



# ***SBS-TV and the Middle East***

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**A Report by  
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## EXECUTIVE SUMMARY

This report originates in the long-running concern of the Australian Jewish community that SBS exhibits an entrenched and strongly pronounced bias against Israel in its news, reportage and selection of documentary material and in the lack of responsiveness, indeed negativity, of SBS to reasoned and documented complaints. It examines the problem of bias in SBS news and current affairs coverage of the Arab-Israeli conflict.

This report demonstrates that an analysis of SBS television news and current affairs indicates a pattern of factual inaccuracy and bias in selection of material, emphasis and reportage that regularly spills over into overt editorialising. It also demonstrates that this pattern has been sustained over many years up until the present.

When viewed against SBS's legislative guidelines and Codes of Practice, this record indicates that the network has consistently violated both where coverage of Israel is concerned.

A review of SBS current affairs coverage reveals a decade-long pattern of favouring overwhelmingly anti-Israel documentaries or material severely critical of Israel, no matter how biased and unreliable. For example, a two-month period (October-November 2002) saw SBS screen eight documentaries on Arab-Israeli issues, five of which were anti-Israel, three of which were reasonably balanced and none of which could be described as particularly sympathetic to Israel.

Additionally, an in-depth analysis of SBS news coverage over a one-year period identified 57 cases of serious bias involving variously editorialising, selectivity, graphics and, most importantly, 13 cases of outright factual errors. Despite official written complaints regarding several, no public apology, retraction or correction was forthcoming for any one of these errors, five of which we describe here:

- Reporting as fact a Palestinian claim that the Palestinians had instituted a cease-fire which had in fact been unilaterally declared by Israel and which was later ended by a Palestinian suicide bombing.

- Falsely reporting that Yasser Arafat had arrested two men involved in the murder of a priest when, in fact, it was the Israelis who had arrested the men, while the Palestinian Authority accused Israel of committing the murder.
- Misidentifying a spokesman of the Israeli settler movement as an Israeli Foreign Ministry official and thus misleading viewers to believe that his call for an all-out war on the Palestinian Authority was the policy of the Israeli government.
- Falsely claiming that six Palestinian civilians had been killed in an Israeli military counter-terrorist action when in fact four of the six fatalities were members of the Islamist terrorist group, Hamas.
- Erroneously stating that Tel Aviv is the capital of Israel.

Our analysis of SBS television news and current affairs coverage of the Middle East indicates that what can be reasonably termed a 'culture of bias' afflicts SBS. In view of this, serious consideration should be given to the adoption of legislative reform to provide for a revised Charter and Codes of Practice that make explicit SBS's obligations with respect to the presentation of news, current affairs and documentaries.

#### **The reforms would:**

- 1. Provide for the establishment of an adequately funded and staffed external independent complaints panel to deal with non-vexatious allegations of bias and error in a timely and expeditious fashion that permits early correction, retraction or clarification where these are found to be warranted.**
- 2. Prescribe that any findings by the complaints panel of inaccuracy, distortion or unprofessional practice need to be speedily and effectively rectified as far as possible through prompt public correction, apology or clarification, both on-air and on the SBS web-site.**
- 3. Empower the panel to investigate complaints, including detailed submissions of long-term or institutional bias**

**affecting news reportage, current affairs and documentary selection.**

**4. Establish the principle that decisions of a complaints panel should be subject to further appeal to an independent body with commensurate powers and capacity to investigate issues of long-term or institutional bias.**

**5. Affirm the principle that complaints do not derive their worthiness or seriousness, so far as SBS is concerned, from the number of people who lodge them, but from the inherent merit of the complaint as judged by the panel or the appellate body.**

**6. Regular monitoring and reporting on current affairs features and documentaries to ensure the presentation of a spectrum of viewpoints and perspectives on particular issues and themes over the shortest timeframe reasonably possible.**

**7. Ensure that the provenance of all documentaries is fairly and fully disclosed to viewers when broadcast to ensure that SBS viewers do not become the unsuspecting audience of advocacy journalism and partisanship.**

**8. Institute Codes of Practice on news reportage that obliges news programmes to present the relevant facts, using a consistent lexicon that reflects the practice expected of a professional broadcaster. It must also ensure that broadcasts do not advocate or present partisan views and must prohibit tacit or explicit editorialising.**

**9. Ensure that the use of file footage is both directly relevant to the particular story and clearly designated as such in all cases.**

## **Introduction**

The Australia/Israel & Jewish Affairs Council (AIJAC) has always strongly supported SBS as a multicultural broadcaster, and continues to do so. It hopes to see professional, accurate and unbiased news and documentary programming on SBS, as promised in the SBS Codes of Practice and consistent with SBS's obligations as a taxpayer-funded broadcaster. This is simply not occurring with respect to coverage and reporting of the Middle East.

For many years, AIJAC has been concerned about the nature of SBS coverage of matters pertaining to Israel, the Middle East more generally, and other issues of concern to the Australian Jewish community.

The accountability and complaints review procedures at SBS have correctly been the focus of debate for some years. It is always a matter of importance that public broadcasters are responsive to reasoned criticism and have in place suitable mechanisms for reviewing the merits of various complaints. AIJAC has been concerned for several years that substantial and documented complaints from the Jewish community have been handled neither seriously nor expeditiously.

SBS Television, Australia's multicultural broadcaster, has shown a continuous record of bias in its reporting and coverage of Middle Eastern events. This is inconsistent with SBS's Charter and Codes of Practice, its obligations as a taxpayer-funded public broadcaster, and with SBS's special multicultural focus.

Some breaches and instances of bias that we describe below would perhaps, in isolation, be considered minor. Taken together with the whole of the material we have assembled for this report, however, we believe that these instances underscore what can be reasonably termed a 'culture of bias'.

This indicates that the network may have some specific problems of organisational attitude and structure that require remedial measures. It bases this assessment on two specific long-term and continuous patterns in SBS coverage of Middle Eastern news and events.

- ‘World News’, the news programme offering the most complete Australian television coverage of Middle Eastern events, has an overwhelming and consistent record of anti-Israel bias in its selection of stories, in the language used by reporters and presenters, and in the visuals presented. This has been persistently present over many years and is apparent when comparing the coverage of the Middle East given by SBS to other free-to-air television news sources.
- Documentary and current affairs programming on SBS consistently show an overwhelming preponderance of material highlighting, or sympathetic to, anti-Israel viewpoints.

We have not focused on SBS coverage of other important issues and conflicts, but we understand that problems of bias and imbalance are not solely concerns of the Jewish Community. For example, the Turkish, Christian Lebanese and Vietnamese communities in Australia have raised serious concerns over SBS’s coverage of Turkey, Lebanon and Vietnam and the manner in which their complaints are treated. SBS producers and managers consistently dismiss complaints about their coverage, often without any substantive attempt to reply to criticism. Consequently, AIJAC believes that part of the resolution of the problem for SBS lies in establishing an independent external complaints review process.

There are documented instances of serious factual errors for which SBS representatives have either failed or refused to issue an appropriate correction or apology. Only a mechanism that removes the complaint process from those directly responsible for the material to which the criticisms pertain has any realistic prospect of producing a balanced and objective response to viewer complaints.

At the outset, it bears emphasising that even the institution of an independent complaints procedure is unlikely to completely resolve the problem. As demonstrated below, the problem with SBS is not simply a matter of bias or lack of professionalism in specific cases, which a complaints procedure might ameliorate somewhat, but a systemic problem involving a whole journalistic style and set of assumptions that ensures these problems repeatedly recur.

Throughout its history, encompassing the various amalgamation proposals, the restrictions imposed by the *Public Service Act* and

the *Television Broadcast Act*, SBS struggled to find a distinctive place in the Australian broadcasting system. However, after much parliamentary and community debate, SBS received its own Act and Charter in November 1991. The new legislation defined SBS's role and set out its structure, powers and responsibilities. However, the then Government stressed that for SBS to fully qualify for funding it must provide for programming that reflected the multicultural character of the Australian community and encouraged the use of community languages.

The Australian Jewish community has long had reason to be concerned about the multicultural broadcaster's bias against Israel both before and since 1991. Mainstream Israeli viewpoints are typically marginalised, distorted and, to say the least, infrequently represented in the large body of broadcasting that SBS devotes to the Arab-Israeli conflict.

What follows is a record of SBS's treatment of relevant subject matter that establishes a clear pattern of partisan bias and selectivity that ought to be simply unacceptable to a professional and valuable tax-payer funded institution charged with informing the Australian public.

In saying this, we acknowledge and indeed encourage the broadcasting of material that presents a variety of perspectives on Israel. Equally, however, we are of the view that comparable reports presenting mainstream Israeli views and perspectives are not provided equivalent airtime to reports that are critical. The record of SBS programming that so clearly favours an anti-Israel perspective which appears below should be understood in that context.



## 1.1- SBS World News - Introduction

SBS World News coverage of the Middle East, while the most comprehensive, is nonetheless consistently unbalanced, arguably more so than any other Australian television news service. This has constituted an unbroken pattern for many years which has intensified since the outbreak of Israeli-Palestinian hostilities in September 2000. The problem is pervasive and includes:

- the *language* of reporters and presenters, which often spills over into implied or explicit *editorialising*;
- the *selection* of overseas news reports and its placement in SBS World News;
- the *footage* selected to illustrate stories and the *graphics* used to illustrate the introductions of presenters; and most seriously,
- the *factual accuracy* of some SBS news reports and commentary.

### **Generic examples of bias**

1. *Language and editorialising.* In reporting Israeli-Palestinian violence, SBS almost always refers to Palestinian violence against Israel as “claimed” or “alleged”, except in the case of major large-scale suicide attacks, while Israeli violence against Palestinians is almost always reported as actual and undisputed. Moreover, SBS ‘World News’ has repeatedly made the main subject of its stories Israeli retaliatory action against Palestinian attacks, not the Palestinian attacks that preceded Israeli actions, the latter often reported as something Israel “claimed” had prompted its actions.

In 2001, this occurred repeatedly regarding Israeli forces returning fire at the town of Beit Jala, where Palestinian gunmen were regularly opening fire on Gilo on Jerusalem’s southern outskirts (see the section, *SBS News – The Record for January-December 2001*). It also occurred in reporting Israeli strikes upon Palestinian terrorist installations and headquarters (described as “assassination” of “militants,” sometimes even mere “activists”) with the terrorist outrages that prompted them being merely Israeli “claims” – on the occasions these were mentioned at all.

SBS reporters repeatedly use language that accepts Palestinian legal contentions in the Arab-Israel dispute as true, even when Israel and international legal scholars dispute them. Thus SBS reporters and presenters routinely refer to all of the West Bank, Gaza and East Jerusalem as “occupied Palestinian land.” Yet it is indisputably the case that this land has never previously been under the sovereignty of either the Palestinian people or a state called Palestine, nor is there any legally binding UN decision or international treaty that says it should be.

Similarly, SBS routinely refers to all Israeli settlements in these territories as “illegal”, something disputed both by Israel and many international legal experts. SBS cannot claim expertise in international law and thus has an obligation to refer to such contentions as claims and not to present them as facts.

The language of SBS presenters and reports often contains explicit editorialising about Middle Eastern events. This was very clear during Israel’s 2001 prime ministerial election campaign, when SBS reporters and presenters consistently implied that the election of Ariel Sharon was an ominous and frightening development. Presenter Mary Kostakidis said unequivocally that it “sounded the death knell” of the peace process. Mr Sharon is almost never referred to on SBS News without the use of the adjective “hard-line” or some other pejorative term. Such descriptions are not used routinely with respect to any other foreign leader, certainly not in reference to any other elected leader.

Moreover, SBS regularly uses euphemisms to describe Palestinian violence, including “demonstrations”, “unrest” and “insurgent action” with regard to confrontations involving the use of firearms and Molotov cocktails. In the period under review, SBS news reports insisted that bombings and shooting attacks were carried out only by Palestinian opposition groups, such as Hamas and Islamic Jihad, when a large quantum of the violence has been conclusively demonstrated to involve security services and militias associated with the Chairman of the Palestinian Authority, Yasser Arafat. In contrast, other networks were able to report that these latter groups have been involved in actual terrorist attacks against civilians.

2. *Selectivity*. SBS news selection reflects a constant willingness to emphasise developments or relay foreign news service reports that tend to support Palestinian claims or which imply criticism or undesirable truths about Israel or its leaders. For example, SBS has given vastly more prominence to Arab and other claims that Mr Sharon is a “war criminal” than any other news service in Australia. SBS consistently selects more foreign reports on the Middle East from the BBC and other sources that are highly critical of Israel or its policies than other news services in Australia.

This type of selection has occasionally led SBS to compromise its stated role of encouraging tolerance and multiculturalism. An egregious example since the renewed Israeli-Palestinian hostilities was a report (15/10/00) by BBC reporter, Martin Brabant, ostensibly focused on the US presidential election, but which essentially fed anti-Semitic stereotypes about hidden and malign Jewish power by insisting that the money of Jewish donors controls US politics. Statistical data shows that this is not a sustainable proposition, but Brabant claimed all the same that Jewish money was responsible for “ensuring the Palestinians don’t stand a chance”. When a Jewish donor denied Brabant’s claim, Brabant insisted in his voiceover, “the reality of politics in this country is that money talks.”

SBS gives vastly more prominence to the claims and statements of Palestinian spokesmen and representatives than any other news service in Australia. Moreover, their claims are almost never questioned or represented as questionable by reporters and presenters. Conversely, statements by mainstream Israeli representatives or political leaders, when reported, are often accompanied by SBS commentary that insinuates that the statements are factually dubious or rightly disputed by Palestinians. Moreover, SBS also has given vastly greater prominence than any other news service to the statements of marginal, normally left-wing, Israeli critics of Israeli policy, presenting their statements uncritically, and implying that these prove Israeli responsibility for Middle Eastern turbulence.

