

TV INDUSTRY HUMAN RIGHTS FORUM



Respecting human rights in the use of media support workers for documentary making, news and sports

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Executive Summary

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Disclaimer

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Purpose of the research

This research aims to explore the human rights risks to media support workers used by broadcasters for documentary making, news and sports broadcasting and to identify good practices to adopt in order to mitigate the risks.

The TV Industry and Human Rights Forum's 2020 research found that support workers in UK TV production were frequently overlooked by those they worked alongside and many experienced poor labour practices and undignified working conditions as a result. This enquiry seeks to understand whether such issues are replicated in documentary making, news and sports broadcasting. The research covers use of such media support workers in the UK, as well as how broadcast teams travel internationally and depend on local support to do so. The human rights risks are different but exist in all contexts.

A Human Rights lens

Using a human rights lens to look at the use of media support workers enables us to rely on an international framework, including:

- The Universal Declaration of Human Rights
- The ILO Fundamental Conventions
- The UN Guiding Principles on Business and Human Rights

The framework helps us to identify issues that are risks to people and locate them in international standards. It also enables a framing which shows that broadcasters have a responsibility towards all those individuals impacted by the making of their news, sports, and documentary productions, regardless of whether they are directly employed or not, or whether a specific legal liability exists.

This research focuses on labour rights and the safety of media support workers, which cover the human rights to dignity and equality, life, health, non-discrimination and just and favourable conditions of work, among others. Other relevant human rights themes include freedom of expression, which includes media freedom, and the rule of law.

Scope of the research

The footprints for documentary making, news and sports broadcasting have considerable overlap. Documentary teams often have journalist visas and the boundaries between them, and investigative news teams may be relatively blurred. In terms of third parties, all such teams tend to use similar support – a combination of fixers, drivers, translators, and security, whether working domestically or overseas. Together, these roles can be described as 'media support workers'.

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News, sports and documentaries cannot happen without a range of third-party support, including fixers, local crew, drivers, translators, security personnel and hotel and venue staff. In supporting the work of international news, sports and documentary crews, many of these individuals take on risks to their personal safety and privacy, as well as their physical and mental health. Those working in hotels and at venues may be at particular risk of extreme exploitation, sometimes amounting to modern slavery. Such human rights risks are often not sufficiently addressed by broadcaster practices and can also increase risks to their own teams.

Media support workers are often freelancers, meaning they have limited employment rights and little recourse if clients refuse to pay. Unless the broadcaster provides it, they may have no access to training, insurance, and safety equipment, or any of the other usual mitigations broadcasters put in place for their own employees. Among stakeholders interviewed for this report, there was strong support for broadcasters to improve their duty of care to all media support workers, both during and after assignments.

The research found that media support workers are sometimes mistreated by the teams they work with, experiencing a hierarchical 'us' and 'them' mentality, which can progress to bullying. In the worst cases, their lives are seen as less valuable than the international crew or in some way expendable. Media support workers also reported problems of cultural insensitivity on behalf of international teams, which can lead to misrepresentation of people and stories and increased safety risks to themselves or others. The uneven power relationships mean that media support workers can feel under pressure to take risks that they may not be comfortable with and fear speaking out or raising concerns.

Finally, cash is sometimes used to pay media support workers or to fund their activities on behalf of news, sports, or documentary teams. While necessary in some circumstances, the use of cash increases the risk of bribery and unethical practices, including breaking international sanctions. It can set precedents that then negatively affect teams that follow. Carrying cash also puts those that carry it at risk of robbery.

There are good practices suggested throughout the report to address different risks and a full checklist is provided in Appendix A. The main improvements for broadcasters to consider are:

- how to ensure adequate vetting and due diligence of third-party suppliers and individuals to reduce the risks of poor labour or ethical practices;
- how to provide media support workers with training, equipment, insurance, safety, and post-assignment support;
- how to prepare teams that travel in terms of cultural awareness, risk awareness and consideration towards the media support workers they encounter; and
- how to ensure all those involved in assignments know how to raise concerns and feel comfortable and confident in doing so.

