

COMMUNITY RADIO

- complaints handling (3)
- breach of a licence condition by broadcasting more than the permissible five minutes of sponsorship announcements per hour (1)
- breach of a licence condition by broadcasting advertisements (3)

- not encouraging members of the community to participate in the operations and programming provided by the service (1)

ABC TELEVISION

- gratuitous language (1)
- failure to present factual material in news or current affairs accurately (1)

ABC RADIO

- complaints handling (1)
- gratuitous language (1)
- failure to present news or current affairs in a balanced and impartial manner (1)

SBS TELEVISION

- complaints handling (1)
- failure to present news or current affairs accurately (1)

SUBSCRIPTION TELEVISION NARROWCAST SERVICES

- X classified content broadcast (2)
- class of licence prohibited thereby breaching a licence condition (1)

ABA investigations January–June 2005

BREACH FINDINGS

CALLSIGN	PROGRAM/ADVERTISEMENT/ISSUE	SUBSTANCE OF COMPLAINT	CODE/LICENCE CONDITION
COMMERCIAL TELEVISION			
NEW SOUTH WALES			
ATN 7 Sydney	<i>Desperate Housewives</i> promotion	Promotion shown during the Australian Open Tennis men's final depicted a woman pointing a gun to her head which was not suitable viewing for children.	Broadcasting material classified M during sports coverage in PG time zone.
ATN 7 Sydney	<i>Today Tonight</i> —Centrelink	Program was inaccurate and views not represented fairly.	Accuracy.
ATN 7 Sydney	<i>Today Tonight</i> —Homeshock	Real estate agent segment contained inaccuracies and unfairly represented the agent. Complaints handling.	Accuracy, fair representation of viewpoints in current affairs, complaints handling.
TCN 9 Sydney	<i>A Current Affair</i> —Neighbourhood Dispute	Neighbourhood dispute segment which featured complainant's wife was not balanced or fair. Complaints handling.	Complaints handling.
TCN 9 Sydney	<i>A Current Affair</i> —Identity Fraud	Report contained inaccuracies and was unfair. Complaints handling.	Complaints handling.
NBN Northern NSW	Morisset Power Barn advertisement	Complaint that advertisement was excessively loud. No response was provided to complainant.	Advertisement volume exceeded level of programming volume. Complaints handling.
NBN Northern NSW	<i>60 Minutes</i> —The Devil's Playground	Confidential video footage shown during the broadcast where complainant was clearly identifiable. Footage was presented as being recent and was broadcast without complainant's consent or knowledge.	Privacy.
NEN Northern NSW & Gold Coast	<i>Local News</i>	Lack of captioning on local news.	Captioning.
QUEENSLAND			
BTQ 7 Brisbane	<i>The Battle of Britain</i>	Licensee broadcast more than the allowable minutes per hour of non-program matter and as a result scenes were cut from the movie.	Scheduling of more than the permissible 13 minutes per hour of non-program matter on the day.
TVQ 10 Brisbane	<i>Channel Ten News</i>	Privacy was invaded as complainants were identified during a news segment on bullying.	Privacy, privacy of children, complaints handling.
STQ Regional Queensland	<i>Local News</i>	Report about the effect of liquor limitations in Weipa was biased and uncorroborated, and reinforced racial stereotypes.	Fairness and impartiality in news presentation.
South Australia			
SAS 7 Adelaide	<i>Desperate Housewives</i> promotion	Promotion shown during the Australian Open Tennis men's final depicted a woman pointing a gun to her head which was not suitable viewing for children.	Broadcasting material classified M during sports coverage in PG time zone.
VICTORIA			
GTV 9 Melbourne	<i>Today Show</i>	Steve Leibman's interview of Lindsay Tanner contained factual inaccuracies and Telstra was not provided with an opportunity to provide its viewpoint.	Accuracy.
HSV 7 Melbourne	<i>Home and Away</i>	The program contained violence and adult themes inappropriate for a child audience.	Incorrectly classifying material as G and not supplying consumer advice warning for a PG classified program containing material of a strength or intensity, which the licensee would have reasonably believed parents or guardians of young children may not expect.
HSV 7 Melbourne	24 promotion	The promotion contained violence that was inappropriate for a G timeslot.	Broadcasting material during G timeslot with more than a very low sense of threat or menace, including weapons and physical and psychological violence against people.
COMMERCIAL RADIO			
AUSTRALIAN CAPITAL TERRITORY			
ICBR Canberra	ABFACTS	Broadcasting an election advertisement during the 'blackout' period.	Broadcasting of election advertisements.