SBS ‘World News’ has a long, continuous history of providing context for stories or interviews only when such context appears to cast Israel in a poor light. A good example was a report (22/1/01) regarding a Jewish security guard accused by prosecutors of having beaten to death a stone-throwing Palestinian youth five

years previously. In due course, an Israeli court dismissed these charges but convicted him on a lesser count relating to the incident and imposed on him a light term of community service. 'World News' presented this as "a stark reminder that there's no guarantee of justice" in Israel, without referring to the actual court findings, and insinuating instead that the man had in fact been found guilty of beating the boy to death. In this case, as in many others, it could be argued that SBS failed to discharge its duty of fair and accurate reporting.

SBS's *raison d'être* is to be the voice of multicultural Australia, and this means in particular being particularly sensitive to the variety of views about international affairs in the Australian community, and being wide ranging in its presentation. This goal has been compromised by a record of unprofessional and biased reporting on the Middle East.

3. *Footage and graphics.* In selection of graphics and footage, SBS has repeatedly used images that apparently illustrate Israeli violence or brutality. In early December 2000, the graphic for the presenter's introduction to a story primarily about Israeli political developments in the lead-up to the country's prime ministerial election was a picture of Mohammed al-Durra, the 12-year-old Palestinian boy killed in an Israeli-Palestinian crossfire early in the violence the previous October. (The party responsible for the boy's death, incidentally, has never been proved conclusively, but investigations now strongly suggest that he was probably not killed, as was once widely believed, by Israeli fire). Similarly, a story on Israeli-Palestinian clashes in early January 2001 was introduced with a graphic in the background depicting an Israeli soldier looking down the barrel of a gun, though the story did not cover any incident involving Israelis firing live ammunition. Moreover, much of the footage used to illustrate 'World News' stories was slanted, frequently showing Israeli soldiers firing weapons, but only rarely showing the extensive Palestinian use of live weapons. Preference was given to footage of youngsters throwing rocks, often in completely different times and places from the events being actually reported. In view of the entirely different complexion this paints of the events being reported, this practice amounts to a serious, indeed systematic, distortion.

4. *Factual inaccuracy.* The problem of factual inaccuracy is obviously difficult to describe in general terms. Each instance is

case-specific and the best way that it can be illustrated is by specific analysis, which we provide below. Suffice it to say at the outset, however, that the incidence of factual inaccuracy with respect to the Middle East is very high.

Instances of bias and lack of professionalism fall under one or more of these four areas of concern and each is indicated as required in the following section that covers the performance of SBS news coverage during 2001.

This analysis lays no claim to completeness and we have confined ourselves to recording the clearest instances of bias and/or distortion although there were many more that in our view could be described as such. The most serious finding to have emerged is that we were able to document 13 cases of serious and substantive factual errors, which are concisely listed below:

1. Misreporting the facts surrounding a criminal case involving the death of a Palestinian and besmirching the Israeli judicial system.
2. Misreporting that the new Sharon government has a policy of increasing and expanding settlements.
3. Falsely asserting that Israeli policy in a given instance originated with Mr Sharon, who had not at the time actually assumed office.
4. Erroneously stating that Tel Aviv is the capital of Israel.
5. Wrongly reporting that an Israeli halt to settlement activity is the key finding of the Mitchell Report when it has no key findings as such, but provides a schedule for resuming negotiations once a cease-fire has been effected.
6. Reporting as fact the Palestinian claim that the Palestinians had instituted a cease-fire when in fact it was the Israelis who had instituted a *unilateral* cease-fire, later ended by a Palestinian suicide bombing.
7. Erroneously reporting that the Israeli Foreign Minister Shimon Peres had publicly clashed with Mr Sharon on implementing the Mitchell Report.

8. Falsely reporting that Yasser Arafat had arrested two men involved in the murder of a priest when, in fact, it was the Israelis who had done so, while the Palestinian Authority had accused Israel of committing the murder.
9. Misidentifying a spokesman of the Israeli settler movement (Noam Arnon) as an Israeli Foreign Ministry official (Oded Eran) and misleading viewers that his call for an all-out war on the Palestinian Authority was the policy of Israeli government.
10. Incorrectly reporting that Israeli military operations conducted in areas under Palestinian control are a breach of the Oslo agreements. Perusal of the actual agreements reveals that Israel retains on-going security rights, including those of military incursion, for the purpose of self-defence.
11. Misrepresenting the issues that led the US and Israel to withdraw from the Durban anti-racism conference as purely a matter of opposing anti-Israel language in a draft resolution. In fact both countries were far more alarmed at anti-Semitic clamour of the whole conference and a draft resolution calling in effect for Israel's dismantling. The same report also misrepresented Australia's principled opposition to the draft resolution in terms that suggested that it actually supported it.
12. Falsely claiming that six Palestinian civilians had been killed in Israeli military counter-terrorism action when in fact four of the six fatalities were members of the Islamist terrorist group, Hamas.
13. Incorrectly reporting that the US had threatened to take Israel's presence in the West Bank to the UN Security Council, when nothing of the kind was threatened or in fact took place.

A detailed summary of SBS's Middle East reportage for 2001 follows below. This summary is not comprehensive but illustrative – additional examples could be produced from the period in question.

## 1.2 - SBS World News – The Record: January-December 2001

**Jan 13** *Selectivity, footage & editorialising:* More footage of Israeli soldiers firing tear gas and guns than of Palestinians throwing stones as well as footage of Palestinians fleeing while being fired upon. “In Hebron, Israeli soldiers shot and killed a young Palestinian man they said had been firing on them.” As so often, Israeli statements are implicitly disbelieved as being merely “claims”. Further, “Saeb Erekat is trying to reach a breakthrough against the odds, but any progress could be undone if Israelis elect hard-line Likud leader Ariel Sharon as PM”. On any reasonable assessment, that statement was commentary, and highly biased commentary at that, not news.

**Jan 15** *Footage & selectivity:* Footage of a Palestinian funeral and guns being fired into the sky. The report stated that the dead man was “shot dead by Israeli soldiers. They said he threw an explosive at them.” Once again, Israeli reaction, not Palestinian action, was the focus of the story, with causation again written off as merely an Israeli “claim”.

**Jan 22** *Factual inaccuracy, footage & editorialising:* Footage was of a body in a morgue, then of a Palestinian man leaving a building (presumably the morgue) distraught and crying hysterically as “Israeli soldiers shot dead a 15 year old boy for throwing stones.” Footage then followed of an Israeli man talking on a mobile phone with the voiceover “That as a Jewish settler was let off with community service in a Jerusalem court for beating a 10 year old West Bank boy to death. It’s a stark reminder that there’s no guarantee of justice or common sense prevailing.” In reality, the facts of the case, nowhere mentioned in the report, were these: the death occurred 5 years earlier; the court found the man (a security guard) had *not* beaten the boy, as the prosecution claimed, but that he had struck him once after the boy threw stones at cars, causing the boy to have an epileptic fit. The man had in fact afterwards actually tried to help the youth, earning him a light sentence in these mitigating circumstances. Yet SBS was content to completely distort this episode as being a case of murder and to besmirch the reputation of the man and of Israeli justice.

**Feb 6** *Editorialising and factual inaccuracy:* Mary Kostakidis: “Israelis have started voting in a prime ministerial election that is

set to sound the death knell of the current peace process. Sharon's victory would see Israel take a sharp turn to the right, putting the nation on a collision course with the Palestinians." Garry McNab in his report stated, "Sharon's promise of peace on Israel's terms is alluring. No more land will be given away. Jewish settlements will be expanded, not disbanded." In fact, Sharon never publicly stated that settlements would be expanded, nor that he would refuse to relinquish more land, and during his term of office, no new settlements have been established, and some illegal outposts have been removed. He has also agreed to the Roadmap peace plan, which calls for the freezing of all settlement activity once a ceasefire is in place and the dismantling of terror networks commences. Finally, he has repeatedly made it clear that he is prepared to trade additional land as part of peace agreements, speaking repeatedly of "painful concessions" and making it known through press interviews that this includes land transfers.

**Feb 7 Selectivity:** Following the Israeli election, the first comments shown on the news were those of the Palestinians and Arabs, then American commentators. No Israeli commentary was presented on a major political event in that country. This is akin to having commentary on a British election being offered exclusively by the IRA, Sinn Fein and pro-republican sympathisers in America.

**Feb 13 Selectivity:** Ross Cameron, "Palestinians run for cover as bombs rain down on the Khan Younis refugee camp in the Gaza Strip. The Israeli army denies responsibility for the attack, which included gas canisters. It says a Palestinian rocket fell short of its target, a nearby Jewish settlement. A number of Palestinians, including children, suffered shrapnel wounds." The Palestinian account was again retailed as fact, the Israeli denial as merely an allegation.

**Feb 19 Selectivity & editorialising:** Richard Mason spoke of "America and Israel going ahead with their provocative Patriot Missile tests..." This is plainly not news, but commentary. The Patriot is a defensive missile, not an offensive weapon and it does not become objectively provocative because some people choose to allege that it is. Even if it were so, that would have been no warrant for an SBS reporter to adopt that view as his own or that of SBS in a news story. A written complaint outlining these points was summarily dismissed by SBS.



**Feb 20 *Factual inaccuracy:*** Garry McNab, “The peace and security promised by Israel’s new Prime Minister are not yet in evidence. Instead, Ariel Sharon’s rule has seen the two sides lock horns in a spiralling war of attrition.” In point of fact, Mr Sharon had not yet assumed office and Israeli decisions at that date were being taken by Ehud Barak as caretaker Prime Minister. A written complaint noting these facts was dismissed by SBS on the spurious and uninformed grounds that, as Prime-Minister Elect, Mr Sharon must have had some role in government policy. This was a further instance of wilful and arbitrary dismissal by SBS of a genuine complaint regarding factual accuracy.

**Feb 21 *Editorialising:*** Mary Kostakidis, “His [Barak’s] decision [to join the cabinet] appears to pave the way for a hard line right wing government under Likud’s Ariel Sharon, offering no concessions to the Palestinians.” In fact, Mr Barak’s step led to the formation of a National Unity government that sought several times to bring about resumed negotiations, including even taking the unprecedented step of declaring unilateral cease-fires which were not reciprocated by the Palestinian Authority.

**Feb 24 *Editorialising:*** Hilary Andersson (BBC), “Israeli fire is directed straight into a civilian area [of Khan Younis]...Israel says it will keep firing into Khan Younis, smoke and bullets, hysteria or not, until the Palestinian gunmen stop. Even though this may be an abuse of military might because it is civilians who pay the price.” Ms Andersson failed to inform viewers that the Palestinian gunmen using the cover of civilians are in violation of the laws of war. Instead she editorialised that the blame lay with Israeli forces responding in defence of their own civilians.

**Mar 2 *Factual inaccuracy:*** In a story regarding a Palestinian bomber, Jeremy Frankel stated “Sources say he confessed to planting another device in the capital Tel Aviv.” Jerusalem, of course, is Israel’s capital, not Tel Aviv. In response to a letter pointing out the mistake, SBS made the unembarrassed claim that the Australian Department of Foreign Affairs (DFAT) regards Tel Aviv to be Israel’s capital. AIJAC subsequently sought and obtained clarification from DFAT that it does *not* regard Tel Aviv as Israel’s capital. Rather, the DFAT position is that, while it does not recognise Jerusalem as Israel’s capital, it does not therefore claim that somehow another city is. Clearly, Mr Frankel’s mistake was built upon a misunderstanding. This sort of embarrassing error,

and its obtuse defence by SBS, is reminiscent of the way the former USSR also used to refer to Tel Aviv as Israel's capital. The clarification from DFAT we received was duly mentioned in a further letter of complaint to SBS on this and several other matters. In their response, SBS refused to concede that an error had been made, insisting that they had received contrary information from the same source.

**Mar 3 *Editorialising:*** Lee Lin Chin, "There are fears of an escalation in the Middle East conflict after a hard-line former general was named as Israel's next Defence Minister". The Defence Minister in question was Benyamin Ben Eliezer, a member of the left of centre Labor party, and the same party faction as the late Prime Minister, Yitzhak Rabin. In other words, he is a centrist in the Israeli political spectrum and his characterisation as "hard-line" is clearly ideological, not factual.

**Mar 3 *Selectivity:*** "Four more Palestinians were killed by Israeli soldiers, two of them children. One was a 9 year old boy who had been playing outside his family's home with a toy gun." Why or how these people came to be killed (outside the boy, all appear to have been armed combatants) and in what context did not seem to matter to SBS or appear in their reports. This disturbingly mirrors Palestinian news reports in which Israel is regularly assailed for real and imagined acts without any context for the purpose of underscoring alleged Israeli evil intent.

**Mar 4 *Selectivity:*** Lee Lin Chin, referring to Palestinian funerals held that day, stated, "One of them was a 9 year old boy. His family showed the bedroom where he had been standing by a window when he was hit in the chest by a bullet. It's believed to have been fired upon by Israeli troops." This referred to the same boy in the report the previous day, yet the stories are inconsistent. In fact, both (contradictory) allegations were made by Palestinians at different times and have been clearly and uncritically recycled by SBS.

**May 1 *Selectivity:*** in a story on the deaths of five Palestinians in two explosions, one in Ramallah and the other in Gaza, SBS News reported that "the Israelis are suggesting the blast could have been caused by Palestinian terrorists accidentally detonating explosives." The Gaza explosion was attributed to a "car bomb", but no perpetrator was identified in this report. In reference to the

Gaza explosion, the SBS web-site recycled the Palestinian claim, "Palestinians say it's part of the Israeli army's attempts to remove activists [*sic*]." In contrast, other news sources generally accepted that both explosions were the result of Palestinians accidentally detonating their own bombs intended for Israeli civilians, as indeed did some Palestinian sources.

**May 6** *Editorialising:* Jeremy Cooke (BBC), "It's likely that the Mitchell Commission's comments on Jewish settlements built illegally in Palestinian territory will be uncomfortable reading for Ariel Sharon." Perhaps, but it could be also claimed that Mitchell Commission's comments on implementing a cease-fire and arresting terrorists might make uncomfortable reading for Yasser Arafat. Clearly, of the possible inferences that could be drawn, Mr Cooke chose only this one – and a misleading one at that, in view of Israel's actual freeze on new settlement construction under the Sharon government.

