

## ABC Editorial Policies Review 2009-10

### Background

The [Editorial Policies](#) set out the standards by which the ABC regulates itself.

The main purposes of the Editorial Policies are –

- to give practical shape to statutory obligations in the *ABC Act*
- to state the ABC's approach to fulfilling its charter in accordance with commonly accepted ethical norms.

The Editorial Policies are the source for the ABC Code of Practice required to be notified to the Australian Communications and Media Authority (ACMA) under the *Broadcasting Services Act*.

The Editorial Policies have grown by accretion over several decades and include a mixture of aspirations, values, principles, standards, guidance and some separate highly specific policies relating to particular parts of ABC operations.

The ABC routinely conducts broad reviews of the Editorial Policies. Since 1980, those reviews have occurred at varied intervals. The last major review took place in 2005-06 and the current Editorial Policies took effect on 1 March 2007.

The Editorial Policies are administered through the ABC's self-regulation framework. The current review of the Editorial Policies formally began in August 2009 when the ABC Board adopted recommendations of the [Self-regulation Framework Review](#) to help the ABC adapt to the rapid changes in the wider media environment.

### Rationale

Technology and audiences are combining in unprecedented ways which compel traditional media organisations to adapt or wither. Revising the Editorial Policies in an unprecedented way, whilst remaining within the requirements of the ABC Act and the reasonable expectations of stakeholders, is a necessity. If enforceable policies are not reconsidered and revised in light of change, they may impede what the ABC must do to adapt and thrive.

The pace of convergence in media affects Editorial Policies just as it affects other parts of the ABC's operations. The Editorial Policies have evolved slowly with the separate radio, television, online and now mobile platforms. When the current Editorial Policies were announced in October 2006, Facebook was not long out of its Harvard University beginnings, tweets were faint, and ABC TV had only two services. As 2010 opened: Facebook was estimated to have 350 million users worldwide and Twitter 75 million; ABC TV was to comprise ABC 1, ABC2, ABC3 and ABC4 plus iView; and ABC Radio's interaction online with communities was to expand greatly through ABC Open.

In light of current and foreseeable change in the media environment and the ABC, and aware of unchanged statutory obligations and expectations for high standards among audiences and staff, the rationale for this revision of the Editorial Policies is as follows –

Distil from the mixture which comprises the current Editorial Policies the key **standards** which the ABC must or ought uphold.

State the **principles** that underpin those standards.

Express the standards briefly and clearly.

To the maximum extent possible, express the standards in language that allows them to be applied across the ABC's various delivery platforms, content types and organisational divisions.

Make it clear that the standards will be enforced. (In a separate but related process explained in Self-regulation Framework Review, streamline the complaints-handling system to allow complaints alleging breach of standards to be handled fairly and proportionately.)

Distil from the current Editorial Policies the **guidance** that has built up over decades to interpret the key standards.

In light of technology and changing audience engagement, refine and augment the guidance to assist content makers and complaint handlers to apply the standards in the many and varied circumstances that arise for a public broadcaster.

Make it clear the guidance is intended to aid interpretation and is non-binding.

(In a separate but related process – also explained in the Self-regulation Framework Review - improve data collection, feedback loops and editorial training to ensure that experience obtained from applying the standards in particular cases is circulated effectively and can contribute to consistent decision-making and continuous quality improvement.)

## About this Draft

The Standards are distilled mainly from the Editorial Policies 2007, as amended. Contemporary editorial standards of public service media organisations in the United Kingdom, New Zealand, Canada and the United States were also taken into account.

The Standards in the Editorial Policies would be worded in the same way in the ABC Code of Practice, to the maximum extent possible.

The Guidance will incorporate much from the current Editorial Policies, which reflect long experience.

The Guidance is being prepared by the Editorial Policies Group, which comprises representatives from the ABC's content Divisions as well as other policy specialists. Guidance notes, to be authorised by the Managing Director, can be issued as and when circumstances require and tailored to –

- address issues relevant to specific platforms or genres,
- take account of new and converging technologies and services relevant to the media and to audience engagement,
- assist content-makers in their decision-making about commonly occurring issues, and
- respond to changes in community standards where they are relevant to ABC content.

