[IT] Agcom intervenes to avoid forms of spectacularization of events that can harm the personal sphere

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On 29 April 2021, the Italian Authority for Communications (Agcom) adopted a decision against the company "La7 S.p.A." to ensure strict compliance with the principles enshrined in the Consolidated Law on Audiovisual Media Services (TUSMAR) and in the Authority's provisions to protect impartial information and correct the way of representing legal proceedings and the image of women.

The issue concerns the way in which a case of alleged sexual violence committed by a well-known successful entrepreneur operating in the fintech sector (Genovese case) was dealt with by the very popular program called "Non è l'Arena".

According to the proceedings, in terms of consistency, the handling of the case was disproportionate to current events (12 episodes of the program in recent months with spaces lasting between fifty and eighty minutes), going beyond the limits of the legitimate exercise of the right to press. According to Agcom, similar and continuous attention does not seem to have been reserved for other news stories of equal interest to public opinion.

With reference to the methods of conducting and dealing with the case, Agcom notes that the handling of the case has not always ensured the necessary balance between information and respect for the confidentiality of the investigation and the rights to dignity, honour and reputation of the people for the benefit of the sensationalism of the news in which the tone, the words, the choice of guests and the narrative sequence are qualifying elements. Beyond the legitimate right to report and the social relevance of the issue, for the Authority, dealing with this matter so many times has led to the extreme publicity of the personal drama, emphasizing and spectacularizing events that has ultimately amplified the suffering of the young women involved.

Furthermore, the confrontation between the different theories "does not seem to have been adequately guaranteed, as the long 'serialisation' of the affair has inevitably generated, even in the most attentive viewer, the risk of confusion between the roles of the parties involved, leading both to a sort of secondary victimisation and, ultimately, the loss of the informative and social effectiveness of the investigation".

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Agcom has therefore imposed on the program's publisher, the generalist national television broadcaster "La 7", to take care to create a balanced reconciliation between the right to report and the fundamental rights of the person in the information programs dedicated to current affairs subject to legal proceedings in progress, avoiding forms of representation of events that can harm the personal sphere of the subjects involved.

Delibera n. 147/21/CONS "Richiamo alla società la7 S.p.A. al rispetto dei principi a tutela della completezza dell'informazione e della corretta rappresentazione dei procedimenti giudiziari e dell'immagine della donna nei programmi (Programma Non è l'arena)".

https://www.agcom.it/documentazione/documento?p_p_auth=fLw7zRht&p_p_id=101_INSTANCE_FnOw5lVOIXoE&p_p_lifecycle=0&p_p_col_id=column-1&p_p_col_count=1&_101_INSTANCE_FnOw5lVOIXoE_struts_action=%2Fasset_publisher%2Fview_content&_101_INSTANCE_FnOw5lVOIXoE_assetEntryId=22808547&_101_INSTANCE_FnOw5lVOIXoE_type=document

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