

The Australian Press Council occasionally receives complaints that images accompanying news or feature articles, including those intended to be satirical, have been altered in some way that renders them inaccurate,¹ misleading,² unfair³ or offensive,⁴ whether in themselves⁵ or in combination with the articles or headlines with which they are published.⁶

Digital alterations may include the superimposition of one image, or part of an image, upon another;⁷ the blending of two or more images to create an apparently realistic, but actually unreal, scene or event;⁸ or the manipulation of a person's features.⁹ A publication using a significantly altered image that purports to illustrate the news should disclose in the caption or in an otherwise prominent position the fact of the alteration.¹⁰ The form of the disclosure should be sufficient to bring the fact of the alteration to the notice of readers. This is not meant to apply to minor changes such as colour enhancing, brightening, cropping, etc, but rather to changes that fundamentally alter the nature of the image or the information communicated by it.

Publications sometimes use digitally altered images to satirise subject matter.¹¹ It is good editorial practice for a publication also to disclose the fact of alteration in such cases, unless it is so obvious that a satirical image can only have been produced in this way.

Digitally altered photographs are not entirely analogous to cartoons and therefore in some circumstances may be more at risk of breaching the Council's principles. This may be an issue when, for example, the change is to an otherwise accurate photograph of a person's features rather than being a cartoonist's caricature.¹²

Despite disclosure of digital alteration, the use of an altered image may still constitute or contribute to a breach of the Press Council's Standards of Practice. For example, it may not be clear to readers which part of an image has been digitally altered or in what way. In such cases a description of the exact nature of the alteration may be necessary to avoid the potential for readers to be misled.^{13 14}

Even when the fact and nature of alteration have been adequately disclosed, a digitally altered image may still be misleading or unfair when considered in its context. The context includes all accompanying material such as headline, caption, main text and other articles within the same publication. The overall impact may constitute a breach of one or more of the Press Council's General Principles even if the digitally altered image in itself does not constitute such a breach.¹⁵

Publications should also take reasonable steps to verify the accuracy of, or indicate any alteration that has apparently been done to, images they publish from outside sources, including those taken from social media sites and from contributors to online communities.¹⁶

¹ Adjudication No. 1591 (March 2014).

² Adjudication No. 1420 (May 2009).

³ Adjudication No. 1556 (November 2012).

⁴ Adjudication No. 1565 (May 2013).

⁵ Adjudication No. 1420 (May 2009).

⁶ Adjudication No. 1556 (November 2012).

⁷ Adjudication No. 1420 (May 2009).

⁸ Adjudication No. 1450 (December 2009).

⁹ Adjudication No. 1565 (May 2013).

¹⁰ Adjudication No. 1450 (December 2009).

¹¹ Adjudication No. 1596 (April 2014); Adjudication No. 1565 (May 2013); Adjudication No. 1556 (November 2012).

¹² Adjudication No. 1565 (May 2013).

¹³ Adjudication No. 1645 (June 2015); Adjudication No. 1565 (May 2013).

¹⁴ Adjudication No. 1420 (May 2009).

¹⁵ Adjudication No. 1591 (March 2014); Adjudication No. 1565 (May 2013); Adjudication No. 1556 (November 2012).

¹⁶ See, eg: <http://web.archive.org/web/20160415183929/http://www.verificationhandbook.com/>;
<https://www.journalism.co.uk/news/debunking-photo-fakes-advice-for-image-verification/s2/a565885/> .

Relevant Adjudications

Adjudication No. 1645: Complainant/New Weekly (June 2015)

<http://www.austlii.edu.au/au/other/apc/2015/20.html>

- Image of Prince Harry holding camera, showing a photo to African children, image “captioned with speech bubbles.”
- “The Council considers that the image involves children in a sexual theme, and many readers would consider the material to be inappropriate and offensive for this reason. The Council notes that if the image had depicted adults in a similar way, the level of offence probably would have been greatly diminished, suggesting that greater care needs to be exercised in the treatment of children when publishing such material.”
- “On balance, however, the Council concludes that the level of offence must be considered in the overall context of the magazine and its readership, and was not so substantially offensive as to breach the Council’s Standards.”

Adjudication No. 1596: Ian Seddon/The Courier Mail (April 2014)

<http://www.austlii.edu.au/au/other/apc/2014/7.html>

- “The front page featured a digitally-altered image of then Prime Minister Kevin Rudd as a bank robber holding a sack of money.”
- Complaint: “the headlines and image did not accurately represent the Government’s policy.”
- According to publication, “the image was clearly satirical in nature and was marked as being digitally altered.”
- “The Council considers the image and the reference to a “bank heist” were not so unfair as to constitute a breach of its Principles.”

Adjudication No. 1591: Stephen Pate/The Daily Telegraph (March 2014)

<http://www.austlii.edu.au/au/other/apc/2014/4.html>

- Photograph accompanying article “had been digitally altered to show the Lord Mayor, Clover Moore, dressed as a parking inspector and also to include a sign reading “No parking anytime”. The alteration was noted on the photograph.”
- “Stephen Pate complained that the first article and accompanying photograph were inaccurate and unfair because the Lord Mayor and City Council were seeking to raise concerns about traffic congestion linked to the expected car park numbers for the casino, not to ban all parking at Barangaroo.”
- “In relation to the first article, the Press Council considers that the word ‘ban’ in the headline and the words “stop cars from parking” in both the first sentence and the caption to the photograph, as well as the “No parking anytime” sign, clearly conveyed the inaccurate message that the Lord Mayor opposed all parking in Barangaroo. It considers that nothing else in the article and accompanying material was sufficiently clear and prominent to correct or compensate for this inaccuracy. Accordingly, the complaint about the first article is upheld.”
- Combined effect of headline, article text and digitally altered image was misleading/inaccurate.

