



## ATN 7 Sydney

### Complaint

In November 1999 the ABA received an unresolved complaint in relation to an edition of the children's program 'The Big Breakfast' broadcast on 10 September 1999 by ATN 7, part of the Seven Network. The program included a segment that featured two of the program's presenters discussing and demonstrating a product, a Tarzan CD-ROM computer game. The complainant alleged that this segment breached the Commercial Television Industry Code of Practice.

### Relevant code

The code states that:

- 6.23 In any program mainly directed to children:
- 6.23.1 The host or any other regular presenter or

character in the program must not sell or promote products or services

### Decision

The ABA determined that on 10 September 1999 the licensee of ATN 7 breached subclause 6.23.1 of the Code in that it broadcast a program mainly directed to children, 'The Big Breakfast', that included a segment in which the program presenters promoted a product.

### Action taken

As a result of the initial complaint segments such as the one complained about are now presented by children or teenagers not otherwise connected with the program or with the Seven Network.

## QTQ 9 Brisbane

### Complaint

In April 1999 the ABA received an unresolved complaint regarding a segment of the program 'A Current Affair' broadcast by QTQ 9 Brisbane on 23 November 1998. The complainant alleged that the segment, which concerned the activities of an organisation known as 'Life Integration Programmes', was inaccurate and created a misleading impression of this organisation. The complainant also claimed that footage of her shown during this segment amounted to an invasion of privacy.

### Relevant codes

Clause 4.3 of the Commercial Television Industry Code of Practice states, in part, that:

- 4.3 In broadcasting news and current affairs programs, licensees:
- 4.3.1 must present factual material accurately and represent viewpoints fairly, having regard to the circumstances at the time of preparing and broadcasting the program;
- 4.3.5 must not use material relating to a person's

personal or private affairs, or which invades an individual's privacy, other than where there are identifiable public interest reasons for the material to be broadcast;

### Decision

The ABA determined that the licensee of QTQ 9, Queensland Television Ltd, breached clause 4.3.5 of the code by using material relating to a person's personal or private affairs other than where there were identifiable public interest reasons for the material to be broadcast. The ABA determined that the licensee of QTQ 9 did not breach clause 4.3.1 of the code in its broadcast of the same material.

### Action taken

The Nine Network informed the ABA that it would ensure that the ABA's findings were brought to the attention of relevant personnel at 'A Current Affair'. It would also adopt procedures to ensure that people's faces are obscured by pixillation or similar techniques when appropriate to do so in order to protect their privacy.