



FreeTV
Australia

**Commercial Television Industry
Code of Practice**

Code Complaints Report

1 October 2003 – 30 June 2004

1 Background

The Commercial Television Industry Code of Practice (the “Code”) was introduced in September 1993. The Code has been reviewed twice and revised Codes introduced in April 1999 and in July 2004.

Each year Free TV Australia publishes a report on Code administration by licensees which is made available to the public. This report covers the period 1 October 2003 to 30 June 2004 (immediately prior to introduction of the new Code). Future reports will be published for annual periods from 1 July through to 30 June of the following year.

The Code is registered with the Australian Broadcasting Authority and it sets community standard benchmarks for what is acceptable in the way of programming, program promotions and commercials at different times of the day. It also sets out requirements concerning news and current affairs coverage (including privacy and fairness and accuracy issues), the levels of advertising acceptable to viewers and the handling of viewer complaints by stations. All commercial television stations support the Code and accept its requirements.

Viewer complaints play an important role in the self-regulatory process. Stations regard telephoned and written comments and complaints about their service as valuable feedback on their programming, and as an essential element of their responsiveness to the community. All stations publicise their telephone numbers, and most stations operate switchboards through the daytime and peak television viewing periods.

The Code gives particular importance to written complaints about Code matters. A written Code complaint triggers a station’s complaint investigation process, which must meet the strict timetable requirements set out in the Code. If a viewer is not satisfied with the station’s response, he or she is free to refer the matter to the Australian Broadcasting Authority (the “ABA”) for further investigation.

2 Code complaints received 2003/2004

The volume of viewer complaints to stations about matters covered by the Code remained low in the period 1 October 2003 to 30 June 2004, given the huge number of hours of programming transmitted and the extensive daily viewing by most Australian households. Australia’s commercial free-to-air services broadcast over 21,000 hours of programming in

the course of the year, comprising millions of discrete items (programs, program promotions, commercials and community service announcements). The average viewer watched almost 1,000 hours of television over that period.

Stations reported receiving a total of 678 written Code complaints during the period 1 October 2003 to 30 June 2004¹. In the 12 months immediately preceding this report there was a total of 741 complaints. This amounts to less than two complaints per month, per station during the period 1 October 2003 to 30 June 2004. Many of these complaints related to the same program items, in particular, 208 complaints concerning a single episode of *All Saints*.

Complaints ranged over most categories of programs, however, drama and current affairs programs attracted the highest complaint numbers.

The largest number of complaints (33%) related to language considered unsuitable for the time zone. The next most common category of complaints related to sex and nudity in programs and program promotions. The third most common category of complaints related to bias and inaccuracy in new and current affairs programs. (For further details refer to Appendices 1 to 3).

Programs receiving the highest numbers of complaints were:

- **All Saints** (Seven Network) – There were 210 complaints mostly concerning coarse language in a single episode.
- **The L Word** (Seven Network) – There were 102 complaints concerning sexual content considered inappropriate for the time zone.
- **A Current Affair** (Nine Network) – There were 55 complaints concerning a number of segments, mostly concerning perceived bias and inaccuracy in reporting and material considered to be distressing or offensive.
- **Today Tonight** (Seven Network) – There were 16 complaints mostly concerning perceived bias and inaccuracy in reporting.
- **60 Minutes** (Nine Network) – There were 9 complaints mostly concerning alleged bias and inaccuracy in reporting.

¹ This excludes complaints about the content of television commercials, which stations referred to the Advertising Standards Board. It includes complaints about the classification and/or scheduling of commercials, which are covered by the Code.

- **Secret Life of Us promotion** (Network Ten) – There were 8 complaints concerning program promotions containing sexual references considered unsuitable for the time zone.

