



Advisory Guideline Letters to the editor

The Press Council accepts that editors are not obliged to publish letters on demand (whether in print or online).¹ It is the prerogative and responsibility of editors—guided by fairness,² balance³ and the public interest in facilitating diverse and robust expressions of opinion⁴—to select letters for publication.

The editor's prerogative includes editing letters for length, grammar or legal reasons, among other considerations, although such editing should not change the meaning or tenor of a letter. Where significant changes are made, the author of a letter should be advised of the proposed changes before publication.

Letters to the editor are most often submitted simply as expressions of opinion by readers. Less frequently they are used as a remedial tool to address perceived inaccuracy, imbalance, or other problems in previously published material. When editing letters that are to be published either as expressions of opinion or as remedial action, the final text should include the major elements of an issue about which a reader has expressed an opinion or to which a complainant has sought to respond. They should also be published within a reasonable time of the publication having received the letter.⁵

Where views are to be published for reasons of accuracy, fairness, balance or public interest but the submitted letter is for some reason unpublishable, editors are encouraged to contact authors to discuss alternatives, such as shortening or redrafting.⁶

Letters to the editor may form part of a publication's effort to meet the requirements outlined in some of the Press Council General Principles, such as GPs 2 and 4, and such use may be noted explicitly in Press Council adjudications.⁷

A published letter to the editor, however, will not always be an adequate response by a publication to inaccuracy, unfairness or lack of balance in a problematic article or series of articles.⁸ In particular, where an error or inaccuracy is serious and indisputable, the publication should publicly and promptly make the correction in its own name, rather than treat it as a difference of opinion that can be adequately remedied by publishing a letter to the editor.⁹

The Press Council encourages editors to set aside a regular place in their publications, or on their websites or online editions, where letters to the editor may be seen readily. It is important that letters to the editor can be located easily by readers, especially when letters are used for some remedial purpose.¹⁰

Reasonable steps should be taken to verify the identity of a letter's author before it is published; for example, by contacting them by telephone or email. Certain personal details related to the author of a letter to the editor, such as home or work addresses and phone numbers, must not be published unless the author of the letter has expressly requested their publication. Many publications publish the suburb of the author of a letter to demonstrate, in part, they are a genuine author, their identity has

¹ Adjudication No. 1526 (April 2012).

² Adjudication No. 1547 (August 2012); Adjudication No. 1520 (March 2012).

³ Adjudication No. 1623 (August 2015).

⁴ Adjudication No. 1661 (November 2015).

⁵ Adjudication No. 1678 (November 2016).

⁶ Adjudication No. 1630 (March 2015); Adjudication No. 1526 (April 2012); Adjudication No. 1523 (March 2012); Adjudication No. 1520 (March 2012).

⁷ Adjudication No. 1522 (March 2012).

⁸ Adjudication No. 1640 (June 2015); Adjudication No. 1598 (July 2014); Adjudication No. 1602 (May 2014); Adjudication No. 1592 (March 2014); Adjudication No. 1553 (October 2012); Adjudication No. 1540 (June 2012).

⁹ Adjudication No. 1640 (June 2015); Adjudication No. 1592 (March 2014); Adjudication No. 1540 (June 2012).

¹⁰ Adjudication No. 1598 (July 2014).

been checked, and to differentiate them from anyone else of the same name. This is considered acceptable practice. A failure to respect an author's request to withhold the author's name may constitute a serious breach of privacy.¹¹

In election periods, when other legal requirements may apply,¹² the Press Council encourages publications to confirm with authors their understanding of the requirements to publish contact details, and to offer them the opportunity to provide alternative contact details or withdraw their letters should they not wish to proceed.¹³

Editors also need to take particular care in selecting and editing letters during election periods, including consideration of the timing of the publication of letters to allow adequate time for reply before an election day where letters refer adversely to a candidate or other relevant person..

Special care should also be taken in editing letters from political candidates, in order to avoid allegations that changes misrepresent a candidate's position. It is preferable to discuss with the candidate beforehand the form a letter will take for publication. If an agreement is not reached, a publication can decline to publish the letter.

Some publications adopt a policy during election periods about not publishing letters from candidates. When such policies are adopted, it is incumbent upon publications to advise their readers of the existence of the policy and to maintain it throughout the election period.¹⁴

¹¹ Adjudication No. 1639 (March 2015).

