

The ABA commenced 151 investigations into program related matters in 1994-95 and handled approximately thirty three per cent more comments and complaints than in the previous year.

Investigations into program matters

Of the 151 investigations commenced by the ABA, 116 resulted from formal complaints about program matters covered by codes of practice which had not been resolved by a broadcaster.

Eighty of the 151 investigations related to commercial television, 22 to community radio, 14 to commercial radio, 11 to ABC television, nine to ABC radio, eight to SBS television, five to open narrowcasting radio, two to subscription narrowcasting radio, two to SBS radio and one to subscription broadcasting television.

Investigations

The ABA conducts investigations alleged breaches of the Act or licence conditions, as well as unresolved complaints about matters covered by codes of practice. When conducting an investigation into an unresolved complaint, the ABA requests comments from the broadcaster concerned. Both the complainant and the broadcaster are informed of the ABA's decision. The ABA has a range of sanctions available to it in the event of a breach of licence condition, program standard or code. Any action taken depends on the seriousness of the breach.

For commercial television, classification of G programs, were the main topic of investigations. Accuracy and fairness in news and current affairs was also an area of concern. Vilification of individuals or groups on the basis of ethnicity, and matters relating to participation, management and access were the main issues for community radio. Investigations relating to ABC television and radio were predominantly concerned with accuracy and fairness in news and current affairs, while for SBS television, the main topic of investigation was the

levels of sex, nudity and violence in movies.

As a result of investigations, the ABA found one service in breach of a licence condition and two breaches of the commercial television code of practice. They were:

■ Channel 9 - 'Hey It's Saturday' - Nude Male Balloon Dancers Segment - broadcast between 6.30 p.m. and 8.30 p.m. Segment was inappropriate for a 'G' classified program;



■ Channel 9 - 'Night Eyes' - 'M' classified movie, modified for television - broadcast at 8.30 p.m. Inappropriate 'M' classification for sex and nudity;

■ 3ZZZ Melbourne (community radio) - Serbian language program. The program was found to be in breach of radio program standard 3 (b) (gratuitous vilification on the basis of ethnicity).

Codes of practice

Under the codes of practice, primary responsibility for the resolution of complaints rests with the broadcasters themselves. If a station fails to respond to a written complaint within 60 days, or the response is considered unsatisfactory, the complainant has the right to take the matter to the ABA for investigation.

Quarterly reports from the Federation of Australian Commercial Television

Stations (FACTS) to the ABA show commercial television stations across Australia received 627 written complaints alleging breaches of the commercial television code of practice in 1994-95. Thirty of these complaints were upheld by television stations.

The complaints process

Broadcasters are obliged to adhere to the complaints guidelines detailed in the relevant code of practice.

The ABA can accept direct complaints for matters relating to the standards for children's television or Australian content on television, and complaints about possible breaches of the Act or conditions of licence.

Comments and complaints

Many members of the public contact the ABA directly with comments about radio and television. The ABA records these comments, the person is informed of the complaints procedure and directed to the relevant broadcaster, if appropriate.

The ABA handled approximately thirty three per cent more comments and complaints in 1994-95 than in the previous year. The ABA received 3116 comments and complaints, compared with 2348 in 1993-94.

While the number of comments and complaints received was up for commercial television (from 1542 to 1786), commercial radio (from 277 to 441) and ABC television (from 270 to 374), the greatest rise was in the 'other' services categories, which includes ABC radio, SBS television, and narrowcast services. Comments and complaints about these services rose from 259 to 515 in 1994-95. It is likely that the promulgation of codes of practice by the national broadcasters, the expansion of the ABC's JJJ radio network and the increase in the

number of new narrowcast services has contributed to this rise.

The ABA noted an increase in comments and complaints received in relation to the categories of hatred/ ridicule/ discrimination, news and current affairs and number of advertisements. The ABA's data indicates that late night comedy, sports programs and specific advertisements attracted most comments and complaints involving alleged discriminatory material. Commercial radio also registered an increase in this category of complaint.

