



COMMERCIAL.TELEVISION AUSTRALIA

**COMMERCIAL TELEVISION INDUSTRY  
CODE OF PRACTICE**

**ANNUAL CODE COMPLAINTS REPORT**

**1 OCTOBER 2002 – 30 SEPTEMBER 2003**

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## BACKGROUND

The Commercial Television Industry Code of Practice (the “Code”) was introduced in September 1993. The Code was extensively reviewed before an amended Code was introduced in April 1999. 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.

A revised Commercial Television Industry Code of Practice was made available for public comment in August 2003 as part of the Code Review. Submissions are currently being considered. The new Code will be available on the CTVA website ([www.ctva.com.au](http://www.ctva.com.au)) upon registration with the Australian Broadcasting Authority.

## CODE COMPLAINTS RECEIVED 2002/2003

The volume of viewer complaints to stations about matters covered by the Code remained low in 2002/2003, 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 741 written Code complaints during the year (an 0.5% decrease from the previous year)<sup>1</sup>. This amounts to less than 2 complaints per month for each commercial station. Many of these complaints related to the same program items.

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

The largest number of complaints (24.7%) related to classification of programs, particularly concerning sex, nudity or sexual references in programs. The next most common category of complaints related to sex and nudity in comedy and program promotions. (Fuller details are in Appendices 1 to 3).

Programs receiving the highest numbers of complaints were:

- **60 Minutes** (Nine Network) – There were 67 complaints, most concerning perceived bias or inaccuracy in reporting or unfair portrayal of particular groups or individuals. Some other complaints received were in relation to misleading promotions and images considered to be unsuitable and distressing for a 'PG' classification zone.

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<sup>1</sup> 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.

- **A Current Affair** (Nine Network) – There were 54 complaints mostly concerning perceived bias and inaccuracy in reporting. There were also some complaints concerning scenes considered unsuitable for ‘G’ classification.
- **Australia’s Funniest Home Video Show** (Nine Network) – There were 32 complaints concerning a number of segments, most concerning material that viewers believed was dangerous, cruel to animals or contained sexual references and nudity considered unsuitable for a ‘G’ classification zone.
- **The Block** (Nine Network) – There were 31 complaints mainly concerning references and sexual behaviour considered unsuitable for a ‘G’ classification. Four complaints considered the portrayal of a homosexual lifestyle offensive and unacceptable.
- **The Footy Show (NRL)** (Nine Network) – There were 26 complaints, mostly concerning language, nudity or sexual innuendo that viewers considered inappropriate for the classification. Three complaints concerned perceived cruelty to animals.
- **Sunday** (Nine Network) – There were 22 complaints mostly concerning material considered to be biased, inaccurate or unfair. Two complaints concerned the portrayal of Muslims which viewers believed provoked the dislike of Muslims.
- **Seven News** (Seven Network) – There were 17 complaints mostly concerning perceived bias in news items.
- **Comedy Inc** (Nine Network) – There were 16 complaints mostly concerning perceived vilification on the basis race or religion and violence and language considered unsuitable for the ‘M’ classification.

## COMPLAINTS UPHELD BY STATIONS

Stations upheld 20 complaints (or 2.7% of the total number of complaints received).

These related to 14 broadcast items. They were:

- **Sea of Love** – Three complaints were upheld as concerning lack of consumer advice for ‘some coarse language’ after program breaks.
- **Channel Seven News** – Two complaints were upheld concerning an unsuitable image used in a program promotion for Aristos Surprise Chef that was unsuitable for the ‘G’ classification zone.
- **National Nine News** – Two complaints were upheld. One complaint concerned an invasion of privacy in a report about a hospitalised AFL player. The second complaint concerned the identification of a school when reporting on exam cheats.
- **60 Minutes** – Two complaints were upheld concerning inaccurate reporting in a news item on Australian Customs.
- **The Guardian / Secret Life of Us** – Two complaints were upheld concerning the broadcast of program promotions during a ‘G’ cartoon program that were unsuitable for that classification zone.
- **Stingers** – One complaint was upheld concerning the inadequate monitoring of closed caption transmissions.
- **Young Lions** – One complaint was upheld concerning the inadequate monitoring of closed caption transmissions.
- **Who Wants to be a Millionaire** – One complaint was upheld concerning the inadequate monitoring of closed caption transmissions.
- **Adelaide Film Festival** – One complaint was upheld concerning the broadcast of language unsuitable for a ‘G’ classification zone.
- **Bob Jane T-mart Bathurst** – One complaint was upheld concerning the broadcast of language unsuitable for a ‘G’ classification zone.

