

Appendix 9 Australian Broadcasting Corporation Code of Practice

<http://www.abc.net.au/corp/codeprac.htm>

1 Preamble

The ABC's place in the broadcasting system is distinctive because of its Charter, which gives the Corporation unique responsibilities, and because of other provisions under the *Australian Broadcasting Corporation Act, 1983*, which give the Corporation particular responsibilities, for example, the provision of an independent news service.

The ABC Act guarantees the editorial independence of the Corporation's program services. The ABC holds its power to make programming decisions on behalf of the people of Australia. By law and convention neither the Government nor Parliament seeks to intervene in those decisions.

2 General Program Codes

The guiding principle in the application of the following general program codes is context. What is unacceptable in one context may be appropriate and acceptable in another. However, the use of language and images for no other purpose but to offend is not acceptable.

The code is not intended to ban certain types of language or images from bona fide dramatic or literary treatments, nor is it intended to exclude such references from legitimate reportage, debate or documentaries. Where appropriate, audiences will be given advance notice of the content of the program.

- 2.1 **Violence.** The presentation or portrayal of violence must be justifiable, or else the material should not be presented. Particular attention should be paid to the portrayal of violence against women.

In news and current affairs programs, violent events should never be sensationalised or presented for their own sake.

In drama programs, the aim is not to see how much violence will be tolerated, but how little is necessary to achieve honest ends without undue dramatic compromise.

- 2.2 **Language.** Variations of language favoured by different groups of Australians — young or old, well educated or less educated, migrants, Indigenous and others — are equally valid and have their place in programs. On occasions, the language of one group may be distasteful to another. Use of such language is permitted provided it is not used gratuitously and provided the language can be justified in the context of, for example, fiction, documentary, dramatisation, comedy and song lyrics.

- 2.3 **Sex and Sexuality.** Provided it is handled with integrity, any of the following treatments of sex and sexuality may be appropriate and necessary to a program:

- it can be discussed and reported in the context of news, information or documentary programs;
- it can be referred to in drama, comedy, lyrics or fictional programs; and
- it can be depicted, implicitly or explicitly.

- 2.4 **Discrimination.** The presentation or portrayal of people in a way which is likely to encourage denigration or of discrimination against any person or section of the community on account of race, ethnicity, nationality, sex, age, disability or illness, social or occupational status, sexual preference or the holding of any religious, cultural or political belief will be avoided. The requirement is not intended to prevent the broadcast of material which is factual, or the expression of genuinely-held opinion in a news or current affairs program, or in the legitimate context of a humorous, satirical or dramatic work.

- 2.5 **Privacy.** The rights of individuals to privacy should be respected in all ABC programs. However, in order to provide information which relates to a person's performance of public duties or about other matters of public interest, intrusions upon privacy may, in some circumstances, be justified.

3 Specific Program Codes

- 3.1 **Children's Programs.** While the real world should not be concealed from children, special care will be taken to ensure programs children are likely to watch unsupervised will not cause alarm or distress.

- 3.2 **Religious Programs.** Religious programs may cover Christianity, other traditional religions and new religious movements, as well as analysis and discussion of religious issues from non-religious points of view.

- 3.3 **Aboriginal and Torres Strait Islander Programs.** Program makers and journalists should respect Aboriginal and Torres Strait Islander cultures. Particular care should be exercised in traditional matters such as the naming or depicting of Aboriginal and Torres Strait Islander people after death.

- 3.4 **Portrayal of Women and Avoidance of Stereotypes.** Programs will take care to acknowledge the full range of roles now performed by women. Irrelevant references to a woman's physical characteristics, marital status or maternity will be avoided.

Programs should not promote or endorse inaccurate, demeaning or discriminatory stereotypes of women or men.

In producing programs using experts, interviewees and other talent, program makers will ensure that there are opportunities for both women and men to present viewpoints.

- 3.5 **Closed Captioning for People who are Hearing Impaired or Deaf.** Closed caption programs will be clearly marked when program information is provided to the press or when captioned programs are promoted. Where possible, open captioned advice will be provided if technical problems prevent scheduled closed captioning.

Addresses to the nation and events of national significance will be transmitted with closed captioning. The ABC will endeavour to increase the amount of closed-captioning programming, as resources permit.

4 News, Current Affairs and Information Programs**4.1 News, Current Affairs and Information Programs**

In programs produced by ABC News and Current Affairs Departments and information programs:

- (a) Every reasonable effort must be made to ensure that the factual content of programs is accurate. Demonstrable errors will be corrected in a timely manner and in a form most suited to the circumstances.
- (b) Editorial staff will not be obliged to disclose confidential sources which they are entitled to protect at all times.
- (c) Re-enactments of events will be clearly identified as such and presented in a way which will not mislead audiences.
- (d) If reported at all, suicides will be reported in moderate terms and will usually avoid details of method.
- (e) Sensitivity will be exercised in broadcasting images of or interviews with bereaved relatives and survivors or witnesses of traumatic incidents.

4.2 News and Current Affairs Programs

Every reasonable effort must be made to ensure that the content of programs produced by ABC News and Current Affairs Departments is:

- (a) impartial: impartiality does not require editorial staff to be unquestioning; nor should all sides of an issue be devoted the same amount of time.
- (b) balanced: balance will be sought through the presentation, as far as possible, of principal relevant viewpoints on matters of importance. The requirement

may not always be reached within a single program or news bulletin, but will be achieved within a reasonable period.

