

ICJS

- ***Dossier on ABC complaints handling in reporting on Israeli matters***
 - ***Jenin - Peter Cave***
 - ***Siege of Arafat - Peter Cave***
 - ***Sbarro Pizza bombing - Tim Palmer***
- ***Suicide bombing 28 Oct 02 - Mark Willacy***
 - ***Media Report - Pilger***
 - ***Terrorist vs Militant***
 - ***News on ABC Web site***
- ***This dossier documents correspondence between the ABC and nine complainants***

Updated 6 April 2003

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1.1 Introduction

JABM documents the ABC's failure to provide satisfactory results in response to complaints about quality, accuracy and bias.

Abstract

The Australian Broadcasting Corporation (ABC) is funded by the Australian Government to provide Australia with a high standard innovative and comprehensive broadcasting service that contribute to a sense of national identity and inform and entertain, and reflect the cultural diversity of the Australia.

However, when the Australian public expresses misgivings about the ABC's offerings, ABC practices show a pattern of deflecting criticism and defending the ABC's values.

Middle East

One such issue emerged after Yassir Arafat's abandonment of Camp David Peace negotiations in 2000 and the Palestinian Authority's decision to launch the Oslo Intifada. The Arab/Israel conflict attracted much attention from western media sources. The ABC also increased its coverage of this modern asymmetrical war.

JABM members wrote to the ABC about the trends in the quality, accuracy and bias of the reporting from Israel. These complaints centred on the work of ABC correspondents reporting from Jerusalem in the period from 2001 and 2002.

JABM details specific case studies in this dossier. Some of the studies focused on correspondent Peter Cave's coverage of the events in Jenin. One study dealt with unsubstantiated news sources. A further study traced the false symmetry between perpetrator and victim drawn by Tim Palmer. Another study detailed the bias inherent in the basic language structure of news reports — passive - active.

Failure of complaint systems

Only one of the ABC replies has resulted in a satisfactory outcome. The rest of the ABC's responses suggest that the ABC has a culture of denial about complaints. This is particularly disempowering in light of the ABC's advertising slogan "Your ABC".

ABC's website shows that on 4 July 2002, ABC Managing Director Russell Balding sent a letter titled "Sticking up for Auntie" to The Australian newspaper. The tenor of this letter was a general justification for the ABC's behaviour and was defensive about the existing complaints procedure.

However, by late August 2002, the groundswell of public unhappiness about the ABC refusal to acknowledge public complaints reached the point where the Mr Balding appointed ABC Victorian director Murray Green to oversee the Complaints Review Executive and a new complaints procedure.

The case studies in the JABM dossier were presented to the ABC as candidate subjects for the new complaints procedures. Except for form letter acknowledgements, the ABC did not provide even a reference number to facilitate follow-up by either the old or the new complaints procedure.

In the view of JABM, the failures are symptomatic of the ABC's culture of resistance to accountability and suggest that executive intervention is needed more than ever before.

Dean Michel - Church of Nativity

1.2 Dean Michel - Church of Nativity

Dean Michel to ABC

From: dean.michel@didata.com.au
Subject: Lateline 03/04/02
Submitted on Thursday, April 4, 2002 at 12:57:01

I refer to the ABC's lateline edition on the 3rd April 2002. I found your programme to be highly biased and totally offensive with regards to the ongoing drama unfolding in the middle east. Firstly, I must say that your reporter on the scene Tim Palmer had absolutely no substance behind his matter. He reported what the Palestinians "claim" happened. Surely he should be reporting the facts and not the claims. He gave us a detailed description of the Palestinian woman that was "allegedly shot by IDF soldiers, why did he fail to mention the Israeli policeman that was killed by a suicide bomber the same day??

Secondly, you have a 10 minute biography on Yasser Arafat, chairman of the Palestinian Authority, you insist on glorifying him!! why? do you know just yesterday he ordered his security forces to murder 7 of his own Palestinian people because he thought they were collaborating with Israel. This is a fine example of what kind of man you are trying to make a hero out of.

Thirdly, why is it that you have a spokesman for the Palestinian side and not the Israeli side? What kind of propaganda are you airing on your station. This Afif Safieh you had on your show had no right to be on National Television, he sat in his seat inciting Australian Muslims to get involved in the violence.

I am totally dismayed and disgruntled at your total bias towards the situation in the Middle East.

ABC to Dean Michel

*From: lateline <lateline@your.abc.net.au>
To: davejess99@hotmail.com (by way of ABC News Online ve-jess99@hotmail.com) Subject: Re: Lateline 03/04/02 Date: Thu, 04 Apr 2002 17:03:22 +1000*

Thanks for your email and comments. We do appreciate it. Just to let you know that we did have on our show on Monday and Tuesday night the Israeli point of view.

Cheers, Lateline

1.3 Ralph Zwier: Jenin

Ralph Zwier to ABC

JohnTulloh
International Editor,
ABC BOX 9994
Sydney 2001

16th August 2002

Dear Sir,

I write to you to voice my concerns about "Correspondent's Report" 4th August:

The ABC has a responsibility to present a range of views in its opinion items, including the mainstream view. It appears to me that Peter Cave in Correspondent's Report 4th August 2002 does not properly enunciate the mainstream view.

This mainstream view is that:

- (1) Fierce fighting took place in Jenin April 2002
- (2) Terje Roed-Laarsen and Saab Erekat claimed that there was evidence of a "massacre". The claim was promulgated throughout the international media.
- (3) The U.N. wanted to investigate the claims
- (4) The Israeli authorities gave objections to the U.N.
- (5) The U.N. went ahead and conducted an investigation in spite of the objections
- (6) The results of the investigation indicated no substantive evidence of a "massacre", with the number of deaths reported consistently by both sides of the conflict at less than 60 persons.

I do not seek to claim that none of this can be challenged. It can, and should. However, it should have been presented as the prevalent, credible interpretation.

In fact, Mr. Cave leaves the listener with the IMPRESSION that, on balance, Terje Roed-Larsen's and Saab Erekat's claims are probably correct, and the Israelis massacred many more people. This impression is created through innuendo.

In its middle-east coverage the ABC needs to "bend over backwards" to be fair to both sides of the conflict, especially as passions on both sides are easily

Ralph Zwier: Jenin

inflamed. It is particularly important that journalists don't "beat up" a story on one side or the other unless they can substantiate their position.

By saying "...well yes there was ..." a massacre in Jenin, Peter Cave represents a view that is not mainstream.

Could you please examine the following:

1. Was Mr. Cave simply presenting his own opinions, which are not consistent with the mainstream interpretation of events?
2. Do Mr. Cave and the ABC have any obligation to contribute constructively to community discussion in general and the Middle East debate in particular?
3. Does the ABC believe that this item contributed in any constructive way to the Middle East debate?

Could you let me know your findings on these three questions.

I am unfamiliar with your complaints procedure, but I would hope that an independent person will examine my complaint and comment objectively on its merits, taking into account anything which the producers of Correspondent's Report have to say. I would NOT be satisfied if the independent person simply presents me with the other side's view. I want him/her to COMMENT on the relative merits of the points raised.

I would also be happy to bypass any formal complaints procedure and discuss my concerns face to face with the appropriate person in Melbourne.

Yours Faithfully

Ralph Zwier

ABC to Ralph Zwier

August 30th 2002

Dear Mr Zwier,

Thank you for your letter of August 16, 2002.

In response to your specific questions:

No, Mr Cave was not simply presenting his own opinions. He referred to dictionary definitions of 'massacre', gave an account of what he personally saw when he was reporting from Jenin, and presented comments from both Israeli and Palestinian spokesmen on the subject. He explained in his report what he saw and heard, and offered his conclusion that what happened in Jenin was a 'massacre' in the dictionary sense.

It is the obligation of the ABC and its staff to be fair, balanced and accurate in whatever they report as news. Constructive? If that means ignoring facts which one side or the other might find disagreeable, then it is not our role to be 'constructive'. But if by constructive you mean 'fair, balanced and accurate', then our journalism aims to be constructive.

The item was literally, a 'correspondent's report'. News at any time contains many official and unofficial reports, opinions, claims etc., but when we send our reporters to witness and report on the news, we can also rely on what they saw and what they understand the truth of an event to be. Such is this case. As I have noted in point 1, the correspondent is not simply presenting an opinion; he relied on objective points of reference and the evidence of his own eyes. By the same token, his report, fundamentally, was about the difficulty of getting to the truth of such events.

Yours Sincerely

*John Tulloh
Head, International Operations
ABC News and Current Affairs*

Ralph Zwier to ABC

JohnTulloh
Head, International Operations
ABC News and Current Affairs
BOX 9994 Sydney 2001
10th September 2002

Dear Sir,

Ralph Zwier: Jenin

I refer to my letter dated 16th August 2002, and your response dated 30th August 2002. I have re-read my letter to you, your letter to me, and I have once again listened to the transcript of the program available on the Internet. In light of this I cannot see that the ABC's response could be said to be satisfactory.

I wish to take the matter further. Could you suggest how I may now proceed.
Sincerely

Ralph Zwier

Ralph Zwier to ABC

Murray Green,
Complaints Review Executive,
ABC, PO Box 9994
Melbourne 3001

24 September 2002

Dear Mr Green,

Mr John Tulloh suggested that I write to Kirsten Mcleish regarding a complaint I have made which has not been satisfactorily dealt with. Following my telephone conversation with you I am passing the correspondence straight to you. I enclose the complaint, which concerns an assertion made by Peter Cave on Correspondent's Report August 4th that there was a massacre in Jenin. I know that there was no massacre, but the complaint I made has not been respectfully answered. As I intimated in our conversation, I am concerned about the complaints procedure itself.

To be as brief as possible the answer which John Tulloh sent me back:

1. Does not mention the core theme of the complaint: mainstream interpretation vs non-mainstream.
2. Ignores my third-last sentence: "I would NOT be satisfied if the independent person simply presents me with the other side's view". That is exactly what Tulloh has sent me - the other side's view.
3. Fogs and mystifies the clear distinction between fact and opinion in his answer to my question 1. Your listeners needed to know whether a massacre re-

ally happened or not. The subtleties of dictionary definitions of massacre served (both in the original program AND in Tulloh's response to my complaint) to muddy and cloud over whether a massacre actually happened or not.

[Each time I listen to the transcript of the program I think: "Does he actually believe that a massacre took place?? Or does Cave actually believe that WE DON'T KNOW??" What Cave really believes is not fathomable from the program. What really occurred is also not fathomable from the program. The only thing that emerges from the program is the IMPRESSION that a horrific massacre occurred, but has been covered up]

4. Is inconsistent with other ABC statements in the answer to my question 2, where Tulloh says: "... Constructive? If that means ignoring facts which one side or the other might find disagreeable, then it is not our role to be 'constructive'." Sometimes the ABC says that it has an overriding obligation to be constructive, which is why it will not publish offensive (but true) material - if it sees no constructive value in so doing.

