

The full reports on these investigations into potential breaches by licensees are on the ACMA website, www.acma.gov.au. Go to ACMA > Publications > Broadcasting > Investigations and then Radio operations and Television operations. The reports are arranged in order of licensee.

ABC's *The Science Show* failed to comply with code

ACMA has found that the Australian Broadcasting Corporation (ABC) had failed to comply with the ABC Code of Practice 2004 by not making every reasonable effort to ensure that the factual content of an edition of *The Science Show* about science whistleblowers was accurate and by not ensuring that the program was balanced.

The Science Show is an information program on ABC Radio National. The edition of 3 September 2005, entitled 'Scientific Whistleblowers', explored cases of alleged scientific fraud. After investigation, ACMA found that the ABC had failed to comply with clauses 4.1 and 4.2 of the ABC Code of Practice in relation to:

- accuracy, in that it failed to make every reasonable effort to ensure that the factual content of the program was accurate in relation to a description of the second inquiry

into one of the cases; and

- balance, in that it failed to include the viewpoints of the university concerned and the complainant. The ABC has advised that it will seek the complainant's viewpoint on matters requiring balance, with the intention of publishing his input as an

addendum to the program transcript on its website.

The ABC had already corrected the factual error by inserting a footnote on the transcript, and had added an addendum giving the university's viewpoint on a matter requiring balance. This was done following the

complainant's original complaint to the ABC.

ACMA considers that the ABC's prompt and constructive actions adequately address the compliance issues raised by the investigation but will continue to monitor the ABC's performance against the relevant code provisions.

The investigation report is on the ACMA website at www.acma.gov.au (go to ACMA > Publications > Broadcasting > Investigations > Radio operations).

ABC CODE OF PRACTICE 2004

The ABC Code of Practice 2004 states:

4. News and Current Affairs Programs

This section applies to all programs produced by the News and Current Affairs Division of the ABC and other information programs that comprise both news and information relating to current events. Programs with significant factual content, which do not comprise both news and information relating to current events, are dealt with in Section 5 below.

- 4.1 Every reasonable effort must be made to ensure that the factual content of news and current affairs and information programs is accurate. Demonstrable errors will be corrected in a timely manner and in a form most suited to the circumstances.
- 4.2 Every reasonable effort must be made to ensure that programs are balanced and impartial. The commitment to balance and impartiality requires that editorial staff present a wide range of perspectives and not unduly favour one over the others. But it does not require them to be unquestioning, nor to give all sides of an issue the same amount of time.
- 4.3 Balance will be sought through the presentation, as far as possible, of principal relevant viewpoints on matters of importance. This requirement may not always be reached within a single program or news bulletin but will be achieved as soon as possible.

3MMM breached standards of decency

ACMA found that the licensee of 3MMM Melbourne, Triple M Melbourne Pty Ltd, breached the commercial radio code of practice by failing to meet contemporary standards of decency, having regard to the likely composition of its audience.

The breach occurred in the

Saturday Football program broadcast on 6 May 2006. During the talk-back section of the broadcast, commentator Sam Newman described a caller who had criticised his comments on a match as a 'f---wit'.

Triple M advised ACMA that Mr Newman was suspended from the air immediately and has not returned to

the program. He and the producer of the program have undergone training in the commercial radio code of practice and the licensee introduced six-monthly staff training on the code.

ACMA considers that these actions address the compliance issues raised by this investigation, but will continue to monitor the licensee's performance

against the relevant code provision to satisfy itself that this was an isolated incident.

The investigation report is on the ACMA website at www.acma.gov.au (go to ACMA > Publications > Broadcasting > Investigations > Radio operations).

2RBR did not present factual material accurately

ACMA found that the licensee of community radio broadcaster 2RBR Coraki breached the Community Broadcasting Codes of Practice by not presenting factual material accurately in a local news bulletin.

On 11 April 2006, ACMA received a written complaint alleging that on 2 February 2006, Community Radio Coraki Association Inc, the licensee of

2RBR Coraki, had broadcast non-factual material about a public meeting held the previous evening.

ACMA found that the licensee of 2RBR Coraki breached clause 2.6(b) of the Community Broadcasting Code of Practice in that it did not present factual material accurately in the 8.00 am and 9.00 am 88.9FM *News Service* bulletins of the Breakfast

program. As this is the first breach finding against the licensee, ACMA considered the breach finding itself sufficient, but will continue to monitor the licensee's performance.

The complainant had also alleged that the licensee vilified and demeaned individuals in discussing Australia Day events broadcast on 27 January 2006. ACMA found that

there had been no breach of the code in this respect.

The investigation report is on the ACMA website at www.acma.gov.au (go to ACMA > Publications > Broadcasting > Investigations > Radio operations).