Commercial television

Of the 1786 comments and complaints about commercial television received by the ABA during 1994-95, the highest ranking categories were:

Taste, morality, decency	201
Hatred/ridicule - discrimination	199
Miscellaneous TV	188
Unsuitable for children	103
Accuracy & fairness in news/ current affairs	90
Number of advertisements	80

The ten programs attracting the most direct comments and complaints to the ABA were:

News (various)	171
The Footy Show	41
A Current Affair	34
Denton	30
Equal sweetener (advertisement)	25
Sport - general	24
60 Minutes	21
The Ren and Stimpy Show	21
Mighty Morphin Power Rangers	18
Sport - cricket	17

These figures do not include written complaints received by commercial television stations against the commercial television code of practice.

ABC

For ABC television, the five programs attracting the most comments and complaints to the ABA were:

7.30 Report	59
News	43
Four Corners	30
Gay and Lesbian Mardi Gras	25
King Street Newtown	10

Commercial radio

The five commercial radio programs attracting the most comments and complaints to the ABA were:

Stan Zemanek, 2UE	53
Paul Barber, 3AW	23
John Laws, 2UE	21
Howard Sattler, 6PR	13
News (various)	13

Quarterly reports from the Federation of Australian Radio Broadcasters (FARB) to the ABA show that commercial radio stations across Australia received 1495 phone and written complaints alleging breaches of the commercial radio codes of practice.

ABC radio and SBS radio

News was the most complained about program on both ABC radio (31 complaints) and SBS radio (10 complaints).

Trends

The rise in complaints made to the ABA about television and radio is part of a continuing trend. This reflects not only increasing public awareness of the codes of practice and the role of the ABA, but also an increase in the number of services being provided.

Discriminatory broadcasts

The following are examples of broadcasts which caused offence to complainants due to perceived sexism, blasphemy, cultural insensitivity and discrimination.

■ 'The Footy Show' received a number of complaints in relation to comments made by a Queensland cricketer about Aboriginal people. The program was also the focus of concern for a program promotion which featured a send-up of the Last Supper.

■ 'Bodalla Cheese', an advertisement which suggested that Yanks and Kiwis should go home.

■ Comedy programs such as 'Denton', 'Big Girl's Blouse' and 'Mulray' attracted complaints about religious offence/blasphemy, particularly through their treatment of religious symbols, the Pope, Christian ceremonies and use of the term 'Jesus Christ'.

Of note is the increase in the number of complaints alleging 'reverse sexism' in advertising. The advertisements included:

■ 'So Perfume': featured a woman using a male as a footstool;

■ 'Holeproof Underdaks': a man is asked by a female customs officer to strip before being permitted through a barrier. One version of the advertisement

featured the tagline 'he's probably gay', which also caused offence;

■ 'Smart Woman Magazine': an advertisement which featured a man lying in bed, smiling, while a hand drew down the bedclothes. This image was followed by the sound of scissors, and a loud scream.

Other complaints bodies

Similar trends in complaints have recently been noted by other complaints bodies.

At the Advertising Standards Council (ASC) the 'sexism' in advertising category received the second highest number of complaints during 1994. The ASC received 146 complaints in this category ('taste and decency' was first with 339).

The ASC also received an increasing number of complaints about 'reverse sexism'. The complainants were concerned about advertisements which they perceived treated men demeaningly, or as 'sex objects' such as the 'Holeproof Underdaks' advertisement. This ASC did not uphold this complaint.

A second area of concern related to depictions (apparently intended to be humorous) of criminal acts and malicious damage to property. The advertisements considered by the ASC in this category included 'Dorf Taps' and 'Smart Woman Magazine'. The ASC upheld the complaints about both of these advertisements.

Complaints to the British Broadcasting Standards Council (BSC)¹ increased by 31 per cent in the 12 months to March 1995. According to the BSC the increase could be linked to a growing public awareness of the BSC's existence.

Whilst the numbers of complaints rose, the pattern of complaints remained consistent with previous years. The majority of complaints (46 per cent) were about taste and decency, of which one-third related to bad language. Other issues raised included tasteless humour and racist or sexist offence.

¹ *The Broadcasting Standards Council is an advisory body established under the British Broadcasting Act 1990. The Council's role is to draw up and periodically review a code of practice, which the broadcasting industry is required to reflect in their own codes and program guidelines.* □