

**From:** [REDACTED]  
**Sent:** Monday, 4 November 2019 4:01 PM  
**To:** McCarthy, Justine  
**Subject:** Investigation about Seven News, broadcast on Seven on 30 July 2019 and 31 July 2019  
[SEC=UNCLASSIFIED]  
**Attachments:** Complaint and Response re Channel 7 broadcast (1).pdf

ACMA reference: BI-535

Dear Ms McCarthy,

**Investigation about *Seven News*, broadcast on Seven on 30 July 2019 and 31 July 2019**

The Australian Communications and Media Authority (the ACMA) is investigating a complaint from Stephen Barclay about the above program.

A copy of the complaint made to the licensee is attached for your reference.

The complaint made to the ACMA further stated:

The Channel 7 broadcast on 30 July 2019 displayed two QBCC letters and which clearly identified two QBCC officer's names, both of which were not relevant to the broadcast. This was an unwanted and uninvited intrusion upon a person's private affairs. The broadcast of the officers' names without consent was not warranted. The officers' names are clearly identifiable from the broadcast and despite the assertions from Channel 7 the intrusion was 'fleeting' does not account for the pausing or recording of live television for later viewing. The key points to the broadcast could have been made and the public interest served without disclosing personal information. Further, the broadcast blurred the contents of the letters yet did not blur the names of the QBCC officer. The clear inference is that the names of the officers were somehow important to the story, which is not the case.

The broadcast on 31 July 2019 centred on a complaint from a Mr Mark Agius. Mr Agius had pre-recorded an interview with the Channel 7 reporter at his residence in Townsville, yet during the QBCC Commissioner's interview with the same reporter on the afternoon of 31 July 2019 the reporter failed to mention the complaint of Mr Agius, nor were any questions put to the Commissioner about the complaint. The broadcast failed to mention that the QBCC had been in contact with Mr Agius on a number of occasions in relation to his complaint. Accordingly, there was no fair treatment or opportunity given to the Commissioner to express an opinion; the principle of gathering and presenting balanced information with due impartiality was disregarded;

The complaint raises issues concerning Channel Seven Brisbane Pty Limited's compliance with the Commercial Television Industry Code of Practice 2015 (revised 2018) (the Code), including, but not limited to:

- > 3.3.1 [accuracy]
- > 3.4.1 [impartiality]
- > 3.5.1 [privacy]

The ACMA is investigating this matter under the *Broadcasting Services Act 1992*.

**Next steps**

The ACMA seeks the following information and material:

- > a recording of the broadcasts
- > submissions on compliance with the relevant provisions, should you wish to make any
- > any other relevant information the licensee may wish to provide at this time.

Please note that in accordance with its statutory duty to produce regulatory arrangements that are stable and predictable, the ACMA may publish relevant extracts from submissions in investigation reports. Other than in exceptional circumstances, or as required by law, only material which would be exempt from release under the *Freedom of Information Act 1982* (Cth) will be treated as confidential.

### Timing

Please provide a copy of the broadcast by **5pm 11 November 2019**. Should you wish to provide written submissions on compliance, these should be supplied by **5pm 18 November 2019**. If the licensee does not wish to make any submissions in relation to this matter, please confirm this when the broadcast is provided or earlier if possible.

The ACMA may seek additional information and/or material as the investigation progresses.

Please note that giving false or misleading information to the ACMA in the course of an investigation is a serious offence. This includes information that may be misleading due to omission.

You may contact me on [REDACTED] if you have any queries.

Yours sincerely,

[REDACTED]  
Investigations and Compliance Officer  
Content Investigations Section

Australian Communications and Media Authority

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[www.acma.gov.au](http://www.acma.gov.au)



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*The ACMA acknowledges the traditional custodians of this land on which we meet, work and live. We recognise and respect their continuing connection to the land, waters and communities. We pay our respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.*