CALLSIGN	PROGRAM/ ADVERTISEMENT/ISSUE	SUBSTANCE OF COMPLAINT	CODE/LICENCE CONDITION
VICTORIA			
3CAT Geelong	<i>Morning Program</i>	Complaint that a comment was offensive and hurtful. No response to written complaint.	Complaints handling.
3SUN Shepparton	<i>Bench Warmers</i>	Three broadcasts of the program contained comments that were sexually explicit, inappropriate and emotionally damaging to children.	Complaints handling.
SOUTH AUSTRALIA			
5AA Adelaide	<i>Bob Francis</i>	Comments from presenter about Aboriginal people and their unwillingness to work vilified indigenous Australians; complaint sent to station and a response not received.	Vilification of Aboriginal people, complaints handling—failure to respond.
COMMUNITY RADIO			
NEW SOUTH WALES			
2RES Sydney	<i>Voice of India</i> —sponsorship	Broadcast five minutes and five seconds of sponsorship announcements.	Broadcasting sponsorship announcements that run in total for more than five minutes in the hour
2SWR Sydney	Community participation, advertisements	Licensee alleged to have failed to encourage community to participate in programming and operations of the service and that it broadcast advertisements.	Broadcast of advertisements.
2SER Sydney	<i>Dhanak: Hindi Program</i> —advertisements	During a one-hour period, the station broadcast seven advertisements. Licensee failed to respond to complaint within 60 days.	Broadcasting advertisements and failure to respond to a written complaint.
2CCR Sydney	Community interest, community participation	Licensee is not representing the community interest or encouraging members of the community to participate in its operations or in the selection and provision of programs.	Community participation.
2MCR Campbelltown	<i>Afternoon Program</i>	Complainant felt humiliated after the song <i>They're coming to take me away</i> was broadcast instead of the song he requested. Licensee allegedly did not provide a copy of the code nor did they advise the complainant of his right to refer the matter to the ABA.	Complaints handling.
WESTERN AUSTRALIA			
6HCR Regional Western Australia	<i>Breakfast Show</i> —advertisements	The licensee broadcast a tobacco advertisement and advertisements for the local shopping centre and the businesses there.	Broadcasting advertisements.
ABC TELEVISION			
ABC TV New South Wales	<i>A Decade Under the Influence</i>	The documentary program contained obscene language.	PG—language.
ABC TV Tasmania	<i>Four Corners</i> —Lords of the Forests	A program on Tasmanian forestry was inaccurate.	Accuracy in current affairs.
SBS TELEVISION			
SBS TV Western Australia	<i>John Safran vs God</i>	The broadcast offended the beliefs of Muslims and SBS did not provide a substantive response to complaint about the program.	Complaints handling.
SBS TV Tasmania	<i>Insight</i> —Styx vs Gunns	Program about the Tasmanian forestry industry was inaccurate and biased.	Accuracy.
ABC RADIO			
2CN Canberra	<i>AM</i>	Biased and anti-American <i>AM</i> reports relating to the military operations against Iraq which were initiated by the coalition of countries including the United States, United Kingdom and Australia and subsequent hostilities in Iraq.	Impartiality.
4JJJ	<i>Morning Program</i>	Complaint that inappropriate language was broadcast at 7.30 am. Complaints handling.	Language, complaints handling.
SUBSCRIPTION TELEVISION NARROWCAST SERVICES			
Free XTV and Backroom, 'Adult Services' broadcast by satellite into Australia from overseas locations		Investigation prompted by a number of queries, including Senate questions on notice, concerning the apparent availability of 'adult services' being broadcast by satellite into Australia from overseas locations.	Class licence conditions—X classified programs broadcast.
SexzTV, an 'Adult Service' broadcast by satellite into Australia from overseas locations		Investigation prompted by a number of queries, including Senate questions on notice, concerning the apparent availability of 'adult services' being broadcast by satellite into Australia from overseas locations.	Class licence conditions—X classified programs broadcast.

All breaches were of a code of practice except: *breach of a licence condition or the Broadcasting Services Act.