



Advisory Guideline: Reporting Elections

The Press Council recognises the right of media to have and promote their own political positions; endorse certain beliefs and policies and to reject others; and favour or oppose the election of one party or candidate over another.

At the same time, the media play a major role in the democratic process by ensuring the electorate is well informed and facilitating freedom of speech by candidates, their supporters and members of the community. This means that comprehensive and accurate accounts of key elections issues, particularly in an era of 'fake news', are critically important.

Publications that belong to the Press Council have a responsibility to uphold the Council's General Principles.¹ These Advisory Guidelines on Reporting Elections highlight particular issues relating to the General Principles regarding accuracy, fairness and balance, integrity and transparency when applied to election reporting.

Complaints during election campaigns are evaluated by the Press Council on the same basis as any other complaint.²

Accuracy

- Election news coverage should be accurate and not be misleading (as required by the Press Council's General Principle 1).³
- There should be a clear distinction between reporting facts and advocacy or stating opinion.
- Columnists and commentators should take reasonable steps to use factual material as references when expressing their views.

Fairness and balance

- When inviting political candidates to present their views or outline their policies in an election report, publications should generally provide equal space to each, where this is reasonable and practical.⁴ It is acknowledged this may not be possible or desirable where there are many candidates.
- If publishers wish to use photographs of candidates, then the candidates in question should be granted an opportunity to provide images of themselves for this purpose. Editors should consider balance and fairness as much as technical suitability when deciding if and how to present these images.
- Candidates should be invited to provide comment on issues if this is also offered to rivals or critics.⁵ Where there are numerous candidates, a publication may limit itself to selected candidates subject to the requirement for fairness and balance.
- Editors should consider publication deadlines when reporting candidates' views and providing opportunities for rights of reply or comment by rivals. Non-daily publications in particular should consider whether opportunities to respond only in later editions provides reasonable balance.⁶
- While selection of letters to the editor and online comments is a publisher's prerogative, such material should be carefully moderated in order to avoid having the position of particular political parties over-represented. Publishers should make clear any policy they apply that might constrain the publication of letters and online comments.

- News images and video should not be distorted to misrepresent the subject matter. Any digital alteration of images should be carried out in accordance with the Press Council's detailed Advisory Guideline on this matter.

Integrity and transparency

- The political affiliations of a reporter or commentator should be disclosed at the time of publication where such an interest is significant and relevant to the article.
- Before obtaining an interview for publication, journalists covering election events should clearly identify themselves and their media organisations.
- Online comments and letters to the editor should be vetted to ensure that politicians and party officials using these forums do not misrepresent themselves as ordinary members of the public.

1 <https://www.presscouncil.org.au/standards/statement-of-principles/>

2 Adjudication No. 1270 (February 2005), Adjudication No. 1581 (November 2013).

3 Adjudication No. 1270 (February 2005).

4 Adjudication No. 1393 (June 2008).

5 Adjudication No. 1581 (November 2013).

6 Adjudication No. 1550 (September 2012), Adjudication No. 1578 (November 2013), Adjudication No. 1581 (November 2013), Adjudication No. 1593 (July 2014).

Relevant Adjudications

Adjudication No. 1270: Brown/Herald Sun (February 2005)

<http://www.austlii.edu.au/au/other/APC/2005/3.html>

Complaint by Senator Bob Brown against The Herald Sun, Melbourne, for an article, headed Greens back illegal drugs, published on 31 August 2004 in the lead-up to the 2004 federal election.

'The Council views this article as irresponsible journalism.'

'In the article a number of false claims were made about Greens Party policies. The article was accompanied by a graphic entitled "What they stand for". The graphic listed 20 broad proposals claimed to be advocated by the Greens.'

'Given the sweeping and unqualified nature of the claims, the newspaper ought to have checked the veracity and currency of the policy claims. Prior to the publication of the article, the reporter rang Sen. Brown's office asking for the Greens' policies. He was informed "that all current policies were available on the website". There is evidence that, as well as any use made of the Party's website in writing the article, the reporter preferred other statements of Greens' policies, some erroneous and hostile.'

'In the context of an approaching election, the potential damage was considerable. The actual electoral impact cannot be known but readers were seriously misled.'

The Council found the 'claims made in the original article were seriously inaccurate and breached the Council's guiding principles of checking the accuracy of what is reported, taking prompt measures to counter the effects of harmfully inaccurate reporting, ensuring that the facts are not distorted, and being fair and balanced in reports on matters of public concern'.

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

<https://www.presscouncil.org.au/document/1393-bates>

'Mr Bates a mayoral candidate in elections for the Banana Shire complained of four matters arising during the election campaign.'

'The newspaper provided each candidate with equal and fair editorial coverage and made provision for each candidate to run a large introductory article.'

'The Council believes editors have the right to ensure balance in publishing electoral material and in this case believes the newspaper has not breached Council principles.'

'Mr Bates also complained that a letter to the editor he had sent containing criticism by the Queensland Ombudsman of the shire council was not published. The newspaper responded that it had a policy not to publish letters from any mayoral candidate during the election campaign.'