Adjudication No. 1565: Jan Winstanley/The Daily Telegraph (May 2013)

<http://www.austlii.edu.au/au/other/apc/2013/5.html>

- “The Council considered a complaint by Jan Winstanley about the digitally altered photograph and accompanying headline on the front page of The Daily Telegraph.”
- Photograph showed Peter Slipper standing at the Speaker’s Chair whilst announcing resignation – “his ears, nose and teeth were digitally altered to resemble a rat, whiskers were added to his face, and a very large rat’s tail had also been appended to his body. A small caption noted that the photograph had been digitally altered. The accompanying and very prominent headline read ‘KING RAT DESERTS THE SHIP’.”

“In relation to digital alteration of the photograph, the Council considers that altered photographs are not necessarily to be assessed on precisely the same basis as if they were cartoons. First, the risk of excessive unfairness can be greater when, for example, the change is to an otherwise accurate photograph of a person’s features rather than being merely a cartoonist’s caricature. Second, the likelihood of confusion between fact and comment can be greater where photographs are involved. This applies especially where the precise nature of the alteration is not made clear. The first of these factors applies in this instance but the second does not because although the alterations were not described their nature was nevertheless obvious.”
- “The Council does not consider that politicians are “fair game” for extreme levels of abuse and ridicule. Indeed, such behaviour can unreasonably inhibit their freedom of expression as well as harm the important processes of democracy and good governance. In this case, the highly pejorative nature of the alterations and their prominence on the front page created a substantial risk of excessive offence and unfairness. Despite these concerns, the Council considers on balance that they are outweighed by the overall public importance of freedom of expression. Accordingly, the complaint about the altered photograph is not upheld.”
- “The Council emphasises, however, that digitally-altered photographs are not entirely analogous to cartoons and therefore in some circumstances may be more at risk of breaching the Council’s principles.”
- “Moreover, as in a recent adjudication (no. 1556) involving another front-page digitally altered photograph, they may combine with accompanying material to constitute a collective breach.”
- “The Council notes that since this photograph appeared the Commonwealth Parliament has banned the publication of digitally-altered photographs of its proceedings.”

Adjudication No. 1556: Debra Creevy and Others/Herald Sun (November 2012)

<http://www.austlii.edu.au/au/other/apc/2012/37.html>

- “The coverage featured a very large photograph of Mr Thomson, digitally altered to have a Pinocchio-like nose, over which was a headline reading ‘Teary Thomson claims he’s a victim of bizarre conspiracy’. A headline lower on the page read ‘But reader’s jury says his story is full of holes:’ under which was a further headline reading ‘We don’t believe you’.”
- Publication “pointed out that the digital alteration of Mr Thomson’s photograph had been acknowledged on the front page.”
- “The Council has concluded, however, that the overall impact of the front page and page 7 was highly unfair to Mr Thomson by seeking to convey too close an analogy with a courtroom conviction on criminal charges, especially at a time when the laying of such charges was being widely demanded and anticipated. Accordingly, the complaints against the newspaper’s coverage are upheld on that ground.”
- “Although many of the complaints focused especially on the altered image of Mr Thomson, the adjudication does not mean that the image in itself constituted a breach of the Council’s principles. It also does not imply any change in the Council’s principles relating to depictions of people in cartoons.”

Adjudication No. 1450: fan/Famous (December 2009)

<http://www.austlii.edu.au/au/other/apc/2009/37.html>

- “The Press Council has upheld a complaint against the magazine Famous for digitally altering images of the two main stars of the Twilight films—then refusing publicly to acknowledge what it had done.”
- Publication “took separate photographs of actors Robert Pattinson and Kristen Stewart and produced a digitally altered image that purported to show the couple in a close embrace.”
- “The Press Council believes a publication that uses a significantly altered image that purports to illustrate the news should clearly disclose the fact of that alteration.”

Adjudication No. 1420: Mashni/Herald Sun (May 2009)

<http://www.austlii.edu.au/au/other/apc/2009/7.html>

- “The Press Council has upheld a complaint by Moammar Mashni about a photograph accompanying an article entitled Aussie war graves in line of fire that appeared in The Herald Sun on February 6, 2009. The report covered recent damage to Allied graves in the Gaza war cemetery. The print version of the article was accompanied by a photo of damaged headstones, which was digitally altered to include the figure of a Palestinian soldier carrying a grenade launcher.”
- Complainant argued “that the report and photo create an impression that the Palestinians were responsible for the damage to the graves, which he says is unsubstantiated, and that the notation that the photo was digitally altered was not clear enough.”
- Publication asserted “that the photograph was clearly marked ‘Digitally altered image.’”
- Complaint upheld: despite fairness of the article text, “the use of the superimposed image of a Palestinian soldier bearing a grenade launcher and the unobtrusive reference to digital alteration may leave the reader with the impression that Palestinian soldiers were responsible for the damage, a fact not proved at the time of publication.”