Regarding this 4th point above, the program presented material which was not factual, AND not constructive to the Middle East debate. It was even a little offensive if the listener was pro-Israeli. I do not know how it proceeds from here, but I would like to have a face-to-face short discussion with you about how I see a good complaints procedure working

I have some excellent, constructive and easy-to-implement ideas on the matter. I draw your attention to the second last paragraph of my original complaint, and I seek some kind of objective assessment of the points that I raise vis a vis the points that Tulloh raises.

Sincerely

Ralph Zwier

Ralph Zwier: Jenin

Ralph Zwier to ABC

Murray Green,
Complaints Review Executive, ABC,
PO Box 9994 Melbourne 3001
10 October 2002

Dear Mr Green,

Further to our conversation on Monday 7th October 2002, I have received information from two more people who have used the ABC complaints procedure. This makes a total of four sets of correspondence which I have in my hand from dissatisfied complainers. In three cases out of four, the response has not addressed the content of the complaint. In one case out of four the response has even contained untrue information on completely non-controversial matters.

In no cases out of the four has the ABC acknowledged any validity in the complainer's case. In no cases out of the four has the ABC acknowledged that there ARE other points of view on matters relating to Israel's actions.

In addition to the above the ABC has not pointed the complainers to any OTHER ABC material which may have served to redress the perceived imbalance.

In my correspondence to yourself and to Tulloh, I have respectfully requested a face to face meeting. Last Monday I asked you over the telephone for an appointment to discuss the matters of two of the complaints. I now have four complaints, and the complainers have agreed to allow me to show you their complaints, and discuss the ABC responses with you.

I wish therefore to set up an appointment prior to your determinations so that you can understand the full goings-on of the complaints procedure which you oversee. Please let me know when I can meet with you.

Sincerely

Ralph Zwier

ABC to Ralph Zwier

*From: ABC
Australian
Broadcasting
Corporation*

Corporate Affairs

*ABC Ultimo Centre
700 Harris Street
Ultimo NSW 2007
GPO Box 9994
Sydney NSW 2001*

*Mr Ralph Zwier
1A Sagamore Court
Caulfield
VIC 3162*

Dear Mr Zwier

Thank you for your letter of 24 September 2002 regarding Peter Caves segment on Correspondents Report on 4 August 2002 and your further letter of 10 October 2002 regarding the ABCs complaints processes. Mr Green has referred your letters to me for response. Please accept my apologies for the delay in responding to you.

The ABC has recently revised its procedures for handling program complaints. Under these new procedures, complaints should be directed to ABC Audience & Consumer Affairs in the first instance. If you are dissatisfied with a response that you receive from Audience & Consumer Affairs, you may seek a review of your complaint by the ABCs Complaints Review Executive, Mr Murray Green. Should you wish to make any further complaints to the ABC in future, I would encourage you to write directly to ABC Audience & Consumer Affairs, GPO Box 9994, Melbourne. You may also wish to advise your colleagues who are dissatisfied with responses that they have received from the ABC that Audience & Consumer Affairs is the appropriate unit to approach in the first instance.

The ABC regrets that you were not satisfied with the response you received to your initial complaint. I have reviewed Mr Tulloh's response to you and while I acknowledge your disappointment, I believe that Mr Tulloh was sincerely attempting to respond to the specific questions you had posed.

Ralph Zwier: Jenin

As Mr Tulloh has advised, Peter Caves item was, literally, a correspondents report. It was not a matter of presenting a mainstream or non-mainstream report. Importantly, it was not a news broadcast requiring straight reporting of facts, but rather an opportunity for an experienced correspondent to analyse what he had seen and been told and offer his conclusions to listeners. Mr Cave had also been in Beijing during the Tiananmen Square massacre, and he drew parallels between these events based on his own experiences. The mainstream view that you outline in you 16 August letter was largely encompassed within the Correspondents Report. The introduction to the report advised listeners that:

... the United Nations has released its long awaited report on the events in the West Bank city of Jenin in April, when Israeli troops seeking Palestinian militants, attacked the refugee camp there with tanks, helicopter launched-missiles and hundreds of troops. Israel refused to allow the UN to investigate the alleged massacre of civilians so the report was compiled from accounts supplied by the Israeli Army, the Palestinians and various agencies.

The report that has emerged is at best a compromise, criticising both sides for using innocent civilians as human shields.

Within the report, Mr Cave referred to the UNs finding that 75 people died - 23 Israeli soldiers and 52 Palestinians, half of them civilians. He also advised listeners that the UN report itself had been criticised for being forced to rely on second-hand and often deeply partisan accounts of the conflict.

The ABC notes the points you make in your 24 September letter about the difference between fact and opinion. In its news reporting, the ABC had provided the facts about events at Jenin, to the extent that these facts were known. Peter Caves piece was an opportunity to reflect on the limitations of the UNs report and question whether indeed the events at Jenin constituted a massacre. As Mr Caves report explained, both sides of the conflict had put their own spin on events and getting to the truth of the matter was perhaps not possible. In this case, the truth itself was elusive. Ultimately, listeners would have to draw their own conclusions about what happened in Jenin.

I am unable to respond to your comments about the ABCs requirement to be constructive, other than to reiterate Mr Tullohs point that the ABC must be fair, balanced and accurate in its reporting. I am not aware of the ABC stating that it will not broadcast material that is offensive but true, because of a requirement to be constructive. If you can provide further information about when you have been given this advice, I will certainly look into the issue.

I have attached copy of the ABCs Code of Practice, which outlines the further avenues of review available to you should you be dissatisfied with the ABCs response to your complaint. You may also ask the ABCs Complaints Review Executive, Mr Murray Green, to review your complaint.

Yours sincerely

*Kirstin McLeish
Head. Audience & Consumer Affairs*

Cyril Goldberg: Jenin

1.4 Cyril Goldberg: Jenin

Cyril Goldberg to ABC

From: Cyril Goldberg [mailto:cyrilg@iprimus.com.au]

Sent: Thursday, 22 August 2002 17:59

To: currentaffairs@your.abc.net.au

Subject: Ugly UNBALANCED and Lying reporying by your Peter Cave.

How can Peter Cave lie straight in bed at night?

HOW CAN THE ABC AIR SUCH VIRULENT LIES? WAKE UP ABC! PLEASE ANSWER THIS EMAIL.

Arnold Roth [whose daughter Malki was murdered in the Sbarro pizzeria bombing in Jerusalem last August] has had trouble here in Australia getting interviewed on our ABC (Australian Broadcasting Commission). They wanted to put him together (many months ago) with the father of his daughter's murderer in an interview. It would have been a cynical and grotesque show of moral equivalence. Arnold refused. The person who Arnold was dealing with was Mr Tim Palmer, the then Jerusalem correspondent for the ABC. His immediate boss is Peter Cave, who is quite high up in our ABC. Now Peter Cave announced on a radio program last Sunday that he and others were in Jenin at the relevant time and saw the whole thing with their own eyes, and there "probably" WAS a massacre. They denied the validity of the U.N. report. This man is sadly very influential but only because the ABC puts him to air. A link to a transcript of Cave's broadcast Peter Cave says: "Was there a massacre in Jenin? Well, yes there was." even though "The simple fact is that nobody really knows how many died."

He really, really seems to want to believe there was a massacre, even though there is no evidence of a massacre, which "The Macquarie Dictionary and the OED define as the unnecessary indiscriminate killing or slaughter of human beings." Mr. Cave then goes on to equate the clean-up of the booby-trapped bomb-factories in Jenin with China's 1989 slaughter of student protesters:

"Just as happened in Tienanmen Square, the uninformed and those with their own agenda, are now claiming there was no massacre. There was a massacre, a considerable number of human beings were indiscriminately and unnecessarily slaughtered. The truth was the other victim."

So it seems that the only evidence of a "massacre" in Jenin is Cave's own yearning for there to have been one. But let's adopt, for argument sake, his

definition of "massacre". It would seem to fit any number of bombings that have taken place at various eateries around Israel in the last several months, where we saw some "unnecessary indiscriminate killing or slaughter of human beings" — such as last week at the Hebrew U, or last year at the Sbarro pizzeria. But I can't find any transcript of Peter Cave calling these events "massacres". So either the truth is the victim here, or Peter Cave believes that indiscriminately killing teenage girls and college students while they're eating lunch is, in fact, necessary. UPDATE (Aug. 11) I took a look at an official Palestinian list of casualties from the Jenin camp. Even the Palestinians own data throws cold water on any allegations about a massacre.

ABC to Cyril Goldberg

*From: NCaff [mailto:currentaffairs@your.abc.net.au]
Sent: Thursday, 29 August 2002 2:32 PM
To: 'Cyril Goldberg'
Subject: RE: Ugly UNBALANCED and Lying reporying by your Peter Cave.*

Dear Viewer/Listener,

Thank you for your email.

The ABC's News and Current Affairs department welcomes feedback on its radio and television programs. We also take seriously complaints concerning accuracy, impartiality and objectivity.

Your email will be passed on to those responsible for producing the program.

Emails containing general comments or suggestions and those offering personal opinion will be noted.

Any emails relating to technical or editorial performance or specific inquiries will be acted upon as soon as possible and you will receive a comprehensive reply.

Please be aware that due to program commitments it may take up to four weeks for a detailed response to be forwarded.

*Yours sincerely,
Mark Henderson
Network Editor*

Cyril Goldberg: Jenin

ABC to Cyril Goldberg - 2

*From: ABC CORPORATE_AFFAIRS6 [corporate_afairs6.ABC@abc.net.au]
Sent: Friday, 4 October 2002 5:57 PM
To: cyrilg@iprimus.com.au
Subject: Correspondents' Report 4 August 2002*

Dear Mr Goldberg

Thank you for your comments on the report by Peter Cave in "Correspondents' Report" on 4 August 2002.

Mr Cave sought to examine the following:

What is meant by a "massacre";

The restricted circumstances in which the UN was able to discover what happened in Jenin;

How to interpret what he himself saw in Jenin after the fighting;

The statements of both Israeli and Palestinian spokesmen.

He quoted two dictionary definitions of a massacre as the "unnecessary and indiscriminate killing of human beings", aligned that with what he saw and heard on the spot, including witnessing the corpses of 30 Palestinians being buried in a mass grave, and offered his conclusion that there had been a massacre. It is true that, along with the UN, foreign media and others, he was not able to enter Jenin during the fighting, or for some time afterwards - but he did get to the scene as soon as possible.

The ABC strives to report events accurately and objectively, and certainly free of emotion. Mr Cave, having been in Jenin, despite initial Israeli attempts to bar the media from the town, put a lot of thought and reflection into this report. The item was, literally, a "correspondent's report". News at any time contains many official and unofficial reports, opinions, claims, and so on, but when we send our reporters to witness and report on the news we can also rely on what they saw, and what they understand the truth of an event to be. Such is this case. The correspondent was not simply presenting an opinion; he relied on objective points of reference and the evidence of his own eyes and ears.

By the same token, his report, fundamentally, was about the difficulty of getting to the truth of such events.

I can assure you that in covering events in the Middle East (or anywhere for that matter) we take no sides; we report “without fear or favour”. It is never the intention of our coverage to stir up animosity or antagonise, but we would not be doing our professional duty if we were to shun reportage simply because one side or another might find it disagreeable.

