

# PUBLIC REPORT ON AUDIENCE COMMENTS AND COMPLAINTS

**APRIL – JUNE 2006** 

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# 1. ABC Complaint Handling Procedures

The ABC is responsible for the quality and standards of all programs on its services.

With so many program services being provided each day, from time to time errors may occur. The ABC aims to ensure that they happen as rarely as possible. However, should they occur, the ABC accepts responsibility and will respond promptly and appropriately.

The ABC aims to respond to complaints as quickly as possible and no later than 28 days after receipt of a complaint.

The roles of ABC Audience & Consumer Affairs and the ABC's Complaints Review Executive are described below.

## ABC Audience & Consumer Affairs

ABC Audience & Consumer Affairs deals with written complaints about ABC programs.

Depending on the nature of the complaint, it will either be investigated by Audience & Consumer Affairs or referred to the relevant division for direct response. All written complaints alleging a breach of the ABC's Editorial Policies will be investigated by Audience & Consumer Affairs.

Audience & Consumer Affairs is independent of program making divisions within the ABC.

Complaints can be sent to Audience & Consumer Affairs at GPO Box 9994 in your capital city, or submitted via ABC Online at www.abc.net.au/contact.

If a complainant expresses dissatisfaction with a response received from Audience & Consumer Affairs, the complainant will be advised of the review mechanisms available, including the ABC's Complaints Review Executive (CRE).

#### Complaints Review Executive

The ABC established the role of Complaints Review Executive (CRE) to provide an additional level of internal review for complainants who express dissatisfaction with ABC Audience & Consumer Affairs' response to their complaint.

The CRE has broad scope to independently review the broadcast and the manner in which the complaint was originally dealt with, and determine whether the ABC acted appropriately. The CRE is independent of both ABC Audience & Consumer Affairs and all program makers.

This additional tier of internal review does not preclude complainants from seeking external review via the Australian Communications & Media Authority, or the ABC's Independent

Complaints Review Panel, depending on the nature of the complaint. Both these forms of review are external and entirely independent of the ABC.

## 2. Overview

This report provides information about audience complaints finalised by ABC Audience & Consumer Affairs and the ABC's Complaints Review Executive between 1 April and 30 June 2006.

Specifically, the report outlines:

- the overall composition of contacts finalised;
- the timeliness of responses;
- the subject matter of complaints received; and
- the number of complaints upheld.

The report also provides summary details of all complaints upheld by ABC Audience & Consumer Affairs and all investigations finalised by the Complaints Review Executive during this period.

Overall there were **12,260** written contacts finalised during this period. Of these, complaints made up **26%** of contacts with **3,145** complaints. Of these complaints, **91** were upheld either fully of partially. This represents **2.9%** of all complaints finalised during this period.

Overall composition of audience contacts

Table 1: Written contacts finalised.

					% of
Type of Contact	Email	Letter	Other	Total	Total
Complaint	2790	341	14	3145	26%
Appreciation / Request / Suggestion	6826	296	2	7124	58%
Other	1927	64		1991	16%
Grand Total	11543	701	16	12260	100%

# **Timeliness of response**

Table 2: Timeliness of responses provided.

Type of contact	Average response time	% of responses provided within 28 days
Complaints	20 days	74%
All contacts	7.5 days	99%

**Table 3: Topics of complaint issues finalised.** Note that this table counts the number of issues raised by the contacts received. As one contact can raise multiple issues the figures in this table will not match exactly those quoted above for contacts. It also includes complaints reviewed by the CRE.

