

CALLSIGN	PROGRAM/ ADVERTISEMENT/ISSUE	SUBSTANCE OF COMPLAINT	CODE/LICENCE CONDITION CONSIDERED
ABN Northern New South Wales	<i>Lateline</i>	Anti-US President bias.	Impartiality, balance in viewpoints
ABT Tasmania	<i>The 7:30 Report</i>	Item about fixed-term elections was false, biased and misrepresented the situation.	Factual accuracy; impartiality
<b>ABC RADIO</b>			
3ABCFM Albury	<i>Morning Program</i>	Inaccuracy in an interview.	Factual accuracy
<b>SBS TELEVISION</b>			
SBS	<i>Faust</i>	M-rated program featuring nudity broadcast during a PG time zone	Nudity; departing from time zone requirements
*Potential breach of a licence condition or the <i>Broadcasting Services Act 1992</i> . All other potential breaches were of a code of practice.			
<b>INVESTIGATIONS TERMINATED</b>			
<b>COMMERCIAL TELEVISION</b>			
<b>NEW SOUTH WALES</b>			
CBN Southern New South Wales	<i>Channel Seven News</i>	Lack of captioning in digital channel.	Complaint withdrawn—technical reason given
<b>QUEENSLAND</b>			
TVQ Regional Queensland	N/A	Failure to respond to complaint within 60 days.	Complaints handling—complaint withdrawn
<b>WESTERN AUSTRALIA</b>			
WOW Remote & Regional Western Australia	<i>Big Brother Uncut</i>	Offensive program matter.	Language; sex/nudity
<b>COMMERCIAL RADIO</b>			
<b>VICTORIA</b>			
3AW Melbourne	<i>Drive</i>	Offensive statements made by presenter.	Investigation terminated
<b>COMMUNITY RADIO</b>			
<b>NEW SOUTH WALES</b>			
2000	N/A	Untagged sponsorship announcements	Complaint withdrawn

# COMPLAINT HANDLING BY COMMERCIAL TELEVISION STATIONS JULY TO SEPTEMBER 2005

The Commercial Television Industry Code of Practice 2004 requires each commercial television broadcaster to report to FreeTV Australia, within 15 working days of the end of each quarter, the number and substance of written complaints alleging specific breaches of the code. FreeTV Australia provides a consolidated report to ACMA.

Commercial television stations reported 376 written complaints about matters covered by the code of practice in the third quarter of 2005. This is 5.3 per cent less than the 397 complaints reported in the previous quarter.

## COMPLAINTS UPHELD

In 10 instances this quarter, the station agreed that a complaint identified a breach of the code, compared with five upheld complaints in the previous quarter. The 10 instances related to eight broadcast items. Network Ten upheld the following complaints.

- Two complaints; about the violence in the program *Monk* (Southern Cross Ten).

Although network classifiers requested changes to an episode of *Monk* to allow it to be broadcast in the PG time zone, a technical oversight resulted in an unedited version of the program being broadcast.

- Two complaints; about an inappropriately placed advertisement shown during *The Simpsons* (Southern Cross Ten Northern NSW). Network Ten said that the advertisement, which was classified S, was placed inappropriately as a result of human error.
- Two complaints; about an inappropriately placed advertisement for One Stop Entertainment 'Maximum

Bass', shown during *The Simpsons* (Southern Cross Ten Victoria). Network Ten agreed that the M classified advertisement, was inappropriately placed as a result of human error.

- One complaint; about the placement of a program promotion for *House* shown during *The Simpsons* (Southern Cross Ten Victoria). Due to an administrative timing mistake, Network Ten provided the promotion to Southern Cross before the classification was finalised. This resulted in the program promotion being shown at the wrong time by Southern Cross before Network Ten

advised Southern Cross of the correct classification.

- One complaint; about the inappropriate placement of a commercial shown during *Cheez TV* (Southern Cross Ten Victoria). Network Ten agreed the advertisement was inappropriately placed as a result of human error
- One complaint; about coarse language in a video clip shown on *Video Hits* (Network Ten). An unedited version of the video clip was shown as a result of human error.
- One complaint; about an inappropriately placed commercial shown during *Ten News* (Southern Cross Ten). Network Ten agreed

the advertisement, which was classified M, was inappropriately placed as a result of human error.

