families Claim That Crime Reporting Is Detrimental to Their Well-Being

Across both focus groups, participants described the reporting of a parent or family member’s offence as a profoundly distressing experience. Both children and adults shared stories of being shamed, bullied and ostracised, experiences which significantly impacted them socially and emotionally. One child has said that due to her distinctive surname, other children in her school had easily connected her to the report, which was then circulated on social media around her school making her school life practically intolerable. Another child explained that, due to her father’s imprisonment being in the local paper, other parents who had read about what happened encouraged their own children not to socialise with her anymore. These accounts echo earlier research on stigma and social exclusion (Saunders 2018; Siegel 2011) but reveal how digital dissemination amplifies such harms. It is important to acknowledge that community responses and impacts on child wellbeing may stem from the nature of the parent’s offending itself. Court reports do not exist in isolation but form part of a broader, often distressing experience. Accordingly, this research does not suggest that negative community responses arise from court reporting alone.

Nonetheless, adult participants emphasised that easy access to online court reports facilitated secondary victimisation of their children by members of their local communities. One mother recounted her daughter's fear of being taken away from her after hearing classmates repeat that her mother "would be next" to go to prison. She said, "some girl came up to her (her daughter) and said, your mum will be going to prison next. . . and she comes out screaming and teachers are grabbing her, and she doesn't want to leave me. It basically put the fear of God into her."

One of the non-offending adults explained that the community backlash that had followed the reporting of her father's crime, had caused her brother to suffer a serious decline in his mental health to the point of him considering suicide. She explained, *"this mental health had been really really down, even to the point where he's tried to commit suicide and stuff."* Such narratives highlight that court reporting can have consequences for innocent relatives of defendants, including their children. Nonetheless, journalists were resolute in their commitment to upholding the principles of open justice as important to a transparent criminal justice system. For example, one journalist stressed: *"you can't have a system where people go to court and are potentially sent to prison or have to find or have their liberty taken away and nobody knows why or what they've done or what how the laws applied, and what affects what types of sentences, that's just unhealthy for society in general, democracy."* Another journalist concurred: *"it's massively important for public to see that people are being held to account and things are being done."*

Participating journalists did not, however, dismiss the potential for harm caused by court reporting and did express concern for the children and families. One discussed the family's situation with sympathy, describing them as "collateral damage", supported by another who said: *"I think if I was in their situation, if it was my dad or my mum and I saw press reports going on about then I would be upset."* The researchers also acknowledge that variations in offence severity, moral framing, and newsworthiness may shape media narratives and could amplify or mediate the stigma experienced by families. Journalists further argue that the ultimate blame for any harm suffered lay with the offending parent rather than the media, one stating: *"it's not our fault; it's the parent's fault. They've done the crime; we're just reporting it."* There was no agreement with the suggestion that being a parent should be grounds for a defendant being given anonymity in court reports.

4.2. Families Claim There Are Inaccuracies and Sensationalism in Court Reports

Both child and adult participants described court reporting as inaccurate or sensationalised. These accounts were expressed as views arising from how reporting was experienced, rather than as verified claims about journalistic practice. Participants asserted that reports were often full of inaccuracies and sensationalism, suggesting that journalists distorted or embellished details to increase readership and generate profit for the organisations they worked for. They described how details could be amplified or selectively presented in ways that felt misleading or harmful. For example, one parent said that the journalist who wrote an article about her husband who had been to prison had *"took one bit of truth and built a whole story around it"*. Similarly, one child claimed, *"it was extremely exaggerated and then like the stuff that they said to go with it, they were trying to make it funny in a sense, and like that's not funny like, that's our lives"*. Another parent, reflecting on the time when her husband went to prison, stated: *"It was just sensationalised to sell. And there was lots of untruths in it"*.

These views resulted in complete mistrust of the media and compounded feelings of misrepresentation and humiliation among family members. Participants also described feeling powerless to challenge reporting they claim to be inaccurate and questioned why journalists were not required to verify personal details with them directly. Several expressed

frustration at not being able to contextualise what had been published and said they wished they had been given the opportunity to speak to journalists at the time the report was written. As one parent stated: *"I'd rather say to the journalists, phone me and I'll tell you the truth. . .instead of them just making stories up."*

At the same time, the study did not seek to verify these claims against court records or media reports. The researchers did not have access to any of the media reports relating to the participants' relatives and therefore make no judgement about the accuracy of participants' memories and perceptions. Furthermore, participants were not probed to provide case-specific examples, such as evidencing perceived inaccuracies against court records. This reflects an intentional ethical boundary, as doing so could risk requiring them to revisit potentially distressing, contested, or legally sensitive aspects of their cases. The purpose of the study was therefore not to adjudicate the accuracy of reporting, but to understand how court reporting was interpreted and/or experienced by non-offending family members.

Journalists also explained that they are often not privy to the full evidential picture, as they are not party to all court documents or information. What is presented in court may itself be partial, selective, or strategically framed, for example through prosecution narratives or defence mitigation. One journalist highlighted the limitations this creates: *"dependent on the barrister as well they might decide to read all of the document out or read or just say to the judge, 'Well you've seen the document, you've seen our submissions. I don't wish to add anything further.' That's so frustrating for us because we want to be balanced. You know, we don't want to be biased in how we write a story, what we want to know the full story as well."* Consequently, even a court report that accurately reflects proceedings in good faith may generate accounts that appear incomplete or misleading. For instance, mitigation statements may provide only partial information, such as *"the defendant lives with children,"* which can unintentionally misrepresent family structures or living arrangements, an issue raised by several participants.

