



TCN 9 – Sydney

Factual inaccuracies in reporting; unsatisfactory response to complaint

The complaint

In September 2001, the ABA received an unresolved complaint regarding an edition of the program *Sunday* broadcast by TCN 9 on 17 June 2001 and in particular to an item concerning the appointment of the High Commissioner for Sri Lanka in Australia. The complainant alleged that the item in question was one-sided and contained factual inaccuracies. The complainant also alleged that his letter of complaint to TCN 9 in Sydney had not been substantively responded to.

Relevant code of practice

The complaint was assessed against the following provisions of the Commercial Television Industry Code of Practice (the code):

4.3 In broadcasting news and current affairs programs, licensees:

4.3.1 must present factual material accurately and represent viewpoints fairly, having regard to the circumstances at the time of preparing and broadcasting the program;

Clauses 7.9 and 7.10 of the code deal with complaints handling and state that:

7.9 Where a code complaint is made about material broadcast by a station within 30 days of its broadcast, the licensee must provide a substantive written response.

7.10 That response must be made as soon as practicable, but in any case no longer than 30 working days after receipt of the complaint.

The decision

The ABA determined that during an edition of the program *Sunday* broadcast on 17 June 2001, the licensee of TCN 9, TCN Channel Nine Pty Ltd, breached clause 4.3.1 of the code in that factual material was not presented accurately. An assertion made during the program that a 'public outcry' had caused the withdrawal of the (then) Sri Lankan High Commissioner to Canada in 1986 was found by the ABA, on the evidence provided to it, to be inaccurate.

Action taken

The Network raised the ABA's findings with the Executive Producer of *Sunday* and the reporter responsible for the preparation of the story. The ABA decided not to take any further action at this stage.

