

ACMA finds more code breaches by *A Current Affair*

ACMA has found that the licensee of QTQ Brisbane, Queensland Television Ltd, breached the *Commercial Television Industry Code of Practice 2004* (the code) in several broadcasts of *A Current Affair*. The relevant episodes, on government support for children with autism, were critical of the performance of the then Queensland Minister for Disability Services and his department.

ACMA found five instances where factual material was not presented accurately in broadcasts between 18 September and 10 October 2006. Queensland Television Ltd failed to correct these significant errors of fact at the earliest opportunity. ACMA also found that in the broadcast of 11 October 2006 there was one instance of a viewpoint not being represented fairly.

This is the fourth investigation since 1 January 2005 in which a Nine Network licensee broadcasting the *A Current Affair* program has been found to breach clause 4.3.1 of the code, which covers accuracy and the fair representation of viewpoints.

Following discussions with ACMA about the serious nature of the breaches, the Nine Network has broadcast an announcement outlining the main findings of the ACMA investigation, the number of breach findings and

a correction of the breach issues. The 30-second announcement was aired during *A Current Affair* on 4 April in all Queensland licence areas in which the relevant editions were broadcast.

Senior Nine Network personnel will also meet with ACMA staff to review compliance with the code, while reporters and producers from *A Current Affair* will be required to attend advanced training in code compliance. This will include a review of the findings of ACMA's report.

ACMA conducts various types of investigations under the *Broadcasting Services Act 1992* (the BSA). Investigations under Part 11 of the BSA are conducted in response to complaints received by ACMA relating to:

- In the case of a licensed broadcaster: a possible breach of the Act, the regulations, a licence condition, a class licence or a code of practice.

- In the case of the ABC or SBS: a possible breach of a code of practice.

ACMA may take compliance action if a licensee is found to have breached a licence condition or code of practice. Compliance measures available to ACMA for breaches of a code of practice include:

- imposition of an additional licence condition
- acceptance of an undertaking (either enforceable or unenforceable) offered by the licensee
- determination of an industry standard if a code of practice is found to have failed on an industry-wide basis.

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

STW Perth breached complaints-handling provisions

ACMA has found that Swan Television and Radio Broadcasters Pty Ltd, the licensee of Perth commercial television broadcaster STW 9, failed to provide a substantive response to a complainant, as required by the *Commercial Television Industry Code of Practice 2004*.

ACMA's finding results from a complaint about a *News Update*, broadcast during *Bargain Hunt* on STW in July 2007.

STW has advised ACMA that future complaints will be dealt with under revised complaints-handling arrangements, following the acquisition of Swan Television and Radio Broadcasters Pty Ltd by WIN Corporation Pty Ltd.



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