Separate *Complaints Handling Procedures* reflecting the recommendations of the Self-regulation Framework Review have been circulated to Divisions' policy specialists for comment. After the *Complaints Handling Procedures* have been finalised and a date set for them to come into effect, complaints alleging a breach of a Standard will be dealt with according to the *Complaints Handling Procedures*. Until then the complaints processes in section 13 of the current Editorial Policies continue to apply.

It may seem unusual to see the principles and standards of the Editorial Policies, which are currently in a familiar green book of 169 pages, reduced to just seven pages. But, as explained above and mentioned by the Managing Director in his [speech](#) to the Melbourne Press Club on 11 February, it seems the best way for the ABC to continue its self-confident adaptation to the new media environment.

The key standards, some dating from the ABC's inception in 1932, are retained. Some are expressed in unfamiliar ways because they are designed now to apply across all platforms. If the Standards seem stark, remember that the Guidance will underpin and embellish them, ensuring that well understood ways of making practical day-to-day decisions remain.

This draft signals change, yes, but it is change with continuity.

## How to comment on this Draft

You are invited to provide feedback on this consultation draft within your Division or to [editorial.policies@abc.net.au](mailto:editorial.policies@abc.net.au) by 12 March.

Staff feedback will be considered in the preparation of successive drafts. The final draft will be put to the Executive Leadership Group before it is recommended to the Board later this year.

PAUL CHADWICK  
Director Editorial Policies

## Editorial Policies – Principles and Standards

1. Independence, integrity & responsibility
  2. Accuracy
  3. Corrections & clarifications
  4. Impartiality
  5. Diversity of viewpoints
  6. Fair and honest dealing
  7. Privacy
  8. Harm & offence
  9. Responsibility to protect children & young people
  10. Commercial references
  11. Advertising
  12. Announcements & supplied content
  13. Sponsorship & external funding arrangements
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### 1. Independence, integrity & responsibility

**Principles:** *Trust and respect depend on the ABC's editorial independence and integrity. Independence and responsibility are inextricable.*

**Standards:**

- 1.1. Maintain the independence and integrity of the ABC.
  - 1.2. Retain ABC editorial control over the content the ABC broadcasts or publishes.
  - 1.3. Ensure that editorial decisions are not improperly influenced by political, sectional, commercial or personal interests.
  - 1.4. Exercise editorial independence as authorised and accept responsibility for it. When in doubt about a matter, refer it up to the next most senior person for advice or decision.
  - 1.5. When any matter, including a matter not being referred up for advice or decision, is likely to cause controversy or have an extraordinary impact, give proper notice of it to the most appropriate senior manager.
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### 2. Accuracy

**Principles:** *The ABC has a statutory duty to ensure that the gathering and presentation of news and information is accurate according to the recognised standards of objective journalism. The credibility of the ABC, particularly in relation to its news and current affairs content, relies heavily on its factual accuracy.*

**Standards:**

- 2.1. Make reasonable efforts to ensure that material facts in news and information are accurate and presented in context.
  - 2.2. Do not present factual content in a way that will materially mislead the audience. In some cases, this may require appropriate signposting.
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### 3. Corrections & clarifications

**Principles:** *Continuous striving for accuracy is reasonably expected, but inaccuracies are bound to occur. Unfolding events lead to updates and newly available information often puts earlier facts in a changed light.*

*A commitment to accuracy includes a willingness to correct errors and clarify ambiguous information. Swift correction can reduce reliance on inaccurate information – by the ABC or by others – and the consequent harms, especially now that content can be quickly, widely and permanently disseminated. Corrections and clarifications can contribute to achieving fairness and impartiality.*

**Standard:**

- 3.1. Acknowledge and correct, in an appropriate manner as soon as reasonably practicable, significant material errors of fact or context that are readily apparent or have been demonstrated.
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### 4. Impartiality

**Principles:** *The ABC has a statutory duty to ensure that the gathering and presentation of news and information is impartial according to the recognised standards of objective journalism. Impartial, accurate and fair coverage of news and information equips audiences to make up their own minds.*