3 Complaints upheld by stations

Stations upheld 7 complaints during the period 1 October 2003 to 30 June 2004 (compared with 20 upheld complaints during the period 1 October 2002 to 30 September 2003). These related to 5 broadcast items. They were:

- **Seven News Melbourne** (Seven Network) – One complaint was upheld concerning distressing images of the scene of a car accident. The network agreed that there had been an error in judgement in broadcasting those images and will endeavour to ensure that this error does not occur again.
- **Advertisement for “The Matrix”** (Seven Network) – One complaint was upheld regarding the airing of an advertisement during the broadcast of the Melbourne Cup. The network agreed that the advertisement had been broadcast in an unsuitable time zone. The network conceded human error in airing the commercial in a lower classification time zone than was originally intended and has taken all reasonable steps to prevent this error from occurring again.
- **Showdown in Little Tokyo** (Nine Network) – One complaint was upheld concerning unsuitable material. The network agreed that the version of the film aired was unsuitable for broadcast during the MA time zone. The network has taken appropriate measures to endeavour to ensure similar errors will not occur in the future.
- **CSI: Crime Scene Investigation** (Nine Network) – One complaint was upheld regarding an advertisement for condoms that was unsuitable for the time zone. The network agreed that the commercial had been aired in an earlier time zone than intended. The network has taken appropriate measures to endeavour to ensure this error is not repeated in future
- There was 1 upheld complaint regarding the display of a classification symbol (Network Ten). This complaint has been referred to the Australian Broadcasting Authority.
- There was 1 upheld complaint regarding the advertisement of films classified MA in a G time zone (Network Ten). The network has taken measures to ensure that this does not occur again.

- **Advertisement for Puppetry of the Penis** (Network Ten) – One complaint was upheld in relation to an advertisement that was shown in an unsuitable time zone. The network has reviewed its scheduling procedures to endeavour to ensure this error is avoided in the future.

4 Complaints referred to the ABA

In the year to 30 September 2004, the ABA considered 37 Code complaints which had been assessed by stations, but not upheld, and had then been referred by the viewer to the ABA. This equates to less than 6% of the 678 Code of Practice complaints received by stations during the period 1 October 2003 to 30 June 2004. The small number of complaints referred to the ABA indicates that in 94% of cases viewers are satisfied with the station's investigation and response.

Less than half of the complaints referred to the ABA (only 12) were upheld. Further analysis of complaints received by stations during the period 1 October 2003 – 30 June 2004 is contained in the attached appendices.

Free TV Australia
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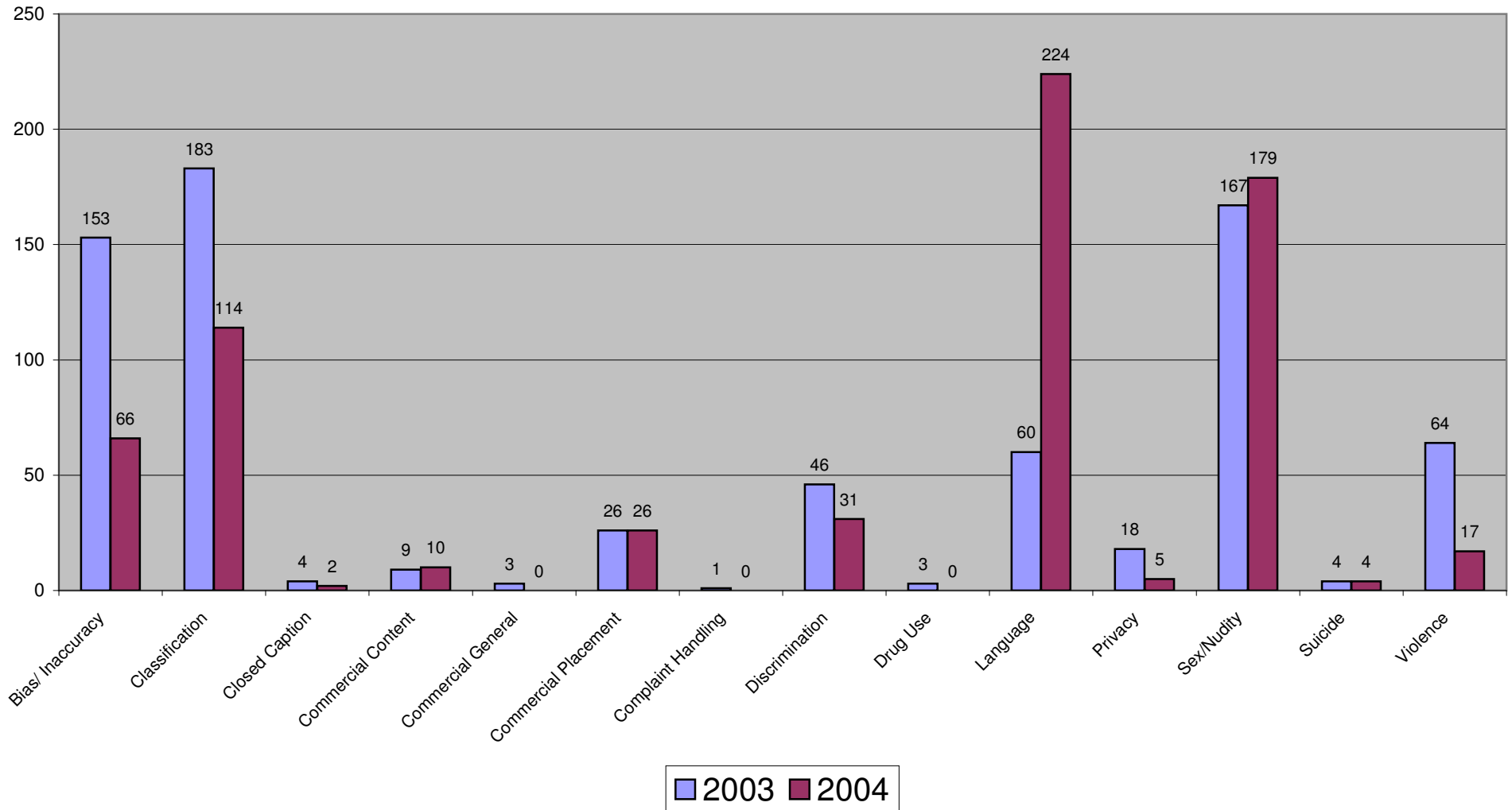
**Appendix 1 Part (i)
Code Complaints by Category**

