



RTQ 9 Queensland

Sexual references in G time

Complaint

On 17 September 1999 the ABA received a complaint in relation to a program promotion for the PG classified program 'King of Queens', broadcast by RTQ 9 on 22 and 23 August 1999. The broadcast occurred during a Sunday afternoon football telecast at approximately 5.58 p.m. and the 'Today' morning program at approximately 8.15 a.m., both G classification time zones.

The complainant submitted that the dialogue contained in the promotion – 'I'll let you have sex with me' — was not appropriate for G time. Dissatisfaction was also expressed about the way in which the station handled the complaint.

Relevant code of practice

The Commercial Television Industry Code of Practice provides:

Promotions in G programs

3.7 In other G programs, and in news, current affairs and live or near-live sporting programs, a promotion for a P, C, G, PG or M program may be broadcast, provided that the content of the promotion complies with clause 3.8.

Restrictions in G viewing periods and in certain other G programs

3.8 Special restrictions apply to the content of program promotions in G viewing periods, or in G programs which start at 3.30 p.m. on a weekday, or which are broadcast between 7.30 p.m. and 8.30 p.m. on any day. All such program promotions must comply with the G classification requirements set out in clause 2.11, and in addition must include no material which involves any of the following:

3.8.9 visual depiction of, or verbal reference to, sexual behaviour except of the most innocuous kind;

The general (G) classification

2.11 Material classified G is not necessarily intended for children but it must be very mild in impact and must not contain any matter likely to be unsuitable for children to watch without supervision.

2.11.2 **Sex and Nudity:** Visual depiction of, and verbal references to, sexual behaviour must be brief, infrequent, contain little or no detail and be strictly limited to the story line or program context. Restrained,

brief and infrequent visual depiction of nudity only when absolutely necessary to the story line or program context.

Time limits on responses to code complaints

7.12 In all cases, a licensee's substantive reply will also advise the complainant that he or she may refer the matter to the Australian Broadcasting Authority if not satisfied with the licensee's response.

Referral of code complaints to the ABA

7.14 If a complainant is not satisfied with a response to a code complaint, and raises the matter further in writing with the licensee, then the licensee will reply substantively to the further letter, and further advise the complainant that he or she may take the complaint to the Australian Broadcasting Authority.

Decision

On 11 April 2000 the ABA determined that the WIN Television Queensland Pty Ltd breached clause 2.11 of the code, as it included matter that was likely to be unsuitable for children to watch without supervision. It also breached clause 3.8 because it did not comply with clause 2.11; and included material prohibited by clause 3.8.9, as the verbal reference to sexual behaviour that was not of the most innocuous kind. WIN Television Queensland Pty Ltd also breached clauses 7.12 and 7.14 because it did not, in its 23 August and 6 September 1999 responses to the complainant, advise that the matter could be taken to the ABA.

Action taken

The ABA sought advice on the action the licensee intended to take to ensure that similar breaches of these clauses do not recur. The licensee advised it had reviewed its internal procedures relating to the broadcast of program promotions and reminded all relevant personnel of the requirements of the code relating to the broadcast of program promotions in G viewing periods. In relation to the matter of complaints handling, all relevant managers and receptionists have been reminded by the General Manager of the need to inform complainants of their right to refer matters to the ABA.

The ABA undertook to monitor closely the licensee's performance against section 3 of the code.