



## ATV 10 Melbourne

### Failing to exercise care in selecting material for broadcasting during a news program in G

#### Complaint

On 13 January 2004, the ABA received a letter of complaint in regard to the screening of material in the 'Rove's Play of the Day' segment during broadcast of *Sports Tonight* by ATV 10 on Saturday, 13 September 2003. The complainant considered that the segment contained 'torture and violence in family viewing hours' and was inappropriately broadcast in G viewing time.

#### Decision

The ABA determined that the licensee of ATV, Network Ten Melbourne Pty Ltd, breached clause 2.7.1 of the code in failing to exercise sufficient care in selecting material for broadcast during a news program in a G timeslot.

#### Action taken

The licensee accepted the ABA's findings on this matter and has taken action to prevent future similar breaches of the code, including setting up a meeting between the Network Manager – Regulatory, the General Manager – News and Public Affairs, and the Executive Producer – *Sports Tonight*, to discuss the ABA's findings and ensure that they are taken into account and applied in the selection of material in future editions of *Sports Tonight*.

The ABA notes that this classification breach is not part of a pattern of breaches by the licensee and does not propose to take any further action.



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## GTV 9 Melbourne

### Consumer advice accompanying M movie

#### Complaint

In May 2004, the ABA received a written complaint concerning the consumer advice accompanying the M classified film *Final Analysis*, broadcast by GTV on 24 April 2004. The complainant considered that the advice was inappropriate, as it failed to include a warning that the film contained sex scenes.

#### Decision

The licensee agreed with the substance of the complaint, and explained that it had relied on the 1992 classification given to the film by the Office of Film and Literature Classification. It noted the film should also have carried consumer advice for a 'strong sex scene'. The ABA agreed that the sex scenes featured in the movie were a relevant classifiable element and viewers should have been advised of this in the consumer advice

information accompanying the film. The ABA therefore determined that the licensee of GTV, General Television Corporation Pty Ltd, breached clause 2.25 of the code.

#### Action taken

The licensee forwarded a copy of its response to the ABA's investigation to the complainant, which included an apology. The licensee submitted the complaint highlighted the need for a thorough evaluation of all programs for broadcast on television and the value of correct consumer advice given to the viewer.

The ABA notes that this is the first occasion on which the licensee has breached clause 2.25 of the code. As this consumer advice breach is not part of a pattern of breaches of this code provision, the ABA does not propose to take any further action.