

Your say

Complaint handling by commercial radio

The Commercial Radio Codes of Practice & Guidelines requires each commercial radio broadcaster to provide FARB with an extract of the record of complaints received. FARB provides a consolidated report to the ABA.

The figures and summaries below were


provided to the ABA by FARB. They cover the final quarter of 1996.

October - December 1996

Member stations recorded 305 complaints during the final quarter of 1996. As with previous quarters, complaints in relation to 'Talkback and Discussion' continue to dominate the number of complaints received under the codes.

The previous quarters results are available in the December issue of ABA Update. Back copies of this issue and others are available from the ABA, price \$5. Earlier results are in the 1995 and 1996 editions of Your Say. A review of audience concerns about Australia's broadcast media, price \$10 each. Call (02) 9334 7700 or 1800 226 667 for your copies.

	<i>Talkback and Discussion</i>	<i>News and Current Affairs</i>	<i>Music Programs</i>	<i>Advertising</i>	<i>Miscellaneous</i>	<i>Total</i>
Offensive Matters in	77	2	9	11	6	105
Prohibited Matter in	1					1
Other Complaints	82	20	15	10	72	199
Total	160	22	24	21	78	305

Source: FARB Commercial Radio Codes of Practice: Complaints Summary December Quarter 1996 

Investigations

'sex/life', Ten network

Complaint

The ABA commenced an investigation into 'sex/life' last year after a viewer was dissatisfied with Ten's response to her complaint about the program. The complainant considered the program to be pornographic and because of its content, to be broadcast too early in the evening when children may still be in the audience.

As the complaint did not relate to a particular episode, the ABA reviewed four episodes of the program broadcast in August and September 1996. The episodes reviewed were all classified 'M', for mature audiences, were broadcast after 8.30 p.m. and commenced with warnings that the program contained 'Sex scenes, Adult themes and Nudity'.

Relevant codes and legislation

Section 149 of the Act requires the ABA

to investigate the complaint unless it is satisfied that the complaint is frivolous, vexatious or not made in good faith. The ABA must notify the complainant of the results of such an investigation.

Section 2.14 of the commercial television industry code of practice relates to material classified 'M'. Specifically, section 2.14.2 of the code relates to the portrayal of sex and nudity in 'M' classified programs and provides:

Intimate sexual behaviour may only be implied i.e. at most, inexplicitly simulated. It must be relevant to the story line or program context.

Portrayal of nudity must be relevant to the story line or program context.

Decision

The ABA considered the program in the context of the codes classification criteria. Discussion of sex and sexuality is not prohibited by the code and is appropriate to a program designed for and directed at adults.

However, the ABA found that one segment of the episode of 'sex/life' broadcast on 19 September 1996 had breached the code in that it was not consistent with the 'M' classification criterion for portrayal of sex and nudity.

The particular segment, concerning 'Swingers Parties', included vision of intimate sexual behaviour which in the opinion of the ABA was not 'inexplicitly simulated' as the code requires. While the relevant sequences are relatively brief and depict sexual foreplay, the ABA is of the view that they are not consistent with the classification for 'M' programs.

Action taken

The ABA intends to meet with representatives of the Ten network in the near future to discuss classification issues arising from the investigation of the 'sex/life' program. 