**Standards:**

- 4.1. Gather, produce and present news and information with due impartiality.
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### 5. Diversity of viewpoints

**Principles:** *The ABC has functions to inform, educate, entertain, and promote the arts; to provide comprehensive content to diverse communities of interest; and to reflect cultural diversity, contribute to a national identity, and promote an international understanding of Australian attitudes on world affairs. The ABC is committed to democratic principles, including freedom of expression.*

*Since it was established in 1932, the ABC been empowered under law to decide for itself the extent and manner in which it broadcasts political and controversial matters. Its independence from vested interests is to be used to facilitate the democratic process in the public interest. The ABC must not take an editorial stand on political or controversial issues.*

*The ABC aims to present, over time, content that addresses a broad range of subjects from a diversity of viewpoints reflecting a diversity of experiences, presented in a diversity of ways from a diversity of sources, including content created by ABC staff, generated by audiences and commissioned or acquired from external content-makers. In dealing with political and controversial matters, the ABC seeks to present a range of perspectives, neither misrepresenting them nor unduly favouring one over another.*

**Standards:**

- 5.1. In dealing with political and controversial issues, strive for a diversity of principal relevant viewpoints, fairly presented and clearly signposted.
  - 5.2. When providing audiences and other contributors with an opportunity to express their views, be open to the spectrum of viewpoints and provide a fair opportunity to participate.
  - 5.3. Do not state or imply that the ABC endorses a particular viewpoint.
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## 6. Fair and honest dealing

**Principles:** *The ABC aims to deal fairly with any person or organisation. Open and honest dealing is essential to maintaining trust with audiences and with those who participate in or are otherwise directly affected by ABC content. In rare circumstances, deception or a breach of an undertaking may be justified. Because of the potential damage to trust, deception or breach of an undertaking should be explained openly afterwards.*

**Standards:**

*Dealing with participants*

6.1. Unless justified in the public interest, inform those who participate in ABC content of the nature of their participation.

*Opportunity to respond*

6.2. Where allegations are made about a person or organisation, make reasonable efforts in the circumstances to provide a fair opportunity to respond.

*Attribution*

6.3. Attribute fairly. Do not misrepresent another's work as your own.

*Undertakings*

6.4. Except in rare cases where justified in the public interest, promises given in relation to conditions of participation, use of content, confidentiality or anonymity must be honoured.

*Deception*

6.5. Except in special circumstances, do not use secret recording devices, misrepresentation or other types of deception to obtain or seek information, audio, pictures or an agreement to contribute.

6.6. Deception may be used where:

- justified by a clear public interest and the material cannot reasonably be obtained by any other means; or
- consent is obtained from the subject or identities are obscured; or
- for comedy or other entertainment purposes, the deception is integral to the work and due regard is given to likely harms.

6.7. Any proposal to use secret recording, or to broadcast or publish material obtained by deception without consent or de-identification, must be approved in advance by an appropriately senior ABC person designated for the purpose.

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## 7. Privacy

**Principles:** *Privacy is necessary to human dignity and every person reasonably expects that their privacy will be respected. But privacy is not absolute. The ABC seeks to balance the public interest in respect for privacy with the public interest in disclosure of information and freedom of expression.*

**Standards:**

7.1. Intrusion into a person's private life without consent must be justified in the public interest and the extent of the intrusion must be limited to what is proportionate in the circumstances.

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## 8. Harm & offence

**Principles:** *The ABC broadcasts and publishes innovative and comprehensive content that aims to inform, entertain and educate diverse audiences. At times, this content may include material that challenges, offends or disturbs some people. The ABC has a responsibility to take community standards into account when scheduling and disseminating content, and to equip audiences to make informed choices about what they watch, hear or read.*

*The ABC also has a responsibility to treat all sections of society with respect and to avoid unnecessary prejudicial content. The ABC must balance the public interest in freedom of expression with the public interest in protecting individuals from serious harm.*

*In live programs, it is not always possible to avoid some offence being caused by unexpected or inadvertent use of words or actions by those participating or even by the live audience. The ABC has a responsibility to take steps to minimise the risk of such problems occurring during live programming and to deal with them promptly if they do arise.*