¹² Adjudication No. 1694 (December 2016).

¹³ Ibid.

¹⁴ Adjudication No. 1393 (June 2008).

Relevant Adjudications

Adjudication No. 1393 Bates/Central Tele (June 2008)

<http://www.presscouncil.org.au/document-search/adjudication-no-1393-bates-central-tele-june-2008/>

- 'Mr Bates a mayoral candidate in elections for the Banana Shire complained of four matters arising during the election campaign.'
- 'The newspaper provided each candidate with equal and fair editorial coverage and made provision for each candidate to run a large introductory article.'
- 'The Council believes editors have the right to ensure balance in publishing electoral material and in this case believes the newspaper has not breached Council principles.'
- 'Mr Bates also complained that a letter to the editor he had sent containing criticism by the Queensland Ombudsman of the shire council was not published. The newspaper responded that it had a policy not to publish letters from any mayoral candidate during the election campaign.'
- 'In the Press Council's view, such a policy is reasonable but, particularly in a community newspaper, any such policy should be clearly notified by the newspaper.'

Adjudication No. 1507: Prof Donovan and Prof Wilkes/The Australian (September 2011)

<http://www.austlii.edu.au/au/other/APC/2011/18.html>

- The Press Council has concluded that the 2011 article was inaccurate because it gave the impression that the earlier complaint and adjudication had been solely about the photograph. In fact, the caption had been an essential element, as had the letters based on the caption.

Adjudication No. 1520: Anthony Shaw/Moorabool News (March 2012)

<http://www.austlii.edu.au/au/other/APC/2012/2.html>

- "The Press Council concluded that the newspaper was not obliged to publish Mr Shaw's article or some other favourable story about the classroom opening. It was fully entitled to report Mr Shaw's submission to the parliamentary committee. However, it should have specifically asked Mr Shaw whether there had been any relevant change in the 15 months or so since his submission, especially as it had reason to believe that his views might have changed, and should also have asked about the steps."
- "The newspaper was entitled to report claims that schools had been ripped off by roting of the BER. But there was not sufficient ground for its implication that Mr Shaw had supported allegations in such terms. It also should have printed his letter or explained why it would not do so. The letter could have been edited readily to achieve appropriate length and content."

Adjudication No. 1522: Linda Smith/The West Australian (March 2012)

<http://www.austlii.edu.au/au/other/APC/2012/4.html>

- "After hearing of Ms Smith's complaint, the newspaper offered to consider publishing a letter from Ms Smith setting out her point of view. She did not take up the offer because she thought the newspaper should seek contributions from people with expert qualifications."
- "In this instance, the Council concluded that any differences were within justifiable limits and accordingly the complaint relating to lack of balance is not upheld. The Council welcomed the newspaper's offer to publish a letter from Ms Smith."

Adjudication No. 1523: Michael Atkinson/The Advertiser (March 2012)

<http://www.austlii.edu.au/au/other/APC/2012/5.html>

- “The Press Council concluded that there are strong grounds for arguing that the term "censor" is an inaccurate or unfair description of the effect of legislation which does not prevent people from expressing themselves on the internet but simply requires them to provide their names in the same way as has long applied to letters in newspapers. In any event, having used such a strong and disputable term, the newspaper had a clear obligation to publish Mr Atkinson's letter or discuss with him ways in which it could be edited for inclusion.”

Adjudication No. 1526: Senator Bob Brown/The Examiner (April 2012)

<http://www.austlii.edu.au/au/other/APC/2012/8.html>

- “The Council concluded that Sen Brown would probably have been entitled to publication of a letter refuting the assertions in the Ta Ann letter, but his letter did not substantially do so. In some circumstances, a newspaper might reasonably be expected to help a correspondent rephrase an attempted reply into a publishable letter. But this does not apply to an experienced correspondent in circumstances of this kind. As there were no other grounds for limiting in this case the general editorial discretion about which letters to publish, the complaint was not upheld.”