- **New Years Eve Coverage** – One complaint was upheld concerning the broadcast of a review segment unsuitable for a ‘G’ classification zone.
- **Ten News / Charmed / True Lies** – One complaint was upheld concerning sexual references in program promotions which were unsuitable for broadcast in a ‘G’ classification zone.
- **Video Hits Uncut** – One complaint was upheld concerning the broadcast of a music video which was unsuitable for a ‘M’ classification zone.
- **Everybody Loves Raymond** – One complaint was upheld concerning broadcast of a program promotion which was inappropriate for a ‘PG’ classification zone.

## **COMPLAINTS REFERRED TO THE ABA**

In the year to 30 September 2003, the ABA considered 33 Code complaints which had been assessed by stations, but not upheld, and had then been referred by the viewer to the ABA. This equated to 4.5% of the 741 Code of Practice complaints received by stations over the 12 month period. The small number of complaints referred to the ABA indicates that in more than 95% of cases viewers are satisfied with the station's investigation and response.

Less than half of these complaints referred to the ABA (only 12) were upheld. All of the upheld complaints related to the Code requirements for programming.

Further analysis of complaints received by stations during the period 1 October 2002 – 31 September 2003 is contained in the attached appendices.

## Appendix 1 Code Complaints by Station Group

	Complaints	Upheld Complaints
<b>SEVEN NETWORK</b>		
Sydney	28	0
Melbourne	19	0
Brisbane	9	0
Adelaide	17	2
Perth	21	0
Queensland	15	0
<b>TOTAL</b>	<b>109</b>	<b>2</b>
<b>NINE NETWORK</b>		
Sydney	200	3
Melbourne	75	2
Brisbane	48	0
Darwin	1	0
<b>TOTAL</b>	<b>324</b>	<b>5</b>
<b>NETWORK TEN</b>		
Sydney	53	1
Melbourne	43	2
Brisbane	25	2
Adelaide	21	2
Perth	11	0
<b>TOTAL</b>	<b>153</b>	<b>7</b>
<b>SOUTHERN CROSS</b>		
Seven Darwin/Seven Central		0
Mt Isa	0	0
Nine Adelaide	31	0
Ten Northern New South Wales	14	2
Ten Southern New South Wales	19	0
Ten Queensland	15	0
Ten Western Victoria	5	1
Ten Eastern Victoria	0	0
Central Television Broken Hill	1	0
Central Television Spencer Gulf	0	0
Tasmania	4	0
<b>TOTAL</b>	<b>89</b>	<b>3</b>

**PRIME**

Northern NSW	10	0
Southern NSW	2	0
Victoria	3	0
South & South West WA	2	0
<b>TOTAL</b>	<b>17</b>	<b>0</b>

**WIN**

Southern NSW	1	0
Griffith	0	0
Regional Victoria	12	0
Mildura	1	0
Regional Queensland	12	0
Tasmania	6	0
Regional South Australia	0	0
Regional Western Australia	8	3
<b>TOTAL</b>	<b>40</b>	<b>3</b>

**INDEPENDENT**

Imparja Television	2	0
NBN	5	0
Swan Television (Nine Adelaide)	2	0
<b>TOTAL</b>	<b>9</b>	<b>0</b>

<b>GRAND TOTAL</b>	<b>741</b>	<b>20</b>
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## Appendix 2 - Part (i)

### Code Complaints - By Category

	Bias/ Inaccuracy	Classificat- ion/Other	Discrim- ination	Drug Use	Language	Privacy	Sex/Nudity	Suicide	Violence	Commerc Conten	Commerc Placemen	Commerc General	Closec Caption	Complain Handling		
Children		6	1	1					5		1				14	1.9%
Comedy		22	8	1	13		33		20						97	13.1%
Current Affairs	110	20	11		3	6	10	1				1			162	21.9%
Documentary	1	5						2							8	1.1%
Drama		30	7	1	9		18		8	3	2		2		80	10.8%
Information		5	4		7		22		2		2				42	5.7%
Movie		17	1		8		11		6	2	1		1		47	6.3%
Music Video		1					12		1						14	1.9%
News	34	20	3		2	12		1	1						73	9.9%
Program Promos	7	18	3		7		26		10		1				72	9.7%
Quiz		1							1				1		3	0.4%
Religion		1					1								2	0.3%
Sport		4			3		14		3		2				26	3.5%
Unspecified		20	6		3		11		3	2	16	2			63	8.5%
Variety	1	13	2		5		9		4	2	1			1	38	5.1%
	153	183	46	3	60	18	167	4	64	9	26	3	4	1	741	
	20.6%	24.7%	6.2%	0.4%	8.1%	2.4%	22.5%	0.5%	8.6%	1.2%	3.5%	0.4%	0.5%	0.1%		