Standards   Standards   Standards of presentation   Personal presentation   2   14	Category	Topic	Sub Topic	Upheld	Total	%
Secretaria   Sec						4.5%
Secretaria   Sec		·	Language - pronunciation / grammar / spelling	2	141	4.5%
Language - poor terminology / missue of word   2 0			Other		84	2.7%
Program presentation / sel design / camera work					72	2.3%
Inappropriate content				2	60	1.9%
Inappropriate content						1.5%
Poor taste				4		17.3%
Violence   Company   Com		Inappropriate content				4.0%
Offence to religious feeling						2.8%
Bad language / profanty / swearing				2		1.8%
Sex and sexuality   32   32   32   32   32   32   32   3				_		1.8%
Bad example   29   20   20   20   20   20   20   20				6		1.3%
New values / news content   Nuder						1.0%
News values / news content   Not enough coverage						0.9% 0.1%
News values / news content   Not enough coverage   110						0.1%
News values / news content				10		13.9%
Other		News values / news content		10		3.5%
Promotions - ABC programs and products		News values / news content				2.5%
Piacement in bulletin   16						1.5%
Promotions - ABC programs and products						0.5%
Promotions - ABC programs and products						8.0%
Too many promotions		Promotions - ABC programs and products				0.9%
Not as advertised / misleading / inconsistent   15		pg/amo and producto			26	0.8%
Standards of interviewing					15	0.5%
Too few promotions   2   700 revealing   2   2   2   2   2   2   2   2   2					6	0.2%
Standards of interviewing			Too few promotions		4	0.1%
Standards of interviewing						0.1%
Poor context / research / background Other Other Other Team of Other Other Team of Other Other Team of Other Tea					80	2.5%
Cher   10		Standards of interviewing	Too tough / aggressive / rude to guest		30	0.9%
			Poor context / research / background		25	0.8%
Sensitivity and portrayal   Ni/A   88			Other		14	0.4%
Sensitivity and portrayal   N/A   5   5   1						0.3%
Intrusiveness / Invasion of privacy   N/A   1411						2.5%
Sub-total   Bias   Other   O						0.3%
Fairness, accuracy & independence   Bias			N/A			0.2%
Pro ALP   17   17   17   17   17   17   17   1	<u></u>		0.11			44.6%
Pro ALP	Fairness, accuracy & independence	Bias		2		6.6%
Anti-government   15   15   15   16   16   17   17   17   18   18   18   19   19   19   19   19						0.9%
Pro-government   Pro-government   Pro-government   Pro-golition   Pro-golition   Pro-golition   Pro-golition   Pro-golition   Pro-golition   Pro-golition   Pro-government   P						0.5% 0.5%
Pro Coalition   Pro						0.3%
Factual inaccuracy						0.3%
Factual inaccuracy				2		8.9%
Balance		Factual inaccuracy				8.1%
Unfair treatment						3.4%
Discrimination						1.0%
Other Sexism Sexism 14 Sexism Sexism 9 Sexism Sexism 3 100 Incidental advertising - Non ABC products / logos N/A 3 200 Sub-total           Sub-total         3 100           Sub-total         N/A         3 22s           Corporate / Infrastructure         Management issues N/A         N/A         203 Internet - technical difficulties N/A         N/A         111 Transmission N/A         101 Transm					23	0.7%
Sexism   14   Racism   9   9   14   14   15   15   15   15   15   15						0.7%
Racism   9     Sub-total   3   100						0.4%
Sub-total   3   100     Incidental advertising - Non ABC products / logos   N/A   3   208     Sub-total					9	0.3%
Incidental advertising - Non ABC products / logos				3		3.2%
Sub-total   Management issues   N/A   203		Incidental advertising - Non ABC products / logos		3	28	0.9%
Internet - technical difficulties		Sub-total		73		24.5%
Transmission	Corporate / Infrastructure		N/A		203	6.4%
Customer service / complaints handling					114	3.6%
Captions         N/A         1         11           Sub-total         15 506         15 506           Audience preferences         Scheduling / program changes         Other         122           Discontinuation of program         80           Change of timeslot         51           Change of format         22           Interruption to regular schedule         17           Too many repeats         13           Sub-total         N/A           Sub-total         115						3.2%
Sub-total         11 506           Audience preferences         Scheduling / program changes         Other Discontinuation of program 820 Change of timeslot Change of timeslot Change of format 222 Interruption to regular schedule 17 Too many repeats 13 Sub-total         51           Quality - general         N/A         305           Sub-total         N/A         115						2.4%
Audience preferences         Scheduling / program changes         Other Discontinuation of program and progra			N/A			0.3%
Discontinuation of program   80			0.11	11		16.0%
Change of timeslot	Audience preterences	Scheduling / program changes				3.9%
Change of format   22						2.5%
Interruption to regular schedule						1.6%
Too many repeats         13           Sub-total         305           Quality - general         N/A         115           Sub-total         420						0.7%
Sub-total         305           Quality - general         N/A         115           Sub-total         420						0.5%
Quality - general         N/A         115           Sub-total         420						0.4%
Sub-total 420		Quality general				9.6%
			IN/A			3.6% 13.3%
Other Other N/A 50	Other	Other	N/A			1.6%
		Outo	13// 3	QΩ	3162	100.0%

# 3. Summary of complaints upheld by Audience & Consumer Affairs

In each case where a complaint is upheld, the ABC provides a written response to the complainant acknowledging its error. Where appropriate, additional action is taken to rectify the mistake, and/or ensure that the problem does not recur. Findings in response to upheld complaints can include the following: written apologies to complainants; on-air corrections and apologies; counselling or reprimanding of staff; amending programs for future broadcasts; and reviews of and improvements to procedures. On occasion, a complaint may be upheld for more than one reason.

# (i) Matters of fairness, accuracy and independence

# Factual inaccuracy

There were 63 upheld complaints regarding factual inaccuracies.<sup>1</sup>

<u>Upheld complaints of factual inaccuracy regarding television programs</u>

# Stateline (NSW)

17 March 2006

The complaint

A viewer complained that a *Stateline* report about a protest meeting of the Bega Valley Shire tourist industry stated that the meeting was in Bega. The meeting on tourism funding was at Merimbula, not Bega.

## **Finding**

The ABC acknowledged the error which was caused by confusion over the entities "Bega" and "Bega Valley Shire Council". A clarification was issued during the following week's program.

# **Sunday Arts**

19 March 2006

The complaint

A viewer complained that the program's profile about the late Harry Seidler contained two factual inaccuracies: that Harry Seidler's proposed development at MacMahon's Point was not completed because the Blues Point Tower was considered an eyesore, and that the form of the Australian Embassy in Paris followed the curves of the Seine River.

## Finding

The ABC apologised for these errors and advised that the segment would not be rebroadcast. A statement acknowledging these errors was also published on the *Sunday Arts* webpage.

<sup>&</sup>lt;sup>1</sup> Note that one complaint upheld in relation to accuracy was also upheld because of partiality and is detailed in the partiality section below. This complaint related to an edition of *AM broadcast* on 19 April 2006.

# **Midday Report**

30 March 2006

The complaint

A viewer complained that a reporter stated that two billion mobile phones a year are 'junked'. The viewer pointed out that this was not possible as there are only six billion people in the world.

