

Coimisiún na Meán's response to the Pro Life Campaign Complaint

From: **User Support** <UserSupport@cnam.ie>

Date: Wed, Feb 19, 2025 at 12:41 PM

Subject: Your Complaint to Coimisiún na Meán CRM:0300042

Dear Eilís,

We write to advise you that the Commission considered your complaint (ref: CAS-01846) at its meeting on 12th February 2025.

The Commission noted the importance, divisiveness and sensitivity of the issue of abortion and its examination in the media.

Having considered all the relevant material and the points you raised, the Commission decided to dismiss your complaint. The reasons for this decision are explained below.

The broadcast complained of was a programme in which its explicitly stated objective was to examine the operation of abortion services in Ireland in light of a statutory review completed the previous year. The presenter clearly stated at the outset that, *'[t]his documentary is not about looking at the rights or wrongs of abortion'* and reiterated its limited focus at several points during the broadcast. In this context, the Commission decided that the complaint that the programme advanced a one sided, 'pro-abortion' bias was grounded on a misconception of the stated objective of the broadcast. As an examination of the operation of abortion services, the Commission decided that perspectives relating to continuation of pregnancy or other services, were not pertinent to the discussion. The Commission decided that the broadcast fairly covered the range of opinion relevant to the subject matter in focus in appropriately including the views of those who elect to avail of abortion services, those who provide the services and the author of the report on the statutory review of those services.

In respect of the complaint that the programme promoted abortion in a variety of ways, the Commission decided that the broadcast did not call for increased liberalisation of abortion and did not contain encouragement to choose abortion, but rather gave a factual examination of the operation of abortion services for those who do. During the conclusion of the programme, a contributor gave a summary that in 2018, *'we voted to implement a very conservative model of abortion care in Ireland.'*

'We are not asking for that to be reformed,' but rather asking for the main barriers that are significantly impacting vulnerable women in Ireland to be addressed.

The Commission noted guidance provided in the Code of Fairness, Objectivity and Impartiality in News and Current Affairs which allows that *'[i]t is not always the case that the omission of a viewpoint/perspective in relation to a particular issue will automatically result in unfairness and indeed, there is no requirement to cover every aspect of an item in order to achieve fairness. The principle of fairness refers to ensuring that the approach to covering issues, particularly those of public controversy or current public debate should be equitable and proportionate.'*

The Commission noted that the programme's presenter, at several points in the programme, acknowledged the divisive nature of the broader issue of abortion, made several references to the outcome of the referendum, including the significant proportion of the electorate who rejected the proposal and the view that some had supported the introduction of abortion services on a limited basis.

Regarding the complaint that the broadcast lacked debate on aspects of the review or perspectives raised within the programme, the Commission noted that the broadcast included examination of concerns raised in the statutory review of abortion services and included responses to those concerns, on which the author of the report was challenged on several points. Regarding the manner in which the broadcast covered concerns raised in the report, reflected in the stories of the women featured, about lack of regulation and quality assurance regarding counselling services for women, the Commission decided that the programme provided a range of appropriate views from contributors with recognised expertise in psychiatry and obstetrics/gynaecology on the conduct and adequacy of such supports and that their contributions were not misrepresented to the audience, nor did their contributions misrepresent the operation of those counselling services to the audience.

In considering whether the programme provided a range of views on the 3-day wait period, the Commission noted that the range of contributors who spoke on this topic tended to favour its removal from the legislation. However, the Commission decided that, if those are the views of the people with direct experience of the wait period, abortion service providers and the expert who reviewed the operation of the law, the inclusion of contrary views would amount to false equivalence as the focus of the programme was on services for those who choose to proceed with abortions, rather than those who do not, or why.

The complaint asserted that the recommendations of the O'Shea review are contentious and that the programme's contributors supported those recommendations. The Commission noted that the presenter acknowledged in her conclusion that the programme put a series of questions to the Department of Health asking how and when it proposed to address those recommendations, to which it responded that the matter is '*under consideration*.'

The presenter further acknowledged that '*addressing Marie O'Shea's recommendations for legislative change ... presents difficult choices for Government*.' The programme stated on several occasions that the provision of abortion services is a divisive issue, with a significant minority of the population being opposed to those services.

The complaint alleged that the sections of the programme covertly filmed at a counselling retreat invaded the privacy of women attending. As complaints regarding privacy must be made by the person whose privacy may have been unreasonably encroached upon, this aspect of the complaint was not considered.

Taking the broadcast as a whole and in context, the Commission decided that there was a lack of merit to the allegations that a sufficient range of views was not provided and that the broadcast did not meet its obligations in respect of fairness, objectivity and impartiality.

The decision to dismiss is made pursuant to section 48(4)(a) of the Broadcasting Act 2009, as amended. The decision-making criteria are published on our complaints guidance

webpage under the heading ['What criteria does the Commission apply in deciding on my complaint?'](#)

This email is a formal notification to you of the Commission decision. Please be advised that Coimisiún na Meán does not operate an appeals mechanism for its complaint decisions.

A notice of the Commission's decision on your complaint will be published on Coimisiún na Meán's website in due course. Please be advised that this notice will not contain personal data relating to you.

Thank you for making your complaint and please accept our apologies again for the delay in processing it.

Kind regards,

User Support Team

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