



## ATN 7 Sydney

### Present factual material accurately, represent viewpoints fairly

The ABA has found that Channel Seven Sydney Pty Ltd, the licensee of commercial television service ATN Sydney, breached the Commercial Television Industry Code of Practice 1999, by failing to present factual material accurately and not representing viewpoints fairly.

#### The complaint

On 3 June 2004, the ABA received a written complaint from Centrelink regarding a segment of the *Today Tonight* program broadcast by the licensee on 3 March 2004. The complainant alleged that the licensee failed to present factual material accurately, failed to represent viewpoints fairly, and failed to correct significant errors of fact.

The program segment reported on a former Centrelink employee who now runs a business assisting Centrelink customers with overpayment debts attributed to Centrelink.

#### Decision

The ABA determined that the licensee:

- breached clause 4.3.1 of the Commercial Television Industry Code of Practice 1999 (the code) in that it did not present factual material accurately and in that it did not represent viewpoints fairly
- did not breach clause 4.3.11 of the code which requires the correction of significant errors of fact.

#### Action taken

The ABA notes that in response to the breach findings, the licensee has undertaken to provide a copy of the decision to key personnel involved in news and current affairs, along with an explanation of the decision and directions to ensure that future programs are consistent with the ABA's findings in this matter.

The ABA considers this action addresses the compliance issues raised by the investigation and will continue to monitor the licensee's performance in this regard, particularly in relation to clause 4.3.1 of the code (accuracy of factual material and fair representation of viewpoints). ☞

## STQ Regional Queensland

### Failure to present a news item fairly and impartially

The ABA has found that Channel Seven Queensland Pty Ltd, the licensee of commercial television service STQ Regional Queensland, breached the Commercial Television Industry Code of Practice by failing to present news fairly and impartially.

#### The complaint

On 6 September 2004 the ABA received a complaint concerning an item shown on the Cairns bulletin of *Seven Local News*.

According to the complainant the news report was biased and the journalist had made no effort to corroborate the contents of the news item.

The news story, broadcast by STQ in Cairns at 6 pm on 14 July 2004, consisted of an interview with the manager of the Weipa shopping centre, who talked about what he considered to be the impact that the Alcohol Management Plans in local Aboriginal communities were having on Weipa and the shopping centre. The

television reporter conducting the interview was John McKenzie, who also has his own radio program on the commercial radio service 4EL Cairns.

#### Commercial Television Code of Practice

4.4 In broadcasting news programs (including news flashes) licensees:

- 4.4.1 must present news fairly and impartially

#### Assessment

The news item consisted of a report that alcohol bans in Aboriginal communities had led to violence, break-ins and vandalism in Weipa and raised potential health issues. Support for this view was provided by an interview with the

#### Investigation reports : breach findings

To view the full report on these investigations, go to the ABA web site:

[www.aba.gov.au/newspubs/radio\\_TV/investigations/broadcast\\_operations/television.shtml](http://www.aba.gov.au/newspubs/radio_TV/investigations/broadcast_operations/television.shtml)

[www.aba.gov.au/newspubs/radio\\_TV/investigations/broadcast\\_operations/radio.shtml](http://www.aba.gov.au/newspubs/radio_TV/investigations/broadcast_operations/radio.shtml)

where the reports are arranged by licensee.



manager of the local Weipa shopping centre, who called for 'a greater police presence in the shopping centre' and offered to provide free premises to the police for that purpose. The item concluded with a comment from the reporter on the need for on-going resolve to ensure that the Alcohol Management Plans don't lead to social disarray.

Throughout the item, there was footage of streetscapes, roads and houses, an unidentified building and, in conjunction with the allegations of vandalism creating serious health issues in the shopping centre, file footage of unidentified Aboriginal women.

#### **Presentation and choice of material**

In reporting only one side of a controversial issue in a news bulletin, care is required in choosing what to broadcast, in order to avoid conveying a pre-judgment or an impression of favouring one side over the other.

The Alcohol Management Plans are a Queensland Government initiative, implemented by the justice group of local Aboriginal communities. They have been controversial, and a range of views have been expressed from across the community. Those who oppose the plans in Weipa do so on various grounds, including that they have had a negative effect in Weipa as a result of people from the nearby Aboriginal community coming into the township to use alcohol. The issue appears to be a volatile one.

The licensee has acknowledged that the reporter in the segment is known for his 'strong views' and 'sometimes controversial opinions' – opinions which the complainant characterises as 'racist views'. However these views may be characterised, it appears that the reporter is well-known in the local area for expressing his personal views about controversial issues

and had recently, according to the complainant, discussed the issue of the Alcohol Management Plans on his radio program. The ABA accepts the complainant's statement that this issue was discussed on Mr McKenzie's radio program.

The reporter chose to interview the local shopping centre manager, who also appears to be opposed to the Alcohol Management Plans, or at least what he sees as the effects of those plans. The manager stated as a fact that people (Aborigines) were congregating in the township and, in particular, creating problems for the shopping centre. However, no footage was provided at any time to substantiate this view.

The licensee did not refute the complainant's claim that police had publicly contradicted the allegation that Aborigines were congregated around the shopping centre, including on Mr McKenzie's own radio program earlier that day, because Mr McKenzie 'does not recall' whether he interviewed the police on his program.

The unrelated footage of Aboriginal people was broadcast in conjunction with the shopping centre manager saying, 'vandalism in the shopping centre has increased creating some serious health issues in and around the shopping centre'. This use of unrelated file footage in the report conveyed an unfairly negative impression.

No footage or other evidence of the alleged problems was presented in the report and no credible independent authority, such as the police, was interviewed, despite the claim by the reporter in the segment that, 'police have today given a commitment on this issue'. The interview with the shopping centre manager, who took the opportunity to lobby publicly for a police presence in the shopping centre itself, indicated that he

had a particular interest in the issue, rather than an independent view of the matter.

While a licensee may not always be expected to provide 'substantiating footage' in relation to issues discussed in a broadcast, including sometimes controversial issues, on this occasion the licensee chose footage that implied support for the position the segment was taking. The choice of the footage material served to create a particular impression, but did not contain any substance to support that impression.

#### **Conclusion**

A reporter who is well known for his personal views, and who presents a controversial issue as a news item which reinforces those personal views, needs to take particular care to ensure that the item does not become a means of giving effect to his own 'affections or enmities'. In this case, the choice of footage used, the choice of interviewee and the failure to broadcast any substantiating evidence of the alleged problems, combined to convey a partiality that has no place in a news item.

#### **Action by licensee**

The licensee has advised the ABA and the complainant that training has since been conducted with the staff of *Seven Local News* which emphasised the impartiality requirement in the code of practice. The licensee states that the training also emphasised that particular care is required when dealing with matters that could involve negative racial stereotypes. A copy of this investigation report will also be provided to Seven's news and current affairs management and the reporting and research staff involved in the preparation of this story. ☐