**Finding** 

The ABC agreed that the report should have referred to two billion mobile phone users around the world.

# 7pm Television News

31 March 2006

The complaint

A viewer complained that a news report implied that the 'eye of the storm' was the worst part of a cyclone. The viewer pointed out that this is actually the calmest part of the storm, the 'eye' is the part of a cyclone where there is little or no wind at all.

**Finding** 

The ABC acknowledged the error.

## 7pm Television News

31 March 2006

The complaint

A viewer pointed out that the clock in Victoria Tower of the Houses of Parliament, London, is not called Big Ben.

**Finding** 

The ABC agreed that the report was incorrect.

## The 7.30 Report

4 April 2006

The complaint

A viewer complained that a report incorrectly described the water off Sydney Heads as the Pacific Ocean. It is the Tasman Sea.

**Finding** 

The ABC acknowledged the error and corrected the transcript of the report.

## 7pm Television News

9 April 2006

The complaint

Two viewers complained that the newsreader stated that athletes from Sierra Leone sought asylum 'illegally'. The viewers pointed out that the athletes had valid visas when they sought asylum, and that it is not unlawful, in any legal sense of the word, to come to Australia and seek asylum.

**Finding** 

The ABC agreed that this was an inaccurate statement and it was brought to the attention of the producer in question.

# 7pm Television News

6 April 2006

The complaint

A viewer complained that a report incorrectly attributed flooding in Katherine to tropical cyclones when the cause was actually monsoons.

**Finding** 

The ABC acknowledged the error.

# 7pm Television News

9 April 2006

The complaint

An audience member complained that a report incorrectly stated that Forestry Tasmania used the poison 1080 to control browsing animals. In fact, use of 1080 had ceased at the end of 2005.

**Finding** 

The ABC acknowledged and apologised for this error.

# The 7.30 Report

18 April 2006

The complaint

A viewer complained that a report caption referred to an "entomologist" as an "etymologist".

**Finding** 

The ABC agreed that this was incorrect.

## **Offsiders**

19 April 2006

The complaint

Two viewers complained that the host of this program confused Rugby Union with Rugby League on more than one occasion. One of the viewers also complained that the host had stated that Mark Webber's best result in F1 was with Minardi, when it was in fact with Williams.

**Finding** 

The ABC acknowledged these errors.

# **Gardening Australia**

22 April 2006

The complaint

A viewer complained that an expert guest on the program who was conducting an organic audit incorrectly stated that there are genetically modified corn seeds in Australia.

**Finding** 

The ABC acknowledged that genetically modified corn seeds are not commercially available in Australia. A clarification was published on the program's website and included in the fact sheet for the program.

#### **Television News bulletin**

24 April 2006

The complaint

Two viewers complained that it was inaccurate to refer to terrorism suspect, Khalid Lohdi, as an architect.

**Finding** 

The ABC agreed that this was incorrect as Mr Lodhi had never been formally admitted to the Architects' Board.

# **ANZAC Day Coverage**

25 April 2006

The Complaint

A viewer complained that during the NSW ANZAC Day march a commentator stated that Major Cullen was 92 years old when he was in fact 98 years old. Separately, another viewer complained that during the Brisbane ANZAC Day March, a commentator stated that the 2nd Combat Engineer Regiment (2CER) was part of the 6th Combat Engineer Group, when they were not.

**Finding** 

The ABC acknowledged these errors.

## 7pm Television News

29 April 2006

The complaint

A viewer complained the newsreader incorrectly referred to Thor Heyerdahl as Thor Heidelberg.

**Finding** 

The ABC acknowledged and apologised for the error, which was the result of a slip of the tongue by the newsreader.

# **ABC Asia Pacific - News**

11 May 2006

The complaint

A viewer complained that the ABC Asia Pacific *News* broadcast in Jakarta displayed a map which showed Bali as the Island of Java.

**Finding** 

The ABC acknowledged the error.

# **Midday Report**

2 May 2006

The complaint

A viewer complained that a report about Private Kovco's funeral incorrectly stated that Prime Minister John Howard had entered the venue for the service through a back door, apparently to avoid confrontation.

## **Finding**

The ABC acknowledged this statement was incorrect. The Prime Minister had entered the venue for the service from the front door.

#### **Collectors**

19 May 2006

The complaint

Two viewers complained that a graphic used during a story about a collector of atomic age memorabilia stated that an atomic bomb was dropped on Hiroshima on 16 August 1945. The bomb was in fact dropped on 6 August 1945.

# **Finding**

The ABC apologised for this error, and corrected the online program summary, which also contained the incorrect information.

## **The Pilot Hour Promotion**

22 May 2006

The complaint

A viewer complained that an announcement for a future program in this series referred to the "Persian Gulf" as the "Arabian Gulf". The viewer pointed out that there is no such thing as the "Arabian Gulf"; there is only the "Arabian Sea" or the "Persian Gulf".

#### **Finding**

The ABC acknowledged the error.

## 7pm Television News

22 May 2006

The complaint

A viewer complained that a report incorrectly stated that an ACN poll put Bill Shorten ahead of Kim Beazley as preferred Labor leader.

**Finding** 

The ABC agreed that this was incorrect.

## 7pm Television News

26 May 2006

The complaint

A viewer complained that a story about the Northern Territory's Chief Minister stated that she "chose not to attend" a Sorry Day ceremony. As the viewer pointed out, the Chief Minister was unable to attend the Sorry Day ceremony because she was in transit when the event was taking place.

