

26 June 2019

Mr Graham Park
PO Box 11220
Centenary Heights QLD 4350

By email: president@shootersunion.com.au

Dear Mr Graham Park

We write in response to your online complaint dated 24 May 2019 regarding a *Nine News* report which was broadcast in Queensland on 24 May 2019 (**the Report**). We understand the substance of your complaint to be that the Report was biased in its portrayal of a firearm and gun ownership. Additionally your complaint raises concerns in relation to the Promotion of the Report, we understand your complaint to be that the Promotion inaccurately referred to the firearm as a "Machine Gun" (**the Promotion**).

As a commercial free to air television broadcaster, the content we broadcast is regulated by the *Commercial Television Industry Code of Practice 2015* (**the Code**). The Code sets out the requirements relating to the broadcast of news and current affairs content, with which Nine makes every effort to comply.

Relevantly, the Code states:

3.3.1 In broadcasting a news or Current Affairs Program, a Licensee must present factual material accurately and ensure viewpoints included in the Program are not misrepresented.

...

3.4.2 In broadcasting a news Program, a Licensee must:

a) present news fairly and impartially;

b) clearly distinguish the reporting of factual material from commentary and analysis.

3.4.3 Nothing in this Section 3 requires a Licensee to allocate equal time to different points of view, or to include every aspect of a person's viewpoint, nor does it preclude a critical examination of or comment on a controversial issue as part of a fair report on a matter of public interest.

In order to respond your complaint, our Compliance Department have reviewed the Report, the Code provisions referred to above, and the concerns that you have raised.

Based on our review, we have not been able to identify any factual material contained in the Report that was inaccurate. Indeed, the Report referred to information from the Queensland police when describing the firearm. Nine maintains that the Report accurately represented factual material as required by the Code.

With respect to the allegations of bias against lawful gun owners, the Report contained an analysis of the recent confiscation orders issued in Queensland, as well as using online polls to illustrate how upset the confiscation orders have left gun owners. As indicated above, the terms used in the report were obtained from Queensland Police. The Report also involved interviews with a representative of the Firearm Owners United, Kirk Yatras, a Gun Control Australia representative, Samantha Lee and a lawyer from Rostron Carlyle Rojas Lawyers, Maria Bouci.

We note that the Report did not assert that opinion that suggested illegality on the part of lawful gun owners. In fact, the Report included the statements from Mr Yatras that described the numerous differences between the firearm and a machine gun. Further, Mr Yatras indicated that the confiscation orders were due the lack of excessive recoil which has assisted inaccuracy surrounding the Firearm.

While the Report did include a statement from Ms Lee observing that the firearms were “*very dangerous weapons*”, this was clearly indicated as being the perspective of those calling for greater gun control. This was immediately followed by a voiceover implying that it is unfair that gun owners are not being compensated for their losses as a result of the confiscation orders. This was also immediately followed by Mrs Bouci’s statement that “*it’s definitely fair if they do receive compensation from this mistake by police*”

Based on this, Nine maintains that the Report was impartial and did not suggest any impropriety on the part of lawful gun owners such as to constitute a breach of clause 3.4.2 of the Code. Additionally, having reviewed the Promotion, Nine considers that the references to the word “Machine gun” constituted facts which were to be expanded within the Report. Nine Moreover, given that the issue of firearm ownership and regulation is an important public interest issue, Nine considers that the Report was an appropriate critical examination of a controversial issue, as contemplated by clause 3.4.3 of the Code. Accordingly, we do not consider that there has been contravention of any matter covered by the Code in this instance.

We hope that this helps to address your concerns, however if you are not satisfied with this response, you are able to refer the matter to the Australian Communications and Media Authority

Yours sincerely



Compliance Department
Nine Network Australia