- 4.3 **News Flashes.** Care will be exercised in the selection of sounds and images and consideration given to the likely composition of the audience.
- 4.4 **News Updates and News Promotions.** News updates and news promotions will not appear during obviously inappropriate programs, especially programs directed at young children. Due to their repetitive nature, there will be very little violent material included in them, and none at all in the late afternoon and early evening.

5 Promotions for Programs

Program promotions will be scheduled so as to be consistent with the nature of surrounding programs.

6 Warnings

Where appropriate, the audience will be given advance notice of programs or program segments which some viewers or listeners could find distressing or disturbing.

7 Television Program Classifications

This system of television program classification applies the Guidelines for the Classification of Films and Videotapes issued by the Office of Film and Literature Classification.

Programs having a particular classification under the Office of Film and Literature Classification Guidelines may be modified so that they are suitable for broadcast or suitable for broadcast at particular times.

7.1 Classification.

G — General (suitable for all ages)

G programs, which include programs designed for pre-school and school age children:

- are suitable for children to watch on their own;
- may be shown at any time.

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
7.30 p.m. and 6.00 a.m. on any day of the week.

M — Mature Audience programs and

MA — Mature Adult Audience programs

- are programs which, because of the matter they contain or because of the way it is treated, are recommended for viewing only by persons aged 15 years or over.

M programs may be shown between:

noon and 3.00 p.m. on weekdays that are school days
8.30 p.m. and 5.00 a.m. on any day of the week.

MA programs may be shown between:

9.30 p.m. and 5.00 a.m. on any day of the week.

While most adult themes may be dealt with, the degree of explicitness and intensity of treatment will determine what can be accommodated in the M and MA classifications — the less explicit or less intense material will be included in the M classification and the more explicit or more intense material, especially violent material, will be included in the MA classification.

X programs and unmodified R programs (not suitable for television)

- contain material which cannot appropriately be classified as G, PG, M or MA because the material itself or the way it is treated renders them unsuitable for television;
- must not be shown at all.

- 7.2 **Implementation Guidelines.** The time zones for each program classification are guides to the most likely placement of programs within that classification. They are not hard and fast rules and there will be occasions on which programs or segments of programs appear in other time-slots, for example, a PG program or segment of a program

designed for teenage viewers could appear before 7.30 p.m. if that is the time most suitable for the target audience, or a PG segment in an arts program could appear during a weekend daytime program.

There must be sound reasons for any departure from the time zone for a program classification.

Programs which are serious presentations of moral, social or cultural issues may appear outside their normal classification period provided that a clear indication of the nature and content of the program is given at its commencement.

- 7.3 **Television Classification Symbols.** The classification symbol of the PG, M or MA program (except news, current affairs, general information and sporting programs) being shown will be displayed at the commencement of the program.

The classification symbol of the PG, M or MA program (except news, current affairs, general information and sporting programs) being promoted will be displayed during the promotion.

- 7.4 **Consumer Advice.** Audio and visual consumer advice on the reasons for an M or MA classification will be given prior to the commencement of an M or MA program.

8 Complaints

- 8.1 This Code of Practice does not apply to complaints concerning programs which are or become the subject of legal proceedings.

Complaints that the ABC has acted contrary to this Code of Practice should be directed to the ABC in the first instance. Phone complainants seeking a response from the ABC will be asked to put their complaint in writing. All such written complaints will receive a response from the ABC within 60 days from receipt of the written complaint.

The ABC will make every reasonable effort to resolve complaints about Code of Practice matters, except where a complaint is clearly frivolous, vexatious or not made in good faith or the complainant is vexatious or not acting in good faith.

- 8.2 **Independent Complaints Review Panel.** The ABC has established an Independent Complaints Review Panel (ICRP) to review written complaints which relate to allegations of serious cases of bias, lack of balance or unfair treatment arising from an ABC broadcast or broadcasts.

If a complainant making such an allegation does not receive a response from the ABC within six weeks or is not satisfied with the response, the complainant may ask the Convener of the ICRP to accept the complaint for review. Further information can be obtained from the Convener, Independent Complaints Review Panel, GPO Box 688, Sydney, NSW 2001 or by phoning (02) 9333 5639.

If the Convener rejects the complaint or if the complainant is dissatisfied with the outcome of the review and the complaint is covered by the ABC Code of Practice, the complainant may make a complaint to the Australian Broadcasting Authority about the matter.

- 8.3 **Australian Broadcasting Authority.** If a complainant:

- does not receive a response from the ABC within 60 days; or
 - the complainant is dissatisfied with the ABC response; or
 - the complainant is dissatisfied with the outcome of the ICRP review (as mentioned above); and
 - the complaint is covered by the ABC Code of Practice;
- the complainant may make a complaint to the Australian Broadcasting Authority about the matter.

9 Contact Addresses

Australian Broadcasting Corporation

GPO Box 9994, in the capital city of your State or Territory

Independent Complaints Review Panel

GPO Box 688, Sydney, NSW 2001

Australian Broadcasting Authority

PO Box Q500, Queen Victoria Building, NSW 1230