**May 7** *Editorialising:* Jeremy Cooke, in a BBC report on the death of terrorist Ahmed Assah shown on SBS, said, "...apparently the latest victim of what is an Israeli assassination policy. Anyone they believe to be involved in attacks against Israeli civilians is, it seems, regarded as a legitimate target. No-one at Ahmed Assah's funeral denied he was a member of the extremist Islamic Jihad group which admits to the sort of gun and bomb attacks which Israel regards as terrorism". He went on to say, "This is the Israeli Prime Minister touring a Jewish settlement built on Palestinian land," a statement that prejudices the issue of ownership and sovereignty that is properly the subject of negotiations. These were two examples in one report of editorialising masquerading as reportage.

**May 8** *Factual inaccuracy, selectivity & editorialising:* Mary Kostakidis' introduction to one SBS News bulletin went as follows: "The Pope's calls for reconciliation and harmony in the region have gone unheeded by Israel's Prime Minister. Ariel Sharon has also rejected calls from an international commission to halt the construction of Jewish settlements in disputed areas. This comes as violence in the region escalates. Israeli troops have now for the first time staged a major offensive to enter Palestinian controlled territory on the West Bank. The target, the village of Beit Jala." SBS reporter Jeremy Frankel placed the onus on ending the violence squarely on Israel, saying, "It was hoped a US sponsored report,

backed by Northern Ireland peace broker Senator George Mitchell, would herald a cease fire, but Ariel Sharon has rejected one of the commission's key demands, that building Jewish settlements on occupied land must stop. It was thought that the unilateral acceptance of the report's findings would pave a tentative path back to peace talks. That now appears unlikely." There were several problems with these statements. First, Palestinian gunfire from Beit Jala upon Jerusalem civilians, the context of the Israeli operation, was not mentioned, but Israel's operation to put a stop to it was treated as aggression. Second, the Palestinians did not call a cease-fire in response to the Pope's call, but this significant and newsworthy fact was also ignored in the report. Third, the Mitchell Commission report called on a cease-fire to be effected before any other measures, including a settlement freeze, be put into effect. Lastly, the Israeli government actually *accepted* the Mitchell proposals in their entirety. SBS viewers were thus completely misled as to the nature of the Mitchell proposals and which side was actually violating them.

**May 11** *Choice of language:* In this report, SBS seemed to be struggling for euphemisms for Palestinian violence and terrorism. Jeremy Frankel reported, "The latest attacks in Gaza, the first on Yasser Arafat's headquarters since the uprising began, sends a strong message – as long as there is Palestinian *insurgent* action, there will be a forceful Israeli reaction." In no other conflict reported around the world have suicide bombings and the deliberate mass murder of civilians been described as something other than terrorism; certainly not as "insurgent action".

**May 12** Similarly, the following night, Lee Lin Chin said, "Israel says there'll be no let up in its attacks and strong responses to *unrest in the Palestinian territories.*"

**May 16** *Selectivity:* In another report on Israeli-Palestinian clashes, SBS reporter Garry McNab referred to "unarmed Palestinian protestors" when Palestinian gunmen have deliberately used the cover of their own civilians to fire upon Israeli forces, inevitably drawing fire. BBC reporter Orla Guerin, on the same bulletin, claimed, "Almost as soon as the demonstrators arrived, there was live fire from the Israeli army in spite of the fact that many of those around us here are young children." Ms Guerin had no comment to make on the fact that children are deliberately concentrated at the scene of firefights, a tactic that has produced the bulk of

Palestinian civilian casualties, a phenomenon that has never earned a news story in its own right on SBS.

**May 17** *Factual inaccuracy & editorialising*: The following day, McNab reported that, “The Israelis have been accused by governments world wide of using excessive force to quell the Palestinian uprising. Clearly, little of that criticism is being heeded.” He went on to describe the halting of settlement expansion as the *key finding* in the Mitchell report, ignoring the fact that Senator Mitchell himself has repeatedly emphasised that the commission he headed calls first and foremost for an unconditional cease-fire before the implementation of all other recommendations. Once again, SBS viewers were provided a skewed reading of the Mitchell report.

**Jun 6**, *Selectivity*: SBS News and newsbreaks almost buried the news of an Israeli unilateral cease-fire and chose instead to give prominence to the fact that Mr Sharon called Arafat a “murderer” and a “liar”, implying this threatened peace prospects.

**Jun 12** *Factual inaccuracy, selectivity & editorialising*: On the day that Israel lent its backing to a US cease-fire plan, SBS News mentioned this first in the lead in but then, “At the same time, Israel’s controversial building programme continues to fuel tensions”. There was no evidence of this in Garry McNab’s story that followed. In recounting an incident of Palestinian youths stoning people, resulting in an Israeli attempt at dispersal through the use of tear gas, footage was shown of a little Palestinian girl coughing and another one crying. The story then switched to the funeral of an Israeli baby killed by a stone thrown through the window of an Israeli car by a Palestinian, with settlers heckling Sharon and calling him a coward “for the uncharacteristic restraint he has shown since the Palestinians announced a cease-fire”. This was inaccurate: at that date, Israel had adhered to a *unilateral* cease-fire for the previous ten days, not merely from the moment the US proposed a complete cease-fire. A final instalment in this report consisted of a story regarding a member of Palestinian terrorist group, Islamic Jihad, being critically injured by “a suspected Israeli car bomb”. Yet again, a Palestinian propaganda claim was recycled without query. No evidence later emerged to substantiate this claim, and in contrast to SBS, most other media outlets correctly reported that the Islamic Jihad member had been

killed by the premature detonation of a bomb intended for Israeli civilians.

**Jun 13** *Choice of language:* In an introduction to an SBS News broadcast, newsreader Mary Kostakidis asked whether “hard-liners from both sides” would go along with the cease-fire, despite there being nothing about Israeli resistance to the cease-fire in Jeremy Frankel’s subsequent story. Ms Kostakidis persisted in the follow up interview, however, asking correspondent Ross Dunn, “How hard will it be to get hard-liners from each side like Hamas and Jewish settlers to co-operate?” Ross Dunn’s answer to this question, quite properly, dealt only with Hamas. Political opinions on settlements and settlers are diverse but the false equivalence of a whole category of civilians with terrorist groups is a clear example of deep-seated bias.

**Jun 14** *Factual inaccuracy:* SBS reporter Jeremy Frankel seemed confused about the cease-fire plan, saying, “The Palestinians would have preferred the package of plans put forward by the Mitchell Report but they had to settle for something less concrete.” Viewers were thus told that the cease-fire plan omitted many of the elements of the Mitchell Commission proposals that would have satisfied Palestinians. This was untrue: the cease-fire was never implemented on the Palestinian side, but was entirely based on the Mitchell plan. SBS viewers would not have learnt this.

**Jun 18** *Factual inaccuracy, editorialising and selectivity:* Two stories on this occasion were involved: The first story on this edition of SBS News was about an alleged conflict between Shimon Peres and Ariel Sharon and the second was the court action being taken in Belgium against Ariel Sharon for his role in the Lebanese Phalangist’s Sabra and Chatilla massacres in 1982. Palestinian security chief, Jibril Rajoub, referring to the Palestinian intention to violate the cease-fire plan, said, “The Israelis initiated a unilateral war against the Palestinian people last September. The Palestinian people reacted. No Palestinian will be arrested”. Naturally, SBS in reporting the news has to present official statements, no matter how false or extreme, but it was left without challenge or comment despite its falsity. Reporter Alastair Wilkinson claimed that Peres “spoke out publicly against the Prime Minister for the first time, accusing him of ignoring the internationally endorsed Mitchell Report.” In fact, no evidence of this “public accusation” by Peres was presented – for the good reason that it never occurred. Israeli

reports said the two had disagreed strongly at a governmental meeting but had not disagreed publicly for which reason the precise nature of their disagreement was uncertain.

**Jun 19 *Selectivity:*** SBS became the only news service in Australia to reproduce portions of a controversial BBC documentary which called for Ariel Sharon to be placed on trial as a war criminal over his role as Defence Minister at the time of the Sabra and Chatilla massacres. The documentary itself was an exercise in partisan advocacy, as it uncovered no evidence that was previously unknown to the Israeli judicial inquiry held at the time. That inquiry absolved Mr Sharon of direct responsibility for and foreknowledge of, the massacre. It later emerged that several of the Israeli interviewees were concerned about the way their commentary had been edited and placed in the documentary; that an American interviewee, Morris Draper, is a paid publicist for Palestinian interests; and that the international jurist interviewed, Justice Richard Goldstone, by his own account, had not spoken in reference to Mr Sharon at all in the interview.

**Jun 21 *Factual inaccuracy:*** Jeremy Frankel reported on the shooting of a Greek Orthodox monk, Georgios Tsibouktzalti, in Palestinian-controlled territory the previous week, stating that Arafat had arrested two men from his own security service as part of his commitment to the cease-fire (which proved abortive as a result of continuing Palestinian non-observance of its terms).

This entire report was incorrect. First, the arrests were actually made by Israel's General Security Service (GSS). Second, the GSS said the two accused men had confessed, saying they obtained their weapons from Marwan Barghouti, one of the leading figures in the Palestinian campaign of violence since its inception. Third, Lamia Lahoud, in the *Jerusalem Post* (22/6) reported, "Barghouti accused Israeli settlers of the killing, a charge echoed by the PA." Fourth, in an official statement, the PA Ministry of Information argued that [the monk] Tsibouktzaltis was killed on the same road as a Palestinian man, shot two days later.... The PA statement said that the Greek Orthodox Church also holds settlers responsible for the monk's death. If the facts of the case had been as Mr Frankel stated them, how did the PA arrest two Palestinians for the murder and then, the next day, accuse Israelis of committing the deed?

When confronted with these errors and anomalies, as well as the relevant citation from the *Jerusalem Post* SBS, as on past occasions, refused to concede that an error had been made. Instead, SBS requested that we forward “agency or other copy of June 21<sup>st</sup>”, implicitly denying the accuracy of the *Jerusalem Post* report, so that such new evidence could be considered. It is not unfair to observe that a professional media outlet would not prevaricate in this way but might undertake its own independent investigation to speedily ascertain whether an error had been made. It is also difficult to dispel the suspicion that this form of response is intended to bog down genuine complainants in a time-consuming exchange of letters that naturally diminishes the prospects of problems being addressed.

**Jul 6 *Selectivity & footage:*** SBS News presented a picture of Mr Sharon, followed by one of corpses at the site of a massacre, insinuating not too subtly that the scene of death and destruction we were viewing had been produced by Mr Sharon himself. An insert was then made of a picture of Elias Hobeika, the Lebanese Christian militia leader actually responsible for the massacre in question, the 1982 massacre at the Sabra and Chatilla refugee camps in Lebanon. The occasion for this report was the move afoot to bring Mr Sharon to trial over the massacre in Belgian court. Mr Hobeika’s central role in the massacre was not mentioned in the report, nor the fact that no one was seeking to indict him for war crimes. Rather, he was shown allegedly declaring his willingness to testify against Mr Sharon. On any reasonable accounting, this report was not a proper, informative news story, but an exercise in uncritically regurgitating propaganda against Mr Sharon, composed of half-truths, omissions and distortions.

**Jul 14 *Factual inaccuracy & editorialising:*** In a report covering the murder of an Israeli by Palestinians, someone identified by the SBS caption as “Oded Eran, Israeli Foreign Office [sic] official” stated “We should destroy all the facilities, all the infrastructure, all the framework of the Palestinian Authority, to get rid of Arafat and all his establishment and to understand that Arafat is a partner only for terror.”

Accordingly, SBS viewers were given to understand that it was the policy of the Israeli government that Israel should launch a military offensive against the Palestinian Authority with a view to its ouster. The interviewee, however, was not, as identified, Israeli Foreign



Affairs official, Oded Eran, but a spokesman for the extremist wing of the Jewish settler movement, Noam Arnon. Reporter Matthew Sadler then went on to adopt the Palestinian justification for terrorism, saying, “Palestinian forces are continuing their battle to oust the settlers from Arab land.”

When this matter was raised with SBS, we met with an unapologetic response that additionally indicated no intention of rectifying the error. An admission was forthcoming on this occasion that an error had indeed been made – but then dismissed as momentary and of no consequence. It was alleged by SBS that the erroneous attribution had been “removed within one second” – which is simply not correct – and that “most viewers would not have even seen the error”. However, we spotted the error easily, without having to either stop the tape or repeat it. We regard the argument that a factual error is unimportant and that SBS viewers do not really absorb details shown on their screens as a frivolous one. Additionally, SBS chose not to deal with the serious implications of their error as outlined in the previous paragraph.

**Jul 20** *Choice of language, editorialising:* Reporting on the killing of 3 Palestinians by extremist Israelis, newsreader Mary Kostakidis first reported that Mr Sharon had condemned the killings but then asked correspondent Ross Dunn the leading question, “Ariel Sharon has condemned the attack on the family, but hasn’t he helped create a climate for vigilante action like this?” Ross Dunn, to his credit, treated this question with the contempt it deserved, pointing out that, ironically, this is what radical settlers, such as Noam Arnon are saying. (These settlers blame Mr Sharon’s policy of restraint and perceived failure to adequately protect them from the murderous Palestinian attacks for creating Jewish vigilantism).

**Jul 27** *Choice of language, selectivity:* In a report on the Israeli killing of a Hamas leader, Salah Darwaza, SBS reporter Alistair Wilkinson referred to him as a “Palestinian activist” and implied the Palestinian rejection of the Israeli “claim” for his killing was sound, something he could only do by ignoring available evidence. Wilkinson stated, “Israel accused him of masterminding Hamas attacks which killed eight people. His family categorically reject the claim, saying he was a political, not a military, leader.” [Note: This despite the fact that, as reported elsewhere, pamphlets distributed by Hamas at the funeral described him as a “brigadier”]

**Jul 30** *Choice of language, selectivity:* It was reported that six Palestinians, belonging to the Fatah faction loyal to Yasser Arafat, had been killed in an explosion, and that the Palestinian Authority had accused Israel of “assassinating” the men. This much was correct. However, the report added at this point that the “killings” (it having been resolved apparently to SBS’s satisfaction that this is what had occurred) followed other incidents of violence in Jerusalem.

