

# **Review of the Special Broadcasting Service Annual Report 2002-2003**

## **Introduction**

- 1.1 On 3 December 2003 the House of Representatives Standing Committee on Communications, Information Technology and the Arts (the Committee) decided to review the *Annual Report 2002-2003* of the Special Broadcasting Service (SBS).<sup>1</sup> Following adoption of the inquiry the Committee received several items of correspondence regarding the performance of SBS.<sup>2</sup>
- 1.2 On 11 February 2004 the Committee held a public hearing at which representatives of the SBS gave evidence on a number of issues that arose from the Annual Report.<sup>3</sup>

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1 The Standing Orders of the House of Representatives empower standing committees such as the Committee to inquire into annual reports of government departments and authorities that have been tabled in the House of Representatives. The *Annual Report* is available at SBS's website, viewed 10 May 2004 at <http://www.sbs.com.au/sbscorporate/index.html?id=392>.

2 See Appendix A.

3 A transcript of the evidence at the public hearing is at Appendix B to this report and is also available from the Committee's website:  
<http://www.aph.gov.au/house/committee/cita/sbsreportreview/transcripts/11feb04.pdf>.

## Inquiry

### Issues

- 1.3 There was considerable media attention on some of the issues that arose from the Report. Broadly the issues concerned the broadcast of news programs from a source that was offensive to some local communities; complaints of inadequate consultation with local communities; allegations of bias in coverage; and allegations of poor complaint handling procedures. These issues were examined at the Committee's public hearing on 11 February 2004.

#### **Broadcast of news programs from sources that are offensive to local communities**

- 1.4 Strong concerns were raised directly with the SBS by the Vietnamese community over broadcasts of the Vietnamese government news program *Thoi Su* from VTV4. The program ran from early October 2003 to 6 December 2003. The concerns were also raised with the Committee. In essence the complaints were that, despite clear objections from a local community that comprised many refugees, SBS was broadcasting news from a government broadcaster in Vietnam, amounting to what the local community regarded as propaganda from a government it had fled. That is, the program amounted to propaganda, and there was inadequate consultation about its broadcast.
- 1.5 At the public hearing SBS repeated its apology to the Vietnamese community,<sup>4</sup> outlined the history of its negotiations with the community over the screening of Vietnamese news on World Watch<sup>5</sup> and noted that it had upgraded the disclaimers it broadcast to show that news bulletins did not represent the editorial views of SBS.<sup>6</sup> SBS based its apology to the Vietnamese community on two issues: the hurt that had been caused (exacerbated by the fact that the community was a refugee community) and the inadequacy of its consultation process on this occasion.<sup>7</sup>
- 1.6 The complaints by members of the Vietnamese community of inadequate consultation were in contrast to the declaration in the *Annual Report* by SBS: 'This year, SBS conducted the most extensive community consultations in its history... Individual language communities invited to

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4 Mr N. Milan, Transcript, 5 February 2004, p.5.

5 Mr S. Brown, Transcript, 11 February 2004, p.3.

6 Mr N. Milan, Transcript, 11 February 2004, pp.6-7.

7 Mr S. Brown, Transcript, 11 February 2004, p.18 and Mr N. Milan, pp.6 and 20.

meet with managers and broadcasters in Sydney and Melbourne to discuss programming included: French, German, Greek, Cantonese, Turkish, Mandarin, Thai, Kannada, Croatian, Hindi, Urdu, and Vietnamese.’<sup>8</sup>

- 1.7 The SBS noted at the hearing that it had sought detail from the Federation of Ethnic Communities’ Councils of Australia (FECCA) about its concerns with SBS. SBS also noted it had begun a consultation process with FECCA and that its Community Advisory Committee had a permanent FECCA member.<sup>9</sup>
- 1.8 In terms of lessons learned from the Vietnamese news broadcasts, SBS asserted that it was reviewing the way in which WorldWatch programs are introduced to provide for deeper consultation,<sup>10</sup> and that the Code of Practice had been amended by the Board so that the introduction of new WorldWatch programs would be assessed on the size of the language community and also the basis of the programming sources available in the language to determine which suited the community’s particular needs.<sup>11</sup>

### Allegations of bias

- 1.9 The Australia/Israel & Jewish Affairs Council (AIJAC) in November 2003 released analysis of SBS-TV’s news and current affairs coverage of the Middle East. It said it had found that SBS ‘exhibits an entrenched and strongly pronounced bias against Israel in its news, reportage and selection of documentary material’ and a ‘lack of responsiveness, indeed negativity...to reasoned and documented complaints.’ The report, *SBS-TV and the Middle East*, considers SBS World News coverage of the Middle East for 2001, documentary programs from 1993-2003, and called for changes to SBS complaints procedures and other oversight mechanisms to ensure fuller compliance with the SBS Codes of Conduct.<sup>12</sup>
- 1.10 At the public hearing SBS was questioned about classification of programs it broadcast—whether there were procedures in place to ensure that over time a balanced perspective was provided. The SBS responded that there were:

... matching complaints from AIJAC and the Palestinian groups, from the Palestinian point of view they say “Seventy-five per cent

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8 SBS *Annual Report 2002-2003*, p.69.