Network Ten has taken appropriate action on these complaints, including:

- reviewing technical systems and processes to guard against a similar recurrence
- reviewing all telephone sex line advertisements to ensure the correct classifications are applied
- ensuring all scheduling staff are aware of the consequences of inappropriate scheduling, and
- re-training program producers in classification protocol.

The Nine Network upheld one complaint, about the placement of a program promotion for *A Current Affair* shown during *Jay Jay the Jet*

*Plane* (WIN Tasmania). The network agreed the program promotion was inappropriately placed as a result of human error.

Nine Network has taken operational steps to ensure this does not happen again.

**COMPLAINTS NOT UPHELD**

Programs receiving the highest number of complaints (not upheld) were:

- *Today Tonight* (Seven Network)—65 complaints, mostly concerning perceived bias and inaccuracy in reporting, racism, discrimination and privacy
- *Big Brother Uncut* (Network Ten)—57 complaints, mostly concerning sexual references and nudity considered inappropriate. ACMA initiated an investigation into three episodes of *Big Brother*

*Uncut*. That investigation found two breaches of the code in relation to specific scenes in two of the three programs. One of the breaches related to a breach of the MA15+ sex and nudity classification criteria. The other related to the MA15+ language criteria.

- *Australia's Funniest Home Video Show* (Nine Network)—31 complaints, mostly concerning nudity considered inappropriate for the time zone, and the welfare of animals
- *Big Brother PG* shows (Network Ten)—14 complaints, mostly concerning coarse language
- *Comedy Inc* (Nine Network)—11 complaints, mostly concerning content considered offensive and perceived discrimination.
- *60 Minutes* (Nine Network)—10 complaints,

mostly concerning material considered offensive (the Moulin Rouge story) and perceived bias and inaccuracy in reporting

- Holden Astra commercial (various networks)—nine complaints, mostly concerning nudity considered to be inappropriate for the time zone
- *Home and Away* (Seven Network)—nine complaints, mostly concerning story lines considered inappropriate for the time zone
- *Las Vegas* (Seven Network)—nine complaints, mostly concerning nudity and sexual references considered inappropriate for the time zone. These complaints relate to both programming and program promotions.

**COMPLAINTS MADE TO COMMERCIAL TELEVISION STATIONS ABOUT PROGRAMS, JULY-SEPTEMBER 2005**

	BIAS/ INACCURACY	CLASSIFICATION	CLOSED CAPTION	COMMERCIAL CONTENT	COMMERCIAL GENERAL	COMMERCIAL PLACEMENT	CONSUMER ADVICE	DISCRIMINATION	DRUG USE	LANGUAGE	PRIVACY	SEX/NUDITY	SUICIDE	VIOLENCE	TOTAL	% ALL
CHILDREN		1		1		1						1		1	5	1.3
COMEDY		16				4	1	3		1		11	4	1	41	10.9
CURRENT AFFAIRS	35	9						28			6	2			80	21.3
DOCUMENTARY		2													2	0.5
DRAMA		8		3			2		8	2		6		12	41	10.9
INFORMATION					1										1	0.3
MOVIES		6				1				4		2		2	15	4.0
MUSIC VIDEO	1											2			3	0.8
NEWS	12	9				1		4	1		9	7		8	51	13.6
PROGRAM PROMO		9						2							11	2.9
QUIZ												1			1	0.3
SPORT								1		3					4	1.1
UNSPECIFIED		20	1	2		16		3		6		61		4	113	30.1
VARIETY		2						1		4		1			8	2.1
<b>TOTAL</b>	<b>47</b>	<b>83</b>	<b>1</b>	<b>6</b>	<b>1</b>	<b>23</b>	<b>3</b>	<b>50</b>	<b>1</b>	<b>20</b>	<b>15</b>	<b>94</b>	<b>4</b>	<b>28</b>	<b>376</b>	<b>100</b>
<b>% ALL COMPLAINTS</b>	<b>12.5</b>	<b>22.1</b>	<b>0.3</b>	<b>1.6</b>	<b>0.3</b>	<b>6.1</b>	<b>0.8</b>	<b>13.3</b>	<b>0.3</b>	<b>5.3</b>	<b>4.0</b>	<b>25.0</b>	<b>1.1</b>	<b>7.4</b>	<b>100</b>	

There were no complaints about Complaints handling, Disclosure and Religious categories for any program.

Source: FreeTV Australia Commercial Television Industry Code of Practice 2004: Complaints Summary July to September 2005