Yours sincerely

*Kirstin McLiesh Head,
ABC Audience & Consumer Affairs*

1.5 Further Determinations on Jenin

CRE Finding on Jenin

COMPLAINTS REVIEW EXECUTIVE

Determination in relation to complaints about the Jenin story on Correspondents Report 4 August 2002

Background

The ABC received 58 complaints about a report filed by Foreign Editor Peter Cave, concerning deaths in the West Bank town of Jenin, on Radio National’s Correspondents Report broadcast on 4 August 2002.

The program backgrounded the release of a United Nations Report on events in April 2002 when there was significant loss of life. UN officials were not granted access by the Israeli Government to Jenin. The Report was based on submissions by UN member states and observer missions, publicly available documents and submissions from non-government organisations. Peter Cave was able to enter Jenin and his report was based on his observations and impressions.

Peter Cave asked the question, was there a massacre in Jenin and concludes that there was. Citing the Macquarie and the Oxford English Dictionaries, the Foreign Editor identified a massacre as ‘the unnecessary indiscriminate killing or slaughter of human beings’. The UN Report is quoted identifying 75 deaths (23 Israeli soldiers and 52 Pal-

Further Determinations on Jenin

estinians). Excerpts from the Israeli Foreign Ministry Spokesman Daniel Taub and Palestinian Spokesman Saeb Erekat were included with perspectives ranging from Jenin as Palestinian propaganda to 500 Palestinians killed.

Peter Cave observed

the simple fact is that nobody really knows how many died. It's unlikely to be the five-hundred that the Palestinians claimed originally, or fewer than ten as the Israelis originally claimed.

The UN report says that fifty-two Palestinians died, based on figures confirmed by the Jenin Hospital and the Israeli Army.

I personally saw 30 Palestinian corpses at the hospital on April the 20th, and with dozens of other foreign reporters, watched them being buried at a mass grave just up the road from the hospital.

The Foreign Editor ended his report with the following reflection:

Had the United Nations investigators who were standing by in Geneva, been allowed to enter Israel to carry out a proper investigation, perhaps the real truth would be a bit clearer. But there was no independent investigation.

Just as in Tiananmen Square, the power of the gun and the tank ensured there was no proper body count or accounting.

Just as happened in Tianamen Square, the uniformed and those with their own agenda, are now claiming there was no massacre.

There was a massacre, a considerable number of human beings were indiscriminately and unnecessarily slaughtered. The truth was the other victim.

A number of listeners and readers of the ABC website objected to Peter Cave's reporting and analysis. A writer from Los Angeles said:

it was 'not objective' of your correspondent to conclude that a burial of 30 people constitutes a massacre when he was relying on the Palestinians for this information and could not determine the circumstances under which the 30 died.'

A New York writer said

'like many another pro-Arabist [Peter Cave] fails to acknowledge his original overstatements and distortions'.

A correspondent from Caulfield in Melbourne wrote

'many reports abounded that there was no massacre in Jenin but you insisted in airing data you knew to be false in a direct attempt to inflame hostilities and anti-Israel sentiments.

The Head of Audience and Consumer Affairs wrote to each of the complainants outlining the following:

Mr Cave sought to examine the following:

What is meant by a 'massacre' The restricted circumstances in which the UN was able to discover what happened in Jenin How to interpret what he himself saw in Jenin after the fighting The statements of both Israeli and Palestinian spokesmen

...Mr Cave, having been in Jenin... put a lot of thought and reflection into this report. The item was literally, a 'correspondent's report'. News at any contains many official and unofficial reports, opinions, claims and so on but when we send our reporters to witness and report on the news we can also rely on what they saw and what they understand the truth of the event to be.

"his report, fundamentally, was about the difficulty of getting to the truth of such events."

Following the reply from the Head of Audience and Consumer Affairs several complainants indicated they did not accept the ABC's response. The matter was then referred to the CRE for investigation.

CRE View

Correspondent's Report is an opportunity for the ABC's overseas journalists to report and reflect on international events many of which they observe first hand.

Peter Cave, the ABC's Foreign Editor, conveyed what he observed. Some thirty bodies were being transferred from behind the Red Crescent Hospital in Jenin. How these casualties died has not been subject to an independent investigation. I have read the United Nations report on the events on the West Bank from March to May 2002. The UN findings identify how many Palestinians and Israelis died. 5

Part of the responsibility of a reporter is to report what happened and put the report in some sort of context.

Peter Cave acknowledged that what happened is not clear and expresses some doubt about the veracity of both Palestinian and Israeli sources.

The concluding point of the Foreign Editor's story is that the truth of matter was, besides the bodies, a victim of these circumstances.

Further Determinations on Jenin

I have assessed the observations of the complainants. Some attribute partisan motives to Peter Cave that cannot be sustained in an examination of the story.

The circumstances that the Foreign Editor reports on are most difficult to analyse because of the limitations placed on access to independent investigators. Peter Cave's report acknowledges the difficulty of identifying the facts of the matter.

My view is that claims of partisanship and lack of accuracy on the part of Peter Cave's report cannot be supported.

If any complainant finds this review inadequate, they may refer their concerns to the Australian Broadcasting Authority for further examination.

MURRAY GREEN

ICRP to Haggai Avisar

Independent Complaints Review Panel

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

10 January 2003

*All Correspondence to:
The Convenor
Independent Complaints Review Panel
GPO Box 688,
Sydney 2001
Telephone (02 633 5639)*

*Hagai Avisar
17 Rothesay Avenue
ELWOOD VIC 3184*

Dear Hagai Avisar,

Thank you for your letter dated 2 December 2002 concerning an item in Peter Cave's report in the ABC's Correspondents' Report broadcast on Sunday, 4 August 2002.

The alleged Jenin massacre again demonstrates that the first casualty of war is the truth.

Peter Cave was there in time to witness one outcome of the conflict, that there were 30 bodies in a mass grave. He took the view that the observation was evidence enough to suggest a massacre had occurred.

In the cause of objectivity, Peter sought views from both sides, sufficient to inform viewers to the report that each side held strongly divergent opinions. Though he thought there had been a massacre, I believe there was sufficient contrary information in the report for viewers to make up their own minds.

*In that respect, I believe the report was balanced and as a result, **do not propose to accept your complaint for further review by the Independent Complaints Review Panel.***

If you disagree with this determination, and require further adjudication of your complaint, you may contact the Australian Broadcasting Authority.

I appreciate the sincerity of your complaint and regret that there is nothing more the Panel can do.

*Yours sincerely,
Ted Thomas
Convenor*

Ronit Fraid: Teach Arafat Lesson

1.6 Ronit Fraid: Teach Arafat Lesson

Ronit Fraid to ABC

Attention: John Tulloh
Head, International Relations
ABC News and Current Affairs
P.O. Box 9994 Sydney
NSW 2001

Dear Sir,

I wish to point out a factual inaccuracy in the ABC's reporting on AM 21 September 2002. The reporter, Peter Cave said, in the context of an item on the Israeli/Palestinian conflict:

"The Israeli Government has repeatedly stated that it does not want to harm Mr Arafat, just to teach him a lesson."

As far as I know the Israeli government has NEVER stated that they wished to "teach Mr Arafat a lesson". Regarding the siege around Mr Arafat's quarters in Ramalla, the Israeli government has, in fact, said words to the effect that: "it does not want to harm Mr Arafat, just to isolate him".

Could you please investigate whether the words "... to teach him a lesson" were said by any Israeli government spokesperson.

Could you please investigate whether the words " ... to isolate Mr Arafat" were the actual words that the Israeli government used, and if so, why were they not presented on the AM program. Explain why this is not a blatant case of biased reporting.

Sincerely

Ronit Fraid M.Clin.Psych. MAPS

ABC to Ronit Fraid

from John Tulloh dated Sept 30th 2002.

Re ABC Reporting

Dear Ronit Fraid

Thank you for your letter concerning a report by the ABC's Peter Cave on AM on September, 21.

Attached is a transcript of Mr Cave's report and, as you will see, he did not say what you claim he said. But he has used elsewhere the phrase regarding 'teaching Mr Arafat a lesson'. It was not of his making: it was stated by the Israeli Government spokesman, Avi Pazner, in an interview with Mr Cave.

If you care to run a search on the Internet of 'teach Arafat a lesson' you will find literally hundreds of examples attributed to the Israel government.

We hope this clarifies your concern and dispels your assertion of biased ABC reporting.

Yours sincerely

*John Tulloh
Head, International Operations
ABC News and Current Affairs.*

ABC to Ronit Fraid after Sen. Tchen

November 18, 2002

Dear Ronit Fraid,

Further to my September 30 letter to you, it has been brought to my attention that I was incorrect. I had overlooked the subsequent interview with Peter Cave following his report on AM on September 21.

He said, as you paraphrased: "They have said repeatedly during the day today that they don't want to take Mr Arafat into custody, they don't want to harm him. They simply want to teach him a lesson."

Ronit Fraid: Teach Arafat Lesson

My apologies for overlooking this.

The words were stated by Avi Pazner, an Israeli Government spokesman, in an interview with Mr Cave. Mr Pazner also said Israel wanted “to isolate” Mr Arafat. It was not included in Mr Cave’s own report as he intended to mention it in the interview with the AM presenter which he knew would be following immediately after his story.

Yours Sincerely

John Tulloh

*Head, International Operations
ABC News and Current Affairs*

Murray Green to Ronit Fraid

COMPLAINTS REVIEW EXECUTIVE

***Determination on complaint from
Mr Ralph Zwier [Ms Ronit Fraid]
23 December 2002***

Background

Mr Ralph Zwier and Ms Ronit Fraid are members of the International Committee for Jewish Survival (ICJS). Ms Fraid wrote to John Tulloh, Head of International Operations for ABC News and Current Affairs, concerning a report by Foreign Editor, Peter Cave, on AM on 21 September 2002. Ms Fraid took exception to the following report on the Israeli Government:

“They have said repeatedly during the day today that they don’t want to take Mr Arafat into custody, they don’t want to harm him. They simply want to teach him a lesson.”

Ms Fraid disputed whether the phrase “teach him a lesson” was used by the Israeli Government.

The Head of International Operations responded on 30 September 2002 indicating that Peter Cave did not use the phrase “teach Mr

Arafat a lesson” in AM on 21 September 2002. John Tulloh followed this letter with another on 18 November 2002 correcting his 30 September response and acknowledging that the phrase “teach Mr Arafat a lesson” was used later in the 21 September 2002 edition of AM. John Tulloh indicated that the words were used in an interview by Peter Cave with Israeli Government spokesman Avi Pazner in the ABC’s Jerusalem office.

Mr Zwier wrote to the ABC Complaints Review Executive on 23 December 2002 indicating that he had rung Mr Avi Pazner on 28 November 2002. Ralph Zwier wrote:

“During that telephone conversation he [Avi Pazner] stated to me that the Israeli Government spokespersons including himself stopped using the term ‘teach them a lesson’ in April 2002. He said that the last time that term was used was before operation ‘Defensive Shield’ began.”

CRE View

Israeli Government spokesman Mr Avi Pazner visited the ABC’s Jerusalem office on 20 September 2002 as part of briefings to international news bureaus.