Summary of Human Rights Risks

Potentially affected group	Nature of potential risk	Human rights at risk of violation	Potential causes
(Inexperienced) Journalists, crew, talent	Incorrect advice or support provided by in-country fixer, e.g. on visas	Right to life Right to health	Budgetary pressures Inadequate vetting of media support workers
Talent, crew, drivers, local freelancers	Poor, ineffective, or inappropriate safety and security practices	Right to life Right to health	Lack of training Low wages, poor-quality staff Inadequate vetting of security
Journalists, crews, media support workers and their families	Surveillance and harassment from states	Right to privacy Right to health Freedom of expression Right to family life	Lack of press freedom Limits to the rule of law
Media support workers	Culturally insensitive behaviour can put lives, families, and livelihoods in danger	Right to life Right to health Right to family life Right to work	Lack of cultural awareness
Contributors/ participants, local communities	Local people may not want information broadcast or may object to portrayal	Right to privacy	Lack of duty of care to contributors Lack of cultural awareness
Media support workers	Safety and security of media support workers	Right to life Right to just and favourable conditions of work	Lack of policies and resources within news organisations Closing of foreign news bureaux – increased reliance on freelancers Lack of preparation and safety training Lack of safety mindset
Media support workers	Pressure to act unethically, illegally, or unsafely	Rule of law	Lack of safety mindset Power imbalance
Media support workers	Long missions can impact on family relationships	Right to a family life	Lack of duty of care to media support workers
Media support workers	Enduring safety risks, trauma or illness after foreign team has left	Right to life Right to health	Seen as part of the security apparatus rather than also in need of security support Lack of duty of care to media support workers
Media support workers	Poor working conditions and unreasonable expectations	Right to health Right to just and favourable conditions of work	Power imbalance Lack of policies and resources within news organisations Lack of cultural awareness
Drivers	Last minute requests from broadcasters lead to unvetted drivers or excessive working hours	Right to just and favorable conditions of work Right to rest and leisure	Budgetary pressures Inadequate preparation
Hotel workers	Workers within hotels used by crews may be subject to hidden labour exploitation or other poor working conditions	Right not to be held in slavery or servitude Right to just and favorable conditions of work Right to health	Inadequate due diligence Lack of policies and resources within news organisations
All third parties	Mistreatment of third-party workers by others	Right to dignity Right to non-discrimination Right to health Right to just and favorable conditions of work	Hierarchical cultures Seen as the responsibility of a third-party vendor and therefore not taken into consideration

Appendix A: Good practice checklist for broadcasters

RECOMMENDATION	In place? Yes, partially, no
Third Party Requirements & Vetting	
When finding new fixers, gather as many references as possible	
When using a new fixer for the first time, build a relationship in advance to align expectations and iron out any issues pre-emptively	
Document who the fixer is within the system, in advance of hiring them, so that they can be paid properly	
Build long-term relationships with a small number of fixers and invest in them	
Remind teams that drivers are colleagues and essential to assignments	
Ensure vetted suppliers are in place – avoid the temptation to go with the cheapest option	
Budget for a buffer of support to cover last-minute changes to requirements	
Require any intermediary to conduct due diligence on working conditions at hotels that will be used	
Ensure preparation to travel includes reviewing destinations to understand whether trafficking and exploitation issues can be raised with the authorities without putting victims at further risk; if not, identify other routes to raise concerns, such as local NGOs	
Working Conditions	
Prepare teams that travel with a briefing on how to spot the signs of exploitation and how to respond	
Establish a clear contract with all third parties in advance of work being undertaken	
Pay for any work completed even if the relationship is discontinued	
Consider using reputable intermediary platforms to manage relationships with freelancers if the broadcaster’s own systems are too clunky to set up contracts at the speed required	
Reinforce principles of diversity, equity and inclusion among teams travelling internationally – sensitise people to be respectful and sanction those who are not	
Recognise the contribution of fixers and other media support workers to ensure that they are seen as full team members	
Include reference to fixers and other media support workers in policies and supporting infrastructure where possible	
Consider how to increase the diversity of production operations teams such that this issue is regularly considered and prioritised	
Have a complaints process where fixers and other media support workers can raise concerns anonymously or provide feedback about specific productions	
Ensure teams travelling have done adequate preparation on the countries they are visiting	
Invite fixers or others with local knowledge and experience to provide pre-travel briefings on cultural sensitivities or relevant issues to the news, sports, or documentary assignment	
Encourage teams to have a continuous dialogue with their fixer and other media support workers to check their approach and understanding and to be active in seeking feedback	
Remind travelling teams that media support workers may feel obliged to say yes to things they are not comfortable with and reinforce the need for challenge and dialogue	

Duty of Care	
Encourage media support workers to report centrally any undue pressure they may face	
When commissioning work, formalise an agreement for duty of care towards local media support workers and provide risk assessment and resources	
Aim to establish long-term relationships with media support workers and invest in them with training, equipment and ongoing support, including for mental health	
Provide insurance for all media support workers on assignments and establish policies and protocols in the event of uninsurable situations occurring	
Incorporate duty of care to contributors into security planning	
Factor mental health, safety and security of all media support workers post-assignment into risk assessments	
Provide a mechanism that enables media support workers to access support and assistance after the completion of their assignment if it has an adverse impact on their safety or wellbeing or that of their families, especially around the time of transmission	
Recognise and acknowledge the contribution of media support workers, crediting them where possible	
Ensure consent of media support workers if they are used in footage	
Use of Cash	
Ensure teams ask their fixers and other media support workers questions in order to understand what any cash is being used for	
Corroborate what a fixer says about the need for bribes and facilitation payments and make it a last not a first resort	
Document all payments made and get receipts wherever possible	
Require an explanation from international teams to internal compliance for any facilitation payments made	
Issue contracts to fixers and require an invoice in order to pay	
Pay salaries into bank accounts rather than in cash wherever possible, and require some sort of receipt or invoice if cash is the only option	
Avoid using cash to pay for security, especially public security	
Avoid setting precedents in terms of cash payments and bribes	