The interviewed journalists explained, however, that during live legal proceedings, they would risk being in contempt of court if they added into court reports prejudicial or inaccurate material that had not been heard during the hearing. They asserted that in order to rely on the defence of 'absolute privilege' when reporting something that is said in court that would otherwise be defamatory (such as repeating an accusation that a person is a criminal), reports must be accurate, fair and contemporaneous accounts of what is said in court (Justice, nd). One of the interviewed reporters explained: *"we can't report what someone tells us outside of court. It would strip away our legal protection."* Similarly, another said, *"if we then start reporting things that other people have told us outside the case and there's an issue with the accuracy of that, we're subject to any legal risks that we would be subject to any non-court reporting story."* However, factual information that has no bearing on the hearing, such as in many cases a correct home address for a defendant that is different to the one given in court, would be neither defamatory nor in contempt and could be published.

Journalists also have more freedom to report contextual information from outside court in so-called 'backgrounders' published once legal proceedings are concluded. In practice these kinds of pieces are usually only written in the most high-profile cases, and often contain more personal and family information about a defendant that might add to rather than decrease the distress caused by reporting of the case itself. Nevertheless, once legal proceedings are complete a journalist no longer has to be concerned about being in contempt of court by including contextual or background information that might present a more rounded and accurate picture of the individual(s) involved in the case. This would present a moment of opportunity to reach out (sensitively) to family members and allow them the opportunity to speak if they wished to.

4.3. Families Claim That Defendants' Children Who Are Unrelated to the Case Are Unnecessarily Included in Court Reports

Parent and caregiver participants were aggrieved that they felt their children were mentioned in court reports despite them being irrelevant to the case. Examples they gave included: *"Dad of five jailed for..."* or *"Mum of six in court."* They argued that these references to parenthood served no legal or journalistic purpose beyond human interest. A young woman from the adult focus group described this inclusion as *"an invasion"*, noting that herself and her siblings were being brought into her mum's affairs indirectly. She explained that her father had contacted the local paper and asked for the report not to mention the children or their home address (where their mother did not live) but to no avail: *"My dad said, look she's not a mum to them anymore, it doesn't need to be anything to do with them, just report the crime, but please don't put the kids in and their address, but they did, and they put mum of six."*

Children and adults across both focus groups asserted that these references of parental status, which they saw as unnecessary, perpetuated their experiences of being labelled and treated by society as 'guilty by association'. The family participants also feared that potential employers or peers would discover their parent's offence online and judge them negatively as a result. One young adult recounted being rejected for employment. She said: *"I went for a job in the passport office, and they had to a whole load of checks and then they said, I don't think you'll be able to work here because of your dad! And I said how is that right... what has that got to do with me? I spoke to my manager, and she said we have to do further checks on you. And I said that's disgusting, I haven't done the crime, I've done nothing wrong, I've just come to get a job."* Other children agreed. They felt that the inclusion of parenthood in the reports further adds to a wider societal view of making children guilty by association. One boy argued: *"I think that they all think that we will end up like them because it's our mum or dads or uncle or whoever, like a loved one, and they think we will just end up like they are."*

The participating journalists explained that parental status is often included in court reports when it has been raised in court as mitigation, that is, as information presented to explain an individual's circumstances and potentially support a more lenient sentence, for example where the accused has caring responsibilities. This information does not limit what can be reported but rather forms part of how the case is presented in court. References to children may therefore enter the public record as part of explaining caregiving responsibilities. For instance, one journalist stated, *"if being a parent is part of mitigation, it becomes relevant and we must report it"* and went on to explain that *"if the defendant's solicitor or barrister is trying to paint another side of that character, for example: he's a great father, she's a great mum, they're not just you know, a drug dealer or a thief or whatever it may be. That can play into the type of sentence they get. So, points from the mitigation can be quite an important part of the case."* Another asserted, *"if you didn't want to use that (parental status) for part of your mitigation, then don't include it. As blunt as that sounds."* Responding to a point made by one of the children that mentioning a defendant is a parent links them to the offence, a further participating journalist said: *"I can sympathise with why they may feel that way. But I don't think a reasonable person reading a story would think oh, he's got two kids so then those kids must be involved in the offence."*

However, testimonies from the focus groups indicate that even accurate reporting of mitigation statements can create negative impacts for family members. For example, one young adult described how she was not raised by her mother due to her mother's struggles with addiction, and that she and her siblings were raised by their grandparents. She said that every time her mother, who is a repeat offender, goes to court *"she lies"* and says she is a mother of seven children who need her. In this example, a journalist could write an accurate, legal and good faith report of the mitigation given by this woman's representative

in court and still be reporting inaccuracies that have a negative impact on innocent children. Journalists meanwhile suggested that defence barristers do not usually raise details about a defendant's family or children unless the defendant instructs them to do so. They suggested that family circumstances only become relevant when they are relied upon in mitigation, meaning a defendant can choose not to make use of them. They suggested that this would be one way of ensuring that such details do not feature in court reports.

