



Investigations

ABC Radio

Complaint handling

Complaint

In July 2000, the ABA received a complaint regarding comments made during the 'Religion Report' broadcast by ABC Radio National on 10 May 2000.

The complainant alleged that the ABC discriminates against the creation movement by making denigrating remarks about them on air and that the remarks made by Mr John Cleary (presenter of the 'Religion Report') during the program were inaccurate, misleading and a deliberate attempt to denigrate the creation movement.

The complaint also concerned the ABC's complaint handling procedures as the complainant had not received a response within the timeframe specified in the ABC Code of Practice.

Relevant code of practice

The ABC Code of Practice provides:

2.4 Discrimination

The presentation or portrayal of people in a way which is likely to encourage denigration or of discrimination against any person or section of the community on account of race, ethnicity, nationality, sex, age, disability or illness, social or occupational status, sexual preference or the holding of any religious, cultural or political belief will be avoided. The requirement is not intended to prevent the broadcast of material which is factual, or the expression of genuinely-held opinion in a news or current affairs program, or in the legitimate context of a humorous, satirical or dramatic work.

4.1 News, current affairs and information programs

In programs produced by ABC News and Current Affairs Departments and information programs:

- (a) Every reasonable effort must be made to ensure that the factual content of programs is accurate. Demonstrable errors will be corrected in a timely manner and in a form most suited to the circumstances.

8.1 Complaints

This Code of Practice does not apply to complaints concerning programs which are or become the subject of legal proceedings.

Complaints that the ABC has acted contrary to this Code of Practice should be directed to the ABC in the first instance. Phone complainants seeking a response from the ABC will be asked to put their complaint in writing. All such written complaints will receive a response from the ABC within 60 days from receipt of the written complaint.

The ABC will make every reasonable effort to resolve complaints about Code of Practice matters, except where a complaint is clearly frivolous, vexatious or not made in good faith or the complainant is vexatious or not acting in good faith.

Decision

The ABA determined that the broadcast of the 'Religion Report' on 10 May 2000 did not breach of clause 2.4 of the code as it did not denigrate nor discriminate against the creation movement nor does encourage the denigration or discrimination against the creation movement. The ABA also determined that the ABC did not breach clause 4.1(a) of the code. The ABA found, however, that the ABC did breach clause 8.1 of the code.

Action taken

As a result of the findings the ABC undertook to correct and strengthen the internal procedures regarding complaints handling and to respond to the complainant. The ABA will take no further action at this time, however, this matter may be taken into consideration if the ABA finds similar breaches in the future.