Peter Cave, the ABC’s Foreign Editor, has reiterated that Mr Pazner used the phrase ‘teach Arafat a lesson’ during that briefing. Peter Cave provided this confirmation on 20 January 2003. I note in the 23 December 2002 letter Mr Zwier indicates that Mr Pazner, denies using that phrase at the time of the September 2002 briefing.

That the phrase was part of the Israeli Government’s strategy towards Mr Arafat appears not in doubt. The BBC reported Mr Pazner using the description following the January 2002 Palestinian attack in a Hadera banqueting hall where six Israelis were killed:

“We hold the Palestinian Authority and Arafat directly responsible for the deaths of those who died in this horrible terrorist attack. We are going to respond in a manner which will teach the Palestinian Authority a lesson they will not forget.”

(http://news.bbc.co.uk/1/hi/world/middle_east/1767348.stm)

Mr Zwier indicates that Mr Pazner stopped using the phrase “teach Arafat a lesson” in April 2002. Mr Cave indicates that Mr Pazner did use the phrase in a September 2002 briefing in Jerusalem and reported accordingly.

In putting this analysis to the ABC’s Director of News and Current Affairs, Max Uechtritz, the Director commented: “in 17 years [I] have never had any need to question the integrity or professionalism

Ronit Fraid: Teach Arafat Lesson

of Peter Cave. Furthermore... Mr Cave would have nothing to gain from misrepresenting his interview with Mr Pazner.

I am not in a position to come to a concluded view other than observing that there is not agreement about what was said by Mr Pazner in the ABC Jerusalem bureau. The ABC Foreign Editor has a different understanding of the briefing than Mr Zwier's account of his conversation with Mr Pazner.

If the complainant is not satisfied with this review then application may be made to the Independent Complaints Review Panel and/or the Australian Broadcasting Authority for further consideration of this matter.

MURRAY GREEN
Complaints Review Executive
18 February 2003

1.7 Arnold Roth - Sbarro Pizza bombing

Arnold Roth to Tim Palmer

Date: Mon, 24 Jun 2002 10:21:01 +0200
To: tcpalmer@netvision.net.il
From: Arnold Roth roth@runbox.com
Subject: Malki

Mr Tim Palmer
Australian Broadcasting Corporation
Middle East Bureau
Jerusalem

Dear Mr Palmer:

As if life here in Jerusalem were not challenging enough already in these difficult days, I now find it necessary to deal with a couple of disturbing mis-statements involving you and me.

We have never met. The entire interaction between us consists of one phone call and a single exchange of emails last August: one from me to you, one from you to me. This happened a few days after the murder on 9th August of my daughter Malka Chana in the Sbarro restaurant massacre.

Twelve days after Malki's death, you wrote to me:

Tim Palmer to Arnold Roth

"I read your comments today on TIME magazine's coverage of the bombing, and your interview with Mr Lee Hockstader of the New York Times. I was quite struck by what you said. One of the reasons I work for the ABC and not for one of the commercial networks is that the ABC never forces its journalists to approach families in the kind of circumstances you now face. But having read your comments I'm wondering whether you would feel able to conduct an interview with the ABC. I will completely understand if you feel uncomfortable with the idea of doing so."

I responded by email on the same day:

Arnold Roth to Tim Palmer

"Thanks for your considerate approach. I'm busy right now trying to put some of the pieces of my family's life together but have no objection at all to speaking with you on the record, and if it can help get out the story of how sad Malki's loss is, then I'd like to do it. For your records, my contact details are below..."

I phoned you a few days later to set up the interview. I remember the conversation clearly. After some introductory words about how extremely painful it was for my family to deal with what had happened to us, I said I felt a need to let people know about the senseless act of barbarism that had ended my daughter's life. I welcomed the chance to sit with you and be interviewed. You then floored me by saying that it was your intention to bracket two interviews together: one with me, one with the father of my daughter's murderer. I started to object. Before I managed to develop my case, you said that the man had already been spoken to, and interviewed by, colleagues of yours. You told me he was "different". He was opposed to suicide bombing. He regretted what his son had done. He was in favour of the Oslo process. You clearly wanted me to agree. I was amazed at the insensitivity in your idea. Despite this, I responded in what I think was a calm voice which did not reflect the turmoil and pain your words caused me to feel. What I believe I said was: Much as I want to speak publicly about my daughter and what was done to her, I will not give my hand to any attempt at creating a false symmetry between innocent victims like my Malki and the barbarians who murdered her and who support that horrible act. You said you could understand, but insisted that this was a matter of maintaining professional journalistic standards. There was a political background to what happened on 9th August and you were sorry that I didn't see it that way. I said I had no desire to argue with your view of those standards. But I respectfully disagreed. You said you would give some thought to a different format for a possible future interview and might get back to me.

The conversation was cordial, and was the first and last one to take place between us.

It's now ten months later. I have never heard, nor read, any of your news reports. I have been told that you and the ABC have come in for criticism for aspects of the way you cover the terror war against Israel by the Palestinian Arabs. One of those critics is the member for the Federal seat of Melbourne Ports, Michael Danby MHR. Like many others, he has told me that he thinks the ABC's coverage of events here is unbalanced. He feels you should interview me. Frankly, I agree with him, and I am still available at any time. All I ask is an appropriate context.

Mr Danby's staff recently shared with me extracts from correspondence passing between you and his office. The parts that I saw related to me. On 10th May 2002, Mr Danby's assistant wrote to me:

Michael Danby MHR to Arnold Roth

"This afternoon we received a call from Tim Palmer claiming that he has contacted you to speak on this issue of suicide bombing and that you had declined because you felt the issue to be too personal."

Arnold Roth continues ...

I wrote back telling Mr Danby and his assistant that this was wrong. Far from being too personal, the idea of speaking about my daughter was very important to me. My position is the same as what I said to Melbourne Age

(see <http://www.theage.com.au/frontpage/2001/08/10/FFXYAMRU6QC.html>) on the day of the massacre: "My wife and I just don't have the tools to cope with this. We only want to do whatever we can so she does not turn into yet another statistic." My way of ensuring Malki does not become just another statistic is to talk about her to people who did not know her, either directly or via the media. Yes, this is personal, but it's not *too* personal.

It appears there was then some correspondence between you and Mr Danby's office. On 23rd May 2002, you wrote to him:

Tim Palmer to Michael Danby MHR

"That is not at all how Mr Roth put the situation to me. He said he didn't want to discuss his daughter's death in a political context. We had an amiable discussion of what that meant and on that basis I chose not to interview him. The ABC also honoured the family's request not to cover Malki's funeral. I also dropped an interview I recorded with the bomber's family as I was unable to present the counterpoint. The bomber's father by the way was opposed to suicide attacks."

Arnold Roth continues...

This version of our conversation is wrong. Up until today, Malki was and is the only Australian victim of Palestinian Arab terrorist murder in this war. Your

Arnold Roth - Sbarro Pizza bombing

judgment was that an interview with her father - also an Australian - was newsworthy. You invited the interview, and I agreed. You then put me on notice that you intended to bracket my words with those of the murderer's father. I found this grotesque. I knew nothing of the man's political position, his views on peace or on terrorist murder or on barbarism. They were and are of zero interest to me personally. But it was you who raised them, and it is disturbing to me to see from your letter that you regard them, in your language, as a "counterpoint". A counterpoint to my daughter's political views? To mine? What qualifies as a counterpoint to barbaric massacre of women and children?

I have since learned from searching the Internet, the murderer's father is not "different" at all. Sadly, he is the same. Based on his published words, he is like the 80% of the Palestinian Arabs who, according to an Arab-conducted opinion survey, say that they support the murder of Israeli civilians. ""We have to get rid of the Jews from around us." Ahmed Masri, father of Izzedin Masri, suicide bomber who blew up Jerusalem Sbarro pizzeria, as reported by Daniel Williams." (Washington Post) <http://www.ajc.org/InTheMedia/Publications.asp?did=469&pid=1111>

"Hours after the killing of 15 Israelis in a Jerusalem restaurant last week, the brother of the 23-year-old suicide bomber delightedly announced that "This is a unique operation for its quality and success...Palestinians everywhere can now hold up their heads." <http://www.agsconsulting.com/news/nw010815.htm>

Al-Masri's father, Shaheel, 50, flanked by his seven remaining sons, said he was proud of Izzedine. Al-Masri said Israeli Prime Minister Ariel Sharon "is continuing the policy of killing our people, and my son succeeded in carrying out a suitable response." Friends, relatives and neighbours congratulated the smiling elder al-Masri. Al-Masri said his son was a devout Muslim who had participated in Hamas rallies and funeral marches during the 10 months of Israeli-Palestinian fighting. Al-Masri said his son had worked in the family's fast-food restaurant in Jenin. About a month ago, Izzedine had begun dropping hints that he was about to become a "martyr," as Islamic militants refer to suicide bombers, the elder al-Masri said. Izzedine al-Masri left home on Wednesday, telling his family he was going to stay with friends in another West Bank town for a while. Before his death, al-Masri posed for a photo showing him wearing a green Hamas headband and holding an assault rifle.

http://www.canoe.ca/CNEWSMideast0108/10_hints-ap.html

10/8/01

Fourteen Israelis killed by "martyr" Devout Muslim and member of Hamas, Izzedine al-Masri, 23, wandered into the packed Sbarro restaurant in Jerusalem and detonated explosives strapped to his body. Friends and relatives congratulated his smiling father.

<http://www.hraic.org/archives5.html>

I was unable to find any reference to him holding views that resemble those you attribute to him.

I don't hold you responsible for mistakenly thinking that this Palestinian Arab was different from the 80%. We all make mistakes. I may be mistaken in thinking that this man was proud of his son's martyrdom. You may have interviewed him and heard him say that he hates violence, hates what his son did to my daughter, hates what the Arafat kleptocracy is doing to the Palestinian Arabs and to the Israelis. If that's so, then, by all means, publish it immediately. Because if that's what he stands for, then that's *really* news. But if you do publish him, then please don't link it to the murder of an innocent fifteen-year-old Australian girl. Under any circumstances, bracketing the murderer with his victim is grotesque. In the specific and complicated context of the blood-soaked war of Arabs against Israel, it's outrageous to suggest such a thing to the father of a child who was a victim of a cold-blooded massacre.

I believe you have misrepresented the facts and, by doing so, distorted them. I respectfully request that you correct your statement of what happened. The difference between your version and mine of why I was not interviewed last August is too important to stand uncorrected. It has implications in terms of your professional integrity and about the forces that animate the ABC's coverage of events in this complex part of the world.

Yours faithfully,

Arnold Roth

Leora Ross - Language

1.8 Leora Ross - Language

Leora Ross to John Tulloh

Monday 28th October 2002

ABC Sydney Newsroom GPO Box 9994 Sydney 2001

Dear Sir /Madam

Biased News Reports from the Sydney Office

Having sent an email and not having received a response from the local ABC office at the Sydney newsroom I will repeat my email below.