4.4. Families Claim That the Publication of Home Addresses Impacts Their Safety

The publication of home addresses emerged as one of the distressing issues for the young people and their parents and caregivers in this study. Several described experiences of harassment, vandalism and the need to relocate after their addresses appeared in print or online. In the adult focus group, one participant said that stones were thrown through her windows following publication; another (reminiscing on her childhood) said she was too afraid to leave her house even to put out her bins because of the neighbours knowing: *"I remember these rocks being thrown and windows broken. And obviously at the time I was little and really frightened and really scared, and we moved quite a lot as well because of that. We moved then we had to move again."*

Similarly, in the children's focus group, one child described having to move a lot once her home address had been shared, "we had to move houses like multiple times because of this sort of stuff available all the time so I had to go from where I lived my whole life and go to multiple different places. . . because with our addresses there, we were frightened." Indeed, in over half of the cases discussed across the two focus groups, participants said that the address published was not in fact the address of the offender but of the family members who were uninvolved in the case and often completely estranged from the offender themselves. For instance, one young adult said that she had not had contact with her mother for years. Despite this, her home had been listed in the newspaper as if it was her mother's current address. She said: "we don't even live with her, but our house was in the paper."

On the other hand, journalists explained that including an address, typically street name and area, is a necessary safeguard against defamation, as it ensures that individuals with similar names to the defendant are not wrongly implicated in a court report. Address information would be taken from information given verbally in court and/or on court documents, as provided by the defendant. One reporter explained: *"if we don't include an address, we risk misidentifying someone else."* IPSO and NUJ representatives interviewed for this study supported this rationale, citing legal precedents and industry codes. Nonetheless, they conceded that in practice, publishing addresses where children reside may expose them to harm, especially in an era of social media and online vigilantism. The NUJ representative acknowledged, *"the burning mob with pitchforks is much more likely these days than it would have been 30 years ago. . . maybe we should rethink this when children are involved."* This highlights a potential point of reform. The researchers raised the possibility that the increase of social media use in recent years could be a timely prompt to develop a discretionary standard whereby addresses could be withheld when their publication endangers dependants. This becomes a greater possibility when considering the results of our content analysis, which suggest that addresses are, in fact, not consistently published.

4.5. Families Claim That the Permanence of Online Reports Creates Lasting 'Digital Stigma'

Both children and adults in this study were distressed about the permanence of online reports, which often remain searchable long after sentences have been served, and even after post-release license terms have been closed and probation is no longer involved. One

adult, speaking about her father who went to prison when she was a child, expressed how absurd she felt the system was. She said:

“He’s dead now, so what does it even matter? But if I Google him, it still comes up.” She added the impact on her brother was particularly concerning as he still struggles significantly with his mental health because the story *“never goes away”*. Similarly, a child lamented that her address is still visible despite the fact her father had been released over eight years ago, which makes her feel deeply uncomfortable and nervous about people finding out. She said: *“It’s scary because you could just Google our last name and you’d be able to find it, anyone could find it, and it’s the paranoia thinking, do they know? Do they know?”*

A mother also stressed that she had made repeated attempts to contact the local paper to plead for an old report to be taken down. She explained she had told the local paper that her son was starting secondary school and instead of looking forward to this new chapter in his life, he was fearful of his new peers finding out. However, the response from the newsroom was that the story was of ‘public interest’. This was an argument the families found impossible to understand.

“We tried to get the story taken off, and she (names support worker) spent so long trying to get through to them (names local paper), but they wouldn’t get back, they wouldn’t get back, and in the end, they just said no. There was no reason. Nobody got physically hurt in the crime, it wasn’t drugs, it wasn’t abuse, and basically, we said, look you are hurting a kid here, and they said no, it’s public interest. They just did not care.”

The reality of published court reports remaining accessible to the public in perpetuity raises questions about the balance between transparency and rehabilitation. An adult focus group participant, expressing concern for her children concluded, *“that’s going to affect them for the rest of their lives”*. In legal terms, there is legislation that gives people convicted in the UK rights to rehabilitation and, in some cases, to ask for information to be removed from the internet.¹

However, there are public interest exemptions to these rules that limit their applicability in relation to journalistic content and they apply only to the subject of the information. This means that family members do not have a legal right to ask for information to be removed and the question therefore becomes an ethical one for the publisher. Interviewed journalists acknowledged that the digital permanence of reporting poses an ethical sticking point. Some expressed their personal discomfort with the long-term consequences for families, but also, they explained that editorial policies and digital archives are beyond the individual journalists’ control. This disconnect underscores the fact that individual court reporters cannot solve the challenges surfaced by this study on their own, and thus the need for systemic responses that recognise the ever-evolving nature of harm in digital journalism.

In sum, insights from children, family members and journalists revealed a profound difference in perspective. For children and families, the reporting of a parent’s crime is experienced as an act of public shaming that extends punishment beyond the offender, and compromises their human rights and overall safety. Journalists, on the other hand, argue that they are bound by professional obligation and commitment to transparency and legal accuracy. Whilst both sides acknowledge the value of public accountability, they have very different views on where the boundary of ‘public interest’ lies. Children and caregivers consistently questioned the purpose of crime reporting, with one young adult asking, *“how is it in the public interest to hurt innocent kids?”*

Journalists stressed that transparency ensures that justice is seen to be done, which sustains public confidence in the justice system. However, they did also demonstrate an openness to consider the matter further, and some expressed an interest in developing guidance around ethical and considerate court reporting that is mindful of defendants’

families. Although there was general resistance to the idea of formal restrictions being placed on what is reportable, one journalist said, *“if there was any sort of voluntary guidance out there, I’d be interested in looking at it.”* Another stated: *“There might be a case for thinking about whether the children’s welfare should be considered more.”* They also felt that it would be beneficial if defendant’s families could be given more information about the judicial process and the role of the news media in it, for example *“explaining that the media are allowed in open court.”*