As it happens, several reports in Australian newspapers, as well as other television reports, accurately noted that the six Palestinians had been killed in an explosion that had blown off the roof of the building they occupied. This suggests the presumably accidental, premature detonation of a bomb inside the building, and indeed no evidence of Israeli artillery or tank fire was found on the scene. Furthermore, Israel denied any connection to the explosion. Yet, despite the circumstances, a Palestinian propaganda claim was retailed by SBS as fact, with contrary evidence ignored and no Israeli response reported. This was clearly inadequate and biased reportage, particularly when other reports, both electronic and print, were able to get the known facts straight.

**Jul 31** *Selectivity:* Reference was again made to the death of the six Palestinians, with a repetition of Palestinian claims followed only by a mention of an Israeli denial. None of the substantial evidence that the Palestinians died in the explosion of their own munitions was reported, compounding the misrepresentation of the earlier report.

When this incident was included as an item in a complaint, SBS responded that a later news bulletin on July 30 had included an Israeli denial of the Palestinian claim. However, this fails to explain the repetition of the Palestinian claim, in the manner just described, the following day. It also suggests a willingness to report hastily and uncritically dubious claims that other media outlets seem willing and able to avoid, to the benefit of their reputation for accuracy.

**Jul 31** *Choice of language:* In contrast to the repeated and obtuse insistence of SBS News in describing Hamas and Islamic Jihad terrorists as “activists” or “militants” – clearly inappropriate usage, suggesting feisty idealists, not people who blow up civilians in suicide bombings – reports on the ETA Basque separatists, who

also use terrorism against civilians, refer to them as “extremists” and “terrorists”.

**Aug 4** *Choice of language & factual inaccuracy:* Describing the attack on the Hamas office in Nablus, Matthew Sadler referred to “...the assassination of the two men, said by the Israelis to have been making bombs in a Hamas office. Six others including two boys died in the Israeli attack.” Apparently, when Israel is the party involved, anti-terrorism measures become “assassinations”, a term used generally to describe the slaying of civilians, normally political leaders, not criminals and terrorists in a military operation. In fact, the two Hamas leaders were planning attacks and the other four killed were also Hamas members.

**Aug 10** *Selectivity & choice of language:* In a report covering the Palestinian suicide bombing in a Jerusalem pizzeria, Israeli reprisals and Palestinian celebration of the Israeli dead and maimed, the sole commentator was Professor Amin Saikal. His comments were slanted against Israel and involved a misrepresentation of the terms of the Mitchell Commission report, implying that it did not require of the Palestinians an unconditional cease-fire: “The Israelis must give an undertaking to cease all their settlement activities and in return, the Palestinian Authority should do everything possible to reduce the level of Palestinian reaction to the Israeli actions.” [In fact, as stated more than once, the establishment of a genuine, enduring cease-fire was the first step in the Mitchell proposals]. No alternative commentator was invited to challenge these assertions, nor did the interviewer.

Additionally, the report throughout referred once again to Palestinian “militants” and “activists”, as already mentioned, in contrast to the way SBS and other news services routinely describe the perpetrators of such acts in other theatres of conflict.

**Aug 19** *Factual inaccuracy, editorialising:* In covering the death of a Palestinian civilian during an Israel military operation following Palestinian attacks upon Israelis, SBS reporter Ursula Malone described it in the following terms, “He was killed by Israeli soldiers on Palestinian land. Such incursions are a violation of the 1993 Oslo peace accord.” This statement is incorrect: under the terms of Israeli-Palestinian agreements, Israel retains full security rights even in areas otherwise under full Palestinian control (‘Area A’ under the Oslo accords), including re-entry for security purposes of

territory ceded to the Palestinian Authority. Additionally, Ms Malone did not mention Palestinian attacks that produced the Israeli operation. In this instance, however, bias is a secondary issue to factual inaccuracy.

**Aug 28 *Selectivity*:** In covering the killing of PFLP leader Ali Abu Mustafa and Israeli tank movement into Beit Jala, the sole commentator sought to discuss developments was again Professor Saikal, which meant that no contrary viewpoint or challenge to his assertions could be made. (Again, his commentary was highly critical of Israel, implying that Israel was using the pretext of killing terrorists to indiscriminately kill Palestinian civilians at random: “I think a number of them [targets of Israeli targeted killings] have been purely political figures. I mean it appears that the Israelis know every Palestinian is a potential bomb maker or a bomb suicider [sic] and for that reason the Israelis can target just about any Palestinians in the Occupied Territories ...There has to be a political solution to the problem and the political solution will have to start from the basis that Israel is the occupying power and it will have to evacuate the Palestinian land. And there is no other way that the Palestinians will cease their resistance and may I add that Israel is the only country in the world at the moment which is occupying another country’s, another people’s land very overtly.”).

**Aug 31 *Factual inaccuracy and selectivity*:** Reporter Jenny Lavelle said of the Durban conference, “...Colin Powell pulled out after what the US deemed to be offensive anti-Israel language in a draft document. Terms that explicitly equated Zionism with racism have now been removed, but the US is still unhappy with the condemnation of Israel’s oppression of the Palestinians”. This was only incidentally correct. The US, like Australia and many other governments, was alarmed with the rampant antisemitism, evidenced in publications, banners, speeches and materials circulated at the Conference. The US was also alarmed that Israel, alone among the nations of the world, was singled out for explicit and extreme condemnation. The *promotion of anti-Semitism* in the draft, *not mere criticism of Israel*, was the chief issue that concerned countries like the United States and Australia, as their representatives stated. SBS viewers were poorly served by this terse and only incidentally relevant description of what occurred at the Conference.

**Sep 8 *Factual inaccuracy & selectivity:*** SBS News continued to substantially understate the reasons for the USA and Israel leaving the Durban conference. For example, Ross Cameron said, "...US and Israeli delegates walked out over efforts to condemn Israel's treatment of Palestinians."

**Sep 9 *Factual inaccuracy & selectivity:*** SBS News continued to misrepresent the reasons for the USA and Israel leaving the Durban conference. Lee Lin Chin announced, "The way was cleared for a final declaration after delegates agreed to recognise the Palestinians' right to an independent state." This was untrue. What actually cleared the way for a declaration was the agreement of delegates to remove the anti-Semitic passages and most of the anti-Israel language contained in the original draft. Ross Cameron then reported, "The way was cleared by compromise declarations ... noting the plight of the Palestinians." He continued, "But Australia's delegates were among those expressing deep reservations over the declaration's text on the Middle East conflict which stopped short of condemning Israel as racist as Muslim states had wanted." This implies that Australia had reservations due to the failure to condemn Israel as racist when in fact the opposite was true; Australia's reservations were due to the fact that the conflict was given such prominence. An uninformed viewer would have been misled by this report.

**Sep 13 *Editorialising & selectivity:*** In reporting conflict in the Middle East post- September 11, SBS swiftly and uncritically adopted a Palestinian claim out of several that were current and gave no coverage to other interpretations. Lee Lin Chin announced, "Many analysts agree that the US was probably attacked because of its policies in the Middle East. Washington bankrolls Israel with billions of dollars each year. And Palestinian hatred of Israel is being further fuelled today with Israeli tanks attacking the West Bank town of Jericho."

If SBS was genuinely interested in presenting a balanced appraisal of the issues, it could and should have canvassed other interpretations which note that the US has numerous Arab allies; has saved Kuwait from Iraqi aggression; bankrolls Egypt almost as generously as Israel and offered in 2000 to contribute \$20 billion to Palestinian refugee resettlement, an offer rejected by the Palestinian leadership. Furthermore, the aims of Al Qaeda, stated and implicit, were completely untreated. The attack on Jericho was

then reported, as is customary with SBS, without any explanation as to the Palestinian terror attacks that had immediately preceded it.

**Sep 19** *Factual inaccuracy & choice of language:* Matthew Carney on 'Dateline' reported on suicide bombings in Israel, tendentiously describing Jenin as "the place where martyrs are made" and Nablus as "the other stronghold of Palestinian *resistance*" [emphasis added]. Specifically, he claimed that in the Israeli attack on the Hamas office in Nablus, "Two senior Hamas leaders were killed along with six civilians." In fact, four of the six "civilians" were Hamas members, one quite senior. Carney then adopted as his own analysis Hamas claims that "Sharon's assassination policy" is the cause of the suicide bombings, an inversion of cause and effect easily dispelled by researching the chronology.

**Sep 22 and 23** *Selectivity and choice of language:* Coverage of Middle East violence mentioned several Palestinians killed on September 21 and 22 without offering any explanation of the circumstances of their death. Viewers may have even drawn the conclusion that the deaths were the result of unprovoked Israeli aggression. In fact, the majority of those whose deaths had been reported were killed in gunfights initiated with Israeli troops or by bombs, intended for innocent Israeli civilians, which exploded while being primed.

**Sep 27** *Selectivity:* Stan Grant announced, "There's been a setback to Washington's hopes for a Middle East peace agreement to bolster its global plan. Shortly after Israel and the Palestinians agreed to resume working towards a full and lasting plan, four Palestinians were killed during Israeli incursions in the Gaza Strip." Richard Mason then reported, "The latest truce could hardly have got off to a worse start. Three Palestinians killed and over thirty wounded when the Israeli army used five tanks in an assault on a refugee camp at Rafah near the Egyptian border." In fact, Israel was responding to a bomb attack on the Termit army base, which wounded three Israeli servicemen. The bomb was planted in a tunnel dug under the base from beneath a house in the refugee camp. The purpose of the Israeli incursion was to prevent a recurrence of this form of Palestinian attack by clearing those houses.

SBS World News made no mention of the Palestinian bombing attack that led directly to the specific operation described in this report, yet a further example of the tendency to omit mention of Palestinian attacks, while treating as unprovoked aggression the Israeli response, no matter how specific or justified. In this case, the Israeli operation was inaccurately described as having been upon a “refugee camp” rather than a response to the actions of several Palestinians located in the refugee camp.

Reporting on Hezbollah mortar attacks in the Shebaa Farms area, Nigel McCarthy said, “Hezbollah says the Farms belong to Lebanon and the guerrillas have vowed to fight until every Israeli soldier is withdrawn.” SBS did not find it necessary to inform viewers that Israel’s full withdrawal from Lebanon was certified by the UN, which does not accept the claims of Syria and the Lebanese terrorist group. It was perfectly happy, however, to recycle Hezbollah’s illegitimate claim as fact without mentioning that this is neither the view of Israel nor the international community, or even that the Shebaa Farms is disputed territory.

**Oct 12 *Selectivity*:** On a day featuring no specific news from Israel, SBS ‘World News’ chose instead to show a lengthy interview with Palestinian spokesman, Saeb Erekat, with no Israeli interviewed as a counter-weight, before showing footage of George Bush stating that there should be a Palestinian state.

**Oct 15 *Editorialising*:** Alastair Wilkinson opined, “Palestinian involvement in the global coalition against terror is essential if it’s going to work.” Suffice it to say that this is a very far-reaching claim, on something unlikely to happen in any case, and which many informed observers would not share.

**Oct 25 *Factual inaccuracy*:** Ross Cameron, reporting on “international pressure” for Israel to withdraw from the West Bank, said, “The US is issuing an unprecedented warning that it could take the case to the UN Security Council if they don’t withdraw soon.” This report would have come as a surprise to the US, which has never suggested taking any such course of action. Indeed, no such action subsequently eventuated. SBS viewers were again completely misled.

**Oct 26 *Selectivity*:** Alastair Wilkinson described the Palestinians killed in the Israeli incursion into Beit Rima. “The dead were all

members of the Palestinian security forces, not suspects in the Ze'evi killing." He did not bother to inform viewers that the dead policemen had been firing on Israeli soldiers who had entered the area in search of the suspects. Saeb Erekat was then broadcast saying, "They are really complicating everything and their end game here is nothing but to destroy the peace process and to destroy the Palestinian Authority." No Israeli official was invited to comment. Wilkinson then continued, reporting on a meeting to be held between US, Israeli and Palestinian representatives, "a meeting that will be clouded by the killing of three more Palestinians, this time on the Gaza Strip." Apparently it mattered in no way that the three killed were all heavily armed and were actually killed trying to infiltrate an Israeli residential district, a fact that was not carried in the report.

**Nov 11 *Selectivity:*** George W. Bush, in his speech to the UN General Assembly, said, "We're asking for a comprehensive commitment to this fight. We must unite in opposing all terrorists, not just some of them. In this world there are good causes and bad causes, and we may disagree on where the line is drawn. Yet, there is no such thing as a good terrorist. No national aspiration, no remembered wrong can ever justify the deliberate murder of the innocent. Any government that rejects this principle, trying to pick and choose its terrorist friends, will know the consequences." Later in the speech, referring specifically to the Middle East he said, "We are working toward a day when two states, Israel and Palestine, live peacefully together within secure and recognised borders as called for by the Security Council resolutions." Significantly, he then added, "But peace will only come when all have sworn off, forever, incitement, violence and terror."

This was clearly a significant speech on the US position on terror, and contained a warning, mainly to the Palestinian Authority and some Arab states, that the US does not accept their continued use and patronage of terror. SBS typically omitted this statement altogether, limiting its coverage to but one issue: that President Bush used the word "Palestine", the first time a US president had done so. Evidently, what Bush thought about the primary conditions for the emergence of such a state did not matter at all and SBS chose not to inform its viewers.

