



ABC TV

Depiction of suicide, complaints handling

On 6 April 2001 the ABA received a written complaint regarding an episode of 'Police Rescue' entitled 'Getting of Wisdom' broadcast by ABC television at 2 p.m. on 9 January 2001, a PG classification time zone. This episode was classified PG and had been broadcast previously, at 8.30 p.m., 4 October 1996.

The complaint was that the episode contained a detailed depiction of a suicide. The complainant also stated that he had received no response to his complaint from the ABC.

Relevant code of practice

Section 7.1 of the ABC Code of Practice states, in part:

Television Program Classifications
PG – Parental Guidance (parental guidance recommended for persons under 15 years)

PG programs:

- may contain adult themes and concepts which, when viewed by those under 15 years, may require the guidance of an adult;

- may be shown between 8.30 a.m. and 4.00 p.m. on weekdays and 7.30 p.m. and 6.00 a.m. on any day of the week.

Decision

The program was a drama in which the police rescue team attempted to talk to a disturbed woman intent on killing herself in a car. The method she used was clearly depicted in a shot panning over a garden hose and a rag attached to the car exhaust, and the other end of the hose was shown placed through the car window so the car exhaust fumes entered the car.

The ABC acknowledged that the 'Getting of Wisdom' episode was incorrectly broadcast with a PG classification.

The program had been classified in 1996 before its initial broadcast. The ABC regretted that this content was broadcast.

The ABA was of the view that the ABC breached clause 7.1 of the code in broadcasting this episode of 'Police Rescue'.

Action taken

The ABC has reviewed the program and advised that it should have been classified PG only if the detailed depiction of the portrayal of the suicide was cut. The ABC has deleted this content from the program.

The ABA was satisfied with the action taken by the ABC to prevent any further broadcast of this material. The ABA did not find any breach on relation to complaints handling.



IMPARJA Remote Central and Eastern Australia

Untagged election advertisements

A complainant alleged that a broadcast of an advertisement, on 15 February 2001, for a candidate in the Queensland State election, on 17 February 2001, breached the licence condition prohibiting the broadcast of election advertisements during the relevant (blackout) period.

Relevant licence condition

Clause 3A(2) of Schedule 2 to the Act states that if an election is to be held within the licence area of a station, the licensee is prohibited from broadcasting an election advertisement during

the relevant period which runs from the end of the Wednesday before the polling day until the close of the poll. Complier with this condition is a provision of the licensee's licence.

Decision

The ABA was satisfied that the material met the definition of 'election advertisement' (clause 1 of Schedule 2 to the Act) which specifies that the advertisement must contain election matter relating to the upcoming election, and the licensee must receive money or other consideration for the broadcast.

The ABA found the advertisement contained election matter relating to the upcoming election. It featured Tony McGrady, ALP candidate for Mt Isa, discussing what he and the ALP had achieved for the area during their time in office, and concluded with the statement 'Vote 1 Tony McGrady. He doesn't make promises, he just gets results'. The licensee advised the ABA that it received money for the broadcast.

Imparja advised that the election advertisements were broadcast seven times during the relevant blackout period. The ABA determined that these broadcasts constituted breaches of clause 3A(2) of Schedule 2 to the Act. #



Investigations

Action taken

Imparja advised the ABA that the advertisements were inadvertently broadcast. The licensee has amended internal processes to ensure similar breaches do not

occur in the future. These amendments have clarified station management roles and tightened scheduling procedures for election advertisements.

The ABA noted this was the licensee's second breach of this licence condition.

As there had been five years between breaches, the ABA determined that no further action would be taken at this stage but advised the licensee that future breaches would be considered to be serious.



2NVR Community Radio, Nambucca Valley

Racial vilification, stereotyping and perpetuating hatred, complaints handling

On 6 December 2000, ABA received a written complaint concerning the program 'As I See It', broadcast on 17 January 2000. The complainants alleged that the program broadcast anti-Jewish material that stereotyped, incited, vilified and perpetuated hatred against Zionists, Israelis and Jews. The complainants also alleged that 2NVR failed to respond to their complaint until 3 August 2000.

Relevant code of practice

The Community Broadcasting Code of Practice states:

Guidelines for General Programming

The purpose of the code is to reflect the need to avoid and break down prejudice and discrimination, and to prevent the broadcasting of material which is contrary to community standards, government regulations and the principles of community broadcasting.

2.3 Community broadcasting licensees shall not broadcast material which may stereotype, incite, vilify, or perpetuate hatred against, or attempt to demean any person or group on the basis of ethnicity, nationality, race, gender, sexual preference, religion, age or physical or mental disability.

Handling Complaints

The purpose of this code is to prescribe the manner in which complaints and other comments from members of the public will be dealt with.

7.3 Community broadcasting licensees will make every reasonable effort to

resolve complaints, except where a complaint is clearly frivolous, vexatious or not made in good faith.

7.6 If the complainant indicates dissatisfaction with the response of the licensee, the licensee will advise the complainant of their right to refer the matter to the Australian Broadcasting Authority.

Decision

The broadcast of 'As I See It' contained music, a selection of readings and commentary on a number of matters. The presenter quoted from local and national newspapers. In commenting on an article in the *Daily Telegraph* of 10 January 2000, the presenter claimed that the newspaper's comments on Mr Kalejs were 'more [anti-Nazi] propaganda'.

The presenter read a number of anti-Zionist and anti-Semitic extracts from *Frank Wallace: a Framed Victim of the Nazi Hunters*, the *The Protocols of the Elders of Zion*, an anti-Semitic document purportedly written by Jews as a plan for world domination and extracts from Henry Ford's paper, the *Dearborn Express*, during which he made a number of anti-Semitic comments.

In the ABA's view, the presenter's commentary and readings stereotyped, vilified and perpetuated hatred against Jews, Israelis and Zionists. While the presenter made a number of statements indicating that the views expressed were not his or those of the station, these

disclaimers are not relevant. The code does not excuse remarks that stereotype, vilify or perpetuate hatred solely on the basis that they are not a station's or a presenter's personal views.

The ABA determined that the opinions expressed by the presenter on 'As I See It' breached clause 2.3 of the code.

The ABA noted that the written complaint to 2NVR made in January 2000 was not formally responded to by the station until 3 August 2000. In addition, there was no attempt to deal with the substance of the complaint, or to resolve the matter with the complainants. The ABA determined that 2NVR breached clause 7.3 of the code.

Action taken

The ABA sought (and obtained) written reassurance from the licensee that detailed the systems, practices and procedures that 2NVR had put in place to ensure that similarly offensive material would not be broadcast in the future, and to ensure that the licensee has adequate systems in place to deal with complaints.

The ABA also sought (and obtained) written advice from the licensee on the steps it took to approach and resolve this matter. In doing so, the ABA sought advice from the complainants that the matter had been resolved to their satisfaction.