Ultimately, these findings highlight the core dilemma at the heart of this research: that open justice, whilst vital to democracy, can also be an unintentional instrument for social harm when applied without due consideration for children’s rights. The data also suggests that the absence of a formalised ethical framework for protecting children of offenders leaves both journalists and families navigating a morally ambiguous space. Finally, they indicate that participant families share a profound mistrust and lack of understanding of journalistic rules and practices, fuelling a sense of persecution and helplessness in the face of a media ‘system’ that has little concern for their wellbeing.

4.6. Content Analysis Findings

To contextualise the focus group and interview findings, a content analysis of court reports was undertaken analysing reports on the websites of three regional and two national newspapers over three weeks between 12 June and 2 July 2023. These were the Manchester Evening News, The Birmingham Mail and Liverpool Echo websites, representing the three most-read free-to-access regional titles online at that point according to data from the Audited Bureau of Circulation (Majid 2023), and the Mail Online and The Sun, the most-read national titles (Ponsford 2023). A total of 186 articles involving a sentencing where an offender was sent to custody were analysed.

Each article was considered in relation to offence type, references to parenthood or children, use of photographs and publication of addresses. Importantly, the researchers did not analyse media reports relating to the family members of our focus group participants. Instead, this element of data collection served to provide a snapshot of professional court reporting at regional and national level, to assess how routinely details that had potential implications for children’s privacy were included in those reports. This empirical data served as a useful counterpoint to the subjective perceptions of the human participants.

Analysis showed that the reality of how and where family details were included in court reporting was not as straightforward as the situation described either by family participants in this study or by many journalists and in literature.

Of the 186 articles, 128 included some kind of address details. Information about parental status was much less frequently included, with 32 articles mentioning that the defendant had children (24 of which also included some address details).

Of the 32, twelve related to a case in which the children were the victims of the offence in question and thus clearly linked to the facts of the case, leaving 20 where parenthood was referred to in the news article where the child(ren) were not victims. On no occasion was a child’s name or age included other than when they were the deceased victim, and on no occasion was a photograph included of family members other than where the relative was the deceased victim of the offence in question.

As outlined above, it is important to note that the content analysis did not cover reporting on cases involving relatives of this study’s participants, and the findings do not nullify those participants’ sense that such reporting was intrusive and detrimental to them. However, the analysis provides a snapshot of a broader landscape of court reporting. Meanwhile, the analysis indicated that the publication of addresses was a widespread but

not ubiquitous journalistic practice, and that to some extent editorial decisions were already being made (consciously or otherwise) about whether to include addresses.

Further analysis of the dataset provides greater detail on patterns within the 186 articles. The dataset shows a strong gender imbalance: 156 articles concerned male offenders, 16 female offenders, and 14 both. References to parental status were unevenly distributed. While fewer articles mentioned mothers overall, such references were proportionally more common in reports on female offenders: around 70% of articles focused on female offenders mentioned parental status, compared to under 10% for male offenders. However, most references to mothers occurred in cases where the child was the victim. This disparity should be considered in the context of wider criminal justice trends, in which men make up the vast majority of defendants; for example, around 96% of the prison population in 2023/24 was male ([HMPPS 2024](#)).

Address inclusion also varied. While 127 articles included some form of address, 59 (31%) did not. Among those including both parental references and addresses (23 articles), none provided door numbers, but 14 included street names. This variation indicates that the inclusion of identifying details is not consistent and likely reflects editorial discretion.

In the 20 articles where parental status was mentioned but the child was not the victim, eight involved female offenders, four involved both male and female offenders, and the remainder involved male offenders. Where both parents were reported, references to children were typically linked to cases in which the child was the victim.

Use of images showed a consistent pattern. No photographs of family members were published unless they were victims or co-defendants. Images of children appeared only where the child was the deceased victim.

Overall, while identifying details relating to offenders and families were frequently included, their use was uneven and context-dependent. This highlights variation in reporting practices while reinforcing the distinction between participants' experiences and broader journalistic patterns.

5. Discussion

5.1. Reconciling Open Justice and Children's Rights

The findings highlight a clear tension between two central principles of liberal democracy: the public's 'right to know' and a child's right to protection. While legal frameworks rightly uphold openness as a core component of justice, this principle can have unintended consequences for children when reporting exposes them to stigma or harm. Article 3 of the UNCRC states that 'the best interests of the child shall be a primary consideration in all actions concerning children' ([UNICEF UK 1989](#)), a principle that should inform all parts of public life, including how the justice system intersects with media reporting. Yet for children with an offending parent, practical application of this principle remains limited when their parent's offence is reported in ways that overlook children's experiences. Journalists' explanations that they are 'just doing their job' point to broader industry norms and expectations, rather than individual intent. They highlight how standard reporting practices may not fully account for the indirect harms experienced not by the person who committed the offence, but by family members who are peripheral to it. The issue, therefore, is not about restricting legitimate court reporting, but about recognising and mitigating unintended impacts on children who are neither subjects nor actors within the justice process.