## **Finding**

The mistake occurred following a lapse in communication between the Darwin TV news desk and the Sydney-based reporter who was responsible for putting together the television news

story that night. The full facts were not passed on, and the error in the script was not picked up before the item went to air. The ABC acknowledged that it was incorrect and apologised to the complainant.

## 7pm Television News

1 June 2006

The complaint

Two viewers complained that a report about the sale of the Snowy Mountains Hydro-electric Scheme incorrectly attributed its establishment to the Menzies government, when in fact it was the Chifley government.

**Finding** 

The ABC acknowledged that this was incorrect.

## 7pm Television News

8 June 2006

The complaint

A viewer complained that a reporter incorrectly referred to Timor Leste rebels being armed with AK33s when the weapons were HK33s.

**Finding** 

The ABC acknowledged the error.

## 7pm Television News

8 June 2006

The complaint

A viewer complained that Jupiter was referred to as a star instead of a planet.

**Finding** 

The ABC acknowledged the error.

<u>Upheld complaints of factual inaccuracy regarding radio programs</u>

See Bias/Balance section

# 774 ABC Melbourne - News & The World Today

22 February & 29 March 2006

The complaint

The ABC received two complaints from an audience member that ABC Radio *News* reports had overestimated the number of people attending protest rallies. In the first instance a news bulletin incorrectly overestimated the number of people in a rally on industrial issues outside a Melbourne car parts factory. The second instance was an online transcript for a report about a protest rally held in Melbourne, which the complainant was concerned overestimated the number of people participating.

The complainant felt that this was evidence of the ABC's pro-union bias.

Finding

The ABC acknowledged that there was an element of imprecision involved in estimating crowd numbers, especially when large numbers are involved. The ABC advised that it

recommends that journalists avoid calculating crowd figures, and wherever possible provide estimates attributed to third parties, such as the police or event organisers. The ABC did not agree that this error indicated bias.

## 702 ABC Sydney - News

5 March 2006

The complaint

A listener complained that the ABC misreported the numbers attending the Gay and Lesbian Mardi Gras in Sydney.

**Finding** 

The ABC agreed that the reference to "hundreds of thousands" of people attending the Mardi Gras was speculative and should not have been reported as fact.

## ABC Central Victoria - Breakfast

14 March 2006

The complaint

A listener complained that during a discussion of a news item, a presenter stated that a 16 year old Commonwealth Games worker had been assaulted, when at the time of the broadcast the assault was still an allegation.

**Finding** 

The ABC acknowledged that the presenter should have stated it was an alleged assault. The presenter clarified the matter on air the following day.

## The World Today

15 March 2006

The complaint

A listener complained that a report regarding greenhouse gases asserted that carbon dioxide was "the most abundant greenhouse gas in the atmosphere". The listener pointed out that the most abundant greenhouse gas, both by mass and volume, is water vapour.

**Finding** 

The ABC acknowledged the error, and the online transcript was amended.

# Radio National - News & ABC News Online

21 March 2006

The complaint

Two listeners complained that a Radio National *News* report during the Commonwealth Games stated that no Australian men had won a gold medal in the pool. Separately a *News Online* reader complained that a report about the Commonwealth Games incorrectly stated that Australian male swimmers had not won any gold medals. In fact, Matthew Cowdrey, a swimmer in the Elite Athletes with a Disability category, had won gold.

**Finding** 

The ABC agreed that the stories had overlooked the success of Matthew Cowdrey, and apologised to the audience members.

## Radio National - News

4 April 2006

The complaint

A listener complained that in news reports about Palm Island issues, a reporter stated that the former Minister for Aboriginal and Torres Strait Islander Policy, Liddy Clark, had resigned over the 'Winegate' affair after taking alcohol into a dry Indigenous community.

**Finding** 

The ABC acknowledged that the Minister resigned for other reasons and assured the complainant that the mistake in the report was a human error, and not an intentional slur on the former Minister. On the day the error was broadcast, it was corrected in two subsequent bulletins and online.

# **The World Today**

4 April 2006

The complaint

A listener complained that a report inaccurately stated that three Australians convicted of drug smuggling in Hong Kong had each been sentenced to a decade in prison. Two of them had been sentenced to ten years or more, one was sentenced to nine years.

**Finding** 

The ABC acknowledged the error. The transcript of the report was changed to state that those convicted received "lengthy prison sentences".

# The World Today

7 April 2006

The complaint

A listener complained that a report incorrectly stated that the Wake Forest University Medical School is in South Carolina. It is in North Carolina.

**Finding** 

The ABC acknowledged the error and the transcript of the report was corrected.

# 774 ABC Melbourne - News

10 April 2006

The complaint

A listener complained that a news bulletin incorrectly referred to the Victorian town Mooroopna as located in North East Victoria. It is in North Victoria.

Finding

The ABC acknowledged and apologised for the error.

#### **AM**

19 April 2006

The complaint

A listener complained a report incorrectly stated the Nazi concentration camp Auschwitz was in Germany. Auschwitz is in Poland.

**Finding** 

The ABC apologised for the error and amended the corresponding transcript.

#### PΜ

27 April 2006

The complaint

A listener complained that a report incorrectly stated that Australian banks were trading at 43 times higher than their British counterparts. The report should have said that they were trading at 43 percent higher.

