

## STQ 7 Brisbane

### Privacy, depiction of suicide

On 9 November 2000 the ABA received an unresolved complaint regarding the broadcast of the local news on STQ 7 on 10 and 31 July 2000.

The complaint concerned the reporting of hearings at the Bundaberg Magistrates Court which named the accused. The accused was charged with two counts of attempted murder and grievous bodily harm (in a murder/suicide attempt). The accused's children were the victims in the alleged attempt. The complainant alleged that the magistrate specifically made a recommendation that no names be mentioned by the media so that the identity of the children involved could be protected. The complainant stated that by naming the father it is not difficult to work out the identity of the children.

The complainant also alleged that the news report broadcast on 31 July 2000 was inaccurate as it stated that a towel was used to seal a gap in a window of the car. The complainant alleged that this detail was a fabrication. Further, the complainant alleged that Seven had not provided a substantive written response to the complaint.

#### Relevant code of practice

The Commercial Television Industry Code of Practice states:

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 is an identifiable public interest reason for the material to be broadcast;

...

4.3.9 should broadcast reports of suicide or attempted suicide only where there is an identifiable public interest reason to do so, and should exclude any detailed description of the method used. The report must be straightforward, and must not include graphic details or images, or glamorise suicide in any way.

The relevant complaint handling provisions of the code are:

7.9 Where a code complaint is made about material broadcast by a station within thirty days of its broadcast, the licensee must provide a substantive written response.

7.10 That response must be made as soon as practicable, but in any case no longer than 30 working days after receipt of the complaint.

#### Decision

The ABA was of the view that the news report broadcast on 31 July 2000 invaded the privacy of the family involved and that Seven should have exercised particular care for the welfare of children involved. The report named the accused, referred to the attempted suicide as well as reporting that the accused's children were involved. The presenter's introduction stated that the man was accused of trying to kill his two children and the reporter expanded on this stating that the accused attempted to asphyxiate himself and his two children. The report also mentioned the bail conditions imposed by the magistrate which included refer-

ence to the accused's estranged wife.

The ABA did not believe that there were any public interest reasons for naming the defendant, particularly as this would facilitate the identification of the children concerned. Seven admitted that naming of the defendant constituted an invasion of privacy of the family, and in particular the privacy of the children.

The ABA also found that the news report broadcast on 31 July 2000 breached clause 4.3.9 of the code due to the report of an attempted suicide. The report was not straightforward, included a detailed description of the method used and was not broadcast in the public interest.

The ABA was unable to make a finding regarding the accuracy of the report, as a transcript of the court proceedings was not available.

The ABA also found Seven breached clause 7.9 of the code by not providing the complainant a substantive written response to a written complaint within 30 days.

#### Action taken

Seven has advised the ABA that to ensure that similar breaches do not occur in the future, steps have been taken to remind staff of their obligations under the code including memorandums to staff, counselling for the journalist involved and training for all Channel Seven Queensland and Channel Seven Brisbane journalists in relation to specific legal and code obligations. Seven also apologised to the complainant. The ABA will take no further action at this stage.

