

BREACHES BY BROADCASTERS

Channel Seven Perth incorrectly classified an episode of *Family Guy*

ACMA has found that Channel Seven Perth Pty Ltd, the licensee of commercial television service TVW Perth, breached the Commercial Television Industry Code of Practice 2004 by classifying as PG an episode of the animated program *Family Guy* that should have been classified as M.

On 20 April 2005, the Australian Broadcasting

Authority received a complaint about an episode of the animated program *Family Guy* broadcast by the licensee of TVW on 20 December 2004. The complainant expressed concern about the program's sexual references and alleged it was incorrectly classified PG.

ACMA continued the investigation and investigated the complaint against clause 2.4 of the code.

ACMA determined that the licensee of TVW breached clause 2.4 of the code by failing to classify material in accordance with the Television Classification Guidelines, which provide for the level of sexual references permitted in material classified PG.

The licensee accepted the breach finding and undertook to re-classify the episode in question as M; and instruct

classifiers to re-examine the classification of all other episodes of the *Family Guy* series to determine whether any material required editing or reclassification.

ACMA considers this action addresses the compliance issue raised by the investigation and will continue to monitor the licensee's performance in this regard.

Channel Nine Perth failed to caption sports news segment

ACMA has found that Swan Television & Radio Broadcasters Pty Ltd, the licensee of commercial television service STW Perth, breached the Broadcasting Services (Digital Television) Regulations, by not providing a captioning service for its sports segment in its news program.

Between 17 February 2005 and 1 March 2005, the Australian Broadcasting Authority received a complaint that the licensee of STW did not caption or only summary captioned the sports segments in the *News* program broadcast at 6.00 pm on 21 and 27 February 2005, and the coverage of the Western Australia state elections on 26 February 2005.

ACMA took over the role and responsibilities of the ABA from 1 July 2005.

The complaint was investigated in accordance with regulation 3.01 of the Broadcasting Services (Digital Television) Regulations 2000 and clause 38(4) of Division 3 of Part 4 of Schedule 4 to the *Broadcasting Services Act 1992*.

ACMA determined that the licensee of STW breached regulation 3.01 of the Broadcasting Services (Digital Television) Regulations, by not providing a captioning service for the sports segment in its 6.00 pm news program on 27 February 2005.

ACMA found the licensee did not breach regulation 3.01

of the regulations in relation to the sports segment in the 6.00 pm *News* on 21 February 2005 or the coverage of the Western Australia state elections on 26 February 2005.

ACMA noted that the licensee had decided to make further and substantial changes to its captioning service to the extent that summary captioning will no longer be used in its *News* bulletin. The new captioning service commenced in early October. ACMA considers this action addresses the compliance issue raised by the investigation and will continue to monitor the licensee's performance in this regard.

The full reports on these investigations into potential breaches by licensees are on the ACMA website, www.acma.gov.au. Go to ACMA > Publications > Broadcasting > Investigations and then Radio operations and Television operations. The reports are arranged in order of licensee.