5.2. Child Rights as a Framework for Media Ethics

A key contribution of this study is its appeal that the rights of children with a parent in prison are brought to the attention of and included in journalistic ethical frameworks.

Documents such as the Editors' Code of Practice (IPSO 2025) and the NUJ Code of Conduct, prioritise 'truth', 'accuracy', and 'public interest'. However, these codes focus primarily on the direct subjects of stories and thus do not include clear articulations of the rights of children who might be indirectly affected by them in a range of contexts, including parental imprisonment. On the other hand, the UNCRC offers a holistic framework by recognising children as rights-holders in their own capacity, children who are entitled to dignity, privacy and protection from discrimination based on their parents' status (UNCRC Articles 2 and 16).

This research asserts that applying a child rights lens may compel journalists to ask new ethical questions. For example, 'Does my report unnecessarily identify or endanger a child?'. 'Is the inclusion of the parent's family status essential to the public's interest?' or 'Could anonymisation service transparency without inflicting harm?'. These questions move beyond simply complying with the law and reporting 'what is allowed', to taking a proactive ethics of care, one that aligns with the broader current climate that has shifted away from 'reactive protection' to the active promotion of wellbeing (Lundy 2014).

In addition, a rights-based approach could promote the use of the Child Impact Assessment (CIA), a tool developed by the Prison Reform Trust (Beresford 2025a) to ensure that children affected by parental imprisonment are listened to, supported and properly considered at every stage of the criminal justice process. The CIA highlights the often overlooked emotional, social and practical consequences for children, and its application within newsroom practice could help editors anticipate how reporting might impact a child's wellbeing. Access to the information generated through this tool could help journalists evaluate potential harms before publication, with the UNCRC's 'best interests' principle (Article 3) providing a central benchmark for editorial decision-making.

5.3. *Stigma, Identity, and the Ethics of Visibility*

This study demonstrates that media reporting can turn private grief into a public spectacle, something that Goffman (1963) termed 'spoiled identity'. When a parent's conviction becomes searchable online, their child inherits a societal label that overrides their personal identity and constrains their opportunity for self-definition. Wacquant (2009) explained this process as a 'social death', the erasing of personhood through public shaming and exclusion.

The digital permanence of online reports means that the hurt children and families experience when a parent goes to prison can be long-standing. Although the European Court of Human Rights has recognised the 'right to be forgotten' as integral to dignity and rehabilitation (CJEU 2014), there is currently no legal mechanism for family members who are indirectly identified by court reporting to insist that stories are removed.

5.4. *Institutional Inertia and the Limits of Self-Regulation*

Press self-regulation in the UK assumes that harm can be mitigated through voluntary adherence to codes of conduct. IPSO's guidance on children states that journalists should avoid intrusion into a child's private life, yet in the case of the children of defendants who are indirectly affected by details included in court reports, no such protections apply.

One interviewed journalist explained that withholding details such as names and addresses could expose them to editorial criticism or accusations of bias. It was clear that the journalist participants in this project were reluctant to, and perhaps nervous about, deviating from convention. It is understandable that individual reporters might be unwilling to risk legal sanction, criticism from managers or public attack by breaching industry rules and conventions. However, this professional risk aversion and collective commitment to consistency that overrides discretionary judgement calls, something that

Dworkin (1977) explains as ‘rule-book conception’ of ethics, means that codified norms have become a barrier to individual ethical decision-making. This research therefore asserts that for any cultural transformation within journalism that might result in improved outcomes for children and families impacted by parental imprisonment, the industry as a whole must engage in a critical reflection on the social consequences of routine practice.

5.5. *Towards a Child-Rights-Informed Model of Open Justice*

This research finds that there is a clear need for more ethical consideration that seeks a reconciliation between open justice with child rights. This hopeful endeavour would not seek to undermine journalistic transparency, but to recalibrate it in light of understanding the unintentional harm caused. Three interlocking principles can be considered, ‘proportionality’, ‘harm minimisation’ and ‘contextual accountability’.

In the first instance, information disclosed in court reports should be proportionate to its contribution to public understanding. If details about the offender, such as the fact of them having children, do not materially affect the judicial outcome, these should be omitted, to provide some layer of protection to the offenders’ children. Secondly, media organisations should actively share transparent procedures for families to communicate with them about any concerns or complain where necessary. This aligns with Article 39 of the UNCRC, which emphasises the rights of children and young people to recover from difficult experiences and to receive the necessary support to heal and rebuild their lives (United Nations 1989). Thirdly, media organisations could adopt a policy of periodic review of online court material and consider, where appropriate, removing outdated content that continues to harm children or innocent family members. At the least, publishers should be open to requests from family members for outdated court stories to be removed if there is evidence of harm to innocent relatives.

Embedding such principles would require collaboration between journalists, legal professionals and child rights advocates. Training programmes, editorial guidance and policy reforms could all play a part in translating abstract principles into practice. Alongside this, promoting greater public understanding of court reporting norms, including why certain details must be published as part of open justice, could help families make sense of and prepare for reporting practices, even when the outcomes are difficult for them. This could help them know what to expect and potentially consider how they might mitigate against potential harm. Importantly, any reform would not diminish open justice; rather, it would enhance its legitimacy by ensuring that transparency does not come at the expense of vulnerable populations.

