



TCN 9 Sydney

Accuracy in current affairs

Complaint

On 12 January 2000 the ABA received a complaint that a program promotion for a story on '60 Minutes', broadcast by TCN 9 Sydney on 22 August 1999, was inaccurate. The voice over in the program promotion claimed that the patient featured in the story was, 'the first paraplegic to walk again'. The complainant stated that other people who had been diagnosed as paraplegics had been able to walk again after acupuncture treatment, before the treatment featured in the '60 Minutes' story had been developed.

Relevant code of practice

The Commercial Television Industry Code of Practice provides:

News and current affairs programs

4.5 In broadcasting a promotion for a news or current affairs program, a licensee must present factual material accurately and represent featured viewpoints fairly, having regard to the circumstances at the time of preparing and broadcasting the program promotion, and its brevity. A licensee is not required by this clause to portray all aspects or themes of a program or program segment in a program promotion, or to represent all viewpoints contained in the program or program segment.

Complaints handling

7.2 The main requirements of this section apply to any complaint about a matter covered by the code which is in writing (or in some other form specified in clause 7.3), and adequately identifies the material broadcast, the nature of the complaint, and the identity of the complainant.

7.2.1 The complaint need not refer to this code, nor specify the section of the code to which the complaint relates.

Time limits on responses to code complaints

7.9 Where a code complaint is made about material broadcast by a station within thirty days of

its broadcast, the licensee must provide a substantive written response.

7.12 In all cases, a licensee's substantive reply 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

On 27 April 2000 the ABA determined that the licensee of TCN 9, TCN Channel Nine Pty Ltd, breached clause 4.5 of the code by presenting inaccurate factual material in its program promotion for a story on the '60 Minutes' program which concerned a new surgical treatment for paraplegics. The ABA also found that TCN Channel Nine Pty Ltd breached clauses 7.9 and 7.12 of the code, which relate to complaints handling.

Action taken

As this was the first such breach by TCN Channel Nine Pty Ltd, the ABA requested information from it regarding what action it intended to take to ensure that a similar breach of this clause does not recur.

TCN Channel Nine Pty Ltd stated that the issue of identification of code complaints had been brought to the attention of the Executive Producer of '60 Minutes'. The licensee stated it would closely scrutinise all future letters which refer to the '60 Minutes' mail segment to ensure that they are not actually code complaints. Given this assurance and the difficulties that TCN 9 encountered in identifying the complaint in this instance, the ABA took no further action.

However, the ABA undertook to monitor closely TCN 9's handling of code complaints and may take this matter into consideration if it finds similar breaches of the code.