I listened to 576 news this morning at 7am and was amazed yet again at the one-sided manner of reporting of the Sydney office of the ABC. Why is it that you report Israelis as having 'died' in a terrorist attack, yet report Palestinian terrorists as having been 'killed'? Why is it that after reporting the horror of other terrorist attacks in the world, the perpetrators are not asked how they feel about what happened? The Bali bombers thank goodness were not asked for their comments on the horror in Bali, nor were the Chechen rebels asked for their view of the tragic events in Moscow as both would have been completely inappropriate.

However, when there is another murderous attack on Israelis, the Palestinian viewpoint is broadcast after the report, as happened again this morning. When will the ABC finally address this unforgivable bias?

I would very much like to receive a response to my comment

Thank you

Leora Ross

John Tulloh to Leora Ross

November 8, 2002.

ABC Australian Broadcasting Corporation

News and Current Affairs

Mrs L Ross

ABC 221 Pacific Highway

Gore Hill NSW 2065

GPO Box 9994 Sydney

NSW 2001 Tel. +61 2 8333 1500

abc.net.au

Dear Mrs Ross,

Thank you for your letter of October 28. We do apologise if we did in fact received your email and failed to respond or even acknowledge it.

We cannot accept that we had 'one-sided' reporting on our 0700 Radio News bulletin on April 28 let alone indulge in biased reporting. We did not use the word 'died' in our Middle East story on the bulletin in question.

We reported:

'A suicide bombing in an Israeli settlement in the West Bank has left three Israeli soldiers dead and 15 people wounded. As Middle East correspondent Mark Willacy reports, a short time later Israeli troops killed two Palestinians belonging to the same resistance group as the suicide bomber.'

'Dead' and 'killed' mean the same in this context. It is better written in the manner it was than to have said _has left three Israeli soldiers killed:.

The ABC is dedicated to balanced reporting on all issues. We cannot favour one group over another just to please those in our audience who may take exception to one.

Yours sincerely

JOHN TULLOH
Head, International Operations
ABC NEWS and CURRENT AFFAIRS

Leora Ross to John Tulloh

25 Douglas Pde
Dover Heights NSW 2030

25th November 2002

John Tulloh
Head International Operations
ABC News and Current Affairs
GPO Box 9994 Sydney
NSW 2001

Dear Mr Tulloh,

Thank you for your letter dated November 8 2002 in response to my earlier letter regarding the 0700 radio news bulletin on April 28.

I cannot agree with your assessment that there is no difference between 'A suicide bombing has left three Israeli soldiers dead' and 'Israeli troops killed two Palestinians'.

The syntax in clause (i) suggests that the bombing and the deaths that it caused happened by themselves somehow, for no human agent is mentioned. Moreover, the phrase a suicide bombing tactfully omits to mention the nationality of the agent.

Clause (ii), by contrast, is quite specific about the agent, and quite explicit about the agents direct role in the action described.

To make yet clearer the point I am making, consider an exact swap of the grammatical constructions in clauses (i) and (ii), as follows:

A Palestinian suicide bomber has killed three Israeli soldiers. A military response has left two Palestinians dead.

If, as you say, the style of reportage in (i) and (ii) represents non-partisan reporting of fatal encounters between Palestinians and Israelis, then the style of (iii) and (iv) must surely also represent non-partisan reporting.

Once I have heard ABC News items worded as in (iii) and (iv) a few times, then I will be convinced of the ABC's non-partisan reporting.

I look forward to your assurance that the proposal implicit in this letter will be given serious consideration by the ABC. I will appreciate your letting me know in due course of the outcome of this consideration.

Yours sincerely

Leora Ross

John Tulloh to Leora Ross

December 6, 2002

*Leora Ross
25 Douglas Parade
DOVER HEIGHTS
NSW 2030*

Dear Leora Ross,

Thank you for your letter of November 25. Your points have been noted. We will continue to report events with accuracy, objectivity, brevity and simplicity whatever our wording. Please be assured the ABC does not indulge in partisan reporting or indeed reporting to suit a particular view.

Yours sincerely,

JOHN TULLOH

*Head, International Operations
Broadcasting Corporation
News and Current Affairs
221 Pacific Highway Gore
NSW 2065 GPO
Box 9994 Sydney NSW 2001 Tel. +61 2 8333 1500*

Leora Ross - Language

Leora Ross to John Tulloh

27th December 2002

John Tulloh
Head International Operations ABC
News and Current Affairs GPO Box 9994
Sydney NSW 2001

Dear Mr Tulloh,

Thank you for your response dated December 6 to my letter of 25th November. However, I find your response incomplete.

You wrote that you 'will continue to report events with accuracy, objectivity, brevity and simplicity whatever our wording'. It is precisely the 'wording' used in ABC reports that I am concerned about because I do not feel that the present 'wording' does report events with 'objectivity'. I gave a very specific example of this bias yet you did not respond to it at all. I would appreciate a direct response to my example. I also would like to understand better what it means when you say that my 'points have been noted'. By whom have they been noted and how specifically will they affect what happens in the future? Will a process be put in place to ensure that this sort of biased language is not used again? What would this process be and how would it be monitored?

Moreover, further to my earlier letter to you of 25th November, I am writing to you about two news reports on ABC online 29th November 2002 that once again display this biased wording.

I would like to point out, by comparing these two news reports (attached) appearing on the same day, how differently the ABC reports the tragedy of death and wounding on the two sides of the Middle East conflict.

In the report entitled 'At least 8 Israelis killed in Israel polling booth shooting' http://www.abc.net.au/news/2002/11/item20021129060734_1.htm I would like to draw your attention to the following:

1. The headline does not state who killed the Israelis.
2. The headline (and the rest of the report) does not mention that, apart from those killed, 20 Israelis were wounded, some seriously - See <http://www.washingtonpost.com/wp-dyn/articles/A51975-2002Nov28.html> and <http://www.jpost.com/servlet/Satellite?pagename=JPost/A/JParticle/PrinterFull&cid=1038465352977>
3. The bolded introductory paragraph does not state who killed the Israelis.
4. In paragraph two Sharon is labelled as 'hardline Prime Minister Sharon'.

5. In paragraph seven and eight a Palestinian spokesperson is quoted describing Sharon as a 'man of war and confrontation and revenge and violence'.

6. Paragraph nine finally mentions who carried out the shooting, namely 'the armed offshoot of Yasser Arafat's Fatah movement'. I note that Arafat is not referred to as 'hardline' Chairman Arafat, nor are any other even mildly aggressive qualities attributed to him.

In the ABC online item on the same day entitled 'Palestinians say Israeli missile attacks hurt bystanders':

1. http://www.abc.net.au/news/2002/12/item20021202085326_1.htm the headline clearly indicates that Israel was the attacker.

2. The bolded introductory paragraph clearly indicates that Israel was the attacker and that the wounded were 'seriously wounded' and included two children paragraph two mentions that the Palestinians were wanted for attacks on Israeli citizens - no details of these attacks are given.

3. In paragraph six the wounded (there were no dead) are listed as 'three bystanders and two children'. Implicitly, these five human beings were innocent of any misdeeds.

So, too, were the eight Israelis who 'died in a gun attack' in the earlier news report I have mentioned above: they, too, were bystanders, who happened to be voting (rather than just standing by). Does that news report leave the reader with the clear impression that these eight Israelis were innocent of any misdeeds, do you think, or does the fact of their voting in an election with two 'hardline' candidates perhaps insinuate that it was a misdeed for them to be there voting?

I trust I do not need to say more for my meaning to be clear. Whether it is by verbal omission or commission, the two news reports, each describing a tragic happening affecting innocents, make quite different emotive impressions on the reader.

These two reports are by no means unique as to genre in ABC reporting on the Middle East. So let me generalize correspondingly. Tragic happenings affecting innocent Israelis are consistently presented by the ABC as of lesser moment than tragic happenings affecting innocent Palestinians. Is this, would you say, even-handed reporting?

In conclusion, Mr Tulloh, if you should feel that you are unable to answer the above questions directly could you please advise me to whom I should address my correspondence?

Sincerely, Leora Ross

Leora Ross - Language

John Tulloh to Leora Ross

January 14, 2003.

*Leora Ross
25 Douglas Parade
DOVER HEIGHTS
NSW 2030*

Dear Leora Ross,

Thank you for your December 27 letter.

We must disagree. What may be biased language to someone does not mean the story or indeed intention was biased. The English language provides different ways of expressing the same information. The outcome is the same whether someone is killed or dies.

My letter of November 25 said your points have been noted. I noted them. I also noted that no bias was evident despite your interpretation. Certainly we have lapses from time to time in our journalistic standards concerning grammar, presentation and minor omissions, but not deliberate bias.

Regarding the two stories you included from the ABC website, you say they appeared on the same day, yet one is clearly dated November 29 and the other is December 2.

We cannot comment precisely on the reports more than a month later because we do not know what information was available at the time. The on-line reports are sourced from a combination of ABC reportage and the international wire services.

The absence of any reference to the number of wounded in the November 29 story does seem odd. We cannot offer any comment as we cannot say what information was available at the time. There is nothing amiss in the rest of the story.

Nor do we find anything amiss in the December 2 story.

As I noted in my December 6 letter, the ABC's aim is to report events with accuracy and objectivity and with a simplicity of information whatever the wording. Please be assured any hint of deliberately biased reporting by the ABC would not be tolerated.

If you remain unsatisfied by any of this, please feel free to contact the Head of Audience and Consumer Affairs, ABC, GPO Box 9994, Sydney NSW 2001.

Yours sincerely

JOHN TULLOH

Head, International Operations ABC News and Current Affairs

1.9 Dr Douglas Kirsner: Militant vs Terrorist

Douglas Kirsner to Denise Musto

From: Douglas Kirsner
Date: Wednesday, 4 December 2002 3:50 PM
To: musto denise
Subject: AM

Dear AM,

I was pleased to see that the title of the segment on Kenya today used the correct word 'terrorist'. However, when I heard the program on air, I heard about 'militants', as the transcript says below. I commend you for using the 't' word as it's entirely appropriate but I am concerned that you would use the word 'militants' (which means actively aggressive fighting for a cause) instead of 'terrorism' which involves the deliberate premeditated mass murder of civilians so as to instill terror among us all. That's what happened yesterday, as you correctly reported. Terrorist attacks in Kenya [audio] Kenya has again proven to be a soft target for militants bent on carnage, and Osama bin Laden has again quickly become the chief suspect, after the two apparently co-ordinated attacks in the east African country aimed, it seems, at Israelis.

We need to be concerned about terrorism and terrorists but please in future don't be afraid to use the word 'terrorism' or 'terrorist'. The word 'militant' gives some legitimacy and also misses out on the prime anti-human aims of the terrorists. It is responsible reporting to use the appropriate word, not eschew it.

Dr Douglas Kirsner
Senior Lecturer in Philosophy
Deakin University, Melbourne Campus

Dr Douglas Kirsner: Militant vs Terrorist

Denise Musto to Douglas Kirsner

Date: Mon, 09 Dec 2002 14:19:00 +1100

From: ABC CORPORATE_AFFAIRS

Dear Mr [sic] Kirsner

Thank you for your email which has been brought to the attention of the Executive Producer of AM.

