



SAS 7 – Adelaide

Misleading simulation of news or events, invasion of privacy

Complaint

In April 2001, the ABA received an unresolved written complaint regarding a segment of the Today Tonight program broadcast by SAS 7 Adelaide on 20 February 2001. The segment concerned a woman who had fallen into a disused mineshaft and who was subsequently rescued by police and State Emergency Service officers. The complainant, acting on behalf of the woman concerned, alleged that the item contained factual inaccuracies, simulated events in a misleading manner, and was an invasion of the woman's privacy.

Relevant code of practice

The complaint was assessed against the following provisions of the Commercial Television Industry Code of Practice (the code):

1.8 A licensee may not broadcast a program, program promotion, station identification or community service announcement which is likely, in all the circumstances, to:

1.8.1 simulate news or events in such a way as to mislead or alarm viewers;

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.

Decision

The ABA determined that during an edition of the program Today Tonight broadcast on 20 February 2001, the licensee of SAS 7, Channel Seven Adelaide Pty Ltd, breached clause 4.3.5 of the code by using material that invaded an individual's privacy when there was no identifiable public interest reason for the material to be broadcast.

Action taken

Due to the ABA being of the opinion that the breach was not a serious one, and as this was the first time that the ABA had determined a breach of clause 4.3.5 of the code by the licensee of SAS 7, the ABA decided not to take any further action at this stage. The ABA will, however, be closely monitoring future compliance by the licensee with those clauses of the code that relate to news and current affairs programs.