'In the Press Council's view, such a policy is reasonable but, particularly in a community newspaper, any such policy should be clearly notified by the newspaper.'

Adjudication No. 1550: Gold Coast City Council/The Gold Coast Bulletin (September 2012)

<https://www.presscouncil.org.au/document/1550-gold-coast-city-council-2>

'The article was the sole item on the front page, with a very prominent heading "City's Credit Crunch" and an opening paragraph saying that the City Council's credit rating by Queensland Treasury Corporation (QTC) "has been slashed, meaning ratepayers have to pay more every time the council borrows money"'

Claim that credit rating drop would result in higher interest rates on borrowing found to be inaccurate

'The Press Council has concluded that having received the Mayor's rejection of the assertion the newspaper should have carefully checked the facts, preferably with the QTC itself. The subsequent article should then have stated that the previous assertion was incorrect, not merely reported the City Council's claim about it. This failure was especially important because the assertion had been included in a prominent headline and a council election was imminent.

Accordingly, the aspect of the complaint relating to failure to correct an inaccuracy is also upheld.

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

<https://www.presscouncil.org.au/document/1578-cr-len-roberts>

Letter published in a weekly newspaper, a few days before local government elections which quoted Cr Roberts – but took the quote out of context

'A journalist at the paper showed Cr Roberts the letter before it was published. He then sent her a letter for publication saying that he had never espoused the alleged vision.[MR2]'

'Cr Roberts had asked that the newspaper to decline to publish the constituent's later letter and that, if the letter was published, it be accompanied by his letter of denial or an "editor's note" acknowledging the misrepresentation. The newspaper rejected these requests' – claiming that readers already knew Cr Roberts position (The newspaper had published a similar letter from

the same constituent “some six months” earlier, followed by a letter of denial from Cr Roberts.) ‘Cr Roberts then complained to the Press Council that publication of the constituent’s letter in the last edition before the election was unfair, especially as his refutation had not been published at the same time and the newspaper knew he had been misrepresented.’

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

‘Accordingly, the complaint is upheld on the ground of lack of adequate fairness.’

Adjudication No. 1581: Cr Ben Shields/The Daily Liberal (November 2013)

<https://www.presscouncil.org.au/document/1581-cr-ben-shields>

An article published less than two weeks before a local government election reported objections by a local conservation group to claims by Cr Ben Shields in a campaign leaflet. The complainant ‘said the article consisted largely of quotes from the group’s president but he was not given an opportunity to comment. He had sent an email to the editor following publication seeking an opportunity for comment and, although he understood a follow-up article would be published, this did not occur.’

‘The Press Council has previously emphasised that unfairness can arise if a newspaper publishes critical material about electoral candidates without giving them an opportunity to respond before the election. As the article contained very strong criticisms of Cr Shields, and consisted almost entirely of quotes or paraphrased statements from the conservation group’s president, Cr Shields should have been given an opportunity to respond before publication. Failing that, his response should have been published before the election by including it in a follow-up article or by helping him to convert his earlier message into a publishable form. Accordingly, the complaint is upheld.’

‘The Council acknowledges the difficulties faced by the newspaper as a result of staff shortages. However, they do not relieve a publication from the need to ensure fairness, especially in the period before an election.’

Adjudication No. 1593: Frank Carbone/The Sydney Morning Herald (July 2014)

<https://www.presscouncil.org.au/document/1593-frank-carbone>

Complaint about an article headed ‘Treasurer Chris Bowen’s lieutenant was the landlord at an illegal brothel’

‘It reported that before becoming Mayor of Fairfield in Western Sydney, Frank Carbone had been the landlord of a business that was said to have operated as a “massage parlour” in 2005. The article was published in the week leading up to the federal election and included references to political developments affecting the area.’

Mr Carbone ‘said after the article appeared he contacted the newspaper about the errors in the article, which should then have been corrected. He also complained that describing him as the Treasurer’s “key local lieutenant” incorrectly implied he was a senior figure in the Treasurer’s campaign.’

‘The publication said Mr Carbone told the reporter he would hand out how-to-vote cards for Mr Bowen in the last week of the federal campaign. It pointed out that after the article appeared, it had added to the online version a denial by Mr Bowen that Mr Carbone was a member of his campaign team.’

‘The Press Council has concluded that describing Mr Carbone as “Treasurer Bowen’s Lieutenant” in the headline and “a key local lieutenant of Treasurer Chris Bowen” in the first paragraph were both inaccurate and unfair. There was no evidence of any involvement in Mr Bowen’s campaign beyond an intention to distribute how-to-vote cards, which does not justify the term “lieutenant”, let alone “key local lieutenant”. The Council considered the publication should also have changed these aspects of the online version of the article, rather than just adding the comment by Mr Bowen. Accordingly, this aspect of the complaint is also upheld.’

‘The Council is unable to conclusively determine some matters relating to other aspects of the complaint and is not satisfied there was a sufficiently significant breach of its Standards for those aspects to be upheld. However, there may well have been good cause for further investigation before publishing the story, especially as it appeared only a few days before the federal election.’