The ABC acknowledges your concerns. However, we believe that the term militant or militancy does not imply legitimacy. Its contemporary meaning is that a militant is a person using war-like/combative methods (including acts of terror) to achieve social or political ends. Therefore militants are people

who stand outside legitimate institutions such as state defence forces. Please be assured that whenever a "militant" group commits an act of terror, the ABC reports this as such.

Thank you again for taking the time to write to us.

Yours sincerely,

*Denise Musto
Audience Liaison Manager*

Douglas Kirsner to Denise Musto

From: Douglas Kirsner

Date: ??/??/??

To: musto denise

Subject: AM

Dear AM,

I dont find the point you made convincing. Your defence glosses over the intention to cause a sense of TERROR in addition to the physical harm. A militant may well be someone engaged in warfare or strife but a terrorist in addition uses terrorising methods, aimed at producing a state of overpowering fear and submission. I remain mystified as to why the ABC is reluctant to use the word 'terrorism'

Dr Douglas Kirsner

Murray Green to Douglas Kirsner

*25 February 2003
Mr (sic) Douglas Kirsner
90 Eskdale Rd Caulfield Nth
VIC 3161*

Dear Mr Kirsner,

I write in response to your complaint of 4 December 2002. The ABC has introduced an enhanced approach to reviewing complaints where the person complaining is not satisfied with an earlier ABC response to their complaint.

I have examined the issues you have raised and attach my review of your concerns. This appraisal has been undertaken in the context of the expectations of the ABC's Editorial Policies including the ABC Code of Practice. The Director of Corporate Affairs has been informed of the outcome of this investigation.

If you wish for a review of my findings, you may refer the matter to the Independent Complaints Review Panel and/or the Australian Broadcasting Authority. Contact details are in section 9 of the ABC Code of Practice, which can be found on www.abc.net.au/corp/code-prac.htm

Yours sincerely

MURRAY GREEN
Complaints Review Executive

COMPLAINTS REVIEW EXECUTIVE

Determination on a complaint from Dr Douglas Kirsner regarding the use of militant and terrorist, on AM, 29 December 2002

Background

Dr Kirsner emailed the Executive Producer of AM on 4 December 2002 concerning coverage of the explosion at Mombasas Paradise Hotel in Kenya. Dr Kirsner outlined his concern about the use of the descriptor militant when terrorist is more appropriate.

We need to be concerned about terrorism and terrorists but please in future dont be afraid to use the word terrorism or terrorist. The word

Dr Douglas Kirsner: Militant vs Terrorist

militant gives some legitimacy and also misses out on the prime anti-human aims of the terrorists. It is responsible reporting to use the word, not eschew it.

Audience Liaison Manager, Denise Musto, responded indicating:

The ABC acknowledges your concerns. However, we believe that the term militant or militancy does not imply legitimacy. Its contemporary meaning is that a militant is a person using war-like/combatative methods (including acts of terror) to achieve social or political ends. Therefore militants are people who stand outside legitimate institutions such as state defence forces. Please be assured that whenever a militant group commits an act of terror, the ABC reports this as such.

Dr Kirsner emailed again on 29 December 2002:

.I dont find the point you made convincing. Your defence glosses over the intention to cause a sense of TERROR in addition to the physical harm. A militant may well be someone engaged in warfare or strife but a terrorist in addition uses terrorising methods, aimed at producing a state of overpowering fear and submission..I remain mystified as to why the ABC is reluctant to use the word terrorism

The matter was then referred to the Complaints Review Executive (CRE) for further appraisal.

CRE View

The use of the description militant and terrorist has a political context.

The ABC carried a story on 6 July 2002 over a dispute between the United States and Israel over the meaning of terrorism.

On 4 July there had been a shooting at the El Al ticket counter at Los Angeles International Airport. White House spokesman Ari Fleischer indicated that there was no evidence of the attack being done by a terrorist. But a spokesman for Israeli Prime Minister Ariel Sharon said there was no doubt that the shooting was a terrorist attack.

The difficulty in discerning who is a terrorist and who is not is addressed in the US State Departments annual Patterns of Global Terrorism Report :

No one definition of terrorism has gained universal acceptance The Report uses a definition of terrorism contained in [US] Federal legislation Title 22 of the United States Code section 2626f(d) offers the following definition of terrorism: the term terrorism means premeditated, politically motivated violence perpetrated against non-combatant targets by sub-national groups or clandestine agents, usually intended to influence an audience.

Under that definition, non-combatants are identified as civilians or military personnel who are either unarmed or off-duty at the time of attack.

However for an attack to be characterised as terrorism by the United States all of those elements must be first established.

[Richard Garcia, FBI spokesman] says one reason for the current disagreement is that Israel treats all attacks against its interests as terrorism until another motive is proven.

We cannot make such presumptions like that Mr Garcia said.

We have to base our information on fact, we have to base our information on extensive investigation to lead us to what is the motive to make a call like that.

That's just a difference on how we view things, he said.

This care with terminology appeared to be the basis of the reaction of the Australian Foreign Minister following the Bali bombing:

It does look as though a terrorist organisation was involved and secondly, it clearly looks as though this attack has been coordinated and it clearly looks like an attack on foreign interests

The ABC reported on Sunday 4 August 2002:

Israeli troops scoured Nablus for militants on Saturday evening, the day after soldiers poured into the northern West Bank city that Defence Minister Binyamin Ben Eliezer has dubbed a terrorist capital.

On scanning ABC stories referencing terrorists and militants it is an apparent trend that the term terrorist is used where there is evidence of a particular person or group being responsible for acts of terrorism whereas if there is a description of generic political fighters the term militants is used. What is also apparent is that the Israeli government uses the term terrorist to apply to a wider range of oppositional forces. As in the above story this terrorist reference is usually contained in quotation marks.

The presenter of AM reported on 29 November 2002 on the Mombasa attack.

Kenya has again proven to be a soft target for militants bent on carnage, and Osama bin Laden has again quickly become the chief suspect, after the two apparently co-ordinated attacks in the east African country aimed, it seems at Israelis.

Dr Douglas Kirsner: Militant vs Terrorist

I can find no evidence in AM reporting on this attack (reports on 29 and 30 November 2002) of any tendency to minimise the trauma and tragedy associated with this violence.

If there is any dissatisfaction with this appraisal, application may be made to the Independent Complaints Review Panel and/or the Australian Broadcasting Authority for further review.

MURRAY GREEN
Complaints Review Executive

1.10 Meyer Rafael - the Media Report

Meyer Rafael to Caroline Fisher

From: Meyer Rafael
Sent: Monday, 10 February 2003 12:00 PM
To: 'fisher.caroline@abc.net.au'
Subject: The question of partiality in the Media Report

Dear Media Report,

The ABC Editorial Policy states, "The media both reflect and influence community standards and values through the use of language, images and sound. Recognising this, the ABC must maintain high standards of integrity in its programming, avoid sensationalism and maintain impartiality".

A practical definition of impartiality is "an inclination to weigh both views or opinions equally".

The past two issues of the Media Report have spotlighted the Australian expatriate John Pilger as a single authority on the topics of propaganda and censorship. This is surprising because I don't believe that John Pilger pretends to be impartial. He promotes himself as a proudly partial critic of anything that out of line with his ideology.

Further, it would be unreasonable to claim that any subsequent "right of reply" or alternative view could be effective in a separate broadcasting session. Does the Media Report, which claims to be "essential listening for those who work in the media industry and for anyone interested in the future of the media", have a dispensation from the ABC Editorial Policy?

Is there a monitoring procedure to ensure programs comply with the ABC Editorial Policy with respect to influencing community standards?

Yours sincerely

Meyer Rafael

Meyer Rafael - the Media Report

ABC to Meyer Rafael

From: ABC CORPORATE_AFFAIRS8 [mailto:corporate_af-fairs8.abc@abc.net.au]

Sent: Monday, 24 March 2003 11:56 AM

To: meyer.rafael@pacificlake.com

Subject: re: The question of partiality in the Media Report

Dear Meyer Rafael

Thank you for your email of 10 February 2003 regarding an interview with John Pilger on Radio Nationals The Media Report on 30 January 2003. Please accept my sincere apologies for the delay in responding.

The Media Report is a weekly half-hour program that takes a critical look at the media and communications industry in general. It explores the issues and provides critical analysis, offering an insight into how the changing media environment affects our lives and the world in which we live, and regularly puts the spotlight on media people and their activities.

In the program on 30 January, John Pilger was invited to discuss the Australian media in relation to conflict and propaganda, in the current situation of a potential war. The program set out to examine the alternative views on this topic, rather than those of mass media.

John Pilger's position on war with Iraq was made clear to listeners. In his introduction, Mick O'Regan referred to Mr Pilger as a relentless critic of the moves to war, and of the failure of the media to expose the distortions that justify it and the excesses that characterise it. John Pilger then provided his critique on the quality of debate in the Australian media over the current situation with Iraq. He did not venture an opinion on the rights or wrongs of the debate. He commented on the way the media was handled by the military both currently and during the previous Gulf War.

The segment focused very clearly on media coverage of war, and particularly the impending confrontation with Iraq. Taking up this reference, the next weeks The Media Report explored censorship and war and the effect that pooling of footage has on the community's perception of war. A grab from the John Pilger interview the previous week was played and Trevor Bormann, a producer of the ABC's Foreign Correspondent program who in 1991 was in Saudi Arabia and part of the media pool covering the Gulf War for ABC TV, was asked to respond with his critique based on his own direct experience.

Both of these interviews specifically related to media aspects of coverage of war, hence their appearance on The Media Report.

More broadly, the ABC has provided comprehensive coverage of current issues in the conflict with Iraq and has presented the principal relevant viewpoints. The ABC's commitment to balance and impartiality requires editorial staff to present a wide range of perspectives and not unduly favour one over the others. The requirement for balance may not always be reached within a single program, but will be achieved as soon as possible.

The ABC believes that Mick O'Regan's interview with John Pilger was both rigorous and challenging and contributed a useful perspective on media coverage of war.

*For your information, the ABC's Code of Practice is available at:
<http://www.abc.net.au/corp/codeprac.htm>*

Yours sincerely

*Denise Musto
Audience Liaison Manager*

1.11 News Content on Website

ABA to Jacob Wajsbord

*From: INFO [mailto:INFO@aba.gov.au]
To: 'JacobW@howe.com.au'
Subject: COMPLAINT ABOUT NEWS FROM ABC'S WEB SITE
File Ref: 2003/0003
5 March 2003*

*Mr Jacob Wajsbord
Email: JacobW@howe.com.au*

Dear Mr Wajsbord,

Thank you for your email dated 28 March 2003 [sic -February] to the Australian Broadcasting Corporation (the ABC), and copied to the Australian Broadcasting Authority and Senator Richard Alston.

*In your letter, you express concern about an article on the ABC's web site. **Unfortunately the ABC's code of practice does not address the issue of material placed on its web site. As such, the ABA is unable to take any action in relation to your complaint.** [our bolding]*

*The ABC has developed its own code of practice, which covers general programs (including the portrayal of violence, language, sex and sexuality, discrimination and privacy), specific programs (including children, religious, Aboriginal and Torres Strait Islander), news and current affairs, promotions for programs, warnings, program classification and complaint handling. The ABC code of practice can be accessed from the ABC's website by going to:
<http://www.abc.net.au/corp/codeprac.htm>.*

*Information regarding the complaints process applicable in instances where a complaint relates to the ABC code of practice can be accessed from the ABA's web site at: <http://www.aba.gov.au/contact.htm>
<http://www.aba.gov.au>.*

I hope you find this information of assistance.

