



# Investigations

## 60 Minutes

### Complaint

In May 1997 the ABA received an unresolved complaint regarding a segment of the program '60 Minutes' broadcast by the Nine network in September 1996. The item dealt with the abuse of children at Christian Brothers orphanages in Western Australia. The complainant alleged that the item was biased, factually inaccurate and did not fairly present both sides of the story.

### Relevant codes

The program segment which was the subject of the complaint was assessed against section 4.3.1 of the Commercial

Television Industry Code of Practice, which states that:

4.3 In broadcasting news and current affairs programs, licensees:

4.3.1 must present factual material accurately and represent viewpoints fairly, having regard to the circumstances at the time of preparing and broadcasting the program;

### Decision

The ABA decided that the segment of '60 Minutes' contained factual material which was not presented accurately and the program was therefore in breach of section 4.3.1 of the code.

### Action taken

In response to the ABA's request for

comments, the Nine network wrote that should the ABA decide that a breach had occurred, Nine would ensure that both the reporter and the producer of the story concerned were informed of that finding. In addition, relevant personnel involved in news and current affairs at Nine would be informed of the finding and instructed to exercise caution in the preparation of reports in accordance with the requirements of clause 4.3.1 of the code.

As a result of this proposed action the ABA decided not to take the matter further but placed the Nine Network on notice that the ABA would be closely monitoring Nine's future compliance with section 4.3 of the code.

## Nine Evening news (Perth)

### Complaint

The ABA received a complaint on 16 January 1997 regarding the accuracy in a news item broadcast on STW 9 (Perth) on 28 December 1996. The item concerned the Tertiary Entrance Exam (TEE) results which students could obtain by telephone for the first time in Western Australia. The complainant stated that his 17 year-old daughter was filmed at home making a telephone call to ascertain her TEE results. At the end of the call she announced her score to her friends. However, the score was a 'guesstimate' as her actual score was not known at the time of filming. The complainant alleged that the station knew this at the time of the broadcast.

### Relevant codes

The complaint was assessed against the Commercial Television Industry Code of Practice:

1.6.1 A licensee may not broadcast a program which is likely, in all the

circumstances to simulate news or events in such a way as to mislead or alarm viewers.

4.3 In broadcasting news and current affairs programs, licensees:

4.3.1 must present factual material accurately and represent viewpoints fairly, having regard to the circumstances at the time of preparing and broadcasting the program; and

4.3.5 must not use material relating to a person's personal or private affairs, or which invades an individual's privacy, other than where there are identifiable public interest reasons for the material to be broadcast.

7.8 Where a viewer complains in writing of material within thirty days of its broadcast, the licensee must seek to provide a substantive written response within ten working days. That response will also advise the complainant that he or she may refer the matter to the Australian Broadcasting Authority if not satisfied with the licensee's response.

### Decision

The ABA found that the item breached section 4.3.1 of the code as it contained factual material which was not presented accurately. The ABA considers that it is the broadcaster's responsibility to make sure that their material is accurate and that STW 9 could and should have checked the actual score before broadcasting the item.

### Action taken

STW 9 has stated that the action by the journalist in one part of the story was ill-advised and the journalist has been counselled and now appreciates that including an estimated score was inappropriate. STW 9 has also assured the ABA that all reporters are continually reminded that accuracy is of paramount importance in their news reporting. The ABA has also suggested that STW 9 apologise to the complainant for the embarrassment caused to him and his daughter.