5.6. *Conceptual Implications*

From a theoretical perspective, this study contributes to the growing body of literature that conceptualises children’s rights as relational and intersectional (Lundy 2014; Hanson and Nieuwenhuys 2013). Children’s rights depend, not only on legal protection, but also on how institutions manage their visibility especially if it is without their direct consent. Bülow (2022) raises the question of ‘who is responsible for remedying the harm caused to children of prisoners?’ He argues that as the social circumstances of many children of prisoners go against established principles of social justice, the allocation of remedial responsibility should be shared between several parties that include the incarcerated parent but also include professionals (police, probation, children’s services etc.) and, to some extent, the wider community. This research argues that this wider community includes the news media, which in performing its important duty of informing the public about the workings of the criminal justice system should be mindful not only of law and regulation but of the lived reality of the ‘collateral damage’ cohort.

6. Conclusions and Recommendations

Conclusions

This study has explored how court reporting involving parents who go to prison interacts with the welfare of the offender's children. The depth of harm reported by families is considerable and findings indicate that current media practices, particularly the publication of names, partial addresses and familial identifiers, expose children to social exclusion, stigma, psychological distress and in some cases physical harm. They also suggest that journalistic practices do not persist through deliberate malice or lack of sympathy for the children but due to entrenched professional norms and legal traditions.

By considering these findings through a child rights lens, this study notes that open justice, whilst essential to democratic accountability, can function as a vector of harm when applied uncritically. The tension between the public's right to know that justice has been served and the children's rights to protection cannot be resolved between simplistic appeals to 'the public interest'. What is required is an ethical recalibration of how justice occurs, that recognises transparency is not synonymous with the publication of unnecessary details, and that the public interest is not necessarily served when openness causes damage to lives of innocent children.

Articles 2, 3, 16 and 29 of the UNCRC collectively demand that institutions, including the media, prioritise the best interest of the child, by safeguarding their privacy, protecting them from discrimination and promote their recovery following trauma. Such obligations are not solely the responsibility of states, but to any professional that has influence over a child's life and identity. This research proffers that journalism might be re-considered as not only a vehicle for truth telling and accountability but also a practice that embraces 'child-rights-informed journalism'.

7. Recommendations

This study proposes an integrated framework of recommendations directed towards journalists, practitioners (for example educators or charity workers who might support children impacted by parental imprisonment), educators and researchers.

7.1. Recommendations for Journalists and Regulatory Bodies

Consider developing information for children and families that explains the role of journalists, key principles and terms such as 'open justice' and 'defamation', and where to go to raise a complaint. Findings from this project suggest that such a resource might provide a greater sense of understanding and agency among defendants' relatives even if they continue to dislike the fact of cases being reported.

Develop voluntary guidance around ethical and considerate court reporting that is mindful of defendant's families. Consider in particular what alternatives might exist to the publication of addresses and details of parental status.

A training session for reporters, associated with this guidance, could include reminders to court reporters that once legal proceedings are concluded, family members can be contacted to offer perspective and contextual information around the case, if additional reporting is taking place, although this should be done ethically and sensitively. It could also remind them that non-defamatory material that is not in contempt can be included in court reports. Court reporters concerned about not providing balance because of lack of access to court documents should also be reminded that they can access material referred to but not read out in court under the 'Publicity and Criminal Justice System' protocol which says that "material on which the prosecution relied should normally be released to the media" (Harrison et al. 2024).

7.2. Recommendations for Educators and Researchers

Integrate the experiences of children impacted by parental imprisonment into university courses and training providers. This should embed child rights and trauma-informed ethics into the journalism curricula, preparing future reporters to navigate complex ethical dilemmas with sensitivity.

Consider international studies that have introduced child-sensitive media protocols that might offer valuable insights for those practicing in the UK.

Foster participatory research that includes children and families as co-researchers to help ensure that any reform efforts are grounded in lived experiences rather than external advocacy alone.

Recommendation for practitioners who directly or indirectly support children impacted by parental imprisonment

Use the Child Impact Assessment Tool specifically designed for children impacted by parental imprisonment (Beresford 2025a) to enable impacted children to talk about their feelings and needs. The toolkit aims to make children visible in criminal justice processes that traditionally focus solely on the adult offender.

Provide information to children and families on the role of journalists and include clear information on what journalists are allowed to do and what they are not, and where to go to complain if they feel that regulatory guidelines have not been followed.

In sum, the principle of open justice is a cornerstone of democracy and must be preserved. However, transparency must not come at the cost of humanity. The findings from this study urges journalists to push beyond procedural compliance toward relational accountability. Open justice and child rights do not need to be mutually exclusive. Protecting children from becoming ‘collateral damage’ is an act of social care that strengthens the credibility of the very institutions’ transparency serves.

Author Contributions: Conceptualization, L.B., F.Y. and T.M.; methodology, L.B., F.Y. and T.M.; validation, L.B., F.Y. and T.M.; formal analysis, L.B., F.Y. and T.M.; investigation, L.B., F.Y. and T.M.; resources, L.B., F.Y. and T.M.; data curation, L.B., F.Y. and T.M.; writing—original draft preparation, L.B., F.Y. and T.M.; writing—review and editing, L.B., F.Y. and T.M.; visualization, L.B., F.Y. and T.M.; supervision, L.B., F.Y. and T.M.; project administration, L.B., F.Y. and T.M.; funding acquisition, L.B., F.Y. and T.M. All authors have read and agreed to the published version of the manuscript.

Funding: This research was funded by the Merseyside Violence Reduction Partnership and Liverpool John Moores University QR funding.