Adjudication No. 1540: Cr Colin Hampton/The Herald Sun (June 2012)

<http://www.austlii.edu.au/au/other/APC/2012/22.html>

- Following a misrepresentation of statements in an article, “a newspaper in this situation should promptly and publicly acknowledge its mistake, not merely offer to publish a letter putting the other side”

Adjudication No. 1547: Nigel Jackson/The Weekend Australian Magazine (August 2012)

<http://www.austlii.edu.au/au/other/APC/2012/29.html>

- “The Council has also concluded that the magazine should have published Mr Jackson's letter, which provided cogent evidence in relation to serious allegations against Mr Butler. The two published letters from other sources addressed aspects of the column which were unrelated to Mr Jackson's concerns and arguably were of substantially less gravity. His letter was not inappropriately long, incoherent or intemperate. Accordingly, the complaint about failure to publish the letter is upheld.”

Adjudication No. 1553: Andrew Wilkie/Launceston Examiner (October 2012)

<http://www.austlii.edu.au/au/other/APC/2012/35.html>

- “The Council also notes that an acceptable outcome might have been achieved if Mr Wilkie had sought and been given a right of reply in a prominent article, thereby allowing a somewhat complex issue to be addressed more effectively than in a letter to the editor. This would not, however, have removed the need for the newspaper to correct clear inaccuracies.”

Adjudication No. 1578: Cr Len Roberts/Myall Coast News (November 2013)

<http://www.austlii.edu.au/au/other/APC/2013/18.html>

- “The Council has urged publications to be wary of causing unfairness by publishing critical material about an election candidate when there will be no opportunity to publish the candidate's response before the election. Cr Roberts' subsequent letter was in a form that would have needed editing before being reasonably publishable. But as the impending edition was the last before the election, and his previous letter had been published much earlier, the newspaper should have avoided unfairness by either declining to publish the constituent's letter in that edition or seeking agreement with Cr Roberts on an edited version of his response to be published at the same time.”

Adjudication No. 1592: Jamie Parker/The Sunday Telegraph (March 2014)

<http://www.austlii.edu.au/au/other/APC/2014/5.html>

- “The Press Council considers the error to be indisputable and serious. The publication should have acknowledged the error in its own name, not merely offered an opportunity for Mr Parker to write an article or letter asserting his own view. It also should have ensured that the correction was appropriately prompt and prominent. Accordingly, the complaint is also upheld on these grounds.”

Adjudication No. 1598: Cameron Byers and Others/The Australian (July 2014)

<http://www.austlii.edu.au/au/other/APC/2014/21.html>

- Article published with erroneous reporting of climate change statistics
- Letter submitted by a professor of atmospheric science pointing out the errors printed – but “placed fifth amongst six letters published on that day” under a general heading
- Complainant “said Professor Karoly’s letter should have been given more prominence and should have alerted the publication to the need to check carefully whether the claim in its original report was accurate before publishing an editorial which repeated the claim. He also said the online “Clarification” should have been headed “Correction”, both it and the print correction should have been published much earlier, and the print correction should have been more prominent.”
- “Given Professor Karoly’s expertise and the importance of the issue, his letter should have triggered a prompt and thorough investigation by the publication. Instead, the error was repeated in an editorial on the page opposite his letter. Moreover, his letter was published below other letters which assumed the original article was true and under a collective heading which reflected their views, rather than his correction.”
- “The Council considers the gravity of the erroneous claim, and its repetition without qualification in the editorial, required a correction which was more substantial, and much more prominent than a single paragraph in the lower half of page 2. The heading should also have given a brief indication of the subject matter in order to help attract the attention of readers of the original article (and editorial), and thereby meet the Council’s long-standing requirement that a correction “has the effect, as far as possible, of neutralising any damage arising from” the original article.”

Adjudication No. 1602: Complainant/The Chronicle (May 2014)

<http://www.austlii.edu.au/au/other/APC/2014/13.html>

- Publication of letters with alternative views not enough to balance out “prominent” and “overwhelmingly positive” comments within an article, these views should have been published in article form also
- “On the day after the article in question, the paper published “10 of the best reader views”, six in support of the airport and four opposed. A number of comments were posted below the online version of the article. Of these, several raised questions about noise levels. These questions were not addressed in later editions.
- “In addition, while the Council’s Principles do not require complete, or almost complete, fairness or balance, the comments by Dennis Wagner were so prominent and so overwhelmingly positive, some attempt should have been made to include alternative views, such as those evident in letters and reader comments.”

