

Westsider Radio – Media law basics

Even though we are an online station and not bound by a broadcasting licence, we are still subject to Australian law. The CBAA Codes of Practice provide a strong framework and we have chosen to follow them, but the law applies whether or not a licence exists. This sheet covers the essentials for announcers.

Defamation

- Saying or broadcasting something that harms someone's reputation can be defamation.
- Intent does not matter – if it damages reputation, it may be actionable.
- Avoid by sticking to facts you can prove, avoiding rumours, and making it clear when you are giving an opinion.
- The result of defamation can be serious. Legal action can be taken against both the station and the announcer, leading to apologies, content removal, or damages. Even without court, dealing with legal threats is costly and stressful.

Copyright

- Do not download or rip tracks from YouTube or similar sites. Streaming from official services (YouTube, Spotify, Bandcamp and the like) is fine.
- Do not repost your show or clips on personal accounts unless the station has agreed.
- You can talk about news or articles, but don't read someone else's work word-for-word without permission or attribution.

Privacy and consent

- Do not broadcast private details such as addresses, phone numbers, or medical information.
- Always ask permission before recording or broadcasting someone.
- With children or vulnerable people, guardian consent is essential.
- You can record in public spaces, but always ask permission on private property. If asked to stop or leave, you must comply.

Discrimination and vilification

- Do not broadcast material that discriminates against or vilifies people based on race, gender, disability, religion, sexual orientation, or other protected attributes.
- This is unlawful and goes against the values of community broadcasting.

Elections and politics

- During elections, rules are tighter.
- Treat all candidates and parties fairly. Do not give special access or advantage.
- Airtime cannot be sold for political purposes.

- Keep a record of any political content that goes to air.

Court and legal matters

- Do not comment on ongoing court cases.
- Never suggest guilt or innocence.
- Only repeat information from reliable news sources.
- Reporting court details without care can cause serious legal problems.

Complaints and responsibility

- Listeners may raise complaints or take legal action if they believe content has caused harm.
- Take all complaints seriously and pass them to the station manager.
- Maintain a respectful and professional tone on air at all times.

Quick rules of thumb

- If in doubt, leave it out.
- Would you say it if the person was standing in front of you?
- Check facts before you speak.
- When unsure, ask the station manager for guidance