



In its first annual review of audience complaints about programming on Australia's broadcast media, the ABA says the self-regulatory codes and complaints process introduced by the Broadcasting Services Act is working well.

## Broadcasting codes of practice working well

The ABA's report, *Your Say 1995*, was released at a public seminar on the operation of codes of practice in the television industry in Sydney on May 18. The seminar was hosted by the Senate Select Committee on Community Standards Relevant to the Supply of Services Utilising Electronic Technologies.

'We believe the safeguards inherent in the previous system have not been compromised,' said Mr Peter Webb, ABA Chairman. 'Viewers and listeners are using the avenues open to them to have their say.'

In 1994, the ABA received 1835 complaints relating to commercial television, compared with 1509 in 1993.

Complaints about ABC and SBS services (both television and radio) increased from 70 in 1993 to 638 in 1994. This reflects the fact that 1994 was the first full year in which the ABA had responsibility for investigating unresolved complaints about the ABC and SBS.

The number of complaints about commercial radio and community radio/other services also increased.

'The implementation and promotion of the codes of practice by commercial and national broadcasters together with the ABA's own publicity about complaint procedures are factors which can be seen to contribute to this increase,' said Mr Webb.

The complaints data does not point to any major changes in type of complaint which would indicate a failure of the codes, rather it is a general increase.

It was however apparent that a range of issues such as content in television news and current affairs, program scheduling, unsuitable material for children and taste and decency overshadowed violence in programs as causes of complaint.

Copies of *Your Say 1995* are available from the ABA, price \$10.

### Complaints to the ABA

The complaints process that is administered by the broadcasters and the ABA is laid down in the *Broadcasting Services Act 1992*. The Act requires that complaints from viewers about programs broadcast on television, which are covered by a code of practice, are to be directed in the first instance to the broadcaster concerned.

The broadcaster is under an obligation to adhere to the complaints guidelines detailed in the relevant code of practice. This involves the complainant being told how the broadcaster intends to deal with the complaint and what opportunities are available to take the matter further if the response is unsatisfactory.

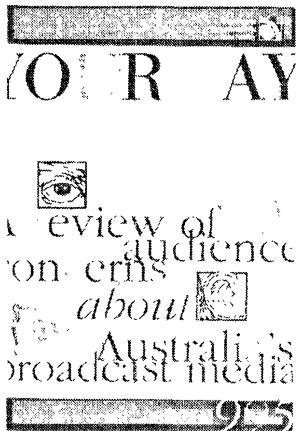
If a station fails to respond to a written complaint within 60 days, or the response is considered unsatisfactory, the complainant has the right to take the matter to the ABA for investigation.

The ABA can also investigate complaints about the national broadcasters, the ABC and SBS. However, the ABA can only investigate complaints about material broadcast on the ABC or SBS which is covered by a 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. The Act allows the ABA to investigate these complaints in the first instance.

### Complaints about commercial television

For the period 1 January 1994 to 31 December 1994, the ABA received 3020 phone and written complaints. Commercial television received the greatest number of complaints (1835) followed by ABC television (391) and commercial radio (366). ABC radio recorded 175, SBS television 62 and SBS radio 10. There were 150 complaints about community radio and 31 about other services.



*Your Say 1995* examines the complaints made to the ABA and the industry during 1994. It also provides results of research undertaken by the ABA into the implementation of the commercial television industry code of practice.

Under the codes, primary responsibility for dealing with viewer and listener complaints rests with broadcasters themselves. The ABA still receives complaints and offers a listening ear and provides advice on how to make proper use of the formal complaints process. Complaints made to the ABA also provide the ABA with a means of monitoring the effectiveness of codes.

Service category	1993		1994	
	Number	%	Number	%
Commercial television	1509	80	1835	61
Commercial radio	260	14	366	12
ABC/SBS	70	4	638	21
Community radio/other services	35	2	181	6
<b>TOTAL</b>	<b>1874</b>	<b>100</b>	<b>3020</b>	<b>100</b>

\* Percentages have been rounded.



The highest ranking complaint categories for commercial television were:

Taste, morality, decency	381
Miscellaneous	162
Program scheduling arrangements	157
Violence	96
G classification	94
<b>Total</b>	<b>1835</b>

These results were very similar to the highest complaints categories recorded by the ABA for commercial television in 1993, prior to the introduction of the code of practice.