**Dec 2 *Choice of language:*** In the 'World News' story concerning a Palestinian suicide bomber who detonated his explosives in a



crowded area in Jerusalem, killing several civilians, the perpetrator was referred to, as so often, as “militant” rather than “terrorist”, although the term “terrorist”, as stated earlier, is the standard designation regarding acts of deliberate mass murder of civilians.

**Dec 5** *Selectivity & choice of language:* Alastair Wilkinson, against the background of footage of Palestinians of all ages running from Israeli bombing of Palestinian targets in Gaza, said, “Last weekend it was Israeli teenagers scattering in panic. Now Palestinians have their turn.” The not-so-subtle implication is that there is a moral equivalence between terrorist outrages and military operations conducted against the organisations that carry them out. This statement amounted to an effort to invalidate counter-terrorism as morally tainted in the same way as terrorism. Mary Kostakidis then introduced a story on the freezing by the US of the assets of the “Holy Land Foundation” stating, “the Bush administration has shut down an American charity accused of financing Palestinian militants.” In fact, the Holy Land Foundation was actually a substantial contributor to Palestinian terrorist groups, yet another example of the lengths to which SBS will go to avoid referring to groups such as Hamas as terrorists.

**Dec 10** *Selectivity & editorialising:* Alastair Wilkinson reported that four Palestinian policemen had been killed by Israelis. His report omitted all mention of the Israeli claim that the Palestinians had opened fire upon Israelis first. An interview was then conducted with Palestinian information minister Yasser Abed Rabbo. Then, after showing an interview with Yasser Arafat on Israeli TV in which Arafat attacked the US, Wilkinson concluded by recycling a Palestinian propaganda claim without comment, “The outgoing mayor of New York has visited Jerusalem in a show of support for its people, another sign of the bond which Yasser Arafat blames for fuelling this decades old conflict.”

**Dec 13** *Selectivity:* In response to the Palestinian bomb and gun attack on an Israeli bus and Israel’s retaliatory operations, SBS ‘Late News’ interviewed Associate Professor Ahmad Shboul, a commentator consistently highly critical of Israel and an academic in Islamic Studies, not politics or international affairs. Professor Shboul claimed that Israel’s policies in hitting the Palestinians in order to encourage them to take a harder line against terrorists were contradictory and that there was not adequate evidence to

link Arafat to the terrorism. No other academic was interviewed to present a different perspective.

**Dec 16 Selectivity:** SBS reported that the US had vetoed a UN Security Council resolution calling for deployment of international observers in Palestinian areas. SBS then broadcast Palestinian spokesman Hanan Ashrawi claiming, "Once again, the US proves that its political will, its agenda, even its priorities are subject to Israeli dictates and the fact is they're closing off all doors, they're giving Israel a free hand to attack Palestinians, defenceless, captive, besieged Palestinians." No Israeli or US spokesman was interviewed to present another point of view.

**Dec 20 Selectivity:** Mary Kostakidis introduced a report by saying, "A high level meeting of Israeli and Palestinian security officials has ended in failure. The Palestinians demanded an end to the blockades that are crippling their territories, but Israel was not willing to comply." There was no explanation of the reasons for Israel's unwillingness to comply, either in the introduction or in the report, neither of which mentioned the issue of prevention of suicide bombers entering the country.

## **2. Documentary Programmes: 1993-2003**

When criticised with respect to programming, SBS claims that under its Charter, individual documentaries do not need to be balanced or offer right of reply to allegations, providing balance and the “widest range of opinion” is provided “over time” as provided for in Article 2.4.1 of SBS’s Codes of Practice.

This is an entirely reasonable approach to documentary programming providing, of course, that something like balance and diversity actually emerges over time. With that in mind, we surveyed the decade 1993-2003, believing a significant period allows one to safely draw conclusions.

As indicated by the following list, which is incomplete but representative, documentary screenings on the Arab-Israel conflict over recent years simply do not meet these criteria. There has been an overwhelming preponderance of documentaries or series whose thrust was strongly sympathetic to the Palestinian cause and/or strongly critical of Israel, or whose purpose was to present Palestinian or Arab viewpoints. Several of these were crudely propagandistic productions from authoritarian Arab political sources, such as “Hostage to Time” and “Jerusalem: An Occupation Set in Stone.” A lesser number of documentaries were broadly balanced, attempting to at least encompass the Israeli viewpoint. However, several of these, while including some Israeli views, were clearly more sympathetic to the Palestinian side, often including factual misinformation.

In the period considered, there were exactly two documentaries that reflected predominantly a mainstream Israeli point of view. The first was “Israel: A Nation is Born”, screened in 1996. Significantly, in this one case, SBS felt compelled to include an introductory disclaimer. This practice has never been adopted for even the most blatantly pro-Palestinian programming over many years. In this case, the documentary was described by the presenter as “a partisan view of this tumultuous era in history ... It is unfortunate that the Arab view was not sought, to fill in the gaps”. The other was “Israel – in Search of Peace, 1948-1967”, screened on 11 May 2003.

This appears consistent with a claim made by a Melbourne documentary film-maker, Monique Schwartz, who in the early

1990s submitted to SBS a documentary she had made about the effect on Israeli families of the Iraqi scud attacks of the 1991 Gulf War. She was told by SBS management that while they found the documentary interesting, SBS could never show a programme on the Middle East “which did not contain an Arab point of view.”

AIJAC believes that such a policy remains tacitly in force. As part of the pervasive culture of SBS, which also colours news, current affairs and programming, SBS appears to share a conviction that the Palestinian cause is “progressive” and Israel essentially “colonialist” or “oppressive”.

Consistent with SBS’s stated criterion of providing balance over time, it is not asserted, in listing and describing these programmes, that programmes critical of Israel should not have been screened. Rather, our aim is to indicate the extraordinary preponderance of such material as against more objective material and in contrast to the almost complete absence of material that sympathetically presents Israeli perspectives. The following list should be understood in that context.

## **SBS Documentaries and Features on the Arab-Israel Conflict: 1993-2003**

*My Home, My Prison*  
1993

This highly sympathetic biography of upper class Palestinian activist, Raymonda Tawil, solicited commentary exclusively from the extreme left and extreme right of Israeli politics. The series failed to portray any mainstream Israeli views at all. In addition, only Israeli violence was revealed in footage. Israeli soldiers were shown shooting at Palestinians while the provocations that led to the shootings were conveniently left untreated. The documentary also made false accusations against the Israeli government and military including the allegation that Israel was responsible for “genocide” by authorising the settling of Jews in the West Bank and Gaza.

Genocide, particularly in relation to Jews in the shadow of the Holocaust, is obviously a highly emotive and politically charged accusation aimed at fanning hatred which, additionally, cannot be squared with the public record of Israel’s administration in the West Bank and Gaza. By contrast, the Palestinian “intifada” of the late 1980s – in reality a popular movement dedicated to mob-violence that ended up consuming thousands of Palestinian lives in intra-Palestinian killings – was described as a “message of peace”.

*Hostage to Time*  
1995

The programme told the story through the eyes of a young doctor returning to South Lebanon after ten years, and consisted of interviews with her family and local Palestinians. Throughout the programme, Israel was demonised as virtually the sole source of crisis and chaos in South Lebanon. The long chronicle of Lebanon-based military and terrorist attacks upon Israel, with traumatic impact upon Israel’s border population, that invited Israeli retaliation was simply ignored. The incursions into Israel of Palestinian terrorists in the 1970s; Syria’s domination of Lebanon and support for Hezbollah, an Islamist militia attacking Israel; and Iran’s foundation and continuing support for Hezbollah were also ignored. False and unsubstantiated allegations of Israeli brutality included the very serious charges that Israelis fire at villagers “as

they please” and “at will”. Further, SBS screened the documentary without disclosing that it had been purchased from MTC Beirut TV – a station privately owned by Lebanon’s Prime Minister and subject to the Syrian controlled “Information” Department. There was also a failure to explain that the documentary was not written by the young woman concerned, but by Jean Khalil Chamoun, the show’s producer.

*Israel: A Nation is Born*  
*January 1996*

As the foregoing indicates, SBS had spent the previous three years screening documentaries that were uniformly hostile to Israel in varying degrees. A welcome exception to this rule was the screening early in 1996 of "Israel: A Nation is Born," a 5-part BBC documentary series, produced in 1992. It was devised and narrated by the late Abba Eban, the former Israeli foreign minister and representative to the UN, and presented what could be described as a mainstream Israeli view of Israeli history. This is the first time a documentary series generally positive in tone and content about the history of Israeli statehood was screened by SBS since ‘Pillar of Fire’ in the late 1980s. The manner of its presentation, however, was revealing of the entrenched biases that explain so much else of SBS programming.

It was introduced to the viewer by Helen Vatsikopoulos, who warned that the programme presented “a partisan view of this tumultuous era in history. It is unfortunate that the Arab view was not sought, to fill in the gaps”. (This latter claim, incidentally, is untrue: a number of Arab figures appeared in this documentary). Even the most tendentious documentaries on Israel screened by SBS have never been accompanied by such a disclaimer. A subsequent explanation from SBS that the introduction had been necessary because of events in the four years since it was made was patently absurd, since the introduction did nothing to fill in the historical gap. Furthermore, the introduction essentially undermined the legitimacy of the series.

*Jerusalem: An Occupation Set in Stone*  
*October 1996*

This documentary was produced by the Palestinian Housing Rights Movement, a group affiliated with the PLO. There was no warning

or disclaimer that this programme represented “a partisan view” nor that it was prepared by a PLO associated group. It emphasised Palestinian claims to Jerusalem and allegations of Israeli ill-treatment of Palestinians living in the city. Palestinian spokespeople insisted that the Arabs only want to unite the city, while the Israelis want to “destroy the pluralism and diversity of the city”, and the zoning regulations were described as being designed for the purpose of “destroying Arab villages.” The democratic voting rights Palestinians now have in municipal elections and the fact that there is a greater percentage of Palestinians in the city now than there was in 1967 were not mentioned, even while it was claimed Israel was trying to “Judaize” the city.

The programme also made much of the Israeli closure of access to the city for West Bank Palestinians without permits. Old men and women were shown being turned back at the checkpoint. That over 120 Israeli civilians had been killed (and hundreds more injured) in 13 suicide bombings by Palestinians coming from the West Bank and Gaza in the time leading up to this decision was not mentioned.

*A Dream of Justice and Freedom*  
October 1996

This was a British documentary consisting largely of interviews with the Palestinians who negotiated with Israel before the 1993 Oslo accords, including Hanan Ashrawi, who has since been a prominent opponent of the Israeli-Palestinian peace accords. Ms Ashrawi alleged that Israelis understood the Palestinians “from a racist point of view like all colonial powers”, attacked the peace agreements with Israel and insisted that the occupation is ongoing and there is “no peace”. Other negotiators echoed that view. Indeed the tone of interviewees was so rejectionist of the Oslo agreements that it could be said to have been strongly critical of the ostensible willingness of the Palestinian Authority to negotiate a peace agreement with Israel.

*Tkuma: The First Fifty years*  
April - June 1998

This six part series, commissioned by the Israeli Broadcasting Authority, undertook a critical analysis of Israel’s history, assessing the practices and policies of Israeli governments against the

founding ideals of the State. The screening of the series in Israel caused considerable public controversy, including criticism from then Communications Minister Limor Livnat, for its largely negative focus. Although it would be incorrect to describe such a programme as pro-Palestinian, it needs to be noted that it was clearly a left-wing production, unrepresentative of the Israeli mainstream. This does not invalidate it, or mark out its screening by SBS as an unfair or biased piece of programming. But its selection is questionable in the absence of virtually any other Israeli material.

*Emile Habiby: I Stayed in Haifa*  
*Souha Arafat*  
*Forbidden Marriages in the Holy Land*  
*Chronicle of a Disappearance*  
*You Me Jerusalem*  
*May - June 1998*

All these programmes examined relations between Israelis and Palestinians, while three of them, “Emile Habiby: I Stayed in Haifa”, “Souha Arafat” and “Chronicle of a Disappearance”, looked exclusively at the Palestinian perspective, describing both the difficulties of life in the West Bank and, in the case of the late Emile Habiby, former leader of the Israeli Communist Party, life under majority Israeli rule.

*Arafat and the State of Palestine*  
*July 1998*

This was an unabashedly one-sided French production in two parts that gave an account of the lives of Palestinian people and the fledgling institutions of the Palestinian Authority. It began with the claim that in 1948 the Jewish army started the War of Independence, occupying territory “totally unopposed” that the UN partition plan had assigned to the Palestinians. It is difficult to imagine a more Orwellian account of Israel’s immediate origins. (In fact, Israel’s declaration of Independence was greeted with simultaneous attacks from five neighbouring Arab states who stated their intention to destroy Israel, the evidence for which is overwhelming and simply not in serious dispute).

At no point was an Israeli viewpoint given to counter claims such as “the seeds of hatred are sown by the Israelis” in reference to



Palestinian suicide bombings, or a comparison of Jews to Nazis. There was also a refusal to assess the activities of the Palestinian Authority as contributing to Palestinian poverty and hardships. When a Palestinian spokesman suggested the PA may well exacerbate the hardship, Israel was impugned with the unsubstantiated claim that there is “pressure exerted by the Israelis to prevent Palestinians from developing foreign trade and to keep that trade primarily with the Israelis.” (This was in diametric contrast to what occurred for several years when, at the height of Israeli-Palestinian peace process, Israel actively lobbied countries to invest in the Palestinian Authority areas).

*Palestine: Story of a Land*  
*May - June 1998 (Repeated in 1999)*

Covering the period from the end of the nineteenth century to the present, this three-part series deals with the region’s turbulent history using mostly narrative rather than interviews. As the title suggests, the series presents a picture of the Palestinians’ dispossession of their historical lands by aggressive, neo-colonialist and militant Jewish settlers.