Institutional Review Board Statement: The study was conducted in accordance with the Declaration of Helsinki, and approved by the Institutional Review Board (or Ethics Committee) of Liverpool John Moores University Ethics committee (protocol code UREC Ref: 23/EDN/019 and date of approval 16 May 2023).

Informed Consent Statement: Informed consent was obtained from all subjects involved in the study.

Data Availability Statement: Raw data is unavailable due to privacy and ethical restrictions.

Conflicts of Interest: The authors declare no conflicts of interest. The funders had no role in the design of the study; in the collection, analyses, or interpretation of data; in the writing of the manuscript; or in the decision to publish the results.

Note

- ¹ For example, under the Rehabilitation of Offenders Act 1974, after a certain period of time a criminal conviction becomes ‘spent’, meaning that they do not have to be declared in situations such as job applications. However, legislation doesn’t always mean media organisations have to remove old court reports. An individual can also request, as per Article 17 of the GDPR, that data about them be deleted under certain conditions, such as if it is no longer necessary to the purpose for which it was collected or

otherwise processed. While search engines such as Google have the facility for a person to fill in a form to have their details removed from search engine results, journalism is exempt under section 32 of the Data Protection Act, which means if it is deemed to be of public interest they can legally publish details of a person's criminal record.

References

- Arditti, Joyce A. 2021. Parental incarceration and child trauma: Redefining and responding to an invisible social problem. *Family Process* 60: 1200–15.
- BERA. 2018. *Ethical Guidelines for Educational Research*, 4th ed. London: British Educational Research Association.
- Beresford, Sarah. 2025a. *Child Impact Assessments for Children with a Parent in the Justice System: Phase Two Report (Dissemination and Implementation, Feb 2023–Sep 2024)*. London: Prison Reform Trust. Available online: https://prisonreformtrust.org.uk/wp-content/uploads/2025/03/child_impact_assessment_phase_two_final.pdf (accessed on 18 November 2025).
- Beresford, Sarah. 2025b. From Words to Action. *Prison Reform Trust Blog*, May 14. Available online: <https://prisonreformtrust.org.uk/blog-from-words-to-action/> (accessed on 4 November 2025).
- Blecher-Prigat, Ayelet. 2018. Children's privacy as autonomy: A new conceptual framework. *American University Law Review* 67: 1535–77.
- Bocknek, Erika London, Jessica Sanderson, and Preston A. Britner, IV. 2009. Ambiguous loss and posttraumatic stress in school-age children of prisoners. *Journal of Child and Family Studies* 18: 323–33.
- Braun, Victoria, and Virginia Clarke. 2006. Using thematic analysis in psychology. *Qualitative Research in Psychology* 3: 77–101. [CrossRef]
- Brookes, Lorna. 2025. The Ethical Dilemma of Supporting Children Impacted by Parental Imprisonment. In *The Ethics of Unlocking Research with Children*. West Yorkshire: Emerald Group Publishing Limited, pp. 169–83. [CrossRef]
- Brookes, Lorna, Frances Yeoman, and Jack Fitzpatrick. 2023. Available online: <https://committees.parliament.uk/writtenevidence/122663/pdf/> (accessed on 4 November 2025).
- Bryman, Alan. 2016. *Social Research Methods*, 5th ed. Oxford: Oxford University Press.
- Bülow, William. 2022. Children of prisoners and the moral failure of criminal justice. *Ethics and Social Welfare* 16: 156–72.
- Bülow, William. 2023. Who is responsible for remedying the harm caused to children of prisoners? *Ethics and Social Welfare* 17: 256–74. [CrossRef]
- Children Act*. 1989. London: HMSO, chp. 41.
- CJEU. 2014. *Google Spain SL, Google Inc. v AEPD and Mario Costeja González, Case C-131/12, Judgment of 13 May 2014*. Luxembourg: CJEU.
- Cooper, Victoria, Jane Payler, Stephanie Jane Bennett, and Lottie Taylor. 2023. *From Arrest to Release, Helping Families Feel Less Alone: An Evaluation of a Worcestershire Pilot Support Project for Families Affected by Parental Imprisonment*. Milton Keynes: Children's Research Centre, The Open University.
- Dawson, Angela, Lorna Brookes, Bernie Carter, Gloria Larman, and Debra Jackson. 2013. Stigma, health and incarceration: Turning the tide for children with a parent in prison. *Journal of Child Health Care* 17: 3–5. [PubMed]
- Doka, Kenneth J. 1989. *Disenfranchised Grief: Recognising Hidden Sorrow*. Lexington: Lexington Books.
- Domestic Abuse Act*. 2021. London: The Stationery Office, chp. 17.
- Doughty, Julie, Amy McLennan, and Rhian Thomas. 2018. *Safeguarding Children's Identities in Family Court Reporting*. Cardiff: Cardiff University.
- Dworkin, Ronald. 1977. *Taking Rights Seriously*. London: Duckworth.
- Gampell, Lucy. 2017. *Children of Imprisoned Parents and Their Human Rights: A Review of Research, Law, Policy and Practice*. Geneva: Quaker United Nations Office.
- Gilani, Alpa. 2023. Stigma, resilience and child voice: Supporting children with a parent in prison. *Probation Journal* 70: 36–52.
- Goffman, Erving. 1963. *Stigma: Notes on the Management of Spoiled Identity*. Englewood Cliffs: Prentice-Hall.
- Hanson, Karl, and Olga Nieuwenhuys. 2013. Living childhoods, local rights perspectives. In *Reconciling Universal Rights and Local Contexts*. Edited by Karl Hanson and Olga Nieuwenhuys. Basingstoke: Palgrave Macmillan, pp. 1–24.
- Harrison, Sian, Gill Phillips, and Laurence Charles John McNae. 2024. *McNae's Essential Law for Journalists*, 27th ed. Oxford: Oxford University Press.
- HM Courts and Tribunals Service. 2022. HM Courts and Tribunals Service Publish Reporters' Charter. Available online: <https://medialawyersassociation.org/hm-courts-and-tribunals-service-publish-reporters-charter/> (accessed on 28 May 2026).
- HM Prison and Probation Service (HMPPS). 2024. *HMPPS Offender Equalities Report 2023/24*; London: Ministry of Justice. Available online: <https://www.gov.uk/government/statistics/hmpps-offender-equalities-annual-report-2024-to-2025> (accessed on 28 May 2026).
- House of Commons Justice Committee. 2022. *Open Justice: Court Reporting in the Digital Age*. London: The Stationery Office.
- Independent Press Standards Organisation (IPSO). 2025. *Editors' Code of Practice*. London: IPS. Available online: <https://www.ipso.co.uk/editors-code-of-practice/> (accessed on 13 March 2026).