*The ABC recognises that content which is legitimately newsworthy or entertaining may also carry certain risks of exacerbating harm to individual or public health, safety or welfare. Areas of sensitivity include suicide, self-harm, kidnapping, hijacking, terrorism, and dangerous activities capable of easy imitation by children. The ABC has a social responsibility not to cause unnecessary harm when carrying out its legitimate functions to inform, educate and entertain.*

**Standards:**

- 8.1. Take into account community standards in deciding whether content that may cause harm or offence is justified by the context.
  - 8.2. When reporting tragedy or trauma, avoid causing undue distress to victims, witnesses or bereaved relatives.
  - 8.3. Where it is foreseeable that some of the likely audience may be disturbed or offended by the content, take reasonable steps to inform the audience about the nature of the content through classification labels or other warnings or advice.
  - 8.4. Minimise risks of causing harm or offence during live programming. If inadvertent or unexpected actions in a live program are likely to cause harm or offence, take reasonable steps to mitigate.
  - 8.5. Avoid the unjustified use of stereotypes that clearly condones or encourages prejudice.
  - 8.6. Where there is editorial justification for content which may lead to dangerous imitation or exacerbate serious threats to individual or public health, safety or welfare, take reasonable steps to mitigate those risks, particularly through care with how the content is expressed and presented.
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## **9. Responsibility to protect children & young people**

**Principles:** *The ABC aims to provide children and young people with enjoyable and enriching content, as well as opportunities for them to express themselves. Children and young people participate and interact with the ABC in various ways – as actors, presenters, interviewees, subjects, content makers and audience members. The ABC has a responsibility to protect them from harm that might arise during their engagement with the ABC and its content. The ABC shares this responsibility with parents/guardians and with the child or young person him/herself.*

**Standards:**

- 9.1. Due care must be taken over the physical and emotional welfare and dignity of children and young people who are involved in making, participating in and presenting ABC content.
- 9.2. When providing content and services that are designed for, likely to appeal to, or likely to be accessed by children and young people (under the age of 18), adopt appropriate measures wherever practicable to enable children and young people, or those who supervise them, to manage risks associated with their participation with, use of and exposure to ABC content and services.
- 9.3. Take particular care to avoid exposing children (under the age of 15 years) to content that may seriously disturb or distress them or is otherwise unsuitable.

- 9.4. Ensure all domestic television programs – with the exception of news, current affairs and sporting events – are classified and scheduled for broadcast in accordance with the ABC’s classification standards.
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## 10. Commercial references

**Principles:** *The ABC needs to be able to reflect the world as it is, and this involves referring appropriately to commercial organisations, products and services. The ABC’s editorial independence and integrity must be maintained.*

**Standards:**

- 10.1. References to trade names, brand names, and logos may be made where they are editorially relevant in the context.
  - 10.2. Commercial references must not be unduly frequent or unduly prominent.
  - 10.3. Product placement is not permitted.
  - 10.4. Do not state or imply that the ABC endorses any commercial organisation, product or service.
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## 11. Advertising

**Principles:** *The absence of advertisements and commercial sponsorship is one of the distinctive features of the ABC’s domestic television and radio services and has been reinforced by statute since the ABC was first established in 1932. The ban ensures that the ABC’s free-to-air programming and scheduling priorities serve the general public interest, not commercial interests. The ABC is conscious that its audiences value the ABC’s distinctive role as a non-commercial broadcaster and its non-commercial style.*

*The ABC is permitted by law to accept advertising in certain of its activities, for example its international television service.*

*The ABC Board has been of the view that the ABC will not accept advertising or sponsorship for websites operated by it as part of abc.net.au.*

*Permitted advertisements must be readily recognisable as such. In all decisions relating to advertising, the ABC’s independence and integrity are paramount.*