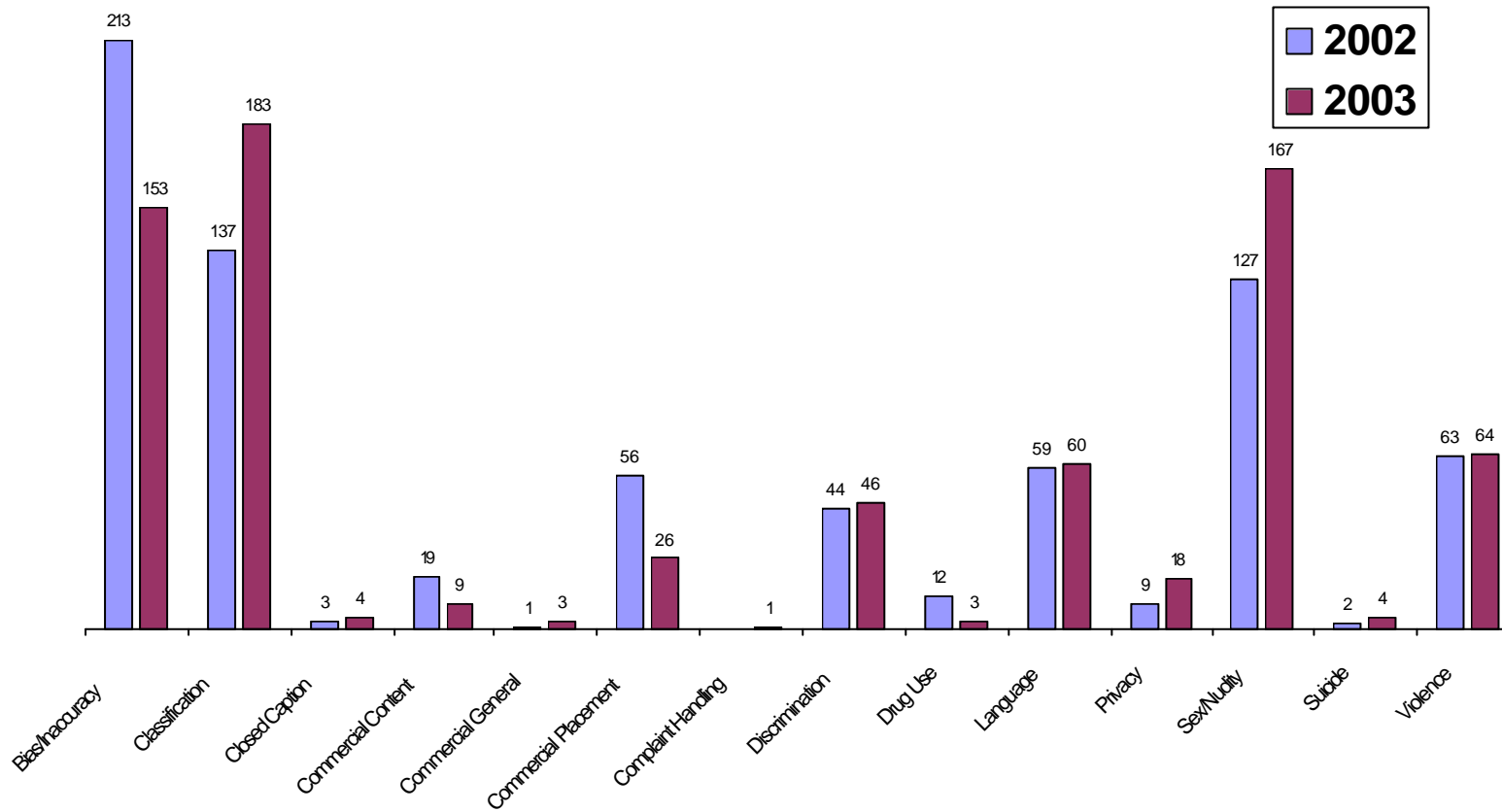
\* FOR MORE DETAILS OF THIS CATEGORY SEE PART(ii)