Instances of factual errors and selective omission of pertinent facts were frequent. It is claimed that there were 800,000 Palestinian refugees after the 1948 War of Independence. (The total number of Arabs living in the area which became Israel was less than this, according to the British Survey of Palestine, which was known for its tendency to inflate Arab numbers; of these, 140,000 stayed in Israel.) Israel was blamed for the 1967 war because it attacked first, without giving weight to prior Arab declarations, Egypt’s naval blockade and the massing of troops for an invasion of Israel on three fronts. Israel’s culpability in the 1982 massacre by Phalangist guerrillas is recounted without mention of the judicial inquiry in Israel which blamed some senior Israeli officers and resulted in the resignation of defence minister Ariel Sharon, but which cleared him and the Government of foreknowledge or intent to cause a massacre. A section devoted to the peace process of the 1990s did not assess at all the destructive impact of internal Palestinian terrorist groups like Hamas and Islamic Jihad, focusing instead on Israel’s allegedly brutal responses to civil rebellion.

*Cutting Edge – The Bombing*  
*June 17, 2000*

This Israeli documentary sought to examine the motivation of Palestinian suicide bombers, interviewing both their families and those of their victims. While the documentary itself was reasonably balanced, it placed great stress on supposed “brutalisation” of Palestinians by Israeli forces encouraging bombing attacks. However, the worst aspect of this documentary was the promotional material screened by SBS, which implied a moral equivalence (not present in the documentary) between suicide bombers and their victims, both supposedly victims of Israeli policies. This was done by juxtaposing the two groups as equally victims of Israeli policy, with the ideology that produces suicide bombers left out the picture. This is but another illustration of the ideological skewing of material that underscores the structure of bias operating at SBS.

*Cutting Edge – Children of Chatilla*  
*June 30, 2000*

This pro-Palestinian documentary reviewed the plight of two Palestinian children living in Lebanon’s Chatilla refugee camp. Their miserable fate was unequivocally blamed on supposed Israeli expulsion of Palestinians in 1948 and seizure of their land, with absolutely no attempt made to inform viewers of the historical context of these events and the diversity of causes that contributed to their flight. (The Palestinian exodus had several causes, in which Israeli action is but one and far from the most important. It took place against the background of the 1948-49 war which, as matter of undisputed historical record, was occasioned by the rejection by the Arab states and Palestinian leadership of the UN partition plan for Palestine and the invasion of Arab armies from outside Palestine in a bid to abort Israel in embryo.)

Blatantly false claims were made about the 1982 Sabra and Chatilla massacres, including that it was Israeli policy to “slaughter” Palestinians, coupled with grossly inflated fatality figures. The children were themselves given video cameras and encouraged to interview refugees with predictable questions like “How were you driven from Palestine?”, and “How did you became involved in the revolution?” (meaning the PLO).

*Masterpiece: Mahmoud Darwish*  
*December 10, 2000*

This documentary, although focussing mainly on Darwish's work and quoting his poetry at length, paints a vivid picture of Israel as an oppressive regime and the Palestinians as an oppressed people. It dwelt on a visit to the site of his village which, we are told by the narrator, was "wiped off the map by Israeli bulldozers". Darwish's uncle gives a tour of the village site, pointing out where had been the rooms of the house and various other sites and concluding by saying Jews had been their friends, but in the end they "betrayed us, deceived us and drove us away".

The programme starts with the flight of Palestinians from the Galilee region and the narrator tells us that Darwish was six years old when he and his family were forced into exile along with tens of thousands of other Palestinians and that "the immense wrenching from the land, the wounding of community and the brutal trauma are at the heart of all his poetry".

Later we are told that the family resettled in Israel where they were "Israeli Arabs – Palestinians with a fractured identity" and until 1965 they lived in Haifa where reading and writing poetry was a form of resistance and Darwish was jailed because his poetry was too political. Later, we are told that he went to Beirut to "join the Palestinian revolution" and that in 1993, the world "recognised their right to exist."

*The Cutting Edge: When Peace Died*  
*January 16, 2001*

*When the Peace Died*, a BBC production, focussed on two of the better known incidents of the current violence – the shooting of 12 year old Mohammed al-Durra at the Netzarim Junction and the lynching of the two Israeli reserve soldiers in Ramallah. This documentary was more even-handed than others screened in the recent past. For example, it mentioned that the Palestinians admitted shooting at the Israelis at Netzarim, it emphasised that the lynched soldiers were reservists, it stated that, when the soldiers were buried, the nation mourned but there were no parades through the streets or calls for revenge.

Even-handedness was still outweighed by anti-Israel bias. When discussing the plight of the Palestinians of Gaza, it claimed that Israel in part was to blame for their poverty – an unsustainable assertion in view of the economic improvement of these territories during Israel's prior administration. No differentiation in culpability was made between the two acts central to the programme, even though the first was believed even then to be an accidental shooting while the second was a murderous attack. (Further research on this subject has now indicated that the boy was probably killed by Palestinian gunfire, as demonstrated by 'Three bullets and a dead child: Who Shot Mohammed al-Durra?' screened by SBS on 'Cutting Edge', 2 July 2002). Indeed, the lynching is described as being in revenge for the shooting. The initial Jerusalem riots were attributed to "the visit of an Israeli politician to the site of the Great Mosque" without any mention of the significance of the site for Jews. The al-Durra family explain that they accidentally wandered into Netzarim on the way home. No mention is made of the admission by Mohammed al-Durra's uncle that he was at Netzarim to throw rocks. It was stated that the Israelis had bulldozed everything at Netzarim except their command post, so it was impossible to prove where the bullets came from, without explaining that this was done to deprive the Palestinians of cover for their attacks, thus implying that the bulldozing was a cover up.

There was a lengthy interview with the Ramallah Palestinian police commander in which he explained how he tried to save the soldiers, but no opportunity was given to the Israeli Defence Forces to explain what happened at Netzarim. It mentions the retaliatory destruction by Israel of the Ramallah Police Station as a further step in the cycle of violence without mentioning that the Israelis first warned the Palestinians to evacuate, thus avoiding loss of life. The Palestinians are described as living under the "tyranny of occupation". Perhaps the true colours of the reporter come through when referring to a picture of the Dome of the Rock, she says with obvious sympathy, "The Dome of the Holy Mosque reminds the next generation of Palestinian children even in Gaza of the goal they must attain. In Mohammed al-Durra's school, the desk of the Al-Aqsa martyr stands empty, a reminder of his sacrifice."

*Cutting Edge: Arafat – A Struggle for Palestine*  
20 February 2001

This was a sympathetic portrait of the Palestinian leader and the Palestinian “struggle.” While it included some critical commentary, it contained much more that was biased and some claims that were blatantly untrue. For instance, it asserted “Another fundamental error in the eyes of most Palestinians was that Israel continued to build its settlements on Palestinian territory. Day by day, the Israelis continued to bulldoze Arab villages and seize agricultural land.” (Israel has not and does not seize any agricultural land for settlement building. They are built only in unoccupied areas on state lands. And in no case have they “bulldoze[d] Arab villages” in the process. Moreover, there is no legal reason to view all the West Bank and Gaza as “Palestinian land.” Israel views this land as disputed.)

It took the view that “Arafat quickly found that like Netanyahu, Barak put Israel’s security first and foremost. The Palestinians, in effect, would get what they were given, take it or leave it.” This is an extraordinary statement that entirely neglects the comprehensive peace proposal of President Clinton, to which the Israelis agreed, and which was neglected completely in the programme.

*Cutting Edge*  
Aug 14, 2001

“The Cutting Edge” showed a Canadian documentary about an ill-fated tour of the Middle East by the Canadian National Arts Centre Orchestra led by Israeli Pinchas Zukerman. They intended to visit Israel, Amman and Ramallah, but unfortunately arrived just as the violence started and had to cancel Ramallah and Amman. Shots of the orchestra were interspersed with news reports and footage. Initially, the footage was overwhelmingly anti-Israel, showing only Palestinians being wounded, treated and buried. Subsequently, Palestinian violence, including the Ramallah lynching, was shown, but the implication, from the sequence and overall lack of context, was that this was a reaction to Israeli violence, rather than the reverse.

*Ari Ben Menashe – Dateline*  
*October 31 2001*

Though not directly bearing on the Arab-Israeli conflict, it is instructive that 'Dateline' ran a story by reporter Mark Davis that uncritically rehashed the sensational claims of a well known Israeli con man and conspiracy theorist, Ari Ben Menashe. Ben Menashe, who claims to have been privy to high-level Israeli intelligence operations but in reality was nothing more than a low-level translator, claimed in the 1980s that the US 'arms-for hostages' deal involved shipping arms to Iran via Western Australia and large payments to the WA Labor Party. Information provided to SBS by AIJAC on Ben Menashe's background failed to elicit a response or to inform a subsequent documentary that relied entirely on his claims.

*The Saudi Time Bomb – Cutting Edge*  
*5 February 2002*

This documentary, from the American Frontline series, documented the deepening rift in the US-Saudi relationship stemming from Saudi Arabia's unco-operative role in fighting terrorism before and after September 11. It also revealed the connection between the state religion, Wahabi Islam, and the spread of Islamism across the world. This was a rare instance of a critical documentary on an authoritarian Arab regime.

*Zimbabwe – Dateline*  
*13 February 2002*

'Dateline' offered an ostensibly disturbing report regarding Zimbabwean opposition leader Morgan Tsvangirai and his alleged plans to assassinate Robert Mugabe. The source of information for this astounding revelation was once again the discredited Ari Ben Menashe, information on whose lack of bona fides had been in the possession of SBS for some months.

*Live from Palestine – Cutting Edge*  
*2 May 2002*

This programme concentrated on the difficulties faced by Palestinian reporters in doing their jobs. It lent credence to the idea that an independent, democratic culture of journalism exists in the

Palestinian media, without paying any attention to its pervasive promotion of the most vociferous antisemitism and incitement to violence. It paid scant attention to the fact that Palestinian journalists, by and large, are compelled to function as mouthpieces of the Palestinian Authority (which one journalist actually admitted) and presented a picture highly sympathetic to the Palestinians and hostile to Israel.

*Three Bullets and a Dead Child: Who Shot Mohammed al-Durra? – Cutting Edge*  
2 July 2002

This German documentary examined in close detail the circumstances surrounding the widely-reported death of a Palestinian youngster in the first days of the Palestinian war in October 2000. Its investigation revealed that, contrary to original accusations, the boy was in all probability killed by Palestinian, not Israeli gunfire, and the evidence for this was, as far as possible, disposed of in suspicious circumstances.

*Al-Jazeera – the CNN of Arabia – As It Happened*  
24 August 2002

This dated Dutch documentary (from 1999) lauded the Arab cable station as the only free media outlet in the Arab world, but paid scant attention to the fact that the network is a purveyor of extremist sentiment which provides a megaphone to extremists like Osama bin Laden. It is further a major source of fraudulent anti-Israel claims and wild conspiracy theories regarding the West in general. In view of al-Jazeera's undoubted role in fanning hatred and extremism in the Middle East, it was a tasteless broadcasting decision, especially after September 11.

*Letter to America - About Us*  
6 September 2002

This documentary by expatriate Egyptian writer, Ranaa Kabbani, discoursed on why Americans are so hated in the Middle East. She retailed conspiracy theories as to malign US influence in the region, criticised US aid to Egypt as a form of control and attacked US-Egyptian military exercises as desecrating a battleground and the site of a supposed massacre by Israel of Egyptian POWs from the 1973 Arab-Israeli war. US support for Israel was also indignantly criticised.

*Letter from America – As it Happened*  
7 September 2002

Presumably to balance the previous night's anti-American documentary, a BBC companion piece was broadcast in which an expatriate US writer, Bonnie Greer, set out to refute, not Arab anti-Americanism, but the charge that Americans are ignorant and not self-critical. The result was a collage of interviews with various Americans critical of their own country and largely supporting the Arab critiques of the previous programme. There were no subsequent programmes documenting the promotion of antisemitism in the Arab world or searing accounts of searching self-criticism in the Arab world.

*Terror and Teheran – Cutting Edge*  
10 September 2002

This PBS documentary dealt with the dissent and repression in present-day Iran, including the murder of political dissidents and the clerical control of the organs of government. As such, it was a rare insight for viewers into the mechanics of a repressive Middle Eastern state and a welcome change from negative fixations with Israeli matters.

*Promises*  
22 September 2002

This documentary, made between 1997 and summer 2000 by a Jewish American born in Israel, interviewed children from Jerusalem and its surrounds including secular Israeli twin boys, a religious settler boy, a rabbi's son from Jerusalem and residents of the Palestinian Dehaishe refugee camp, including a jailed PFLP member's daughter. While generally impartial in portraying the views and emotions on both sides, certain erroneous claims went unchallenged, for example, that Israelis raped women in the Deir Yassin battle in 1948. (Incidentally, this Palestinian propaganda claim was thoroughly disposed of in the BBC Series, *The Fifty Years War*, mentioned earlier, which ABC TV screened in 1998 and which interviewed Arab civilians present at Deir Yassin).



*Shattered Dreams of Peace: The Road from Oslo, Parts 1 and 2 –  
As It Happened  
28 September & 5 October 2002*

A two-part programme from US “Frontline” dealing with the failure of the Oslo peace process, was generally a straightforward and informative retelling of the history that interviewed many of the major players, Bill Clinton excepted. Various self-serving misrepresentations by Palestinian officials went unchallenged (Examples: blaming the Netanyahu Government for tensions, but not the Palestinian Authority for failing to honour agreements signed with Israel; allowing the blame for the al-Durra killing to be levelled at Israel, etc.). Most seriously, however, the programme failed to elaborate on the Clinton peace plan that Israel accepted and the Palestinian Authority rejected. This is a glaring omission that unfortunately marred an otherwise careful investigative effort.

As has occurred on other occasions, SBS compounded the problem by airing a highly prejudicial promotion advertisement ahead of screening the second episode. It showed Ariel Sharon saying, “I believe that we can live together with the Palestinians,” with a voiceover then announcing “but with continued Jewish settlement and the relentless cycle of violence, (at which stage Mohammed al-Durra’s death is shown) peace remains elusive.” This promotional was a blatant endorsement of partisan Palestinian claims levelling responsibility for the failure of peace on Israel and excising from the record the Palestinian resort to war. SBS programmers might well regard that distorted version as true, but that is no warrant for gratuitously foisting it on the public.

