



ATN 7 Sydney

Accuracy, fairness, privacy and unfair identification of a person in news and current affairs

The complaint

The ABA received an unresolved complaint from the complainant's legal representative regarding a segment, 'Neighbourhood Eyesore', during the 'Today Tonight' program broadcast by ATN 7 on 20 September 2002.

The complainant alleged that the report held her up to public ridicule and contempt and breached sections the code in that:

- certain factual material in the broadcast was inaccurate and did not accurately or fairly represent viewpoints [clause 4.3.1];
- it used material relating to her personal or private affairs and invaded her privacy [clause 4.3.5]; and
- it unfairly identified her (amongst other individuals) when commenting on the behaviour of a group of persons [clause 4.3.7].

Decision

The ABA determined that the licensee of ATN 7, Channel Seven Sydney Pty Limited:

- breached clause 4.3.5 of the code by using material that invaded the complainant's pri-


vacancy without an identifiable public interest reason;

- breached subclause 4.3.1 of the code by not representing the complainant's viewpoint fairly; and
- did not breach subclause 4.3.7 of the code because it did not unfairly identify a single person when commenting on the behaviour of a group of persons.

Action taken

The ABA notes the following action the licensee will undertake following the finalisation of the investigation:

- a copy of the decision, together with an explanation of the decision, will be provided to key personnel involved in news and current affairs; and
- directions will be given to ensure that future programs are consistent with the ABA's findings in relation to this matter.

The licensee also advised that future training will be given to news and current affairs staff in relation to the issue of privacy, which is being examined in the current review of the code. 

4BC Brisbane

Privacy in current affairs, complaints handling

The complaint

On 3 March 2003 the Australian Broadcasting Authority (the ABA) received a written complaint concerning the broadcast of a segment during a talkback program on commercial radio service 4BC. The complainant alleged that the licensee, during the broadcast of a talkback radio program, breached her privacy and failed to address her complaint adequately.

Decision

The ABA determined that the licensee of 4BC, Radio 4BC Brisbane Pty Ltd breached:

- Commercial Radio Codes of Practice clause 2.2(e) in relation to privacy and

- Codes clause 5.9 in its failure to make every effort to resolve the complaint made in accordance with the Code.

Action taken

The ABA notes that, following the ABA's findings, the licensee has:

- reviewed its use of the dump button during broadcasts and its staff training
- provided additional training to the presenter in question and
- has brought the complaint in question to the attention of its staff.

