



TVQ 10 Brisbane

Complaints handling

The complaint

On 14 September 2000 the ABA received a complaint in relation to an episode of 'Beauty and the Beast' broadcast by Network Ten Queensland (TVQ 10) on either 24 or 25 July 2000.

The complaint was that Stan Zemanek made an offensive comment during the program which was inappropriate for a PG classified program. The complainant was also offended by comments in other episodes of 'Beauty and the Beast' but was unable to specify the dates on which they were broadcast. The ABA therefore confined its investigation to the episode broadcast on 25 July 2000.

The program, although broadcast in an M classification time slot, was classified PG. The program followed the format of the series and consisted of a panel of four well-known women (the beauties) and a Chairman, Stan Zemanek (the beast) who discussed issues arising out of letters from viewers read by Stan Zemanek.

The complainant also stated that she was dissatisfied with the response she had received from TVQ 10.

Relevant code of practice

The Commercial Television Industry Code of Practice provides:

The Parental Guidance

Recommended (PG) Classification

2.13 Material classified PG may contain careful presentations of adult themes or concepts but must be mild in impact

and remain suitable for children to watch without supervision:

2.13.3 **Language:** Low-level coarse language may only be used infrequently, when justified by the story line or program context.

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 determined that the licensee of TVQ 10 did not breach clause 2.13 of the code by broadcasting the episode of 'Beauty and the Beast' on 25 July 2000.

The ABA is of the view that the language used in the program was used in a humorous, if rude, non-aggressive manner and would be heard on a daily basis by a substantial number of the child viewing audience. The ABA notes, however, that the program is aimed at an adult audience and broadcast in an M classification timeslot when most children are at school.

As the program was classified PG, however, it was assessed against the PG classification criterion. This means that the presentation of adult themes or concepts which must be mild in impact and remain suitable for children to watch with supervision of a parent thus placing the viewing responsibility with the parent.

The ABA also determined that the licensee of TVQ 10 breached clause 7.9 of the code by not providing a substantive response to the complainant within thirty working days.

Action taken

Network Ten responded to the ABA on behalf of TVQ 10 with regard to clause 7.9 of the code, and stated:

Following this matter being brought to Ten Sydney's attention, Ten's Network Manager of Broadcast Policy sent a memorandum to TVQ 10's General Manager, which has been passed on to all persons at TVQ 10 handling written complaints, outlining the importance of providing substantive responses to Code complaints, and the need to refer them to Ten-Sydney for response. Ten's Manager of Broadcast Policy has also had a lengthy discussion with the person at TVQ 10 with permanent responsibility for forwarding on code complaints to ensure that very clear instructions are in place for when she goes on leave, so that when she does all code complaints are referred to Ten Sydney for response in the normal way. The mistake was a one-off error by a person who was temporarily acting in the role with responsibility for written complaints, and was not due to a systemic error in TVQ 10's complaint handling processes.

The ABA notes TVQ's admission of an error of judgement in responding to this complainant and the action taken to prevent similar breaches in the future.

