



Channel 31 Melbourne

'The Man with the Golden Arm'

The complaint

In February 2003, the ABA received a written complaint concerning the depiction of drug use in the film 'The Man with the Golden Arm', broadcast by community television service Channel 31 Melbourne (Channel 31) on 1 October 2002. The complainant considered that the depiction contained detail that was in excess of the program's PG classification. The complainant also stated that Channel 31 failed to respond to his first complaint.

Decision

The ABA determined that on 1 October 2002 the licensee of Channel 31 breached clause 3.1 of the Television Open Narrowcasting Codes of Practice (the codes) as it failed to apply the OFLC's classification system in its broadcast of the film 'The Man With The Golden Arm', breached clause 3.6 of the codes by not scheduling the film with appropriate sensitivity to the likely composition of its audience and breached clause 2.5 of

the codes by failing to advise the complainant that he may refer his complaint to the ABA if not satisfied with the response. The ABA determined that the licensee of Channel 31 did not breach clause 2.4 of the codes as it acknowledged and answered the complaint received in writing, within sixty days from the receipt of the complaint.

Action taken

In taking these breach findings into account, the licensee stated that in future, all films purchased for broadcast would be thoroughly checked for their correct classification via the OFLC website database. The licensee also stated it will employ a full-time classification officer who will be fully trained in classification matters and the application of the OFLC's Guidelines. The ABA accepted Channel 31's failure to inform the complainant of their right to refer their complaint to the ABA in their written response occurred due to a misunderstanding on the part of Channel 31 staff. The licensee stated that all future responses to complainants would incorporate this information.