**Standards:**

- 11.1. Advertising on the ABC’s domestic free-to-air television and radio services, or on webpages and services offered on abc.net.au, is prohibited.
  - 11.2. Do not accept, publish or broadcast any permitted advertisement if the arrangement would be likely to bring the ABC into disrepute or cast doubt on the ABC’s independence and integrity.
  - 11.3. Where advertisements are permitted, clearly distinguish the advertisement from editorial content.
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## 12. Announcements & supplied content

**Principles:** *The prohibition against advertising has always been limited in a number of important respects. Since 1932, the ABC has been expressly permitted to broadcast on its domestic radio, and later its domestic television, services:*

- *announcements relating to ABC activities;*

- *programs supplied by any person or organisation engaged in artistic, literary, musical or theatrical productions or in educational pursuits; or*
- *programs supplied by any person or organisation that, in the opinion of the ABC Board, are not being used as advertisements.*

*The first exclusion, for example, enables the ABC to publicise its programs, products, services and other activities. The second exclusion, for example, ensures that the ABC is not prevented from airing educational programs, concerts and other performances simply because the supplier may gain some publicity by being identified with the program.*

*The third exclusion provides the ABC with flexibility in broadcasting programs supplied by organisations or persons involved in other types of pursuits where the ABC Board believes the program is not being used as an advertisement. The ABC Board has determined it is permissible to broadcast or publish certain types of promotional or informational programs, announcements or other content supplied by persons and organisations where this accords with the ABC's public service aims and objectives. Examples of content supplied by external parties which the ABC Board does not regard as advertisements include:*

- *free time election broadcasts;*
- *charity appeals;*
- *community service announcements;*
- *community events calendars; and*
- *user-generated content.*

*The ABC Board may from time to time issue enforceable standards governing the extent and manner in which such content is accepted and made available through ABC platforms.*

#### **Standards:**

- 12.1. Ensure announcements about ABC activities (including references to ABC-related commercial products or services) are produced, scheduled and broadcast or published in a style consistent with the tone and approach of the surrounding content and appropriately take into account the expectations and interests of the likely audience.
- 12.2. Free broadcast time or publication space may be provided to enable persons or organisations to communicate directly with the audience and promote public awareness provided that:
  - the supplied content is broadcast or published as a public service;
  - the supplied content is relevant to and suitable for the target audience;
  - the ABC retains editorial control; and
  - money or other consideration is not accepted in exchange for broadcasting or publishing the supplied content.

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### **13. Sponsorship & external funding arrangements**

**Principles:** *The ABC is funded by the Parliament to fulfil its charter obligations without having to rely on advertising and commercial sponsorship. At the same time, the ABC is permitted to supplement its public funding in certain ways. For example, the ABC:*

- *produces magazines and other literary material, films, recordings or other items associated with ABC content and raises revenue from these activities;*
- *accepts advertising and sponsorship on its international television service and associated radio channels, and in relation to websites and applications operated outside of abc.net.au; and*
- *can participate in subscription broadcasting and subscription and open narrowcasting.*

*The ABC is also permitted to supplement its public funding by entering into co-production and distribution arrangements and is allowed to accept funding or the use of services or facilities provided by or on behalf of Commonwealth State, Territory governments or a government authority. The ABC is committed to working collaboratively with others to extend creative offerings to the community, and to extend the reach of ABC content.*

*External funding arrangements must not undermine the ABC's editorial independence or integrity and must not distort ABC content to serve political, commercial, sectional or personal interests.*

**Standards:**

- 13.1. Do not enter an external funding arrangement relating to the production of content for dissemination by the ABC on its platforms unless satisfied on reasonable grounds that:
    - the ABC retains editorial control;
    - the arrangement is not for party political content or for news content; and
    - the independence and integrity of the ABC are fully protected.
  - 13.2. Co-production arrangements may be entered into for current affairs content provided the co-production partners are other broadcasters, bona fide producers of current affairs broadcasting content or statutory national funding bodies involved in the production of broadcasting programs. The editorial standards of such co-production partners must be in line with the ABC's editorial standards.
  - 13.3. Ensure any external funding sources are clearly identified and the relationship between the funder and the funded content is made transparent.
  - 13.4. Any credits acknowledging creative, managerial and financial contributions must be editorially appropriate, in the context.
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