



TEN 10 Sydney, ATV 10 Melbourne

Complaint handling

Complaint

During May 2000, the ABA received three complaints concerning an episode of 'Good News Week' classified M and broadcast at 8.30 p.m. on 4 March 2000 by TEN 10, Sydney and ATV 10 Melbourne. The complainants alleged that comments by the presenter of the program vilified Cardinal Clancy and Catholics on the grounds of their religion.

The licensee of ATV 10 is Network Ten (Melbourne) Pty Ltd and the licensee of TEN 10 is Network Ten (Sydney) Pty Ltd.

Relevant codes of practice

The Commercial Television Industry Code of Practice provides:

Proscribed Material

1.8 A licensee may not broadcast a program, program promotion, station identification or community service announcement which is likely, in all the circumstances, to:

...

1.8.6 provoke or perpetuate intense dislike, serious contempt or severe ridicule against a person or group of persons on the grounds of age, colour, gender, national or ethnic origin, disability, race, religion or sexual preference.

Clause 1.9 of the code provides some limited exceptions to clause 1.8.6. A licensee may broad-

cast a program that may not comply with clause 1.8.6 if:

1.9.3 [the program is] said or done reasonably and in good faith in broadcasting an artistic work (including comedy and satire); ...

Section 7 of the code provides:

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.

Decision

The ABA is of the view that on balance the episode of 'Good News Week' did not breach clause 1.8.6 of the code.

The ABA is of the view that TEN 10 Sydney and ATV 10 Melbourne did not comply with clause 7.9 of the code due to their failure to provide a substantive response to a code complaint.

Action taken

The ABA notes Network Ten's comments that it 'will review its approach to complaint handling in relation to section 1.8.6 matters on the basis of concerns raised by the ABA'. The ABA intends to pursue this matter.