



'Four Corners' breaches the ABC code

The ABA has decided that a 1995 episode of the ABC TV program 'Four Corners' breached the Australian Broadcasting Corporation code of practice.

The episode, 'The Prophet of Oz', presented an exposé of Mr Jeremy Griffith, founder of the movement 'the Foundation of Humanity's Adulthood'.

The ABA concluded that the program was not balanced in its presentation of the experience of parents of Foundation members. The ABA also concluded that the program was inaccurate in its representation of Mr Griffith and inaccurate and lacked balance in its representation of Mr Tim Macartney-Snape.

'The Foundation's complaint raised many complex questions about the interpretation and application of the code of practice,' said Professor David Flint, ABA Chairman.

Having made an 'initial submission' to the ABA setting out four points of concern about the program, the Foundation then followed up with a 'comprehensive submission'. In total the two submissions comprised more than nine hundred pages of documents, six video tapes, thirty one audio tapes, a number of the Foundation's newsletters and two of Mr Griffith's books.

Following careful consideration of the matter, and after receiving legal advice, the ABA decided that this investigation

should focus on the four points of the original complaint to the ABC, rather than broadening the scope of the investigation to include new matters raised in the comprehensive submission.

The self-regulatory framework set out in the Broadcasting Services Act focuses on broadcasters being given the first opportunity to respond to a complaint. Broadening a complaint beyond its initial concerns once it has been referred to the ABA would not be in the spirit of this form of regulation.

The ABA is still considering what action, if any, it will take as a result of the breach findings.

The complaints process

The *Broadcasting Services Act 1992* empowers the ABA to investigate unresolved complaints about possible breaches by the ABC of its code of practice.

In this instance, the Foundation's complaint related to compliance with sections 4(a) and (d) of the ABC code. These state:

4 News and Current Affairs
(a) Every reasonable effort must be made to ensure that the content of news and current programs is accurate, impartial and balanced.

(d) Balance will be sought through the presentation, as far as possible, of principal relevant viewpoints on matters of

importance. The requirement may not always be reached within a single program or news bulletin, but will be achieved within a reasonable period.

The program

The program examined some of Mr Griffith's philosophies, and alleged that Mr Griffith considers himself a prophet and Messiah. The program also examined the reasons why people may choose to follow Mr Griffith and the conflict this may cause families. The role of the Foundation for Humanity's Adulthood was also examined.

The program featured interviews with Mr Griffith, Mr Tim Macartney-Snape, as well as present and former Foundation members and their families. The reporter for the program was theologian Dr David Millikan.

The investigation

On 7 August 1996, the Foundation made an 'initial submission' to the ABA expanding on their April 1995 complaint to the ABC. This initial submission set out four points of contention, which focused on the programs treatment of the experience of the families of Foundation members, the merit of Mr Griffith's work, Mr Griffith's position, and the role of Mr Tim Macartney-Snape.

The Foundation followed up this initial submission with a 'comprehensive submission' in

September 1996. In total the two submissions totalled over 900 pages. In addition there were 6 video tapes, 31 audio tapes, a number of the Foundation's newsletters and two of Mr Griffith's books.

Following careful consideration of the matter, and after receiving legal advice, the ABA decided that this investigation should focus on the four points of the original complaint to the ABC, rather than broadening the scope of the investigation to include new matters raised in the comprehensive submission.

The ABA is of the view that it has a wide jurisdiction in monitoring the compliance of codes of practice as well as a broad discretion in how it investigates complaints. Nonetheless, it considers that its role should, in general, be limited to the investigation of unresolved matters. The process of broadcasters accepting and responding to complaints from the general public about the services they provide is the cornerstone of programming self-regulation and the scheme envisaged by the Act.

In investigating unresolved complaints the ABA fulfils the role of an independent arbiter making an assessment of the complaint against the relevant legislation or code of practice, weighing up the available evidence and taking into account both the complainants' and the broadcasters' point of view.