*Settlers  
29 September 2002*

An Israeli documentary profiling extremist religious settlers who live in Tel Rumeideh, an archaeological site near Hebron, and in Hebron itself. This was an unsympathetic but often accurate portrayal of the community, its activities, the views of its members and their experiences under attack from Palestinian gunmen.

*Human Bombs – The Cutting Edge  
1 October 2002*

This French/Israeli production dealt with the phenomenon of suicide bombers world-wide. Its treatment in relation to Israel, however, which preoccupied most of the programme, was factually flawed and occasionally unbalanced. It was claimed, for example, that a massacre of Palestinians in Hebron in 1994 by a Jewish extremist triggered the Palestinian suicide bombing campaign, a claim which is at odds with evidence that shows it was started earlier with a view to wringing concessions from Israel. In terms of examining the spectrum of causes, no mention was made of the indoctrination of society in the Palestinian Authority although the cult of martyrdom in the Hamas terrorist movement was considered.

*The Inner Tour: A Journey Through Israel in 7 Chapters*  
October 6 2002

An Israeli made documentary, produced prior to the outbreak of hostilities in September 2000, and recounting the experience of a group of Palestinian tourists in Israel, is largely a piece of direct recording without commentary or analysis. As such, it was a mixed bag of partisan assertions and rhetoric on one hand and insightful revelations of extreme attitude and experiences on the other.

*Palestine is Still the Question - The Cutting Edge*  
8 October 2002  
(repeated 18 May 2003)

John Pilger's predictable screed was quickly purchased from Britain and aired here. Pilger concerned himself entirely with a conflict in which Palestinians had been allegedly driven off their land by Israel and later occupied by it. Not even the barest historical analysis of the way the Israeli-Palestinian conflict developed, nor the slightest reference to consistent Arab rejection of Jewish self-determination both before and after the Israeli conquest of the West Bank and Gaza, figured in Pilger's hectoring, factually distorted and ludicrously one-sided treatment of a complex conflict.

*Why Turkey and Israel are Keen to Hide the Armenian Genocide –  
Dateline*

*9 October 2002*

This eccentric instalment from Matthew Carney reported on the Armenian genocide during the First World War at the hands of the Young Turks regime and subsequent efforts to cover up and restrict its discussion. After outlining the Turkish massacres of the Armenians and the efforts by Turkish authorities to deny it ever happened, Carney turned attention on Israel, claiming that “The Israelis have become vocal deniers of the Armenian genocide and, worse still, they have colluded with other states to ensure it remains denied.” The sole basis for this astonishing claim was interviews with an Armenian and an Israeli historian.

As it happens, although most countries and NGOs have not made pronouncements on the Armenian genocide, Israel would be among the few that have, accepting that the Armenians did indeed suffer genocide at the hands of the Turks in an official Foreign Ministry statement in 1994. Additionally, Israeli academics and institutions are among world leaders in research on comparative and original research on genocide, including the crimes against the Armenians. That being the case, Carney’s report is a miserable exercise, a highly biased and selective report that succeeds in creating an untrue and indeed sinister allegation.

*What I Saw in Hebron*

*13 October 2002*

This 1999 Israeli documentary dealt with the 1929 massacre of a defenceless Jewish community in Hebron incited by the Palestinian leadership of the day. Its maker, Noit Geva, the grand daughter of a survivor of the massacre, interviewed the Sephardi Jews who lived in Hebron in the 1920s who until the massacre had lived peacefully with their Arab neighbours. It is also critical of the highly nationalist community of Jews that re-established a Jewish presence in Hebron in the 1970s. The documentary was a somewhat informative account of the events of 1929. It is worth noting, however, that it was also a highly politicised programme, using the history of the massacre to criticise Zionism as the spanner that upset the works of inter-communal harmony. This interpretation is not borne out by sequence of events that led to the

massacre – namely, a deliberate policy of incitement by the Palestinian leadership alleging falsely that the Jews had assaulted, or were seeking to harm, the Muslim Holy Places in Jerusalem. (SBS can verify this by consulting a volume on the conflict in pre-Israel Palestine by a respected authority not noted for Zionist enthusiasm: Christopher Sykes, *Crossroads to Israel*, 1965, Chapter 6).

Of eleven documentaries screened during September and October 2002, two were unsympathetic to the United States; one was critical of Iran. Three dealt with the Israeli-Palestinian conflict in ways that could be described as broadly fair; five took what could be described as partisan anti-Israel or pro-Palestinian points of view. None were markedly sympathetic to Israel.

*The Case Against War – The Cutting Edge*  
21 January 2003

This documentary, from the BBC's "Panorama" programme, set out the arguments made by prominent figures from the US and UK, against going to war in Iraq. A couple of months before showing this programme in the UK, "Panorama" made a companion documentary, titled "The Case Against Saddam", examining the arguments in favour of attacking Iraq. SBS never broadcast "The Case Against Saddam". While not strictly relevant to the Arab-Israel conflict, this documentary is included because it is clearly illustrative of a programming decision-making process at SBS in which the obligation to show the "widest range of opinion" over time is ignored or distorted.

*Insight*  
February 20 2003

'Insight' featured a panel discussion on Iraq featuring three speakers, all of whom were opposed to a war to remove Saddam Hussein's regime.

*Israel – in Search of Peace, 1948-1967*  
11 May 2003

SBS showed a US documentary regarding the early history of Israel. It covered the 1948, 1956 and 1967 wars, showing in each case the acts of war by Israel's Arab neighbours in the lead-up

which resulted in hostilities. It also explained how the wars were won, including the desperate struggle in 1948. It also covered the plight of the Palestinian refugees, including the refusal of the Arab countries in which they found themselves to absorb them, in contrast with the hundreds of thousands of Jewish refugees from Arab countries who fled to Israel. This was the first sympathetic presentation of Israel in an SBS-screened documentary since screening the Abba Eban series, 'Birth of a Nation' in 1996.

*Jenin, Jenin*  
*1 June 2003*

This propaganda piece was dedicated to the false and malicious proposition that the Israelis conducted large-scale and deliberate killings of Palestinian civilians in Jenin during operations to eliminate the terrorist base located in the refugee camp there in March and April 2002. This claim in the end has not drawn any support even from bodies like the UN, Human Rights Watch and Amnesty International, all of whom have issued reports on the events in Jenin. In point of fact, an Israeli investigation, confirmed by Palestinian sources and the UN, found that 52 Palestinians, most of them combatants, had been killed. The Israelis also lost 23 soldiers.

"Jenin, Jenin" was also the first film ever banned in Israel and is subject to a libel suit. It drew on every type of propaganda technique of partisan interviews and false allegations presented as fact and included substantial anti-Jewish invective. It used footage from other battle scenes and placed them in sequence with footage of Palestinian civilians, which the programme then claimed were run over by Israeli tanks. It claimed that the Israelis bombed a non-existent wing of a local hospital and threw corpses into mass graves, but fails to display images of either, for the good reason that, as the neutral investigators found, these events never occurred.

In addition, before "Jenin, Jenin" was shown on SBS, it came to light that its producer, Iad Taisir Taher Samodi, was a member of the Al-Aqsa Martyr's Brigade, a terrorist group responsible for numerous attacks on Israeli civilians. Samodi was responsible for supplying other members of the group with weaponry for their attacks. He was killed while resisting arrest on June 23, 2002. He

was armed when killed, and over thirty explosive devices were discovered at his house.

“Jenin Jenin” contains several expressions of anti-Semitic incitement. Numerous "witnesses" implied that Jews and Israelis do not deserve to be treated as human beings, and at one point Jews were even referred to as "the killers of prophets." The film not only spreads a myth but engages in hate speech.

Such a production, clearly designed to incite and produced by an active terrorist, should not have been aired anywhere, least of all by the multicultural broadcaster. And indeed, as best we have been able to determine, SBS is almost alone among television networks in the Western world in choosing to show this particular documentary.

*The Battle of Jenin*  
*June 1, 2003*

Immediately prior to “Jenin, Jenin” SBS showed this Israeli documentary in which people involved on both sides of the fighting gave their accounts of the battle. The Palestinian fighters explained they had been preparing for a month with weapons, explosives, sandbags, tactics, sniper positions and booby-traps. The Israeli soldiers spoke about the intensity of the battles and the constant loudspeaker announcements for the Palestinians to come out of the houses, while the Palestinians spoke proudly of their efforts in the battles and contemptuously of the Israeli soldiers.

*As it Happened: Dead in the Water*  
*August 23, 2003*

This BBC documentary claimed to prove that the Israeli air and naval attack on the US spy ship *USS Liberty* during the 1967 Six Day War was intentional and part of a conspiracy, even though recently released US tapes of Israeli forces prove the Israelis involved believed they were attacking an Egyptian ship, and ceased the attack when they found out otherwise. (This was widely reported in the international media, and occurred after the documentary was made, but before it appeared on SBS). It alleged the Israelis were determined to sink the ship and ensure no survivors, despite the fact that the *Liberty* was unarmed, yet the Israelis didn't sink it when they had ample forces available to do so.

As for why Israel would want to do this, the documentary alleged that Israel wanted to prevent the *Liberty* listening in on an alleged massacre by the Israelis of up to 1,000 Egyptian prisoners of war. Such an alleged massacre is not a part of established history, but was presented as a fact by the documentary makers, without any attempt to supply any evidence for it. The programme further claimed that the attack was intended to be blamed on Egypt and would therefore draw America into the war to attack Egypt and was carried out with the foreknowledge of certain people in Washington. It was, according to this theory, part of a plan to invade Egypt and overthrow Egyptian president Nasser. This despite the fact that, as the program mentioned, Israel apologised to the US the same day, thus making any such plan impossible.

*As it Happened: Mossad's Hit List*  
Sept 13, 2003

This was a French documentary about Israel's reaction to the Munich Olympic massacre, the main aim of which seemed to be to show that Israel used the massacre as a "pretext" to kill Palestinian leaders, especially popular and able leaders who, by virtue of these qualities, were a threat to Israel. In the conclusion, the narrator states, "For 20, years the law has been trampled on. No-one knows how many names Golda Meir and her advisers put on their list following the Munich massacre. At first, the Hebrew state's blank cheque for revenge, Munich would become a phoney pretext for a secret war targeting the Palestinian leadership".

*One Day in September*  
Sept 14, 2003

The following night, SBS showed this film about the Munich hostage taking and massacre of Israeli Olympic athletes by Palestinian "Black September" terrorists. It set out the way the events occurred and the incompetence of attempts by the German authorities to free the hostages. It also examined the possibility that the release of the surviving terrorists, which took place after the hijacking of a Lufthansa flight, was the result of collusion between the German authorities and the terrorists.

## **Dateline 2003**

Since Mark Davis took over as host of *Dateline*, the programme has shown a remarkably consistent agenda in relation to the war

on terror and the question of Iraq. It sometimes seems to be aiming at becoming an electronic version of *Green Left Weekly*. We note in this context that then SBS deputy chair, Neville Roach, called in an opinion piece in *The Age* (12 March 2003) for journalists to use their position to oppose the war on Iraq.

No senior official in SBS appears to have queried this astonishing call and certainly none has been moved to state publicly that it is manifestly inconsistent with SBS's stated objective of encouraging the media to be objective and non-partisan, as well as its obligations as a taxpayer-funded broadcaster.

*Dateline*

*15 January 2003*

In a programme examining the issue of weapons of mass destruction, Mark Davis took a strongly editorial approach to the issues. In an interview with Mark Gwozdecky of the International Atomic Energy Agency, Mr Gwozdecky remarked, "Iraq's got to understand that it's got to do more than just provide co-operation in terms of process. They've got to provide co-operation in terms of substance." To this, Davis responded, "I presume on the issue of co-operation, the same charge could be made against America. I mean, are they giving co-operation of substance, whereas at least Iraq is at least giving some sort of access?" Later, Davis stated, "You talk about diplomacy. This has clearly been a failure of diplomacy in the last 12 months. Given George Bush's decision to label the North Koreans as part of the "axis of evil", is it perhaps understandable that North Korea now sets about arming itself to a hostile world?"

*Dateline*

*29 January 2003*

'Dateline' ran a story on "peace" activists who went to Iraq to act as human shields, many of them for the second time, having done so during the 1991 Gulf War. The reporter in this programme turned out to be one of the activists.



*Dateline*

*19 February 2003*

Mark Davis presented a story on New York dealing with local fears of further terrorist attacks, but which mostly concentrated on an anti-war rally that was restricted by city authorities and, according to Mr Davis, under-reported. There was also an interview with former US Ambassador to Syria and Saudi Arabia, Richard Murphy, who gave a neutral analysis, and a critical one with Mohamed Aldouri, the Iraqi Ambassador to the UN. The final story that night was a sympathetic report on Lynne Stewart, the US lawyer charged under anti-terror legislation for allegedly passing messages from Sheikh Abdel Omar Rahman, jailed for planning terrorist attacks in the US, to his followers.

*Dateline*

*26 February 2003*

This edition presented a report on the Arab League's ambassador to the UN, Yahya Mahmassani, featuring anti-US and anti-Israel rhetoric and incredible claims about the Arab world ("We all have elections. There are kingdoms with the consent of the people"). There was also a debate on whether the US media is colluding with the US administration.

*Dateline*

*5 March 2003*

'Dateline' presented a report from the streets of Baghdad which made it clear there was no freedom of speech, but which still concluded that the people did not want US military intervention. A further report on the Iraqi Kurds focused on the threat they face, not from Saddam, but from Turkey.

*Dateline*

*12 March 2003*

Mark Davis conducted a very sympathetic interview with the American writer, Gore Vidal, who is deeply hostile to the current American administration.