**Finding** 

The ABC acknowledged the error and amended the transcript of the report.

# ABC News Online, and Radio National and 720 ABC Perth - News

27 April 2006

The complaint

An audience member complained about an inaccuracy which had been included in two radio *News* reports and an *ABC News Online* article, regarding a farmers' rally at Cunderdin in support of the current wheat export system.

The reports stated that Wilson Tuckey MP was not in favour of retaining the single-desk system for grain exports when, in fact, as the complainant pointed out, Mr Tuckey supported the single-desk concept and had also stated that he would vote in Parliament to retain the single-desk system to reflect the wishes of his electorate.

## **Finding**

The ABC acknowledged that the reports were incorrect. An apology and retraction clarifying that Mr Tuckey supported the single-desk concept was broadcast in the *News* on Radio National on Friday 28 April and on ABC Local Radio on 1 May. The online news story was also corrected.

# Radio National - Saturday Extra

6 May 2006

The complaint

A listener complained that the program's host incorrectly stated that the 15 April 2006 was "Easter Saturday". The listener pointed out that the Saturday between Good Friday and Easter Sunday is called "Easter Eve".

**Finding** 

The ABC agreed that this was incorrect.

# ABC Classic FM - New Music Up Late

13 May 2006

The complaint

A listener complained that a piece of music played live on this program featured a chord sequence sampled from the complainant's own work and that she was not credited for this. While the ABC was unaware of the background to the piece, the performance and the ensuing interview with the performer did not attribute any of the composition to the complainant.

**Finding** 

The ABC apologised for the error, and made an on air apology and correction during the program on 3 June. The performance was also removed from the *ABC Classic FM* website.

# PM

23 May 2006

The complaint

A listener complained that a report incorrectly stated that ibuprofen is an ingredient in Voltaren.

**Finding** 

The ABC acknowledged the error which and the transcript was corrected. An Editor's Note was also added to the website.

# Upheld complaints of factual inaccuracy relating to ABC Online

## **ABC News Online**

2 March 2006

The complaint

An online user complained that the headline to an article about Saddam Hussein admitting responsibility for the actions of his regime, 'Saddam admits responsibility for killings', was misleading as it could suggest that Saddam was admitting responsibility for the actual killings. Finding

The ABC agreed with the user and the heading of the article was changed to 'Saddam accepts responsibility for regime'.

## **ABC News Online**

7 March 2006

The complaint

An online user pointed out that the P&O ship 'Pacific Sky' is registered in London, making it a British ship, and not an Australian ship as reported in an online story.

**Finding** 

The ABC acknowledged the error and the online story was amended.

#### **ABC News Online**

10 April 2006

The complaint

An ABC online user complained that describing Aboriginal protesters at Camp Sovereignty in the King's Domain in Melbourne as 'illegal' was incorrect.

Finding

The ABC apologised for this error and amended the article.

## **ABC News Online**

14 April 2006

The complaint

An audience member complained that Air Force Flight Lieutenant Kendall-Smith was incorrectly referred to as an Australian soldier. The complainant pointed out that he is actually an Air Force officer and a doctor.

**Finding** 

The ABC agreed and corrected the references.

## **ABC News Online**

16 April 2006

The complaint

An audience member complained that the headline 'Drug Overdose Kills Party Goer' was incorrect and insensitive to the family and friends of the deceased individual.

**Finding** 

The ABC apologised and changed the headline to 'Suspected Drug Overdose'.

#### **ABC News Online**

19 April 2006

The complaint

An audience member complained that a report incorrectly stated that Ben Cousins was the captain of the West Coast Eagles AFL team. The report also erroneously stated that the West Coast Eagles had played the Tigers during the second week of April.

**Finding** 

The ABC acknowledged the errors and the article was amended.

#### **ABC News Online**

27 April 2006

The complaint

An audience member complained that a report stated the that Australian All Ordinaries index was up 54 points and closed at 5218 when in fact it closed at 5272.

**Finding** 

The ABC acknowledged and corrected the error.

# **ABC News Online**

29 April 2006

The complaint

An audience member complained that a report regarding the transportation of the late Private Kovco incorrectly made reference to the Third Royal Australian Regiment when it should have stated The Third Battalion, the Royal Australian regiment.

**Finding** 

The ABC acknowledged and corrected the error.

## **ABC News Online**

8 May 2006

The complaint

An online user complained that the headline "Mormon leader makes FBI most wanted list" was misleading and inaccurate as the story referred to a leader of a Mormon polygamist sect and not the official Mormon church.

**Finding** 

The ABC agreed that it was not appropriate to use "Mormon" in the headline. The headline was subsequently amended and an Editor's Note was added to the story.

#### **ABC News Online**

10 May 2006

The complaint

An audience member complained that a report incorrectly referred to the "National Counter-Terrorism Strategy" as "Australia's National Counter-Terrorism Plan".

Finding

The ABC acknowledged this description was incorrect.

## **Bias and Balance**

Four complaints were upheld associated with issues of bias and balance.

## Radio National - Summer Breakfast

21 December 2006

The complaint

A listener complained about lack of balance on Radio National's *Summer Breakfast* program when two guests, both critical of the Bush administration, were interviewed on the same morning.

**Finding** 

The ABC agreed that the program did not achieve the balance required by the ABC's *Code of Practice*.

The complaint was also upheld on complaint handling grounds as a response was not provided within 60 days.

