

Independent Complaints Review Panel

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An Independent Panel appointed
by the Board of the Australian
Broadcasting Corporation

Review of Complaint by the Independent Complaints Review Panel (ICRP). The Complainant and ABC Radio Programs, *AM*, *PM* and *The World Today*

On Friday 1 July 2005, the complainant sent an email to ABC Corporate Affairs on the subject of "Biased Reports of Bush's Speech". This referred to ABC radio broadcasts on 29 and 30 June, dealing with President Bush's address to the nation from Fort Bragg military base in North Carolina, in which he spoke on the war in Iraq. The programs were AM, PM and The World Today. These programs are current affairs programs which seek to cover events and issues of the day. He complained of an absence of serious criticism by the ABC of the content of the speech and of the war in Iraq, in the broadcasts.

On Saturday 2 July, the complainant sent a further email, containing certain references to other broadcasts and enquiring why the ABC (apparently in these broadcasts) failed to "consider the revelations in the DSM relevant to Bush's stated position." This email related back to a previous email, sent by the complainant on 21 June, in which he requested that the ABC honour its "responsibilities under the ABC Charter and put the revelations of the DSM to the Government for a response."

The DSM is the Downing Street Memo of 21 July 2002, prepared for the British Prime Minister, Tony Blair, for use in a meeting with his national security staff at Downing Street. It related to the question of invasion of Iraq, which occurred eight months later. The complainant has emphasised that it contained "two important points".

These were:

- a) that the White House was intent on going to war long before it announced the decision to invade Iraq.
- b) that intelligence and facts were being fixed around this policy – military action would be justified by the conjunction of terrorism and the WMD.

The ABC responded on 12 July 2005 indicating that it was satisfied that its coverage was "in accordance with its Code of Practice and Editorial Policies."

After some further correspondence, dealing with references to the DSM in other ABC reports and elsewhere, the complainant sent a long email to ABC Corporate Affairs, entitled “Suppression of DSM”, in which he complained, in effect, that the ABC had culpably failed in its duty to criticise President Bush and his administration in light of the material in the DSM. He complained of the ABC’s having committed “a clear breach of section 4.2 of your Charter” and asked that his complaints be referred to the Independent Complaints Review Panel (the Panel).

The Panel has accepted the complaint for review and, in accordance with the requirements of section 12.6 of the ABC Editorial Policies, has referred to the ABC’s Head of Audience and Consumer Affairs seeking the ABC’s comments on the complaint. The Panel has considered the complaints and the ABC’s response, together with the relevant sections of the ABC’s Editorial Policies and Code of Conduct.

The relevant provisions of the Editorial Policies and the Code of Practice

The jurisdiction of the Panel is established by section 12.6.1 of the Editorial Policies which provides, “The ABC Board has established an Independent Complaints Review Panel (ICRP) to review written complaints relating to allegations of serious case of factual inaccuracy, bias, lack of balance or unfair treatment arising from an ABC broadcast or broadcasts, or publication of material on ABC Online.”

See also section 9.4 of the ABC Code of Practice.

As the complaint essentially alleges bias and lack of balance in the broadcasts, regard must be paid to the relevant requirements of section 5.1 of the Editorial Policies, which is entitled “The Charter of Editorial Practice”. They are as follows:

Section 5.1.1

“The ABC takes no editorial stand in its programming.”

Section 5.1.4

“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.”

Section 5.1.5

“The commitment to balance and impartiality requires editorial staff to 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. News values and news judgements are a material consideration in reaching decisions, consistent with these standards.”

Section 5.1.6

“In serving the public’s right to know, editorial staff will be enterprising in perceiving, pursuing and presenting issues which affect society and the individual.”

See also sections 4.2 and 4.3 of the ABC Code of Practice, which are in similar terms.

These are, of course, very broad statements of principle. They must be applied in a common sense, realistic manner with due regard to the nature of the broadcasts in question. These broadcasts contain a series of discrete stories, each of which must, necessarily, be brief. They cannot be, nor purport to be, in-depth discussions of any particular topic because of the nature of and the time slot for the programs.

The Broadcasts

The complaint relates to short news items on successive days, dealing with Mr Bush's speech. On 29 June, Mark Colvin introduced the story by stating "The US President George W Bush has gone on national television to rally flagging public opinion in the face of the rising death toll in Iraq." He also stated that "Mr Bush again sought to link America's enemies in Iraq to the terrorists who carried out the September 11 attacks on Washington and New York."

The body of the report from Michael Rowland, the PM reporter in Washington, emphasised that it was, unusually, given at Fort Bragg to 700 soldiers and "was a distinctly sombre affair" with "only one outbreak of applause." It referred to violence and bloodshed but asserted that the sacrifice was "vital to the future security of our country" and that no timetable could be set for the withdrawal of US troops.

Mr Rowland made the comment "with opinion polls showing a dip in public support for the war, the President sought to bolster America's resolution by treating the insurgence in Iraq and the September 11 terrorists as one and the same." He quoted the President's words, "they are trying to shake our will in Iraq, just as they tried to shake our will on September 11, 2001".

The report continued with a statement from "veteran political advisor, David Gergen, who has served four US Presidents" who stated that many critics would be "angered by the playing of the 9/11 trump card", which had been played before "in various political moments."

Reference was also made to criticisms as to "the lack of substance in the President's speech" and his failure to be more candid about the length of time needed to accomplish the Iraq mission.

The 30 June broadcast was introduced by Eleanor Hall, who stated "early reports suggest the President's nationally televised speech on Iraq has failed to galvanise public support for the war" and that he had "attempted to link the war in Iraq with the wider war on terrorism."

In the body of the report, reference was made to criticism of the speech in that it was difficult to see any "plan for getting the job done" and that even some Republicans were finding it hard to support him. The Democrat Leader in Congress was quoted as emphasising the absence of any "strategy for success."

The complaint and the ABC's response

In effect, the complaint is that the reports should have been far more critical and that specific reference should have been made to the DSM, as indicating that entry into the war was based on lies. The complainant says "the fact that Bush deliberately tried to associate Iraq with 9/11 despite the fact that this had been completely discredited was overlooked in both your biased reports, just as it was overlooked before the war began."

In its response the ABC denies that "the ABC has taken any editorial stand in its reporting of the war in Iraq and that the stand favours the Government's position." This accords with Section 5.1.1 of the Charter of Editorial Practice.

The Panel is satisfied that Editorial Policy and the Code of Practice did not require that the broadcasts in question be more critical of the President's speech and, in particular, did not require reference to the DSM. The ABC, in its response, has referred to its comprehensive coverage of the Iraq war, provided over several years. This has included references, in various programs, to the Downing Street Memo, in which the points referred to by the complainant have been canvassed. In the Panel's view, the ABC has demonstrated sufficient compliance with Section 5.1.4 of the Charter.

It is clear that the intention of the broadcasts was to set out briefly the main features of the President's speech and to refer to its reception in America. This included criticisms that were made of it in America, including criticisms of the President's attempt to associate Iraq with the 9/11 terrorist attacks. The broadcasts did not purport to do more than this and, clearly, did not set out to present any in-depth analysis of the war and the motivations that may have led to it.

Conclusion

For the above reasons, the Panel does not uphold this complaint.

Michael L Foster

ICRP Convenor

November 2005