*Dateline*  
*19 March 2003*

Mark Davis interviewed the US Ambassador, Tom Schieffer, introducing him with the words: "Tonight, Australia stands poised to attack a country on the other side of the world that offers this nation no direct threat and many would argue, no perceivable threat in the future. John Howard says war against Iraq is in the national interest, but the country remains deeply divided on the question of who our participation really serves." In contrast to the previous week's interview with Gore Vidal, Mr Davis' interview with the ambassador was aggressive.

*Dateline*  
*2 April 2003*

'Dateline' spent a day with anti-West activist and writer John Pilger, who was crusading against the media coverage of the war, allegedly for not providing the extreme point of view he espouses. Pilger complained, "Now really something has to happen because this kind of reporting, when every day we pick up newspapers we regard as good, and it's just page after page of really - even if it's not overt, but insidious pro-war stuff, as if this is World War II all over again, with maps, instead of a completely rapacious attack on a country for the most deeply cynical reasons. I mean, that's the truth of this thing, and it isn't being projected that way".

*Dateline*  
*28 May 2003*

Ginny Stein reported on human shields and members of the International Solidarity Movement, interviewing members of ISM who had come to Gaza and the West Bank to protect Palestinians from perceived injustice. ISM members and Palestinians alleged Israeli atrocities, while an Israeli Defence Forces spokesperson explained Israel needed to conduct military activities. There was very little mention of Israeli's suffering from the terror campaign of the past two and a half years and no Israeli civilian was interviewed. The report also suggested that the IDF targets internationals and reporters. A photograph was shown of Rachel Corrie, the ISM member killed by an IDF bulldozer, standing in front of a bulldozer, the driver of which could obviously see her while Ginny Stein said, "Two months ago, an American human shield, Rachel Corrie, was killed as she defied this Israeli bulldozer

in Rafah.” In fact, the bulldozer shown was not the one that accidentally killed her.

*Dateline*  
*6 August 2003*

Matthew Carney compiled a report titled “Roadblock to Peace” in which he contended that the Israeli settlements are the cause of the violence. He failed to mention the offers by Ehud Barak at Camp David and Taba to dismantle the vast majority of these.

*Dateline*  
*8 October 2003*

In the wake of Israel’s strike upon a terrorist installation in Syria, following a Palestinian suicide bombing in Haifa, Mark Davis conducted a largely uncritical interview with the Arab League ambassador to the United Nations, Yahya Mahmassani. Davis did not quiz the ambassador on Syria’s internationally acknowledged role in sponsoring terrorist groups, or any other aspect of the Syrian regime. Other than querying at one point why Israel should not respond to terrorist attacks, Davis simply left unchallenged everything the ambassador said.

### **3. Legislative Guidelines, Consultative Mechanisms, Complaints Procedures and Codes of Practice**

#### *Legislative Guidelines*

The legislative requirements that SBS must fulfil in order for it to receive government funding are encapsulated in SBS's mission statement. The statement calls for SBS to "contribute to a more cohesive, equitable and harmonious Australian society through the provision of multilingual and multicultural radio and television services".<sup>1</sup> This however, is easier said than done, and with respect to its representation of Israel and the Middle East, SBS has continually failed its Australian and Jewish audience.

Section 73 of the *SBS Act* provides a benchmark by which SBS's performance as Australia's multicultural broadcaster can be assessed. Under section 73(j), SBS must provide an assessment of the extent to which the operations of SBS have achieved its objectives and fulfilled its functions.

SBS claims this has been achieved through the mere existence of the Annual Report - "such details are included throughout the body of the report". However, the Annual Report is not an independent assessment of SBS's performance; it is promotional material put out by SBS management to highlight the network's achievements.

#### *Consultative Measures*

For this reason, the absence of effective consultative measures is a concern. Section 73 (h) of the *SBS Act* requires that SBS annual reports include the "particulars of any advice received by the SBS Board from the Community Advisory Committee and the action taken by the Board in response to that advice." SBS lists the members of the Council in its Annual Report but, for 1997-98, the Report states that the council only met on three occasions that year and made no recommendations to the Board in that time. However, it was asserted that it "was active in stimulating discussion and providing feedback to the key executives over a wide range of issues." It is hardly credible that a body which was

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<sup>1</sup> SBS homepage at <http://www.sbs.com.au>.

“active in stimulating discussion and providing feedback ... over a wide range of issues” did not make a single recommendation. Similarly in 2001-2002, the Committee only met three times, and vaguely “worked with SBS” and “provided perspectives” on matters such as a “trends in Multiculturalism” research study and digital technology, as well as previewing SBS promotional material. Its only recommendation seems to have been to commission a history of SBS.

Dissatisfaction with the SBS Advisory Council’s role and performance was expressed at an early stage by SBS and by the Council itself. While SBS felt such a Council was unnecessary, the Council felt that it had been established without the basic resources for it to function efficiently beyond being a purely consultative group of individuals.<sup>2</sup> Further, it appeared that SBS consultative arrangements were more of a defensive mechanism rather than a consultative one in terms of formal programme planning.<sup>3</sup>

In August 1983, SBS instituted a major review of its consultative arrangements. However, the review’s scope was limited by legislation which did not provide for advisory bodies, thereby ruling out measures such as the payment of sitting fees to committee members.<sup>4</sup> The review noted that “SBS, which is there to act in the public interest, has a duty to discover how the public reacts to its programmes, to seriously consider these reactions and to effect changes when these are justified.”<sup>5</sup> It went on to emphasise that it was not sufficient for SBS to be the passive recipient of public comment. Rather, it was held to be incumbent upon SBS to “face and interact with the audience, to be challenged on programme issues and respond to them, to actively seek and listen to advice and at the same time explain why programming decisions are made”.<sup>6</sup>

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<sup>2</sup> Committee of the Review of the Special Broadcasting Service, p.551.

<sup>3</sup> *Ibid*, p.554.

<sup>4</sup> *Ibid*, p.555.

<sup>5</sup> SBS Public Consultation, “Discussion Paper prepared for the SBS Board Meeting”, 29 Nov 1983.

<sup>6</sup> *Ibid*.

The long record of Jewish communal dissatisfaction with SBS's performance and the way its complaints have been dealt with indicate that SBS has clearly failed to attain this objective.

### ***Complaints Procedures***

In addition to failings in the consultative duties of SBS, there is a dismal absence of accountability. Early evidence suggested that the unit within the publicity section, responsible for responding to viewer complaints, was not operating satisfactorily. It comprised one staff member who performed the duties of analyst, writer, telephonist and typist.<sup>7</sup> The inadequate staffing, the low profile of the unit and the need to arrange for translations of the complaints, hindered its effective operation. In June 1998, SBS released the SBS Service Commitment, in line with the Government's requirement that all Commonwealth public sector agencies develop service departments. The Commitment describes the mechanisms for providing feedback about SBS's programming.<sup>8</sup> However, the SBS Handbook maintains that telephone and electronic complaints will not be responded to – only written complaints will be answered, and even this will take six weeks.

All complaints are handled internally and generally referred to “a person with appropriate editorial responsibility who will assess whether or not the broadcast is in line with SBS's programming policies as articulated in the Codes of Practice.”

Where complainants in writing do not receive a response within 60 days or consider SBS's response to be inadequate, they may take the issue up with the Australian Broadcasting Authority (ABA) under Part 11 of *The Broadcasting Services Act 1992*. The ABA may then investigate the complaint, and if it believes the complaint is justified, can recommend that SBS take action to comply with the relevant Codes of Practice. It may also recommend that SBS take other action in relation to the complaint, such as broadcasting an apology. In the event that SBS fails to follow the ABA's recommendation, the ABA may give the Minister for Communications and the Arts a written report on the matter, which

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<sup>7</sup> Committee of the Review of the Special Broadcasting Service, p.554.

<sup>8</sup> SBS, Annual Report 1997-1998, op. cit., p.33.

will then be tabled in Parliament.<sup>9</sup> Clearly, the ABA will be reluctant to put in train such a lengthy process and may additionally see little purpose in doing so when complaints that reach it will already be at least two months old. This is also demonstrated empirically – the powers of the ABA are very rarely used.

It has been said of the existing procedure: “Frankly, a complaints procedure that is handled internally by any public broadcasting body, or indeed, private broadcasting body or television station, is neither just nor seen to be just. If it has the final determination it is seen as, and it is, an appeal from Caesar to Caesar”.<sup>10</sup>

The weaknesses of this procedure were shown in 1996 when the President of the Executive Council of Australian Jewry, Diane Shteinman, raised the issue of thinly disguised PLO propaganda films being shown on SBS with Rod Webb, SBS’s Chief of Network Programming. Mr Webb told Ms Shteinman that he “took exception” to her complaint, that the “provenance” of the film “is of no issue whatsoever,” that an Israeli series presented by Abba Eban was a “front for Israeli propaganda”, and that “besides, SBS had just shown an Israeli film.” (He was apparently referring to “An Electric Blanket Named Moshe”, an obscure Israeli art-house film.) By any standards, Mr Webb’s reply to the head of a representative peak body was totally inappropriate.

The simple fact is that, despite a requirement to do so under Section 2.4.1 of the Codes of Practice, public corrections and apologies at SBS news and current affairs are all but unknown. As this report demonstrates, this is not a function of accuracy but of an on-going refusal to acknowledge error or, in the rare cases where acknowledgement is made, to take any public action about it regardless of obligations under the Codes of Practice.

In 2002, SBS revised its *Codes of Practice*. The *Codes* stipulate that a complaint “alleging serious breach of SBS programming policies warrants a thorough reply at a senior level”.<sup>11</sup> Complaints are thus to be handled by “employees with appropriate editorial

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<sup>9</sup> SBS, *Codes of Practice: Programming Policies*, (Sydney: SBS, 1996) p.31.

<sup>10</sup> Senator Brian Harradine, speaking to Special Broadcasting Service Bill in the Senate, *Hansard*, 11 November 1991, p. 2860.

<sup>11</sup> SBS, *Codes of Practice, 2002*, Section 8. Handling Programming Complaints, Comments and Enquiries, p. 79 et seq.

control” and complaints that allege breaches of the Codes or threaten legal action must proceed to the Divisional Head level (television) or Station Management level (radio). A commitment is given to written responses within six weeks of complaint; the “style and content of outgoing correspondence are matters for the people concerned” although “restraint and courtesy should be used”. Correspondence addressed to Chairperson, Managing Director or Board members will be normally referred for reply, direct comment or input from the “programming area” concerned. Serious programming complaints, complaints by members of Parliament and any complaint lodged through a lawyer are to be brought to the attention of SBS Management.

These procedures indicate that senior management are to receive early notice of serious complaints. Nonetheless, the overall situation remains essentially unchanged: the current *Codes of Practice* provide for no independent fact checking or review body that can assess individual and community complaints, and it still seems most likely that the individual responsible for overseeing or making a decision complained about will be responsible for framing SBS’s reply.

Given these considerations, it is evident that SBS, particularly in regard to its presentation of Middle East issues, has violated the spirit of its Charter. In practical terms, programming decisions in regard to Israel and the Middle East are unbalanced and there are no orderly and expeditious means of remedying the situation. Until and unless a genuine complaints procedure is instituted, there is very little prospect of SBS adequately fulfilling its objectives for the benefit of the people it purports to represent.

Thus, the *Codes of Practice*, depending on the nature of the complaint, are either insufficiently rigorous or a dead letter. The achievement of accuracy, fairness and balance over time would seem to be decisively refuted by the track record we have presented with regard to SBS news and current affairs relating to the Middle East.

We have documented numerous instances of factual errors; tacit and explicit editorialising; partisan terminology and inappropriate footage; and imbalance in selection of expert commentary on SBS news coverage. We have documented a consistent *imbalance over time* in the selection and presentation of partisan features and



documentaries favouring one side in the Israeli-Palestinian conflict. Lastly, we have documented the durability of the sometimes high-handed, often dilatory and wholly unsatisfactory complaints process that presently exists and defies all efforts at achieving the outcomes required by the *Codes of Practice*.

## **4. Recommendations**

In the analysis that we have presented, a clear, consistent and pronounced pattern of bias is evident in SBS news and current affairs.

Changing the culture that produces such bias will require wide-ranging reform of SBS potentially involving the Board, management and staff. Given the extent of the problems and, as an essential component of reform, serious consideration should be given to the adoption of legislative reform to provide for a revised Charter and Codes of Practice that makes explicit SBS's obligations with respect to the presentation of news, current affairs and documentaries.

**The reforms would:**

- 1. Provide for the establishment of an adequately funded and staffed external independent complaints panel to deal with non-vexatious allegations of bias and error in a timely and expeditious fashion that permits early correction, retraction, or clarification where these are found to be warranted.**
- 2. Prescribe that any findings by the complaints panel of inaccuracy, distortion or unprofessional practice need to be speedily and effectively rectified as far as possible through prompt public correction, apology or clarification, both on-air and on the SBS web-site.**
- 3. Empower the panel to investigate complaints, including detailed submissions of long-term or institutional bias affecting news reportage, current affairs and documentary selection.**
- 4. Establish the principle that decisions of a complaints panel should be subject to further appeal to an independent body with commensurate powers and capacity to investigate issues of long-term or institutional bias.**
- 5. Affirm the principle that complaints do not derive their worthiness or seriousness, so far as SBS is concerned, from the number of people who lodge them, but from the inherent**

merit of the complaint as judged by the panel or the appellate body.

6. Regular monitoring and reporting on current affairs features and documentaries to ensure the presentation of a spectrum of viewpoints and perspectives on particular issues and themes over the shortest timeframe reasonably possible.

7. Ensure that the provenance of all documentaries is fairly and fully disclosed to viewers when broadcast to ensure that SBS viewers do not become the unsuspecting audience of advocacy journalism and partisanship.

8. Institute Codes of Practice on news reportage that obliges news programmes to present the relevant facts, using a consistent lexicon that reflects the practice expected of a professional broadcaster. It must also ensure that broadcasts do not advocate or present partisan views and must prohibit tacit or explicit editorialising.

9. Ensure that the use of file footage is both directly relevant to the particular story and clearly designated as such in all cases.

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