The ten commercial television programs attracting the most direct complaint to the ABA were:

News (various)	164
'Real Life'	38
'Denton'	35
'Beavis and Butthead'	30
'Hey Hey It's Saturday'	28
'A Current Affair'	24
'The Footy Show'	24
'Heartbreak High'	23
'Level 23'	22
'Nivea' Advertisement	19

### FACTS code complaints

For the period September to December 1993, the Federation of Australian Commercial Television Stations (FACTS) reported 203 formal complaints against the code. For the following quarter (January-March 1994), this figure increased to 277. Since then, the number of complaints per quarter has been steadily decreasing, with only 116 being reported for the last quarter of 1994.

In the first year of the code's operation, FACTS reported 26 instances (35 complainants) in which stations upheld complaints in the first year of operation of the code, out of a total of 928 complaints handled under the code. The top concerns of those writing to television stations were:

General classification	322
Sex and nudity	145
Discrimination	113
Bias/inaccuracy	91
Violence	71

### Investigations by the ABA

The ABA must investigate unresolved complaints relating to codes of practice, including complaints about the national broadcasters, the ABC and SBS. To date the ABA has not rejected any unresolved complaints on the grounds that they were frivolous, vexatious or not made in good faith.

In 1994, 51 unresolved complaints involving commercial television were referred to the ABA for investigation, covering 45 different issues. This is not a high figure considering that the stations handled more than nine hundred written complaints. The main issues which were the subject of investigation by the ABA were complaints concerning G classification (15) – these covered a range of matters, including the depiction of violence, sex and nudity; programs involving the stirring up of hatred, serious contempt or severe ridicule (12) – these largely involved references to Christianity, usually in comedy programs; and news programs (11) – these involved accuracy and fairness, degree of care exercised in the presentation of programs, taking into account the likely composition of the viewing audience.

In two instances, the ABA decided that a breach of the FACTS Code of Practice had occurred. These breaches involved 'Hey Hey It's Saturday': nude male balloon dancers segment, screened between 6.30 p.m. and 8.30 p.m. where the ABA found the segment was inappropriate for a G clas-

sified program, and 'Night Eyes': M classified movie, modified for television screened at 8.30 p.m. where the ABA found the program had an inappropriate M classification for sex and nudity.

There were ten investigations relating to ABC television, mainly involving matters concerning accuracy and balance in news and current affairs programs, while the main issues of concern for SBS television were those concerning the strong level of material (sex, nudity and violence) contained in movies.

### ABA research

*Your Say 1995* presents the results of research carried out in the first year of operation of the code. Main findings include a relatively low level of concern among the general public about what they had viewed on television in the past week. News and current affairs appear to be the main category of programming that prompted concerns, with respondents saying material was 'too upsetting', or 'it was inappropriate'.

This data ties in with the ABA complaints figures where the most complained about programs for 1994 include news and current affairs.

This research also established that recall of the new television classification symbols was quite high in the community, with 61 per cent claiming to find out about classification from the television screen. Knowledge of the M classification was higher, than the [less used] MA classification, and more than half the sample said they would use the classification symbols to decide whether children

should watch a program. The ABA considers this is a satisfactory result ten months after the implementation of the FACTS code. Similar research will be conducted in July 1995.

While the research indicated a relatively low level of knowledge about the complaints procedure in the community generally, this is not reflected in the number of complaints, with the ABA recording over three thousand direct phone calls and letters in 1994.

The ABA's research into R-rated material on pay TV has also informed the ABA about community attitudes to relevant program issues. It provided insights into attitudes towards the depiction of particular kinds of material, including sensitivity about sexual violence, and the importance placed by viewers on time zone restrictions for more explicit programs.

### Top five

*Your Say 1995* reports that, across all broadcast media, the 'top five' programs or program types complained of in 1994 were: news on commercial TV (163); the ABC television broadcast of the Gay and Lesbian Mardi Gras (81); the 2UE talkback program 'Stan Zemanek' (45); 'Real Life' on Channel 7 (38); and the '7.30 Report' on ABC television. □