## Appendix 2 - Part (ii)

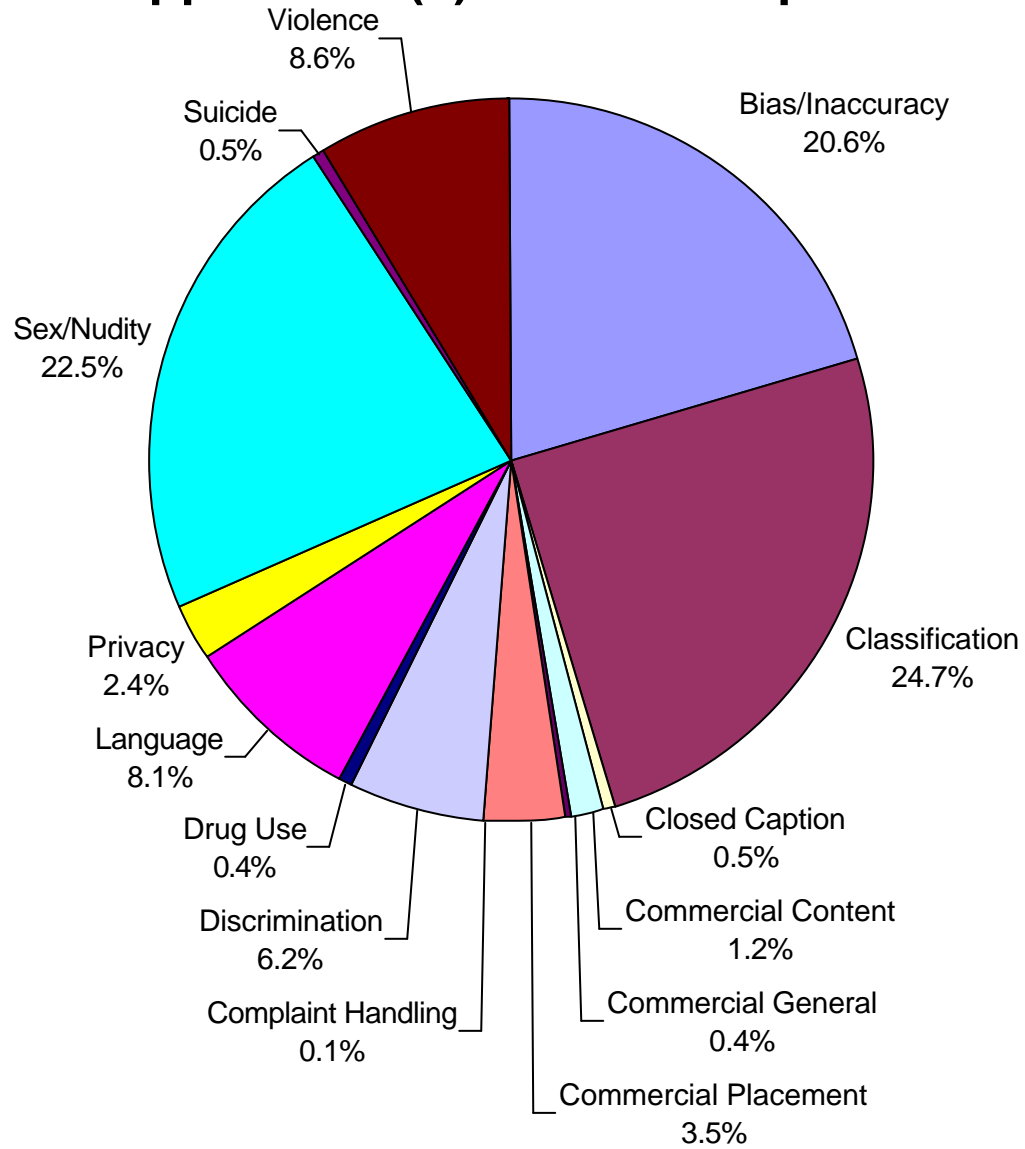
### Code Complaints - By Classification

	G Zone	PG Zone	M Zone	MA Zone	AV Zone	Not Suitable for Television	Upsetting Material	General	Other	Total
Children	5							1		6
Comedy	16	3					3			22
Current Affairs	2	3					14	1		20
Documentary	2	2	1							5
Drama	10	5	6				2	6		30
Information	5									5
Movie	5	2	4				1	5		17
Music Video	1									1
News	9						4	7		20
Program Promos	12	3	2					1		18
Quiz							1			1
Religion							1			1
Sport	1						1	2		4
Unspecified	10	4	4						2	20
Variety	5		4	1			3			13
	83	22	21				30	23		183
	45.4%	12.0%	11.5%	0.5%			16.4%	12.6%	1.1%	

# Appendix 3 (i) - Main Complaint Numbers



## Appendix 3 (ii) - Code Complaints This Year



# Appendix 4

## Code Complaints By Quarter

