

ABA investigations July–December 2004

BREACH FINDINGS

CALLSIGN	PROGRAM/ ADVERTISEMENT/ISSUE	SUBSTANCE OF COMPLAINT	CODE/LICENCE CONDITION
COMMERCIAL TELEVISION			
AUSTRALIAN CAPITAL TERRITORY			
CBN Prime Southern NSW	<i>Landscape</i>	The program contained political matter without including the required authorisation.	Required particulars to be announced when political matter is broadcast at the request of another person.*
WIN Canberra/Southern NSW	<i>A Current Affair – Participation In Surveys</i>	The program segment was inaccurate and misrepresented viewpoints.	Accurate presentation of factual material and fair representation of viewpoints in current affairs.
WIN Canberra/Southern NSW	<i>60 Minutes – Stitched Up</i>	The program was inaccurate and unfairly represented the issues.	Accurate presentation of factual material and correction of significant errors at earliest opportunity in current affairs.
NEW SOUTH WALES			
ATN 7 Sydney	<i>Today Tonight – Boys in Trouble</i>	Inaccurate portrayal of interviewees' opinions, and that some interviews went to air without consent. Complaints handling.	Complaints handling.
ATN 7 Sydney	<i>Today Tonight – Centrelink</i>	The segment was inaccurate and failed to fairly represent Centrelink's viewpoint.	Accuracy, fair representation of viewpoints and correction of significant errors at earliest opportunity in current affairs.
ATN 7 Sydney	<i>Today Tonight – Red Cross</i>	Complaint that a segment on Hepatitis C infected blood presented factually incorrect information and misrepresented viewpoints in a way likely to cause public panic. Complaints handling.	Accuracy, fair representation of viewpoints, complaints handling.
NEN Northern NSW & Gold Coast	<i>Prime Local News</i>	An item on the likely rise in petrol prices by a Labor government was inaccurate and biased. Complaints handling.	Complaints handling.
TCN 9 Sydney	<i>The Specialist</i> promotion	A promotion for the M classified film had strong sexual overtones and violence. Failure to receive response from licensee.	Broadcasting material in G time zone with more than a very low sense of threat and menace. Failing to respond to complaint as soon as practicable but no longer than 30 working days after receipt of complaint.
QUEENSLAND			
TNQ Regional Qld	<i>Good Morning Australia</i>	The program contained nudity and semi-nudity inappropriate for a PG timeslot. Complaints handling.	Failing to supply substantive written response and not advising complainant of their right to refer matter to ABA.
TVQ 10 Brisbane	<i>V8 Supercar</i>	Radio exchanges between drivers and pit crew contained coarse language.	Not exercising care in the selection of material for broadcast in a sports program during G time zone.
VICTORIA			
ATV 10 Melbourne	<i>The Last Samurai</i> and <i>Cold Mountain</i> commercials	Commercials for MA classified cinema films were incorrectly shown during G programs.	Broadcasting material classified MA during G programs.
ATV 10 Melbourne	<i>Sports Tonight</i>	A 'Rove's Play of the Day' segment contained torture and violence that was not suitable for family viewing time.	Failing to exercise care in selecting material for broadcast during a news sports program in G.
GTV 9 Melbourne	<i>Final Analysis</i>	Consumer advice given for the M classified movie was inappropriate, as it did not include a warning that the film contained sex scenes.	Incorrect consumer advice warning accompanying M movie.
HSV 7 Melbourne	<i>Athens Olympics 2004</i>	The broadcast of an excessive number of advertisements and station promotions during the coverage of the Athens Olympics. Complaints handling.	Complaints handling.
HSV 7 Melbourne	<i>Firestorm</i>	The promotion contained violence and coarse language that was inappropriate for a G program.	Broadcasting material with more than a very low sense of threat or menace during a G program.
HSV 7 Melbourne	<i>The Matrix: Revolutions</i> commercial	The commercial contained graphic scenes, including a human head disappearing into flames.	Broadcasting material classified M during PG time zone.
WESTERN AUSTRALIA			
TVW 7 Perth	<i>Sunrise</i>	Objection to information provided about male circumcision. Complaints handling.	Complaints handling.
COMMERCIAL RADIO			
QUEENSLAND			
4EL Cairns	<i>John McKenzie Mornings</i>	Callers and the presenter made offensive comments during broadcasts of the program. Copy of broadcast not retained. Complaints handling.	Retention of records*, complaints handling.
VICTORIA			
3AW Melbourne	<i>Drive with Derryn Hinch</i>	Rex Hunt vilified the complainant on the <i>Drive with Derryn Hinch</i> program.	Vilification.
3FOX Melbourne	<i>Breakfast Show</i>	The competition The Great Race presented the misuse of alcohol as desirable.	Presenting the misuse of alcohol as desirable.
COMMUNITY RADIO			
New South Wales			
2FBI Sydney	<i>Music – Closer – Nine Inch Nails</i>	Complaint that explicit and offensive language in song that was broadcast at 3.52 pm when children might be listening.	Establish programming practices to protect children.
SOUTH AUSTRALIA			
5EBI Adelaide	Conflict resolution policy	Licensee does not have adequate conflict resolution policy in place.	Internal conflict resolution procedures in place.