# Radio National - Religion Report

8 February 2006

The complaint

A listener made a complaint that the presenter had 'an agenda' and convened a 'totally anti-Islam discussion' on Radio National's *The Religion Report* during an interview with author Ibn Warraq about the Mohammad cartoon crisis. The listener felt the interview was offensive to Muslims.

**Finding** 

The ABC acknowledged that *The Religion Report* did not present the views of those who were offended by the cartoons in order to balance the perspective of Ibn Warraq. The complaint was also upheld on complaint handling grounds as a response was not provided within 60 days.

#### **AM**

19 April 2006

The complaint

A listener complained about a lack of balance, demonstrable errors, poor editorial judgment and inherent bias against the Department of Immigration and Multicultural Affairs (DIMA) in an item broadcast on *AM* on 19 April 2006. The *AM* item related to the published report of the Commonwealth Ombudsman's review of DIMA's management of Mrs Aziza Agha's case. *Finding* 

The ABC agreed that the reporter should have contacted DIMA in order to seek its views on the Ombudsman's findings, and that the failure to do so resulted in an unbalanced report. The ABC also agreed that the title of the report, *Immigration Department blamed for elderly woman's death*, was factually inaccurate. The title was amended on the online transcript of the report.

# 7pm Television News

1 June 2006

The complaint

A viewer complained that a presenter stated that the US had offered Iran an 'olive branch' as long as it suspended uranium enrichment. The viewer felt that this phrase lacked neutrality, particularly as under the terms of the Nuclear Non-Proliferation Treaty, of which Iran is a voluntary signatory, Iran is able to enrich uranium for the purpose of power production.

The ABC agreed that the term 'olive branch' lacked neutrality.

# **Unfair Treatment**

Three complaints were upheld that alleged unfair treatment.

#### Radio News bulletin

3 April 2006

The complaint

The ABC received a complaint that a radio news report stated a woman who had been the victim of a sexual assault 'had a blood alcohol four times over the legal limit'. The listener pointed out that there is no legal limit that makes women eligible for rape.

**Finding** 

The ABC agreed that the use of "blood alcohol limit" was inappropriate in this context, and that the reporter should have expressed the degree of intoxication by reporting the blood alcohol content.

# ABC South East NSW – Mornings

19 May 2006

The complaint

The ABC received a complaint about the nature of questioning in an interview on ABC South East, regarding a document that had been provided to the ABC earlier in the week. The

complainant was concerned that the interview gave the impression that he had 'leaked' the document.

**Finding** 

The ABC acknowledged that asking the interviewee on air about the source of the document was inappropriate and in breach of the Corporation's *Code of Practice* guidelines in relation to disclosure of confidential sources. The ABC apologised to the complainant.

# 774 ABC Melbourne - Mornings

20 April 2006

The complaint

A listener complained that the program's co-host made derogatory and insensitive comments about homeless people.

**Finding** 

The ABC acknowledged that the co-host's comments were distasteful and unacceptable. The ABC apologised for any offence caused by these comments.

# Incidental advertising of non ABC products / logos

Three complaints were upheld regarding the incidental advertising of non-ABC logos or products.

## 720 ABC Perth - Breakfast

13 March 2006

The complaint

A listener complained that on 13 March the presenter used this program to promote their books and speak about signing opportunities.

**Finding** 

The ABC agreed that the presenter should not have used his program to promote his own publications and the ABC apologised for this lapse in standards.

# 702 ABC Sydney - Weekends

15 April 2006

The complaint

A listener complained that a guest featured in the segment *The Chef's Challenge* used his appearance to promote produce from the Hunter Valley region.

**Finding** 

The ABC acknowledged the references should not have been broadcast. The program team were aware of this during the broadcast, and as the segment was live to air the presenter alerted his guest that the commercial references were inappropriate. The guest continued without any further reference to commercial products.

# 702 ABC Sydney - Drive

24 April 2006

## The complaint

A listener complained that the program's host used his program and the program's website to advertise the publication the 'Dag's Dictionary'

#### Finding

The ABC did not agree that the program's airtime had been used to advertise the publication as the program features a segment of the same name, 'Dag's Dictionary'. However the ABC did acknowledge that placing the Dag's Dictionary book image on the program's web pages was a breach of the Corporation's *Editorial Policies* and subsequently the images were removed.

# (ii) Matters of taste and standards

# Inappropriate content

There were ten upheld complaints regarding inappropriate content such as violence, swearing, offence to religious feeling and poor taste.

#### **ABC News Online**

2 March 2006

The complaint

A News Online reader complained that the report 'PM hopes counselling will cut abortion rate' was accompanied by a photograph of a naked heavily pregnant woman which the user felt was in poor taste considering the subject matter.

# **Finding**

The ABC agreed that the image was inappropriate and the image was removed.

## **ABC Classic FM - Mornings**

17 March 2006

The complaint

A listener complained that a song containing coarse language was played during this program.

## **Finding**

The ABC noted that a guest on the program had chosen the song, and while the ABC did not agree that that the lyrics were gratuitous, the ABC did acknowledge that no language warning was given prior to the broadcast of this song, and apologised to the listener.

# **Television News bulletin**

25 March 2006

The complaint

Two viewers complained that footage of baby seals being clubbed was disturbing and should have been preceded by a consumer warning.

# **Finding**

The ABC reviewed the report and agreed that there should have been a warning prior to the footage. The ABC apologised to the viewers.