Adjudication No. 1623: Dale Gietzelt/The Weekend Australian (August 2015)

<http://www.presscouncil.org.au/document-search/adj-1623/>

- Breach due to lack of balance; failure to publish any submitted letters that were critical of the article was contributory to the breach
- “Ms Gietzelt also complained that the articles were unfair and unbalanced because her opportunity to comment before publication was provided at unreasonably short notice and on very limited aspects, and because the article did not summarise the basis of the denials by her father and his family that he was ever a member of the Communist Party with sufficient prominence. She said the newspaper also failed to publish any of several letters which were subsequently submitted by critics of the articles.”
- “The Council considers that the detailed nature of the articles, including new evidence, meant that Ms Gietzelt should have been given more detail and a longer period than what was effectively only a few waking hours to comment before publication, especially as it occurred at a time of grief. This applies even though the journalist could readily predict the general theme of her likely response. Also, the basis of denials by her father and his family should have been reported in greater detail and more prominently. Failure to do so made it unreasonable not to publish any of the critical letters which were subsequently sent to the newspaper, especially as the articles were lengthy and included serious allegations.”

Adjudication No. 1630: Jane Butler/Macedon Ranges Free Press (March 2015)

<http://www.austlii.edu.au/au/other/APC/2015/8.html>

- The publication said the second letter by Ms Butler was too long to be published, and that she had had a fair opportunity to express her views in the publication and in public meetings. It also said the letter was inappropriate because the issue had become a legal matter due to her lawyer speaking with the Shire Council’s lawyer.
- The Press Council’s Standards of Practice require that if an article has not been fair and balanced, the publication must provide a reasonable and swift opportunity for a balancing response in an appropriate section of the publication. The Council agrees that the publication was justified in rejecting Ms Butler’s second letter as much too long to be published. But it considers that, in the particular circumstances of this case, the publication should have discussed with her the possibility of providing a shorter version which could be published. Accordingly, this aspect of the complaint is also upheld.

Adjudication No. 1639: Complainant/The Observer (Gladstone) (March 2015)

<http://www.austlii.edu.au/au/other/APC/2015/7.html>

- “The complainant said that when submitting the letter she explicitly requested that her name and address be withheld to avoid possible adverse effects on her employment. She said the publication nevertheless published her name with the letter, thereby causing severe repercussions from her employer of which the letter had been critical.”
- “The Council considers that publishing the complainant’s letter with her name was a very serious and damaging breach of privacy. The request to withhold her name was clear, and there was no ground on which failure to do so could be justified as in the public interest. Accordingly, the complaint is upheld.”
- “The Council welcomes the publication’s apology to the complainant. It also welcomes the steps which the publication says have been taken to avoid similar mistakes in future. In the absence of these responses, a formal censure might well have been considered necessary in light of the gravity of the mistake and its predictable consequences.”

Adjudication No. 1640: Complainant/The Australian Financial Review (June 2015)

<http://www.austlii.edu.au/au/other/APC/2015/18.html>

- Term “gender pay gap” defined and measured differently in article to in a government report
- Publication claimed the error would have been adequately addressed if the complainant had written a letter to the editor, which it would have published

- “Where an inaccuracy is significant and not reasonably disputable, as in this case, it is usually necessary for the publication to make the correction in its own name rather than to treat it as if just a dispute between two opinions that can be remedied adequately by publishing a letter to the editor”

Adjudication No. 1646: NECA/The Australian (June 2015)

<http://www.presscouncil.org.au/document-search/adj-1646/>

- “NECA said it wrote a letter to the publication after the first article to draw its attention to these inaccuracies and concerns. However, it was not published, nor were these aspects of the article clarified or corrected in any subsequent articles. It said the publication of a short letter by a former state director of NECA, several weeks later, was not an adequate response to the issues raised.”
- “Council also considers that NECA’s letter of 10 September raised claims of serious inaccuracies, but this was not remedied in the second article on 27 September. The first article contained references which were significantly adverse to NECA and the publication had an obligation to provide a fair opportunity for it to respond. Rather, the only response published by the publication was several weeks after publication of the contentious claims and was from a former state director of the Association. Accordingly, Council concludes that reasonable steps were not taken to provide a published response from NECA or other adequate remedial action and these aspects of the complaint are also upheld.”

