

Fifth code breach by *A Current Affair* since 2005

ACMA has found that the licensee of GTV 9 Melbourne, General Television Corporation Pty Ltd, breached the *Commercial Television Industry Code of Practice 2004* (the code) in a segment broadcast during *A Current Affair* on 17 July 2007 by not providing a fair representation of viewpoints.

ACMA received a complaint that the licensee broadcast a one-sided segment in the knowledge that the other side of the story could not be given because the relevant organisation did not have written authority to speak to the media. The segment, 'Greedy Lender', featured a financial services company that was alleged to have claimed late payment fees from a borrower.

Under clause 4.3.1 of the code, when broadcasting news and current affairs a licensee must present factual material accurately and represent viewpoints fairly, considering the circumstances at the time of preparing and broadcasting the program.

In response to the breach finding, the Nine Network has advised ACMA that it has:

- conducted intensive training with *A Current Affair* reporters and producers for this and other matters

- implemented new compliance measures that should be sufficient to avoid similar breaches in the future
- undertaken to continue to train relevant staff and monitor compliance with the code.

This is the fifth ACMA investigation since 1 January 2005 to find that a Nine Network licensee broadcasting *A Current Affair* breached clause 4.3.1 of the code.

In March 2008, following an investigation into a number of aspects of a story on *A Current Affair* broadcast on QTQ 9 Brisbane, ACMA announced that the licensee, Queensland Television Ltd, had breached clause 4.3.1 of the code. As a result, the Nine Network established new compliance measures and assurances, and made an on-air announcement detailing ACMA's findings.

However, the GTV segment was broadcast before the full implementation of these new

compliance measures. It also pre-dated the assurances given to ACMA at that time.

Accordingly, ACMA Chairman Chris Chapman has written to the CEO of the Nine Network noting ACMA's intention to monitor the effectiveness of these new measures in ensuring the broadcaster's compliance with the code.

A copy of the investigation report is available on the ACMA website at <www.acma.gov.au> (go to About ACMA: Publications & research > Publications > Broadcasting publications > Investigations > Television operations investigations > Television operations – VIC commercial tv investigations).

Melton community radio station failed to encourage community participation

ACMA has found that the licensee of 3RIM Melton, 3RIM Inc., breached a condition of its licence by failing to encourage members of the community it serves to participate in the operations of the service and in the selection and provision of programs.

3RIM Inc. holds a community broadcasting licence to provide a radio service in the local government area of Melton, west of Melbourne.

ACMA's investigation found that, while 3RIM did have procedures in place to encourage members of the community to join the station and to raise the profile of the service, it did not have appropriate strategies to encourage general community participation.

In its investigation report, ACMA did note that 3RIM has already made improvements, including

posting information on its website and formalising links with local government initiatives.

ACMA has asked 3RIM to provide a report in August 2008 on the measures it has taken since the investigation was finalised to meet its licence obligations.

ACMA's investigation followed complaints received on 2 July and 3 August 2007 that 3RIM was not encouraging community participation in the operations and programming of the service.

One of the complainants also alleged that the

service was failing to represent its community interest in line with its licence conditions. However, ACMA found that the licensee was meeting this requirement.

A copy of the investigation report is available on the ACMA website at <www.acma.gov.au> (go to About ACMA: Publications & research > Publications > Broadcasting publications > Investigations > Radio operations investigations > Radio operations – VIC community radio investigations).