



2XX Canberra

Program practices to protect children, consideration of the audience regarding degree of explicitness, and propensity to alarm distress or shock, complaints handling

The complaint

The ABA received a complaint alleging that the licensee, during the program *Words Apart*, broadcast material that was offensive and profane and that the licensee did not respond to his complaint within sixty days.

Decision

The ABA determined that the licensee, Community Radio 2XX Inc. breached clause 2.2 of the Community Radio Broadcasting Code of Practice (1996) by broadcasting material that had the propensity to alarm, distress or shock and breached code clause 7.4(c) by not responding to the complaint within 60 days. The ABA found that the licensee did not breach clause 1.7 of the code in relation to the requirement to establish programming practices to protect children from harmful material.

Action taken

The licensee undertook to be more vigilant in the future when screening broadcast material with the aim of avoiding recurrences. In relation to the ABA's findings on complaint handling, the licensee stated that its staff and board of management take these complaints very seriously and it was an unfortunate accident that the complaint was not dealt with sooner. The board of 2XX reaffirmed that these matters are to take the very highest priority in the future.

The ABA notes that no previous breaches have been recorded against this licensee, and proposes no further action against the licensee on this occasion but will monitor the licensee's future compliance with the code.



2RES Eastern Sydney

Broadcasting advertisements

The complaint

The ABA received a written complaint that the licensee of community radio service 2RES FM had breached the *Broadcasting Services Act 1992* (the Act) by broadcasting advertisements during the Hindi language program *Monika Geetmala*.

Decision

The ABA determined that on 24 November 2002, the licensee of 2RES FM, Radio Eastern Sydney Cooperative Ltd breached Clause 9(1)(b) of Schedule 2 to the Act when it broadcast 34 advertisements during the *Monika Geetmala* program.

Action taken

The licensee informed the ABA that it had implemented a number of measures designed to prevent future breaches of the licence condition and to ensure that all programmers are now fully aware of their responsibilities.

In addition, the licensee said that it had conducted a series of meetings with the producer/presenter of the relevant program. At these meetings they sought to clarify the differences between community service announcements, station promotions and sponsorship announcements. The licensee has undertaken to ensure that these distinctions are properly understood by all programmers.

The ABA notes that no previous breaches have been recorded against this licensee. In view of the steps taken, the ABA proposes no further action against the licensee on this occasion, but will monitor future compliance with its licence conditions.



Investigation reports : breach findings

To view the full report on these investigations, go to the ABA web site:

www.aba.gov.au/tv/investigations/breach_findings/ or

www.aba.gov.au/radio/investigations/breach_findings/

where the reports are arranged according to month of completion.