*Yours sincerely,
Investigations Section*

Martin Guenzl to newsgeditor@your.abc.net.au

In your article, " Hamas chief bomb maker arrested"

<http://abc.net.au/news/newsitems/s801651.htm>

you describe Hamas as a "hardline group". In fact, Hamas are a terrorist organisation, as specified by the governments of Australia, UK and USA. I look forward to you correcting your web news article to reflect the more accurate description.

Regards

Martin Guenzl

Martin Guenzl to newsgeditor@your.abc.net.au

In your web news article

"Eleven Palestinians killed in Gaza raid"

<http://abc.net.au/news/newsitems/s800468.htm>

you have quoted Palestinian medical sources: "Palestinian medical sources say eight Palestinians died when a tank opened fire to free itself during the withdrawal of the Israeli forces" and "They were hit by the blast of the shell from the tank, the sources said." However, the IDF have stated in a press release on the same day, the following: "Two powerful explosive devices were also detonated toward the IDF forces from within the buildings. One of the devices was detonated inside a store and caused the door to fly out and hit an IDF armored vehicle. The detonation of the two explosive devices caused great damage to the two buildings in which the devices were detonated.

"The IDF Spokesperson's Unit wishes to emphasize that the claims about IDF tank shells fired toward the buildings, causing a great number of casualties, are unfounded. The great number of casualties resulted from the explosive charges that were detonated.

"The detonation of explosive charges from within stores once again illustrates the cynical use the Palestinian terror organizations make of the Palestinian civilian population."

Refer to the full press release from the IDF:

<http://www.idf.il/english/announcements/2003/march/06c.stm>

I look forward to you amending your article, to avoid another "Jenin massacre" embarrassment for the ABC.

Regards Martin Guenzl

Martin Guenzl to newsgator@your.abc.net.au

In your web news article " Hamas security chief killed in West Bank attack"

<http://abc.net.au/news/newsitems/s801890.htm>

you have incorrectly reported that guards shot the attackers dead. In fact, one died when his explosive belt detonated. Refer to the press release from the IDF:

<http://www.idf.il/english/announcements/2003/march/08.stm>

I look forward to you correcting this.

Regards Martin Guenzl

ABC retraction to Martin Guenzl

From: ABC CORPORATE_AFFAIRS6 [mailto:corporate_affairs6.abc@abc.net.au]

Sent: Tuesday, 18 March 2003 7:28 PM

To: martin@guenzl.com Subject: RE: Factual Error report.

Dear Mr Guenzl

Thank you for your email.

*The story has been corrected -
<http://www.abc.net.au/news/newsitems/s801890.htm>. The information contained in the original story published on our web-site came via the international wire agencies AFP and Reuters.*

Yours sincerely,

Kirstin McLiesh

Head, ABC Audience & Consumer Affairs

1.12 Recommendations

Reference No.

Each complaint should have a file reference number accessible to the complainant.

Group Complaint

Where a group of people have been slighted there must be a facility within the complaints procedure to deal with the matter as a group.

Independent Quality Audit

The whole complaints procedure must be answerable to independent external standards such as ISO, or Standards Australia. Many other organisations are subject to QA audits, and the ABC complaints procedure is no different (N.B. This recommendation was not presented to Murray Green)

Face to face

On serious matters a face to face meeting should be achievable in a transparent manner. The complainant must know what conditions must be met to achieve this meeting.

Access to statistics

There must be access to the number of complaints received on serious matters. The ABC must never judge the seriousness of an issue by how many complaints are received: rather, the measure of seriousness should be assessed by the substantive content. Right now, this could be done by measuring the number of complainants who wrote a second time to the ABC dissatisfied with their first answer.

Recommendations

Alter ABC practice

The flowchart indicates no avenue for the Complaints Review Executive to address the underlying cause of the complaint. Indeed it is formulated in such a way as to treat all complaints as being a problem of the complainant (“Complaint terminated”). There must be an avenue for the CRE to find that the ABC ought to alter its practices in certain circumstances, as a preventative measure.

Eliminate “not surprisingly...”

Opinion is often introduced into news items in a subtle way. The phrases “As expected...”, “In a surprising move...” should not be inserted into news proper in an unsubstantiated way.

Follow-ups for more information

None of our seven complainants have ever been contacted by the ABC complaints procedure for clarification of any detail. It is inconceivable that every complainant writes with such clarity that no questions ever need to be asked of the complainant.

Redress

Complaints procedure must provide for timely and public retractions. In certain cases where an error may have occurred a while ago, the ABC has many in-depth analysis programs which would be able to re-examine issues. Eg the BBC last year ran an in depth analysis of their World War II coverage.

1.13 Supplementary material

Human Rights Watch Report

extract from

<http://www.hrw.org/reports/2002/israel3/israel0502.pdf>

Human Rights Watch has confirmed that at least fifty-two Palestinians were killed as a result of IDF operations in Jenin. This figure may rise as rescue and investigative work proceeds, and as family members detained by Israel are located or released. Due to the low number of people reported missing, Human Rights Watch does not expect this figure to increase substantially. At least twenty-two of those confirmed dead were civilians, including children, physically disabled, and elderly people. At least twenty-seven of those confirmed dead were suspected to have been armed Palestinians belonging to movements such as Islamic Jihad, Hamas, and the al-Aqsa Martyrs Brigades. Some were members of the Palestinian Authority's (PA) National Security Forces or other branches of the PA police and security forces. Human Rights Watch was unable to determine conclusively the status of the remaining three killed, among the cases documented.

Human Rights Watch found no evidence to sustain claims of massacres or large-scale extrajudicial executions by the IDF in Jenin refugee camp.

UN Report into Jenin April 2002

extract from

<http://www.un.org/peace/jenin/>

55. Press reports from the days in question and subsequent interviews by representatives of non-governmental organizations with camp residents suggest that an average of five Palestinians per day died in the first three days of the incursion and that there was a sharp increase in deaths on 6 April.

56. Fifty-two Palestinian deaths had been confirmed by the hospital in Jenin by the end of May 2002. IDF also place the death toll at approximately 52. A senior Palestinian Authority official alleged in mid-April that some 500 were killed, a figure that has not been substantiated in the light of the evidence that has emerged.

57. It is impossible to determine with precision how many civilians were among the Palestinian dead. The Government of Israel estimated during the incursion that there were "only dozens killed in Jenin and the vast majority of them bore arms and fired upon [IDF] forces". Israeli officials informed United Nations personnel that they believed that, of the 52 dead, 38 were armed men and 14 were civilians.

Annabel Crabb Article - The Age

ABC bid to tackle claims of bias

By Annabel Crabb Canberra August 27 2002

After years of pressure from the Federal Government, the ABC has decided to create an independent hearing process for complaints of political bias in what Communications Minister Richard Alston is counting as a personal win.

New managing director Russell Balding, who was appointed managing director of the ABC three months ago amid a storm of Coalition complaints of bias, said last night he believed the new system would change perceptions of the broadcaster.

He has appointed Victorian ABC state director Murray Green to oversee the complaints process nationally as head of a new body called the Complaints Review Executive.

The new structure will also provide for a telephone complaints team, working during and after business hours, who can be contacted from anywhere in Australia for the cost of a local call.

Senator Alston, whose office last night said he was happy with the ABC's decision, has expressed concerns for several years that complaints about programs at the national broadcaster are dealt with by the same people who make them.

"This is, if nothing else, unfair on the staff - particularly in news and current affairs - who have no independent assessor to defend them against claims of bias," he said in May, 1998.

Mr Balding said that under the new structure, recently approved by the ABC board, all complaints would be handled independently by the Audience and Consumer Affairs department, then, in the case of serious or disputed matters, forwarded for Mr Green's attention.

"I think the perception is that there isn't a degree of independence to the program makers reviewing program makers," he said. "This will ensure that the assessment of complaints will be taken in an independent and objective manner."

Senator Alston wrote in May to ABC chairman Donald McDonald, asking again for the complaints process to be tightened up, amid a dispute about the appointments process for the new managing director.

Mr Balding denied he had been influenced by Senator Alston's criticism of the existing complaints process, saying a review of the complaints process had been under way for some time. "Senator Alston hasn't written to me," he said.

A spokesman for Senator Alston said last night the minister had been fully briefed on the new system and was pleased.

"The government supports the change and Senator Alston has been personally advocating a complaints mechanism at the ABC that is independent of program makers for more than four years," he said.

The federal director of the Liberal Party, Lynton Crosby, an inveterate critic of the ABC's political reporting, was cautiously optimistic.

"Any improvement in the complaints process and in terms of their capacity to take complaints will be welcome but we'll have to wait and see how I think it goes," he said.

Mr Crosby said his last written complaint to the ABC was mailed last week, but he declined to expand on its contents.

Mr Green, aside from being the Victorian director, has also overseen reviews of the ABC's election coverage. Mr Balding said he was highly qualified for his new role.

The Australian Broadcasting Authority this morning will release the report from its long-running inquiry into the adequacy of regional news reporting by television and radio stations.

It is believed the report will recommend that television and radio broadcasters in country areas be forced to comply with minimum levels of locally focused news or community affairs coverage.

These proposals are likely to be adopted as legislation by the government.

This story was found at: <http://www.theage.com.au/articles/2002/08/26/1030053034154.html>

HonestReporting to Ralph Zwier

Ralph,

Thank you for writing and sharing your thoughts. I checked ABC Down Under and in five interviews that were available between Cave and Avi Pazner, and I didn't find any references to "teaching the Palestinians a lesson."

You should write them and ask for the exact source.

All the best,

John Wiggins
HonestReporting

----- Forwarded message follows -----

From:Ralph Zwier ralph@doublez.com.au
Organization: DOUBLEZ
To: action@honestreporting.com
Date sent: Mon, 7 Oct 2002 11:55:43 +1000
Subject:Peter Cave
Send reply to: ralph@doublez.com.au
Priority:normal

Dear Honest-Reporting!

Supplementary material

I would like you to get me some information on a complaint we are making to the ABC: (or let me know where I can definitively find the information)

The ABC (Australia) continually used the phrase "... teach Mr Arafat a lesson ..." in reference to the recent siege of his headquarters in Ramallah. The phrase was attributed to being : "the Israeli Government's stated intention".

On the BBC, on the other hand, the Israeli government's stated intention was "to isolate Mr Arafat". I believe that the ABC has invented the phrase "teach him a lesson" and placed it into the mouth of the Israeli spokespeople. When I sent a complaint to the ABC asking for confirmation on where they obtained this phrase, they answered as follows:

... he (Peter Cave) has used elsewhere the phrase regarding 'teaching Mr Arafat a lesson'. It was not of his making: it was stated by the Israeli Government spokesman, Avi Pazner, in an interview with Mr Cave...

Is this TRUE ??

