



# Working with the media on HIV criminalisation

**Edwin J Bernard**

Executive Director, HIV Justice Network

Global Co-Ordinator, HIV JUSTICE WORLDWIDE

# WHY THE MEDIA MATTERS IN HIV CRIMINALISATION ADVOCACY



When it comes to widely misunderstood, complex issues like HIV criminalisation, media can be a **powerful tool** or a **blunt-force weapon**.

Mainstream reporting on issues concerning HIV can be **sensationalised** and **stigmatising**, often doing **more harm than good**.

Words have power. Repeatedly hearing language that reinforces stigma, oppression, and discrimination has an effect on the well-being of people living with HIV.

**“Negative attitudes about HIV are literally killing people.”**

Mainstream media plays a significant role in **reinforcing a society’s prejudices**, and HIV criminalisation is just one lens for witnessing that insidious process.

Because HIV criminalisation stories may involve salacious details of **“sex, drugs, and crime,”** media outlets may use dramatic headlines highlighting those details to **grab attention**.

The images and language used in these stories increase the notoriety of specific defendants, and can serve to **further marginalise and target individuals who are already members of vulnerable groups**.

## ILLEGAL MIGRANT ARRESTED | SUSPICION OF INFECTING ISRAELI

Conflicting statements as couple's HIV infection squabble spills into court

## Hiv-smittad kvinna döms

Suspect charged with possible

London courts: HIV-infected spitter draws sentence

passing HIV on to victim

Trial for inmate who allegedly didn't

удержана азербайджанская проститутка, поразившая 200 мужчин СПИДом

tell HIV status before prison sex

## Police arrest foreigner for deliberately having sex, infecting girls with HIV in Lagos

Un homme condamné

à la prison pour avoir caché son VIH

заражавший женщины

Woman nabbed for infecting partner with HIV

husband Sh127,000 for  
В БЕЛАРУСИ РАССЛЕДУЮТ ПЯТЬ УГОЛОВНЫХ ДЕЛ ПО ФАКТУ УМЫШЛЕННОГО ЗАРАЖЕНИЯ ВИЧ

## Woman sentenced for prostitution while HIV positive

Фото: взят под стражу мужчина, подозреваемый в распространении ВИЧ

Verurteilt: Kärntner infizierte Partnerin  
HIV

# WHY WORKING WITH THE MEDIA MATTERS



Inaccurate, biased, and excessive media coverage of HIV criminalisation cases can **destroy the lives of those accused**, and may **affect the outcomes of criminal proceedings**.

By **becoming informed** about the realities of living with HIV and incorporating these facts and stories into their reporting, media makers can also be some of our **greatest allies** in improving lives and upholding rights of people living with HIV.

Engaging with creators of media to improve their HIV coverage is not asking for favours; it is helping them to satisfy their **professional responsibility** to seek and report truth.

By working to shift the messages and images in the media regarding HIV criminalisation, you are contributing to **changing the culture of bias in media against communities living with and vulnerable to HIV**.

You are also playing a role to ensure that people living with HIV need **not live in fear of being who they are**.

# WHAT CAN WE DO?

- First, do no harm!
  - Refrain from amplifying problematic stories or practices
  - Do not use names, photos, or other details of potential defendants
- Have patience—media visibility is not always warranted
- Be sure your messages do not reinforce stigmatising ideas about people living with HIV
  - Always keep in mind how today's messaging may affect tomorrow's defendant
- Align your media strategy with your overall advocacy strategy
  - Who do you want to hear about your campaign and its goals?
  - What do you want that audience to know and/or believe?
  - How can you get them to understand and believe in your goals?
  - When do you want a broader public to know about and/or get involved with your efforts?
  - What are you asking the public/audience to do?
  - How will media coverage help you achieve that goal? How could it hurt?

## PREPARING SPOKESPEOPLE TO WORK WITH JOURNALISTS



- In working with people to tell their own story, work with them to develop their own **talking points**—and practice with them to ensure they are clear on what those talking points will be.
- Make sure what reporters are hearing is what you want them to hear. This may be the most important thing for a spokesperson to learn! **Don't answer the question the reporter asks but the one you want them to ask.**
- Make sure your message comes across in **sound bites**.
- Become best friends with the reporters interviewing you.
- Find a champion: A reporter you know will cover this story empathetically.

## GETTING THE MESSAGE RIGHT: EXAMPLE OF TALKING POINTS

Laws criminalising perceived or potential HIV ‘exposure’ are a problem in part because they:

- Are based on disproven misinformation about HIV transmission risks, and do not reflect contemporary science;
- Increase discrimination against people living with HIV by singling out HIV for criminal prosecution;
- Promote HIV stigma by reinforcing inaccurate beliefs about the routes, actual risks, and consequences of HIV transmission;
- Hinder HIV prevention and care efforts, increasing all people’s vulnerability to HIV;
- Make the complex, sensitive task of HIV disclosure even more challenging, because individuals may fear legal recourse if they tell their partners they have HIV;
- Contradict public health messages about shared responsibility for sexual health by putting the responsibility for HIV prevention solely on the person living with HIV.