- Jones, Adele, and Alex Hirschfield. 2015. *Children of Imprisoned Parents: The UNCRC, the Rights of the Child and the “Best Interests” Principle*. Geneva: United Nations.
- Judicial College. 2016. *Reporting Restrictions in the Criminal Courts*. London: Judicial College.
- Kincaid, Sarah, Miranda Roberts, and Edward Kane. 2019. *Children of Prisoners: Fixing a Broken System Crest Advisory*. London: Crest Advisory (Crest).
- Lundy, Laura. 2014. United Nations Convention on the Rights of the Child and child well-being. In *Handbook of Child Well-Being*. Edited by Asher Ben-Arieh, Ferran Casas, Ivar Frønes and Jill E. Korbin. Dordrecht: Springer, pp. 2439–62.
- Majid, Aisha. 2023. *ABCs: Regional Dailies See Average Print Decline of 19% (But Online Looking Brighter)*. London: Press Gazette. Available online: <https://pressgazette.co.uk/publishers/regional-newspapers/abcs-local-news-print-circulations-decline-2022-digital-audience-growth/> (accessed on 23 March 2026).
- Minson, Shona. 2020. *Maternal Sentencing and the Rights of the Child*. London: Palgrave Macmillan.
- Murray, Joseph, and David P. Farrington. 2008. The effects of parental imprisonment on children. *Crime and Justice* 37: 133–206. [CrossRef]
- Ponsford, Dominic. 2023. *Audience Data: Sun Claims Top Spot as UK’s Most Widely Read Commercial Newsbrand*. London: Press Gazette. Available online: https://pressgazette.co.uk/media-audience-and-business-data/media_metrics/most-popular-newspaper-uk-the-sun/ (accessed on 23 March 2026).
- San Francisco Children of Incarcerated Parents Partnership. 2003. *Children of Incarcerated Parents Bill of Rights*; San Francisco: SFCIPP. Available online: <https://www.ojp.gov/ncjrs/virtual-library/abstracts/children-incarcerated-parents-bill-rights> (accessed on 28 March 2026).
- Saunders, Vicki. 2018. What does your dad do for a living? Children of prisoners and their experiences of stigma. *Children and Youth Services Review* 90: 21–27. [CrossRef]
- Saunders, Vicki, and Morag McArthur. 2020. *Children of Prisoners: A Framework for Understanding*. Canberra: Australian National University.
- Scharff Smith, Peter. 2014. *When the Innocent Are Punished: The Children of Imprisoned Parents*. Basingstoke: Palgrave Macmillan.
- Scott v Scott. 1913. AC 417 (HL). Available online: https://www.iclr.co.uk/wp-content/uploads/media/vote/1865-1914/Scott_ac1913-1-417.pdf (accessed on 1 March 2026).
- Siegel, Jane. 2011. *Disrupted Childhoods: Children of Women in Prison*. New Brunswick: Rutgers University Press.
- Transform Justice. 2022. *Fair and Open Justice in the Digital Age*. London: Transform Justice.
- Turney, Kristin. 2018. Adverse childhood experiences among children of incarcerated parents. *Children and Youth Services Review* 90: 21–27.
- UNICEF UK. 1989. The United Nations Convention on the Rights of the Child. Available online: <https://www.unicef.org.uk/what-we-do/un-convention-child-rights/> (accessed on 28 March 2026).
- United Nations. 1989. The United Nations Convention on the Rights of the Child. Available online: https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC_PRESS200910web.pdf (accessed on 1 March 2026).
- Victims and Prisoners Bill. 2023–2024. Bill 16. London: UK Parliament.
- Wacquant, Loïc. 2009. *Punishing the Poor: The Neoliberal Government of Social Insecurity*. Durham: Duke University Press.

Disclaimer/Publisher’s Note: The statements, opinions and data contained in all publications are solely those of the individual author(s) and contributor(s) and not of MDPI and/or the editor(s). MDPI and/or the editor(s) disclaim responsibility for any injury to people or property resulting from any ideas, methods, instructions or products referred to in the content.