[DE] NLM lodges complaint about reporting by Spiegel TV

IRIS 2026-5:1/23

Sandra Schmitz-Berndt
Institute of European Media Law

On 11 March 2026, the Lower Saxony state media authority (*Niedersächsische Landesmedienanstalt* – NLM) lodged a complaint concerning a breach of journalistic due diligence by the broadcaster dctp Entwicklungsgesellschaft für TV-Programm mbH. The complaint concerned an edition of the Spiegel TV television programme in which people had been portrayed without their identity being sufficiently concealed.

The report in question, entitled "*Tatort Hauptstadt: Ramme, Rausch und Randale*", was broadcast on 18 August 2025 as part of a third-party window by the private television broadcaster RTL Television GmbH (RTL). Since its annual average audience share exceeds 10%, RTL is obliged to grant broadcasting time to independent third parties in the form of a so-called window programme in accordance with Article 60(5) of the Interstate Media Treaty (*Medienstaatsvertrag* – MStV) for the purpose of ensuring diversity. The programme showed Berlin police officers in their everyday work, with several people's identity clearly visible.

According to Article 6(1) sentence 1 MStV, reporting and information programmes must comply with accepted journalistic principles. This includes magazine programmes and documentaries. In addition to independence and objectivity, the principles of journalistic reporting particularly include respect for the privacy of people affected. Individuals should only be identifiable if effective consent has been obtained in accordance with Article 22 of the German Art Copyright Act (*Kunsturhebergesetz* – KUG) or if there is an overriding general public interest under Articles 23 and 24 KUG. In the opinion of the NLM, these conditions were not met in the present case. A violation of journalistic principles is neither an administrative offence nor a crime. However, violations by private broadcasters, as was the case here, may be the subject of a complaint by the competent state media authority. Once a broadcaster has been licensed, the state media authority is responsible for continuously monitoring its compliance with general programming principles. The NLM awards licences for window programmes that form part of RTL's programme schedule in accordance with Article 65(4) sentence 1 MStV for a term of five years. The licence requirements are based on Articles 52 *et seq.* MStV and the Lower Saxony Media Act (*Niedersächsische Mediengesetz*). The NLM is the competent media authority in this case.

© European Audiovisual Observatory (Council of Europe) 2026

The broadcaster dctp Entwicklungsgesellschaft für TV-Programm mbH may lodge an appeal with the Hanover Administrative Court (*Verwaltungsgericht Hannover*) within one month of notification of the decision.

Link zur PM der NLM

https://www.nlm.de/fileadmin/dateien/PM/2026/Nr._03_NLM_beanstandet_Versto%C3%9F_gegen_journalistische_Sorgfaltspflichten.pdf

NLM press release

https://www.nlm.de/fileadmin/dateien/PM/2026/Nr._03_NLM_beanstandet_Versto%C3%9F_gegen_journalistische_Sorgfaltspflichten.pdf

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026