



ABC Radio National

Inappropriate language in breakfast program

Complaints

In January 1999 the ABA received two written complaints about language used in the ABC program 'Radio National Breakfast' on 21 October 1998. The complainants alleged that the repeated use of the word 'f***' by Paul McDermott in a brief report about the Australian Recording Industry Association Awards presentation was inappropriate for a breakfast program.

Both complainants had not received a response to their written complaints within 60 days so they referred their complaints to the ABA for investigation. The ABC claimed that it had no record of either complaint.

Relevant code of practice

Clause 2.2 of the ABC Code of Practice deals with language:

Variations of language favoured by different groups of Australians — young or old, well educated or less educated, migrants, indigenous and others — are equally valid and have their place in programs. On occasions, the language of one group may be distasteful to another. Use of such language is permitted provided it is not used gratuitously and provided the language can be justified in the context of, for example, fiction, documentary, dramatisation, comedy and song lyrics.

Clause 6 requires the following in terms of giving a warning:

Where appropriate, the audience will be given advance notice of programs or program segments which some viewers or listeners could find distressing or disturbing.

Clause 8.1 covers complaint handling:

This code of practice does not apply to complaints concerning programs which are or become the subject of legal proceedings.

Complaints that the ABC has acted contrary to this code of practice should be directed to the ABC in the first instance. Phone complainants seeking a

response from the ABC will be asked to put their complaint in writing. All such written complaints will receive a response from the ABC within 60 days from receipt of the written complaint.

The ABC will make every reasonable effort to resolve complaints about Code of Practice matters, except where a complaint is clearly frivolous, vexatious or not made in good faith or the complainant is vexatious or not acting in good faith.

Decision

In responding to the ABA, the ABC advised that in answering a similar complaint, the Network Manager of Radio National had reviewed the broadcast in question and found that the item was inappropriate, especially for a breakfast program, and that its broadcast was a serious editorial misjudgment.

The ABA therefore found that the ABC breached clauses 2.2 and 6 of the ABC code as the program contained language that was gratuitous and could not be justified for the time of broadcast and as it had failed to give notice of a segment which some listeners could have found distressing.

As there was no independent evidence available to the ABA to corroborate either the claims by the ABC or the complainants as to whether the letters of complaint had been received by the ABC, the ABA was unable to make a decision as to whether the ABC had breached clause 8.1 of the ABC Code.

Action taken

In responding to the ABA, the ABC advised that it had already taken action in relation to the breach. The ABC had counselled staff responsible for allowing the inclusion of the broadcast in a breakfast program and reminded them of their responsibilities under the ABC's editorial policies regarding the use of language.