# Being lan

4 April 2006

The complaint

A viewer complained that one of the program's characters referred to another character as having a "spazzy fit".

**Finding** 

The ABC acknowledged that this was inappropriate and apologised for the use of this term. This particular episode of the program will not be broadcast again.

## **SANFL**

13 May 2006

The complaint

A viewer objected to the broadcast of coarse language during a live cross to a football coach during quarter time in a match.

**Finding** 

The ABC apologised for this lapse. The ABC has implemented measures to ensure that such language is not audible during future sports broadcasts.

# triple j - Breakfast

17 May 2006

The complaint

A listener complained about coarse language during an interview with Bob Geldof broadcast on the *Breakfast* program.

**Finding** 

The ABC acknowledged that a coarse language warning was not issued. The *Breakfast* program team were reminded of the need to ensure that appropriate warnings are issued.

# Radio National - Books and Writing

18 January 2006

The complaint

A listener complained about coarse language included during a repeat broadcast of a forum on 'public language' recorded at the 2005 Sydney Writers' Festival.

**Finding** 

The ABC noted that the context of the language was in line with the provisions of the *Code of Practice*, and the aim of the program was clearly described at the beginning and reiterated many times throughout the session. However, the ABC acknowledged that no language warning was broadcast prior to the program going to air. The ABC apologised to the complainant and the program team were reminded of the need to ensure that appropriate warnings are issued.

# **ABC Online Homepage**

4 April 2006

The complaint

The ABC received a complaint about the appearance of coarse language on the ABC Online homepage in the *'Today's Transcripts'* section.

**Finding** 

The ABC apologised and the link was removed from the homepage.

# 702 ABC Sydney - Breakfast

7 April 2006

The complaint

A listener complained that the piece 'Muldoon University' contained an offensive reference to female sexual anatomy.

**Finding** 

The ABC did not agree that the term 'vulva' was derogatory term or inappropriately used within the context of the piece, however the ABC did acknowledge there was no warning broadcast prior to the piece explaining that its content might be considered offensive or confronting to listeners.

## (iii) Standards of Presentation

There were three upheld complaints regarding standards of presentation such as spelling and pronunciation, use of language, sound quality and personal presentation.

# The World Today

20 April 2006

The complaint

A listener complained that an athlete was repeatedly referred to throughout a broadcast as 'disabled'. The listener pointed out that the athlete should have been referred to as an athlete with a disability.

**Finding** 

The ABC agreed that this was inappropriate and the reporter was reminded that 'a person with a disability' is the preferred phrasing on the ABC.

# **Correspondents' Report**

10 May 2006

The complaint

A listener objected to the term 'wheat for weapons' being used in a report about the Cole Inquiry.

**Finding** 

The ABC acknowledged that this term had political overtones and instructed that if it is used, it is to be attributed or qualified appropriately.

# **ABC News Online**

13 May 2006

The complaint

An online user complained that references to Indigenous, Aboriginal or Aborigine were not following ABC editorial policies which state that these words should be capitalised.

## **Finding**

The ABC apologised to the complainant and assured him that these were inadvertent errors rather than some sort of systemic lack of care in the ABC's coverage of Indigenous issues.

#### **Television News bulletin**

11 June 2006

The complaint

A viewer objected to the use of the word "massacre" in a report about a rocket that killed civilians on a beach in Gaza. The viewer felt that use of this word was designed to provoke friction and anger and was inaccurate as "massacre" by definition means "wanton, savage and indiscriminate killing of a large number of people".

# **Finding**

The ABC agreed that the word was inappropriate in the context used and apologised to the complainant.

# (iv) Corporate / Infrastructure

# Captioning

There was one upheld complaint regarding the captioning of ABC services.

## **ABC2 - News Updates**

13 January 2006 & 9 March 2006

The complaint

A viewer complained about the lack of closed captions for *News Updates* on ABC2, which the viewer felt was in contravention of the *Broadcasting Services Act*.

#### **Finding**

The ABC acknowledged the need to caption this material and advised that the Corporation is examining options to bring this about.

# Complaints handling

During the three-month period there were ten complaints upheld on matters relating to complaints handling. Of these, two complaints were also upheld on other grounds, and have been described in the previous sections. Eight complaints were upheld solely because aspects of the ABC's complaint handling procedures were not correctly followed; however, in each of these cases, the substantive matter raised by the complainant was not upheld. In four cases, breaches occurred when staff responded directly to complaints about editorial issues, instead of referring the matters to Audience & Consumer Affairs for investigation. One complaint was upheld because a response was not provided to the complainant within the 60

day statutory timeframe. One complaint was upheld because a copy of the broadcast was not kept for the required period of time. The two remaining complaints are described below.

# ΑM

19 April 2006

The complaint

A listener complained about a phone call he had received from an ABC reporter questioning him about the basis of a complaint he had made about a program. The complainant felt the phone call was highly inappropriate.

## **Finding**

The ABC apologised for the manner in which the reporter responded to the complaint and assured the complainant that this phone call was inconsistent with the Corporation's formal complaints process.

# 774 ABC Melbourne - The Sunday Show & Mornings

24 April 2006

The complaint

A listener complained regarding the treatment received from an ABC staff member when calling the station to complain about offensive material that had been broadcast. The staff member informed the audience member "If you don't like it, turn it off".

## **Finding**

The ABC acknowledges and agrees that the staff member's response of "If you don't like it, turn it off" was completely inappropriate. The ABC apologised for this treatment.