Adjudication No. 1661: Complainant/The Daily Advertiser (November 2015)

<http://www.presscouncil.org.au/document-search/adj-1661/>

- Publication of letters to the editor that expressed anti-gay marriage views
- “The publication said it was regrettable that the letter caused offence. However, it said the risk of causing offence to some readers must be balanced with its duty to frame the debate around issues of public importance. It said both items were published in the context of the national debate on same-sex marriage, and had been part of a number of letters and articles published on the issue over the course of several months.”
- “Although the Council accepts that some of the views expressed in both the letter and the column may have caused significant offence to a number of people, it considers that the publication clearly treated the overall material as part of a long-running series of articles presenting a broad range of views (some strongly expressed and controversial) within a responsible and balanced debate. It has also published a number of critical responses subsequent to the publication of the column.”
- “The Council concludes that the articles were not so offensive as to outweigh the public interest in allowing robust expressions of opinion on issues of national debate.”

Adjudication No. 1663: Jennifer Rankine/The Australian (March 2016)

<http://www.presscouncil.org.au/document-search/adj-1663/>

- Complaint regarding unpublished letter to editor (amongst other things)
- “In considering whether the complainant was provided a fair opportunity to respond to what was reported, the Council takes account of the publication’s attempts to solicit comments, the substance of the article published on 5 May, and that the letter to the editor submitted by the complainant in substance focuses on the principal issues addressed in that article. The Council concludes that no case had been made for any further correction and accordingly, this aspect of the complaint is not upheld.”

Adjudication No. 1664: Michael Sutherland/The Sunday Times and Perth Now (March 2016)

<http://www.presscouncil.org.au/document-search/adj-1664/>

- “The complainant said when he endeavoured to address the matter directly with the publication, he was offered the opportunity to write a letter of about 200 words for the paper on the functions of the Speaker’s office. He said this was unsatisfactory because the articles had unfairly implied he had appropriated funds on his personal expenditure, and that this went beyond what could be corrected by an article explaining the general role of the Speaker.”
- “The Council accepts the publication’s offer to publish a 200 word letter from the complainant provided an adequate opportunity for him to respond to the matters raised in the article. Accordingly, these aspects of the complaint are not upheld.”

Adjudication No. 1678: Lost Dogs Home/The Age (November 2016)

<http://www.presscouncil.org.au/document-search/adj-1678/>

- “The complainant also said the newspaper initially invited it to submit an opinion piece when it raised concerns, but the newspaper was only prepared to publish its response as a shorter letter to the Editor and this did not adequately present its position, and was published a week after the article.”
- Complaint not upheld: “the Council considers the published letter to the Editor included the major elements to which the complainant sought to respond and was published within a reasonable time, and accordingly this aspect of the complaint is not upheld”

Adjudication No. 1684: Complainant/The Sydney Morning Herald (July 2016)

<http://www.presscouncil.org.au/document-search/adj-1684/>

- Use of letters as part of remedial action following publication of offensive and inaccurate article
- “The publication also pointed out that it had published apologies in print and online and through its social media channels on 29 February, and also published additional articles and letters which were highly critical of its original decision to publish the article and its content.”
- “Although the original decision to publish the article was deeply regrettable, given the subsequent steps taken by the publication, including its publication of critical articles and letters, the Council does not consider that there was a failure to provide adequate remedial action.”

Adjudication No. 1694: Michelle Goldsmith/Bendigo Weekly (December 2016)

<http://www.presscouncil.org.au/document-search/adj-1694/>

- Publication of author’s residential address alongside letter to the editor
- Author was candidate in local government election, subject matter of letter was compulsory voting
- Publication implemented a policy following AEC guidelines that election-related comment should be accompanied by contact details (later admitted they had incorrectly interpreted the guidelines)
- Upheld: “the Council considers that the publication could have contacted the complainant prior to publishing the letter and advised her of the new policy. It also could have advised that it proposed to publish the letter with her address and given her an opportunity to withdraw the letter or seek a different outcome. The Council concludes that the publication failed to take reasonable steps to avoid intruding on a person’s reasonable expectations of privacy or contributing to substantial offence, distress or prejudice, or a substantial risk to health or safety in this respect. Any public interest in the complainant’s address was not sufficient to justify the intrusion and the risk and General Principles 5 and 6 were breached.”