## TIPS FOR WORKING WITH JOURNALISTS

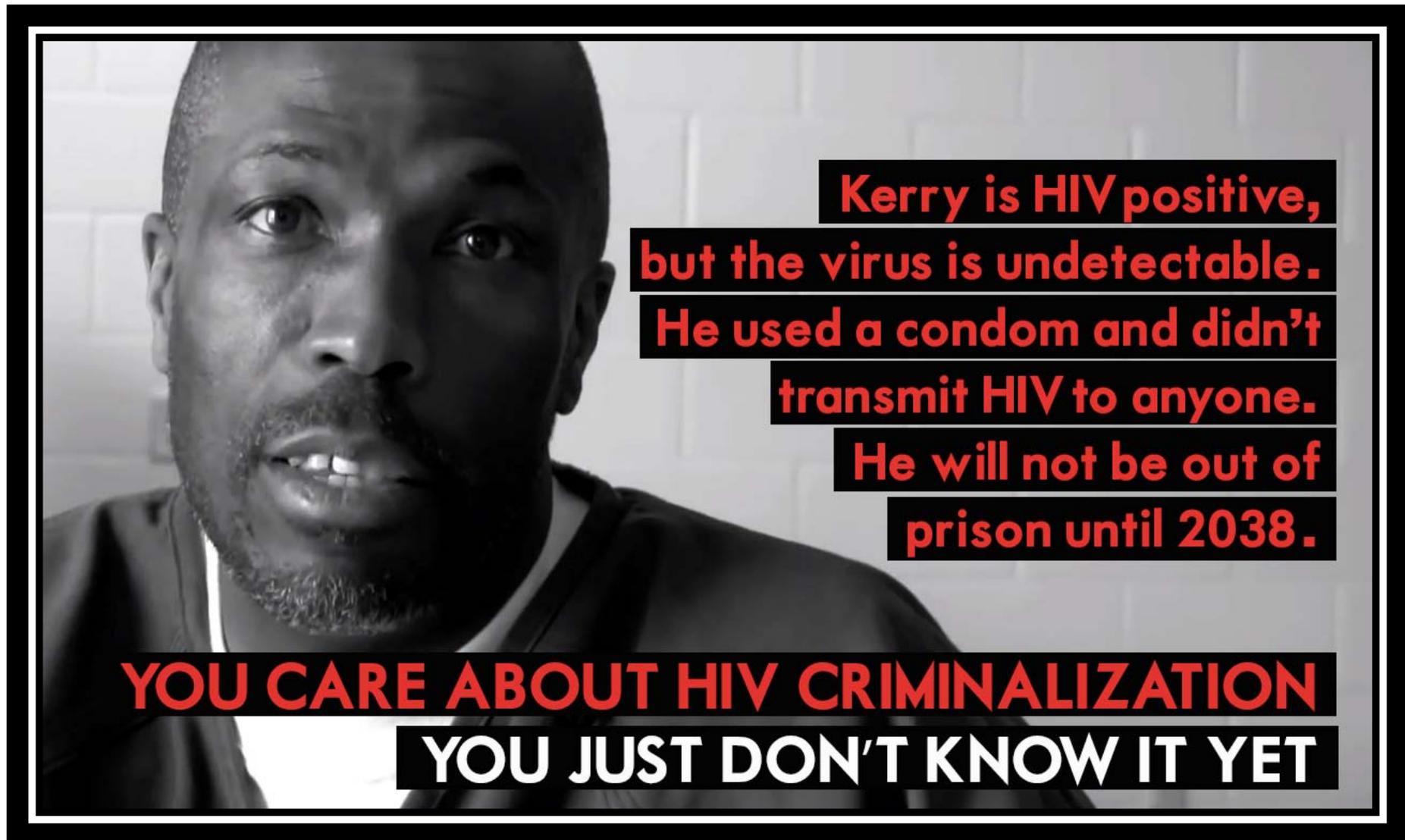


- Remind them that regardless of legal guilt or innocence, their reporting may ruin someone's life.
- Ask them - are they doing the police's work for them?
- Challenge them to go deeper: link them to spokespeople that matter to their readers (e.g. key scientist or public health official, community leaders, an HIV criminalisation survivor).
- Help them understand that the story doesn't end at court and has an impact beyond the individual.

## RESPONDING TO NEGATIVE OR IGNORANT HIV CRIMINALISATION COVERAGE

- First, do no harm!
- Focus on correcting stigmatising headlines and incorrect facts
- Tips on how to respond (or not) to online “comments”
  - Keep your comment brief and to the point
  - Rise above a commenter’s disrespect by responding in a respectful manner
  - Lead with facts
  - Balance using your talking points on the issue with changing your message slightly depending on the specific content of the comment.
  - Consider responding exclusively to comments from people who disclose that they are living with HIV and express support for HIV criminalisation
  - Working with the publication to correct any errors in a headline or article is a worthy goal in itself, and may have the additional benefit of improving the quality of future comments on the piece.

# GETTING THE MESSAGE RIGHT: SOCIAL MEDIA MEMES



**Kerry is HIV positive,  
but the virus is undetectable.  
He used a condom and didn't  
transmit HIV to anyone.  
He will not be out of  
prison until 2038.**

**YOU CARE ABOUT HIV CRIMINALIZATION  
YOU JUST DON'T KNOW IT YET**



# MAKING MEDIA WORK FOR HIV JUSTICE

*An introduction to media engagement for advocates opposing  
HIV criminalisation*

Part of the HIV Justice Toolkit, from HIV JUSTICE WORLDWIDE

**HIV JUSTICE  
WORLDWIDE**



# ВЗАИМОДЕЙСТВИЕ СО СМИ ВО ИМЯ СПРАВЕДЛИВОСТИ В ОБЛАСТИ ВИЧ

*Введение в взаимодействие со СМИ для активистов  
противодействия криминализации ВИЧ*

Часть пособия по вопросам правосудия в отношении ВИЧ от движения  
HIV JUSTICE WORLDWIDE (Правосудие в области ВИЧ во всем мире)

**HIV JUSTICE  
WORLDWIDE**



<http://bit.ly/HIVJusticeMediaToolkit>

<http://bit.ly/HIVJusticeMediaToolkitRussian>