9 Mr N. Milan, Transcript, 11 February 2004, p.2.

10 Mr N. Milan, Transcript, 11 February 2004, p.5.

11 Mr N. Milan, Transcript, 11 February 2004, p.7.

12 The report is available online at:  
[http://www.ajiac.org.au/resources/reports/sbs\\_report.html](http://www.ajiac.org.au/resources/reports/sbs_report.html).

of your documentaries covering the Middle East are pro-Israeli and only 25 per cent are neutral”, while AIJAC has a completely different view. ... What we do is endeavour, across the schedule and across a period of time, to run a broad range of opinions. I do not think ... it is possible to find a documentary that matches this one and cancels out that one. ... Preferably, documentaries would be self-balancing and, in the main, that is what we seek.<sup>13</sup>

- 1.11 When asked about SBS’ role, whether it included promoting Australian values, SBS responded ‘yes’, but ‘the primary value is the value of multiculturalism, and that is the free and open expression of all cultures. We see our role in promoting Australian values of actually the prime directive as promoting the value of multiculturalism.’<sup>14</sup>

### **SBS’ handling of complaints**

- 1.12 The AIJAC report asserted that there was a lack of accountability by SBS for its actions and it called for changes to the SBS complaints procedures and other oversight mechanisms to ensure fuller compliance with SBS’s Codes of Conduct.
- 1.13 At the time of the Committee’s public hearing in February 2004, the SBS was already seeking submissions to its review of its complaint handling procedures and had received considerable input.<sup>15</sup> Information on SBS’ complaints handling procedure is available online.<sup>16</sup>
- 1.14 SBS stated that it was focused on improving transparency and independence internally for its complaint handling process.<sup>17</sup> Under questioning it also referred to the fact that independent review was possible already:

But we have put forward, and it seems to have been forgotten in all of this discussion, that there is already independent review. The ABA is empowered to review both public broadcasting and commercial broadcasting. The difference is that they have no direct penalty in the sense that they cannot take our licence away in the way they can in the commercial centre. But they can report us to parliament, which we would consider to be a very serious

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13 Mr S. Brown, Transcript, 11 February 2004, pp.11-12.

14 Mr N. Milan, Transcript, 11 February 2004, p.16.

15 Mr N. Milan, Transcript, 11 February 2004, p.8.

16 Viewed 24 May 2004 at <http://www.sbs.com.au/sbscorporate/index.html?id=401>.

17 Mr N. Milan, Transcript, 11 February 2004, p.22.

matter if a complaint got upheld and we were not seen to handle it properly.<sup>18</sup>

- 1.15 The Committee notes recent comment by the Minister for Communications, Information Technology and the Arts on the responsibilities and obligations of the Australian Broadcasting Corporation and SBS:

High standards are expected, particularly in relation to news and current affairs. An important aspect of this is the need to have rigorous complaints-handling processes, in which the public can have confidence. The Government is continuing to discuss the handling of complaints with the national broadcasters.<sup>19</sup>

- 1.16 The *Annual Report* noted that in 2002-03 the Australian Broadcasting Authority (ABA) had investigated four complaints that SBS had breached its Codes of Practice. In the judgments it had made, the ABA found in favour of SBS except for a case in which SBS had not made a timely reply to the complaint; SBS conceded this. Interestingly, the Report notes that:

In one case, while finding in favour of SBS, the ABA noted that the appropriateness of the SBS Code relating to balance over time in news and current affairs coverage could be further tested in a review of the Code.<sup>20</sup>

## Other matters

- 1.17 At the hearing SBS also responded to questions on its strategies to attract young people to its audience,<sup>21</sup> resources, and changes to the *Insight* program.<sup>22</sup>

## Conclusion

- 1.18 The Committee was reassured to some extent that the SBS was conscious of the issues that had raised genuine concern, and was working towards addressing them. As the SBS put it:

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18 Mr N. Milan, Transcript, 11 February 2004, p.22.

19 The Hon. Daryl Williams AM QC MP, speech to the Australian Broadcasting Summit, 'Government Perspectives and Policies on the Future of the Australian Media', 17 March 2004, viewed online at [http://www.darylwilliams.dcita.gov.au/Printer\\_Friendly/0,,0\\_7-2\\_4011-4\\_118052-LIVE\\_1,00.html](http://www.darylwilliams.dcita.gov.au/Printer_Friendly/0,,0_7-2_4011-4_118052-LIVE_1,00.html) on 24 May 2004.

20 See p.60. The SBS Codes of Practice can be found online at <http://sbs.com.au/media/1706Codes.pdf>.

21 Mr N. Milan, Mr T. Luu and Mr W. Berryman, Transcript, 11 February 2004, pp.9-10.

22 Mr S. Brown, Transcript, 11 February 2004, p.23.

It is not an objective to offend; it is an objective to inform. The charter says “inform, educate and entertain all Australians”.<sup>23</sup>

Bob Baldwin MP  
Chair

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23 Mr S. Brown, Transcript, 11 February 2004, p.15.