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Adjudication by the Australian Press Council



Adjudication No. 1515

The Australian Press Council has considered a complaint about three articles in The Daily Telegraph on 9 June, 17 June and 6 July 2011 concerning aspects of the National Broadband Network (NBN). The articles appeared with the headlines shown below, although the first article also appeared in other News Limited newspapers under a different headline.

“Australian taxpayers’ latest NBN horror show”

Jamie Benaud complained this article understated the number of customers who had taken up NBN offers and accordingly overstated the ratio of NBN staff to customers. He also said the claim that during the trial period customers and internet service providers (ISPs) were accessing NBN services without charge was not true in Tasmania. The newspaper said the customer figures were based on the latest available to it at the time of publication and that free access applied in all mainland States.

The Council considered the newspaper should have made greater efforts to get up-to-date customer figures, although the error did not substantially affect the point being made. It considered the assertion about the staff/customer ratio was misleading and unfair as the company was at a very early start-up stage. These errors may well have been considered minor in themselves but the Council noted the forceful nature of the headline and concluded that the complaints about this article should be upheld.

“Join the NBN or you’ll be digging deep”

Mr Benaud complained this article implied inaccurately and unfairly that customers who do not sign up for NBN at the outset would have to pay an "estimated" \$900 a day to get the cable laid to their house at a later date and then up to \$140 per month to get an ISP connection. He pointed out that NBN said the later cable-laying would still be free "for standard installation" and that ISP connection costs might be as low as \$30 per month. The newspaper agreed its statement about cable-laying costs may have been misread (publishing a clarification as a result) but defended mention of only the upper ISP price as being fair and a common practice.

The Council considered the statement about the cable-laying cost was clearly and seriously inaccurate. It noted the newspaper had attempted later to clarify the matter even though it believed residents had been given the reported information. However, in so doing, it implied incorrectly that the \$900 would have to be paid to an ISP. The Council also considered that describing the ISP connection fee as "up to \$140" was unfair and misleading when the range was as wide as \$30-\$140, and the minimum fees had also been well known. Accordingly, the complaints against this article are upheld.

“Low interest in high speed internet”

Mr Benaud complained about this article comparing a particular consumer’s current internet costs of \$39 per month with what it said would be \$53 to more than \$130 per month if he signed up for NBN services. The latter range was actually for a combination of internet and phone services, not internet alone, and, as the consumer has a phone service, he would currently be paying much more than \$39 in total for internet and phone. The newspaper said that the customer himself had no issue with the accuracy or portrayal of his words.

The Council considered that, by omission of the costs for combined phone and internet services, the comparison was misleading. Accordingly, the complaint against this article was upheld.

The Council expressed concern that within a short period of time three articles on the same theme contained inaccurate or misleading assertions. It considers that this sequence of errors should not have occurred and that they should have been corrected promptly and adequately when brought to the newspaper’s attention.

Note (not required for publication by the newspaper):

This adjudication applies the Council's General Principle 1: "Publications should take reasonable steps to ensure reports are accurate, fair and balanced. They should not deliberately mislead or misinform readers either by omission or commission". It also applies General Principle 2: "Where it is established that a serious inaccuracy has been published, a publication should promptly correct the error, giving the correction due prominence".

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Inquiries:
(02) 9261 1930
1800 025 712
info@presscouncil.org.au

The Australian Press Council
Level 10.02, 117 York Street
SYDNEY NSW 2000
Website: <http://www.presscouncil.org.au>