STANDARDS OF PRACTICE

What are the Standards of Practice?
Each publisher member of the Council is required to commit to the Council’s Standards of Practice. The Standards are applied by the Council when considering complaints about material published by one of its members.

The Standards of Practice comprise:
• the Statement of General Principles;
• the Statement of Privacy Principles;
• a series of Specific Standards of Practice, which apply the Statements of Principles to particular aspects of media practice.

The Standards of Practice apply to text, headlines, photographs, graphics, captions, audio, video and all other forms of published material, but not to advertising.

Publishers and editors are responsible for taking reasonable steps to comply with the Standards in their print and online publications.

Publisher members are also obliged under the Council’s Constitution to cooperate with its handling of complaints. This includes publishing all Council adjudications relating to their particular publications.

What are the Privacy Principles?
The Privacy Principles cover:
• the collection and use of personal information;
• sensitive treatment of people from whom information is being sought;
• the privacy of public figures;
• correction of inaccurate information;
• protection of anonymous sources.

What is covered by Specific Standards?
The Council also issues Specific Standards, which apply its General Principles in specific contexts. The topics of the first two in the series are:
• Coverage of Suicide;
• Contacting Patients in Hospitals.

Other Specific Standards and Advisory Guidelines are under development.

The General Principles
Publications are free to publish as they wish by reporting facts and expressing opinions, provided they take reasonable steps to comply with the following Principles and the Council’s other Standards of Practice.

Accuracy and clarity
1. Ensure that factual material in news reports and elsewhere is accurate and not misleading, and is distinguishable from other material such as opinion.
2. Provide a correction or other adequate remedial action if published material is significantly inaccurate or misleading.

Fairness and balance
3. Ensure that factual material is presented with reasonable fairness and balance, and that writers’ expressions of opinion are not based on significantly inaccurate factual material or omission of key facts.
4. Ensure that where material refers adversely to a person, a fair opportunity is given for subsequent publication of a reply if that is reasonably necessary to address a possible breach of General Principle 3.

Privacy and avoidance of harm
5. Avoid intruding on a person’s reasonable expectations of privacy, unless doing so is sufficiently in the public interest.
6. Avoid causing or contributing materially to substantial offence, distress or prejudice, or a substantial risk to health or safety, unless doing so is sufficiently in the public interest.

Integrity and transparency
7. Avoid publishing material which has been gathered by deceptive or unfair means, unless doing so is sufficiently in the public interest.
8. Ensure that conflicts of interests are avoided or adequately disclosed, and that they do not influence published material.

About the Council
The Australian Press Council was established in 1976 and is the principal body that issues and promotes standards of good practice for the publication of news and comment in Australian newspapers, magazines and associated digital outlets. It is also the principal body that considers complaints about coverage of news or comment across this range of publications.

Role
The Council’s three main areas of work involve:
• developing standards of media practice which are applied by the Council when considering and adjudicating upon complaints;
• responding to complaints from the public about material that relates to news or comment in Australian newspapers, magazines, and associated online material;
• issuing statements on policy matters within its areas of interest in order to highlight the importance of community access to information and freedom of expression.

Membership
The Council has 25 members, comprising:
• the independent Chair and nine public members, who have no affiliations with a media organisation;
• eleven nominees of media organisations, including most major newspaper and magazine publishers, as well as the principal union for employees in the media industry;
• four independent journalist members, who are not employed by a media organisation.

The current Chair is Prof David Weisbrot AM. The Vice-Chairs are Hon John Doyle AC and Julian Gardner AM.

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Resources
The Council’s core funding is provided by its “constituent bodies”, which comprise News Corp Australia, Fairfax Media, Bauer Media Group, most other major newspaper and magazine publishers in Australia, as well as a growing number of online-only publishers.

Altogether, these members account for some 850 mastheads around the country.

The Media Entertainment and Arts Alliance, which represents media workers, is also a constituent body.

The constituent bodies of the Council have agreed to cooperate with the Council’s consideration of complaints and to publish any resultant adjudications. They also select the industry nominees on the Council.

The Myer Foundation has in the past provided project funding, as have several of the constituent bodies.

The Council has a secretariat based in Sydney. Council meetings are usually held in Sydney, but the Adjudication Panel often meets in other cities.
WHAT WE DO

Overview

The Council pursues its goals by:

• considering complaints about material in newspapers, magazines and online outlets;
• encouraging initiatives to address the causes for readers’ complaints and concerns;
• developing and monitoring Standards of Practice for print and online media;
• making public representations on matters concerning freedom of speech and access to information;
• undertaking research about matters affecting the media sector and freedom of speech;
• promoting understanding of the workings of Council within the media and the community.

Complaints

Complaints may be made to the Council about the print and online publications of any of its publisher members. These members are responsible for publishing almost all Australian newspapers in Australia, as well as most magazines and most of the leading news websites. In some circumstances, complaints against other publications may be considered.

More than 800 people lodge complaints with the Council each year. Many complaints result in a correction, apology or some other form of action being taken due to the involvement of Council staff. Where the complaint cannot be resolved without going through the formal adjudication process, the publisher is required to publish the adjudication promptly and with due prominence.

Policy

The Council issues statements on policy matters within its areas of interest, through submissions to parliamentary committees, commissions and other public bodies. It also undertakes research and convenes or participates in conferences and seminars on policy issues.

In recent years, the Council has focused on issues such as freedom of information, freedom of expression, privacy, protection of whistleblowers, metadata collection and retention, as well as defamation law reform.

Who can complain?

Any person or organisation can make a complaint. Where the complainant was not personally identified or directly affected, some special procedures apply.

What kinds of complaints can be made?

Complaints may relate to news reports, articles, editorials, letters, cartoons, images and other published material. The Council does not consider complaints about advertising material, except where the complaint is that the material is not clearly identifiable as advertising.

Where it is more appropriate for a complaint to be dealt with by another organisation, the Council will suggest that the complainant raise the matter with that organisation. This may occur where, for example, the complaint relates to advertising, or to a broadcast on radio or television.

Complaints are treated by the Council as being against the publication, not any individual journalist or editor. But in most complaints the Council’s consideration is likely to focus on the actions of journalists, editors or other media practitioners.

When should a complaint be made?

A person can complain to the Council without having previously raised the matter with the publication. In some cases the Council may then ask the complainant to raise it first with the journalist, editor or whoever at the publication is responsible for handling complaints. Complaints must usually be made within thirty days of the first publication of the relevant material. A longer period may be allowed where, for example, there is a reasonable justification for the complainant not having previously noticed the material or the complaint involves a number of articles over a lengthy period or the complainant has spent time unsuccessfully seeking a response from the publication.

How should a complaint be made?

Complaints should be made by completing the Council’s Complaints Form (available on its website or by contacting the secretariat for a copy) and submitting it online or by email, fax or post. If it is difficult to

Further details of the processes for receiving and considering complaints are available on the Council’s website. www.presscouncil.org.au/complaints

Legal representation is permitted only in exceptional circumstances by complainants themselves, or their family or friends.

How are complaints handled?

The Council’s staff investigate complaints and, if they think a breach of the Standards may have occurred, obtain a response from the publication in question. The complainant may then be asked to comment on that response.

Staff may help to negotiate an agreed remedy, such as a correction or a letter to the editor. The complaint may be referred to the Council’s Adjudication Panel, most members of which do not come from the media industry. In such cases, the final adjudication must then be published prominently by the publication in question.

The Council has no power to order compensation, fines or other financial sanctions. However, where a complaint is upheld, the adjudication may also include a call for apologies, retractions, corrections or other specified remedial action by the publisher.