# 4. Summary of investigations completed by the Complaints Review Executive

During the period 1 April to 30 June 2006, the Complaints Review Executive (CRE) made determinations in relation to eight matters. One of the complaints was upheld.

#### 1. Bias in Late Night Live, The 7.30 Report and Australia Talks Back

An audience member sought review of his concerns about interviews on *The 7.30* Report and the Radio National programs *Australia Talks Back* and *Late Night Live*.

The complainant felt that the presenter of *Late Night Live* had displayed a personal bias and had made an insulting reference to the Queen on programs broadcast on 13 and 15 February. The audience member also raised concerns about two interviews on *The 7.30 Report*, with Prime Minister John Howard on 15 February and with Treasurer, Peter Costello on 1 March, during which he felt the presenter was rude, opinionated and hostile. The complainant was also concerned about the host of *Australia Talks Back* stating that the program had received many emails on the subject of 'ten years of Howard government' and they were all negative. The complainant suggested that the politicisation of the *Australia Talks Back* audience by the presenter and producers through selection of guest speakers, callers put to air and through the presenter asking leading questions had influenced this outcome.

The CRE noted that *Late Night Live* is a factual program and the instances cited did not breach the ABC's *Editorial Policies*. The CRE also found that the style of both interviews on *The 7.30 Report* was rigorous but appropriate taking account of the subject matter being discussed and media experience of the two interviewees. The interview techniques on *The 7.30 Report* met editorial requirements. With regard to *Australia Talks Back*, the CRE found that presenter's comment was made as a pointer to a discussion later in the program and there was no evidence that it was an inaccurate reflection on the nature of the emails received. The CRE also found that the comments were not a personal view. The complaint was **not upheld**.

#### 2. Bias and lack of balance in the Tasmanian edition of Stateline

A viewer complained of bias in a story about a regional church and its church bells in the Tasmanian edition of *Stateline*. The viewer wrote of unethical conduct by ABC management, prejudicial and biased reporting, manipulation of public opinion and lack of inclusion of material he had supplied to the program.

The CRE found the story focused on the history of the bells, the challenges to maintain them and the changing attitudes of communities towards them. The CRE found no breach of editorial policy. This complaint was **not upheld**.

# 3. Political agenda during The Spirit of Things

A listener made a complaint about an episode of *The Spirit of Things* on Radio National titled "The Nazi Hunters". The listener felt the program put forward a political agenda and was promoting politics which was not in keeping with the program's brief.

The CRE found that the program discussed significant historical and contemporary issues for Jews, and explored the personal motivation of the two people interviewed

and the role of the Vatican in arresting Nazi refugees. This complaint was **not upheld.** 

## 4. Handling of a talkback call

A listener sought review of a talkback segment from 774 ABC Melbourne's *Morning Program*. The complainant felt that the presenter handled a call from a person suffering from a mental illness inappropriately and that the presenter had been negligent in his behaviour.

The CRE found that the presenter conducted the discussion with sensitivity and there was no aspect of the call that breached the requirements for privacy. The material broadcast could not be considered by a reasonable listener as being improper, intrusive or lacking respect for the mental health of the caller. This complaint was **not upheld**.

## 5. Complaint that a Shallow End report needed clarification or more information

An online user sought review of a complaint about ABC News Online's Weblog, *The Shallow End.* The complainant felt the article titled 'Cruise under fire' about actor Tom Cruise needed a correction or additional information about Scientology.

The CRE found the item contained a range of views and found no need for further information about Scientology. This complaint was **not upheld**.

## 6. Misleading headline on ABC News Online

An online user made a complaint about an article published on ABC News Online on 10 April, titled, 'Award winning wool grower guilty of animal cruelty'. The complainant felt the article and headline were misleading and inaccurate as the article was written about an award-winning organic farmer who had a few sheep.

The review found the headline was not in context and could mislead readers, as the CRE established that the organic farmer had not won any awards for growing wool. This complaint was **upheld** and the headline was changed and an Editor's Note added.

# 7. Lack of balance in Hindsight report

A listener sought review of an episode of Radio National's *Hindsight* titled 'Egon Erwin Kisch: rampaging reporter' broadcast in two parts on 26 March and 2 April. The listener felt the description of the program found on the website misinformed the audience as it described Kisch as a 'gutsy anti-Nazi fighter' and failed to mention that he was also a member of the Communist Party.

The CRE found that although the summary did not mention Kisch was a member of the Communist Party, the program that was broadcast discussed its implications in detail. The CRE noted that as the program *Hindsight* is classified under Section 5 of the ABC's *Code of Practice*, the program is allowed to present opinions and is not

required to provide balance; the CRE found the program met the requirements that viewpoints must not be misrepresented. This complaint was **not upheld.** 

# 8. Vilification of Christians in The Religion Report

A listener made a complaint regarding Radio National's *Religion Report* as broadcast on 22 March 2006. The listener felt the interview with Rocky Davis from the Koori Muslim Association vilified Christians and was concerned that Mr Davis' comments were unchallenged by the presenter.

The CRE found that as the *Religion Report* is classified as a Factual Program it is permitted to present particular points of view, and although some of the comments about Christianity could be regarded by some listeners as disparaging, genuinely held opinions can be expressed in such a program. The CRE found there is no requirement to balance opinions as there would be in a News, Current Affairs, or Information program. This complaint was **not upheld**.