

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.

Blue Heelers promotion on STQ 7 exceeded G classification

ACMA found that Channel Seven Queensland Pty Ltd, the licensee of STQ Regional Queensland, breached the *Commercial Television Industry Code of Practice* by broadcasting a promotion for *Blue Heelers* that failed to comply with the restrictions in G viewing periods and the G classification requirements.

On 6 January 2006, ACMA received a complaint about a *Blue Heelers* promotion broadcast on 2 October 2005 by STQ7. The complainant alleged that the promotion contained content that was unsuitable for broadcast during family viewing periods.

ACMA determined that the licensee breached clause 3.8.3 of the code by failing to comply with the restrictions in G viewing periods with regard to violence. This clause provides that promotions in G viewing periods must not contain any form of violence to children. The code also provides that material classified G must be 'very mild in impact'. In ACMA's view, the promotion entirely concerns the discovery of the body of a murdered schoolgirl, and the cumulative impact of the visuals and the strong theme is stronger than very mild.

The Seven Network, on behalf of the

licensee, accepted the breach finding. However, because there have been a number of breaches of the program promotions provisions over the last two years, ACMA requested the Seven Network to provide appropriate assurances regarding steps it has taken to prevent the likelihood of future breaches. In response, the Seven Network has:

- reviewed its promotion classifications and scheduling procedures
- created a new internal promotion category to identify program promotions suitable for placement in

programs mainly directed to children or programs with a substantial child audience

- upgraded the procedure for assessing the classification for promotions
- introduced a computerised scheduling system that eliminates the possibility of human error in promotions scheduling and
- reminded all promotions staff of the obligations and requirements of the code.

ACMA is satisfied that the Seven Network has comprehensively addressed the compliance issues raised by the breach finding.

The investigation report is on the ACMA website at www.acma.gov.au (go to ACMA > Publications > Broadcasting > Investigations > Television operations).

Promotion for *The Supernatural* exceeded PG classification

ACMA found that Network Ten (Melbourne) Pty Ltd, the licensee of commercial television service ATV Melbourne, breached the *Commercial Television Industry Code of Practice* by broadcasting a promotion for *The Supernatural* that failed to comply with the restrictions in PG viewing periods and the PG classification requirements.

On 16 June and 10 July 2006, ACMA received two complaints about a promotion for *The Supernatural*, which was broadcast by ATV on 27 May 2006. The complainants alleged that the promotion contained content that was unsuitable for broadcast during family viewing periods.

ACMA determined that ATV breached clause 2.4 of the code by failing to

comply with the restrictions in PG viewing periods. The code states that promotions in PG viewing periods must not contain anything which has more than a mild sense of threat or menace. The code also states that material classified PG must be 'mild in impact'. In ACMA's view, the promotion, showing a child frightened by a sinister robed figure outside and in the child's bedroom, has an

impact that is greater than mild.

In response to the finding, Network Ten has undertaken to distribute ACMA's report to the relevant classifiers and promotions' producers and use the finding as an example in regular code training sessions with staff, to ensure future compliance. ACMA is satisfied that Network Ten has addressed the compliance issues raised by the breach finding.

The investigation report is on the ACMA website at www.acma.gov.au (go to ACMA > Publications > Broadcasting > Investigations > Television operations).

How to be a property developer breached codes

ACMA found that FOXTEL Cable Television Pty Limited breached the *ASTRA Codes of Practice Subscription Broadcast Television July 2003* by broadcasting a program, *How to be a property developer*, which failed to comply with the PG classification requirements for 'language'.

On 21 April 2006, ACMA received a complaint about *How to be a property developer*, an XYZnetworks program broadcast by FOXTEL's The LifeStyle Channel on 2 November 2005. The complainant alleged that the program contained coarse language that exceeded

what is permissible within the PG classification category.

ACMA determined that FOXTEL breached clause 3 of the codes by broadcasting material that was not consistent with the language requirements of the PG classification guidelines. The codes state that coarse language should be mild and infrequent, and be justified by context. In ACMA's view, the program contained moderate coarse language that was not infrequent.

ACMA notes the licensee's decision voluntarily to classify non-drama programs such as *How to be a property*

developer, in addition to the requirement under the codes to classify films and drama programs only, and commends the following undertakings by FOXTEL:

- to implement six-monthly ASTRA codes training, including training on classification obligations
- FOXTEL's Executive Director – Content, Product Development and Delivery has written to FOXTEL channel managers regarding program classifications and
- FOXTEL and XYZnetworks are to collaborate to streamline complaint-handling processes to ensure all

complaints are promptly brought to the attention of relevant parties.

ACMA acknowledges FOXTEL's sound history of compliance with the codes in the area of program classification and considers this action addresses the compliance issue raised by the investigation. ACMA will continue to monitor the licensee's performance.

The investigation report is on the ACMA website at www.acma.gov.au (go to ACMA > Publications > Broadcasting > Investigations > Television operations).