



## 7.00 p.m. news — Sexpo item

### **Complaint**

On 3 September 1998 the ABA received a written complaint, from two complainants, about a news item titled 'Sexpo' which was broadcast by the ABC on 25 May 1998 in its 7.00 p.m. news bulletin.

The complainants alleged that the news item showed, 'quite explicit sexual scenes which were highly offensive', and that in broadcasting the item the ABC had, 'contravened the television industries basic code of ethics'.

On 1 June 1998 the complainants wrote to the ABC about the matter, but did not receive a response from the ABC. The complaint was then referred to the ABA for investigation.

### **Relevant code**

The ABA considers that the following provisions of the ABC's Code of Practice are relevant in this investigation:

Clause 2 – General Program Codes

2.3 Sex and Sexuality. Provided it is handled with integrity, any of the following treatments of sex and sexuality may be appropriate and necessary to a program:

\* It can be discussed and reported in the context of news, information or documentary programs.

Clause 8 – Complaints

8.1 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**

While the news item was presented in a fairly light-hearted manner, it contained a number of visual shots of bare-breasted women and various sex toys, such as dildos and vibrators. The ABA is of the view that the broadcast of these visuals was inappropriate during a 7.00 p.m. news bulletin and not essential to reporting the event. The visuals added little to the viewers' understanding of the stated intention of the Sexpo exhibition. Instead, the main purpose appeared to be either to titillate or confront viewers.

Many viewers would clearly have found such visuals highly offensive in a 7.00 p.m. news bulletin. The ABA therefore formed the view that in broadcasting the 'Sexpo' item within its 7.00 p.m. news bulletin, the ABC breached clause 2.3 of the code.

In its response to the ABA, the ABC stated that, 'The ABC received 20 complaints about this item ... but, unfortunately, only 19 were sent a reply, for reasons that remain unclear.'

The ABC also advised that the matter has been raised with its National TV News Editor and that TV News is reviewing its correspondence procedures to allow a more streamlined approach. The ABA is of the view that the ABC breached clause 8.1 of the code as it failed to respond to the complaint.

### **Action taken**

The ABC stated that it would, 'offer [the complainants] a written letter of apology for any offence caused by the item'.

The ABA advised the ABC that it will continue to monitor the ABC in regard to its compliance with the code, in particular clauses 2 and 8.