

Jenny Allen

From: McCarthy, Justine [REDACTED]
Sent: Thursday, 7 May 2020 4:14 PM
To: [REDACTED]
Cc: McIntock, Jack
Subject: FW: Investigation about Seven News Brisbane broadcast on Seven on 30 and 31 July 2019 [SEC=OFFICIAL]

ACMA reference: BI-535

Dear [REDACTED]

We refer to the above investigation and the Investigation Report provided to us on 23 April 2020. You have asked for Seven's comments on the publication of the report and remedial action in terms of section 180 of the Broadcasting Services Act 1992

If the investigation report is to be published we would request the redaction of the reporter's name from the final report before publishing, consistent with the redaction of the names of other parties throughout the report. The reporter's name can be found on pages 7, 8 and 13 of the report. We would also appreciate advanced notice before the report is published.

Once the report has been published Seven will circulate a copy of the ACMA's finding to news editorial staff within Seven Brisbane and to also include the decision and its reasoning in our next Code training sessions. Given Seven's strong record of code compliance we believe those actions are sufficient remedial actions in the circumstances.

Please let me know should you require anything further.

Kind regards
Justine

Justine McCarthy
Head of Regulatory & Government Affairs

Seven West Media Limited
Media City | 8 Central Ave Eveleigh NSW 2015 Australia
PO Box 7077 | Alexandria NSW 2015 Australia
[REDACTED]



From: [REDACTED]
Sent: Thursday, 23 April 2020 9:15 AM
To: McCarthy, Justine [REDACTED]
Subject: Investigation about Seven News Brisbane broadcast on Seven on 30 and 31 July 2019 [SEC=OFFICIAL]

ACMA reference: BI-535

Dear Ms McCarthy,

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

As you are aware, the Australian Communications and Media Authority (the ACMA) has been investigating a complaint about the above programs.

The ACMA has completed its investigation and determined that the licensee:

- > breached clause 3.4.1 [impartiality]
- > breached clause 3.5.1 [privacy]

of the Commercial Television Industry Code of Practice 2015 (revised in 2018).

A copy of the final Investigation Report, including the decision and the reasons for that decision, is attached.

Proposed publication

As noted in the ACMA's correspondence to you of 26 March 2020, the ACMA proposes to publish the report and the details of any remedial action taken as a result of this investigation. Publication may include the full report being posted on the ACMA's website as well as a summary appearing in the ACMA's Annual Report and other ACMA publications. A media release or web announcement may also be issued.

Accordingly, you and, through you, the presenter/reporter/producer involved in the program are also invited to comment on the publication of the report and remedial action in terms of section 180 of the Broadcasting Services Act 1992, which states:

If publication of matter in a report or part of a report would or would be likely to adversely affect the interests of a person, the ACMA must not publish the report or the part of the report until it has given the person a reasonable period, not exceeding 30 days, to make representations, either orally or in writing, in relation to the matter.

Next steps

If you and, through you, the presenter/reporter/producer involved in the program wish to make representations on the publication of the final report, please ensure these are provided to the ACMA by **5pm, Thursday 7 May 2020**.

Please note that the substantive issues in this matter have been determined. The opportunity to make representations is confined to the ACMA's proposal to publish the report.

If no comments have been received by the due date, the ACMA may proceed to publish the report without further reference to you or those involved in the program.

Your response should include submissions on remedial action that the licensee intends to take to minimise the risk of future breaches.

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.

Confidentiality

As this matter has not yet been finalised you and the presenter/reporter/producer involved in the program are asked to treat the report and outcome as strictly confidential, unless and until the report is published on the ACMA website.

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

Yours sincerely,

[REDACTED]
Investigations and Compliance Officer
Content Investigations Section

Australian Communications and Media Authority



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.

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