If the question requires clarification please telephone me (reverse charges) on +613 9521 2188, or +613 9527 8046 and ask for Ralph

Regards

Ralph Zwier
Double Z Computer Tel +613 9521 2188
Fax +613 9521 3945

- End of forwarded message _____

HonestReporting Communique 27 October 2002

"BBC Gets Caught Again"

HonestReporting member Mike S. is fast becoming the monitoring expert of BBC.

You will recall earlier this month that Mike caught BBC publishing an anti-Israel photo caption that was unrelated to the article. BBC subsequently expressed regret and changed the caption.

This time, Mike has caught BBC altering the "quoted" words of White House press secretary Ari Fleisher. In referring to a recent Palestinian homicide bombing, Fleisher said, according to the Official White House transcript:

"The administration, the President condemns the most recent attack in Israel. It's another reminder of how it's so important for peace to be pursued and for terror to be stopped."

<http://www.whitehouse.gov/news/releases/2002/10/20021021-6.html>

BBC, however, changed the word "terror" to the generic term "violence." BBC mis-quoted Fleisher as saying: "The administration condemns the most recent attack in Israel. Peace must be pursued and the violence must be stopped."

Due to Mike's diligence (he had to write twice to complain), BBC replied as follows: "We have looked at your comment carefully and have made the necessary alteration."

See the corrected article at:

http://news.bbc.co.uk/2/hi/middle_east/2347155.stm

HANSARD Transcript

ECITA 60 SENATE - Legislation Wednesday, 20 November 2002

Australian Broadcasting Corporation

CHAIR We welcome the ABC to the hearings. It is good to see you all again for another little round of estimates. Senator Tchen has a couple of questions and then we will go to Senator Lundy.

Senator TCHEN Mr Balding, welcome back, this time in your proper . I congratulate you. I notice that there has not been any complaint about your management in the press or from Friends of the ABC, which is quite an achievement.

Mr Balding Thank you.

Senator TCHEN I wonder whether you could talk to us about the complaint resolution procedure you have set up recently. I have a specific case which I would like to refer to you after that.

Mr Balding We have recently strengthened our complaints handling system. We did that so as to provide a much more transparent and independent process. The detail of that enhanced process was recently emailed to all members of parliament and senators, outlining the process. In general, we believe that our new system is as good as, if not better than, any other public broadcaster's complaints processing system. Essentially, all program complaints are channelled through a single unit, which is Audience and Consumer Affairs, for assessment rather than assessment in the first instance by the program units themselves. We have established the position of complaints review executive, independent of the program makers.

Senator TCHEN Is this process working yet?

Mr Balding It is being gradually phased in over the next few months. It is working in that the complaints go to Audience and Consumer Affairs. They are liaising with the program areas, but where there is a serious complaint, a complaint of breach of editorial policies, that complaint can

Supplementary material

be referred to the complaints review executive, or where the complainant has had a response back from the ABC and the complainant is still not completely satisfied with the ABC's response, we can refer that to the complaint review executive for further independent review.

Senator TCHEN The reason I want to ask this question is that I had a case brought to me by some of my constituents which I think graphically demonstrates the unsatisfactory situation that you described earlier about a complaint being directed to the program manager. This complaint was brought to me by Mr Ralph Zwier and Ms Ronit Fraid. I have all the details here, which I will pass to you later. Subsequent to their bringing this to my attention, I wrote to Mr John Tulloh, head of your international operations, whom these people had dealt with before—as I said, unsatisfactorily. I wrote to him on 7 November and so far I have not heard from him at all.

Mr Balding On 7 November?

Senator TCHEN Yes, 7 November. I also sent a copy to Mr Murray Green and I have not heard from him either.

Mr Balding I am more than happy to take that on board and follow that through for you.

Senator TCHEN Thank you very much. If it takes two weeks to reply to a member of the Senate, I think it might take longer to reply to a member of the public.

Mr Balding We try not to differentiate.

Senator TCHEN Even so, two weeks is a fair time in which to get an initial response back.

Mr Balding Let me follow that through for you.

Senator TCHEN Thank you. I also have a number of questions which I will put on notice because they are fairly complex to do with the ABC-FFC accord television documentary called Victim/Seasons of Revenge, which the ABC commissioned from a Ms Janet Bell. There are a number of questions here that I am happy to put on notice.

Annabel Crabb Article in “The Age”

ABC Website outside bounds of review by Annabel Crabb 14th March 2003

Stories published on the ABC website are not covered by the broadcaster's code of practice and are beyond the investigative powers of the Australian Broadcasting Authority, a man complaining about the ABC's Middle East coverage has been told.

The ABC's code of practice promises fairness and balance in its television and radio broadcasting, and its new complaints system offers a detailed structure viewers and listeners who feel the standards have not been met.

“Unfortunately the ABC's code of practice does not address the issue of material placed on its website,” the Australian Broadcasting Authority told Melbourne man Jacob Wajsborn last week.

The ABA has since expanded its advice, saying it does not have the power to investigate any news websites, regardless of whether they are covered by codes of practice.

Mr Wajsborn's Melbourne-based group, identifying itself as the International Committee for Jewish Solidarity, has been pursuing the ABC over its claims of systemic anti-Israel bias in the broadcaster's Middle East reporting.

The group's spokesman, Ralph Zwier, said the ABA's advice exposed a problem with the complaints process.

“I'm concerned because the ABC constantly in its literature says to us, ‘if you're not satisfied with our finding, you can go to the ABA’,” he said.

He said the complaints procedure was “a complaints rejection procedure”.

Mr Zwier's group has had its complaints about anti-Israeli bias rejected by the ABC's formal process (which has also simultaneously rejected a separate complaint of pro-Israeli bias).

A spokesman for the ABC said that while the code of practice referred specifically only to radio and television reports, the broadcaster regarded ABC Online as subject to the same journalistic rules. He said some clarification might be needed of the broadcaster's independent complaints review procedure to ensure that it applied to online content.

Mark Day Article in “Australian”

Massacre of ABC funding hopes?

by Mark Day

March 20, 2003

AS the ABC rolls out its big guns to support its quest for more funds for the next three years, no one involved should allow their hopes to rise too far. There are forces within government that are determined to punish the ABC, and stemming its flow of funds is seen as a neat way to do it.

What follows is a remarkable tale of how a persistent lobby group's push for changes to the ABC's complaints procedure has been hijacked by political forces and held out as a reason to deny the ABC funds.

The story has its beginnings in the events surrounding the events in the West Bank town of Jenin in March 2002, when at least 52 Palestinian and Israeli soldiers and civilians died in a gun battle.

In August last year the ABC's foreign editor, Peter Cave, presented on Radio National's Correspondents Report a piece which dug into the causes and effects of the action and asked: Was there a massacre in Jenin?

Before he reached a conclusion, he noted the difficulty in sorting the wheat from the chaff of claim and counter claim between the Israelis and Palestinians, and the lack of an independent UN investigation.

He even resorted to two dictionaries to define the meaning of the word “massacre”, and, based on the definition “the unnecessary, indiscriminate killing or slaughter of human beings” decided that, yes, there had been a massacre.

In a world without absolutes, and in a war-torn time when truth is a constant casualty, this seemed to be a valid attempt to put a perspective on the Jenin events.

But it did not satisfy some listeners, especially a small band of like-minded folk in Melbourne. Although they could be called deeply partisan, they set about trying to correct the record to show there had not been a massacre. The group formed a lobby group which they named Jews Against Bias in Media and set about preparing a 55-page dossier to document their case.

It contained correspondence from a number of JABM members to the ABC. The charge was consistent bias. The reply was also consistent the ABC bends over backwards to be fair and even handed.

After initially railing against individual correspondents and the views they expressed in their reports, and finding only support from their ABC bosses, JABM switched tactics.

They declared the ABC's complaints procedure flawed. JABM spokesperson Ralph Zwier told me: “Our experience is that the complaints process sees its job as convincing the complainant that he or she is wrong.”

This is in spite of the ABC's MD, Russell Balding, announcing in November last year the establishment of a new complaints procedure, for which he was commended by Communications Minister Richard Alston.

Under the new plan, people with complaints have a four-level process. They make their complaints first to the head of audience and consumer affairs in each state capital. If that does not satisfy, the complaint is referred to the new position of complaints review executive, headed by Murray Green.

If that fails, the complainant has recourse to the Australian Broadcasting Authority, and then to a non-ABC body called the Independent Committee for the Review of Programs.

In spite of Balding's efforts to beef up the complaints procedure, JABM was not satisfied. On March 4 and 5 its members joined a deputation in Canberra lobbying parliamentarians on behalf of Israel's interests.

"We sort of tagged along with the others," Zwier says. "We had 30 copies of our dossier printed, and we handed it out to anyone who showed interest. We left copies with the Minister for Communications and the Prime Minister's office."

Not much interest was shown until government sources let it be known the JABM dossier was being taken very seriously at the highest levels of government because it was seen as confirmation of the ABC's fundamental disregard for the truth and the existence of permanent biases within the organisation.

It was reported by these sources that the JABM dossier was seen alongside "the Jakarta incident" where the introduction to a report filed by political correspondent Jim Middleton was changed in the production process to erroneously assert Indonesia's view was that a war on Iraq would be a war on Islam.

John Howard was furious, and complained about the story, saying it had damaged the national interest. The ABC published a correction and apology the following night.

In my view, you have to draw a very long bow to make any connection between the Jenin complaints and Jakarta events. Zwier also expresses bemusement at the dossier becoming a tool against the ABC. "That was not part of our intention whatsoever," he says.

So why does the government appear hell bent on denigrating the ABC? One source told me: "Because the Prime Minister is seriously pissed off with them and he wants them to know they're well down the financial totem pole when they come asking for more money."

At stake is a request for \$250 million over three years. Don't get your hopes up, folks. mday@ozemail.com.au

JABM Response to Mark Day article

Massacre of ABC funding hopes? - Mark Day - March 20 2003

As the spokesperson for JABM (Jews Against Bias in Media) I have spoken to three journalists about the Jenin incident - including Mark Day. Their instinctive reaction is to defend the ABC's reportage.

The journalists gloss over three important points:

1. There is credible evidence in the public domain that there was no massacre in Jenin. Read the Human Rights Watch (HRW) report which concludes that there was NO massacre even though may have been human rights violations. Read the UN report which concludes that the claims of a massacre by a Palestinian spokesman are unsupported.
2. Virtually all Western media outlets retracted the allegations of a massacre after checking the evidence.
3. The ABC in its investigation of the 58 complaints made about the ABC's coverage of Jenin made its findings WITHOUT trying to determine the facts. The ABC's investigation technique this is clear from the correspondence in the JABM dossier was to reread the transcript of the offending program; reread the dictionary definition of a massacre; draw the conclusion that the reporter had not violated anything in the Code of Practice: as though the facts of the case can be determined from behind an office desk with a transcript, a good dictionary, and the ABC Code of Practice. There is no attempt in the ABC's handling of the matter to marry up their reporter's findings with the HRW or the UN reports.

With an investigation process like this, is it any wonder that the ABC are "correct" by their own assessment in 98.2% of complaints and the public is "correct" in only 1.8% of complaints

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