



Children's Television

Gordana Marin, Manager, Codes and Conditions section, examines the regulation that surrounds the children's television standards.

Regulatory framework

The *Broadcasting Services Act 1992* sets out a flexible and consultative role for the ABA in the regulation of program content.

The manner in which program content is regulated balances the costs and benefits of the community's regulatory requirements with the need for an efficient broadcasting industry. Program content regulation includes Australian content, children's programs, taste and decency and advertising.

In light of the emergence of new technologies (such as the increasing availability of alternate technological options to deliver broadcasting services), the Government reassessed the manner in which program content regulations are imposed on broadcasters.

Accordingly, the level of regulation is in proportion to the degree of influence of the category of broadcasting service. This is determined by the degree of access, public interest concerns and market competition of each service.

Under the *Broadcasting Services Act* most program content matters are regulated by means of supervised industry codes of practice which have replaced first recourse use of imposed standards under the previous legislation. Pri-

mary responsibility for the conduct of broadcasting services has been placed with the broadcasters themselves.

However, in recognition of the potential for conflict between broadcasters' commercial imperative and the public interest, mandatory program standards for the level of Australian content of programs and children's programs on commercial television have been retained.

Underpinning the primary justification for these standards is the concern of governments and society about the power of television, to influence community attitudes and assist in the development of cultural identity.

The 'objective' of the children's television standards is that,

Children should have access to a wide variety of quality of television programs made specifically for them, including Australian drama and non-drama programs.

Codes of practice

A key premise of the Act is that broadcasters are to be more responsive to the needs of the Australian community. Accordingly, the primary responsibility for ensuring that programs reflect community standards has shifted to the broadcasters.

The Act requires each broadcasting industry sector to develop codes of practice relating to programming matters and taking into account areas of community concern.

Broadcasters are required to accept and respond to complaints from the public about the services they provide. This is the cornerstone of the codes of practice system.

Because of the important role which broadcasting plays in developing a sense of Australian identity, character and culture, as well as its role in contributing to Australia's democratic and pluralist society, the Government has included safeguards in the Act to protect community interests.

Accordingly, the ABA is empowered under the Act to introduce standards if the codes should



Gordana
Marin



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fail, or where industry codes are not developed.

Each industry sector is required to develop codes of practice applicable to its operations. This development is undertaken in consultation with the ABA, and must take into account any relevant research conducted by the ABA.

In its assessment of codes, the ABA bears in mind the objects of the Act which provide an indication of the shape of the community safeguards required. These objects include:

(j) to ensure that providers of broadcasting services place a high priority on the protection of children from exposure to program material which may be harmful to them.

The issues which may be covered in codes of practice are set out in section 123 of the Act. They include:

- preventing the broadcasting of programs that, in accordance with community standards, are not suitable to be broadcast by that section of the industry; and
- methods of ensuring that the protection of children from exposure to program material which may be harmful to them is a high priority; and
- methods of classifying programs that reflect community standards;
- and then, of relevance to news channels — methods of promoting accuracy and fairness in news and current affairs programs.

Registration of a code of practice

In assessing and registering a code of practice the ABA considers three criteria. It must register a code of practice if it is satisfied that:

- the code of practice provides appropriate community safeguards for the matters covered by the code;
- the code must be endorsed by a majority of the providers of broadcasting services in that section of the industry; and
- members of the public must be given an adequate opportunity to comment on the code.

The Commercial Television Industry Code of Practice was registered by the ABA in September 1993. In dealing with issues such as violence, language, nudity and portrayal of sex, the code identifies time zones. The code also requires that material be appropriately classified and broadcast at an appropriate time. The classification zones are based on the majority

audience normally viewing at that time, and particularly whether children are viewing in significant numbers. For example, only C, P and G classified programs may be broadcast between:

- 6.00 a.m. and 8.30 a.m.,
- 4.00 p.m. and 7.30 p.m. on weekdays; and
- 6.00 a.m. and 7.30 p.m. on weekends.

The general classification, or G, 'must not contain any matter likely to be unsuitable for children to watch without the supervision of a parent'.

Complaints

The Act lays down a general procedure for complaint handling whereby viewers are required to approach the service provider first. The licensee is obligated by the Act to respond. However, if a viewer does not receive a response, or if they are not satisfied with the response they can refer the matter to the ABA for investigation.

The ABA's role is to investigate 'unresolved complaints'.

Monitoring compliance

The ABA is assisted in monitoring compliance with both the mandatory standards and codes of practice by reports on complaints against the codes provided by broadcasters and research into community attitudes on program issues, and complaints that come directly to the ABA. ☐



From 'Lois and Clark: The New Adventures of Superman', a television program popular with children, courtesy Channel 7.