



TCN 9 Sydney

Classification of material, complaint handling

Complaint

On 10 February 2000 the ABA received a complaint that an item in the 'National Nine News' broadcast of 3 November 1999 depicted inappropriately detailed images of people preparing heroin for injection. The complainant considered that these images showed 'the tools needed and procedures to be followed to experiment with the drug'.

Relevant code of practice

The Commercial Television Industry Code of Practice provides:

Classification of material

2.3.1 Exception for News, Current Affairs and Live or Near-live Sporting Programs:

these programs do not require classification, provided that the licensee exercises care in selecting material for broadcast having regard to:

- 2.3.1.1 the likely audience of the program; and
- 2.3.1.2 any identifiable public interest reason for presenting the program material.

Broadcasting of material

2.7.1 News, current affairs and live or near-live sporting programs, while not required to be classified, may be broadcast in the G classification zone, provided that care is exercised in the selection and broadcast of all material.

Time limits on responses to code complaints

7.9 Where a code complaint is made about material broadcast by a station within thirty days of its broadcast, the licensee must provide a substantive written response.

7.10 That response must be made as soon as practicable, but in any case no longer than 30 working days after receipt of the complaint.

Decision

The Authority found that the licensee of TCN 9 Sydney breached clauses 2.3.1 and 2.7.1 of the code by not exercising care in the selection and broadcast of material in a segment of the 'National Nine News'.

The ABA also determined that the licensee breached clause 7.10 of the code by failing to respond to the complainant within 30 working days of receipt of his complaint.

Action taken

As this was the first breach of clause 2.3.1 of the code that the ABA had found against the licensee since the revised code came into operation and the first breaches the ABA had found against the licensee in regards to clauses 2.7.1 and 7.10 of the code, the ABA has taken no further action other than to publish its findings on the matter.