	Bias/ Inaccuracy	Classification/ Other	Discrimination	Drug Use	Language	Privacy	Sex/Nudity	Suicide	Violence	Commercial Content	Commercial Placement	Commercial General	Closed Caption	Complaint Handling		
Children					1		2				3				6	0.9%
Comedy		9	11		6		8	1	1						36	5.3%
Commercial		1													1	0.1%
Current Affairs	50	29	1			2	2		1		2				87	12.8%
Documentary		2					1								3	0.4%
Drama		13	10		197		109		2	2					333	49.1%
Information	1	5	1		3		2								12	1.8%
Movie		5			7		7		6	2			2		29	4.3%
Music Video					1			3	1						5	0.7%
News	14	19				3									36	5.3%
Program Promos		16	1		4		30		3	1					55	8.1%
Quiz															0	0.0%
Religion															0	0.0%
Sport	1	1	1		2		3			2	2				12	1.8%
Unspecified		5	1		1		7		2	3	18				37	5.5%
Variety		9	6		2		8		1						26	3.8%
	66	114	32	0	224	5	179	4	17	10	25	0	2	0	678	100.0%
	9.7%	16.8%	4.7%	0.0%	33.0%	0.7%	26.4%	0.6%	2.5%	1.5%	3.7%	0.0%	0.3%	0.0%	100.0%	

Appendix 1 Part (ii) Code Complaints by Classification

	G Zone	PG Zone	M Zone	MA Zone	AV Zone	Not suitable for television	Upsetting Material	General	Other	
Children										0
Comedy	4		1				2	2		9
Commercial								1		1
Current Affairs	1						20	8		29
Documentary									2	2
Drama	2	1	7					3		13
Information	1		1				1	2		5
Movie	3							2		5
Music Video										0
News	4						10	5		19
Program Promos	10	3	1					2		16
Quiz										0
Religion										0
Sport								1		1
Unspecified	1	1						3		5
Variety	3	2	2				1	1		9
	29	7	12	0	0	0	34	30	2	114
	25.4%	6.1%	10.5%	0.0%	0.0%	0.0%	29.8%	26.3%	1.8%	

Appendix 2 Main Complaint Numbers



Appendix 3 Code Complaints by Quarter