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WESTERN AUSTRALIA			
6WR Regional WA	Advertisements	The licensee broadcast advertisements.	Broadcasting advertisements.*
ABC TELEVISION			
ABC TV NSW	<i>News</i>	Report covering a defamation case against Channel 9 was factually inaccurate, biased and misleading.	Accuracy in news.
ABC TV Vic	<i>Stateline – Pacific Hydro</i>	A segment concerning Pacific Hydro's Wind Energy Project in Portland, Victoria was not accurate, balanced or impartial.	Accuracy in current affairs.
ABC TV WA	<i>ABC News</i>	A 700 pm news item was discriminatory in its reference to 'Asian crime gangs' as murder suspects. Complaints handling.	Complaints handling.

*Breach of a licence condition or the *Broadcasting Services Act 1992*. All other breaches were of a code of practice.

NO BREACH FINDINGS

COMMERCIAL TELEVISION			
AUSTRALIAN CAPITAL TERRITORY			
CTC Canberra/ Southern NSW	<i>Skithouse</i>	Comedy segment featured violence against a cat and did not comply with the PG classification requirements for violence.	PG material to be mild in impact – violence, adult themes.
WIN Canberra/ Southern NSW	<i>Strengthening Medicare advertisements</i>	The broadcast of political matter did not include the required particulars.	Announcement of required particulars with broadcast of political matter.*
NEW SOUTH WALES			
ATN 7 Sydney	<i>Today Tonight – Terrorist Threat in Australia</i>	Allegations made in a segment on terrorism concerning the complainant's behaviour towards an unattended bag were inaccurate and an unfair representation of his viewpoint.	Accurate presentation of factual material and fair representation of viewpoints in current affairs.
TCN 9 Sydney	<i>A Current Affair – National Road Quiz</i>	Inaccurate quotation of the road rules regarding use of roundabouts. Complaints handling.	Accurate presentation of factual material in current affairs, complaints handling.
MTN WIN Griffith & Murrumbidgee	<i>A Current Affair – Iraq Hostage Execution</i>	Footage of lead-up to execution of a US hostage was distressing and offensive to viewers and gave no warnings.	Provision of warnings when broadcasting distressing and offensive material.
NBN Newcastle	<i>A Current Affair – Iraq Hostage Execution</i>	The segment was inappropriate for a G time zone and should have carried a warning.	Provision of warnings when broadcasting distressing and offensive material.
VICTORIA			
ATV 10 Melbourne	<i>The OC promotion</i>	Promotion for M classified program broadcast during G time zone contained inappropriate language.	M promotion in G – language.
ATV 10 Melbourne	<i>Ten Nightly News</i>	Distressing material broadcast of a car on fire, with a voice-over informing viewers that two people were killed.	Material likely to distress or offend viewers.
ATV 10 Melbourne	<i>Melbourne International Comedy Debate</i>	The broadcast of a debate on the Ten Commandments ridiculed the Bible and vilified those who believe in God and take the Bible seriously.	Vilification.
GTV 9 Melbourne	<i>Wide World of Sports – AFL coverage</i>	Inappropriate language used by commentator during broadcast of the Port Adelaide/Collingwood AFL match.	Exercise care in the selection and broadcast of all material in near-live sporting events. G – language.
HSV 7 Melbourne	<i>Pearl Harbour promotion</i>	The promotion for the M classified film contained violence inappropriate for a family viewing time.	M promotion in G – violence.
HSV 7 Melbourne	<i>Seven Nightly News</i>	The news bulletin and a promotion for <i>Today Tonight</i> which included content of a new treatment for diabetes amounted to an advertisement relating to medicines.	Advertisement for a medicine.*
HSV 7 Melbourne	<i>Seven Nightly News</i>	The broadcast of an item concerning the alleged attempted poisoning of minors was not presented with care or regard to the composition of the viewing audience, especially children.	Material in news that may seriously distress or seriously offend a substantial number of viewers.
HSV 7 Melbourne	<i>Today Tonight – Weight Reduction</i>	The segment promoted a pharmaceutical product and failed to provide accurate information to the public.	Advertisement for a medicine, accuracy in current affairs.*
BCV/GLV Western Vic	<i>There's Something About Miriam</i> promotion	The promotion for the M classified program broadcast during <i>American Idol</i> contained partial nudity and references to sexual behaviour, which was unsuitable material for children to watch.	M promotion in G – nudity, sexual references.
AMV Prime Regional Vic	<i>Prime Suspect – The Last Witness</i>	The use of the name of Jesus Christ in the program vilified Christians.	Vilification.
QUEENSLAND			
BTQ 7 Brisbane	<i>Today Tonight – Centrelink</i>	A segment was sensationalised, one-sided and contained inaccuracies.	Accurate presentation of factual material and fair representation in current affairs.
QTQ 9 Brisbane	<i>A Current Affair – Get Rich Schemes</i>	A segment about the complainant's business affairs was inaccurate and unfairly represented their viewpoints.	Accurate presentation of factual material and fair representation of viewpoints in current affairs.
QTQ 9 Brisbane	<i>76th Academy Awards</i>	Excessive amount of time occupied by non-program matter during the presentation of <i>The Academy Awards</i> . Complaints handling.	Limits to the amount of non-program matter, complaints handling.
QTQ 9 Brisbane	<i>A Current Affair – Chicks in Bricks</i>	A segment which was filmed outside a building which prominently featured the name of a business, inaccurately inferred that that particular business was failing.	Accurate presentation of factual material and fair representation of viewpoints in current affairs.