



Investigations

3WRB – Melbourne

Broadcasting advertisements and sponsorship influencing programming

The complaint

In May 2000 the ABA received a written complaint regarding Melbourne community radio station 3WRB. The complainant alleged that during its Vietnamese language program, 3WRB was breaching the conditions of its community broadcasting licence by broadcasting advertisements and by broadcasting more than five minutes of sponsorship announcements per hour.

The complainant alleged that announcements for Beyond 2000 Autocare, the Farm Alohoi Nursery and the ALW seminar were advertisements.

The complainant also alleged that 3WRB had, 'breached the Community Broadcasting Code of Practice by giving exclusive rights of advertisement to One World Communications'.

Relevant licence condition

Clause 9 of Schedule 2 to the Broadcasting Services Act sets out certain conditions applicable to services provided under community broadcasting licences and states, in part:

9. (1) Each community broadcasting licence is subject to the following conditions:

....

(b) the licensee will not broadcast advertisements, and the licensee will not broadcast sponsorship

announcements otherwise than as mentioned in subclause (3);

....

(3) A community broadcasting licensee may broadcast sponsorship announcements that run in total for not more than 5 minutes in any hour of broadcasting.

Relevant code of practice

The Community Broadcasting Code of Practice states:

Commensurate with the need to ensure active participation by the community in the station's management, development and operations, Code 4 of the Community Broadcasting Code of Practice requires that community broadcasters will adopt and implement — in consultation with their communities — a sponsorship policy which:

4.1 Ensures that sponsorship will not be a factor in determining access to broadcasting time.

4.2 Ensures that the content and style of individual programs is not influenced by the sponsors of programs.

4.3 Ensures that overall programming of community broadcasting stations is not influenced by sponsors.

Decision

The ABA determined that on 20 April 2000 and 23 May 2000 the licensee of

3WRB, Western Radio Broadcasters Inc., breached the condition of its community broadcasting licence by broadcasting advertisements during 3WRB's Vietnamese language program.

The ABA is of the view that announcements for Beyond 2000 Autocare, the Farm Alohoi Nursery and the ALW seminar all contain a strong commercial element and appear to be unambiguously designed to draw attention to and promote a commercial product, service or enterprise. They are all discrete items and could not be said to be an accidental or incidental accompaniment to the broadcasting of other matter.

Due to the strong commercial message contained in these announcements and their lack of a community or charitable element the ABA believes that these announcements cannot be regarded as community information/promotional material. They contain no acknowledgment of financial support and can therefore not be regarded as sponsorship announcements. Nor do they relate to the service provided under the licence.

Although the complainant stated that 3WRB were exceeding the amount of allowable time for the broadcasting of sponsorship announcements, details supplied by the complainant indicate that this was not the case for the broadcasts investigated by the ABA.

The ABA also concluded that the broadcasts in question did not breach Com-



STQ 7 Regional Queensland

Violence in program promotions

The complaint

On 2 November 2000, the ABA received a written complaint concerning the level of violence and the use of guns in program promotions broadcast by commercial television station STQ Regional Queensland during the period of the Olympic Games, 16 September 2000 to 1 October 2000.

The program promotions were for the M classified drama series 'Bad Girls' and 'Blue Heelers'. Both programs were promoted throughout the day (in various classification zones) from Saturday 16 September to Sunday 1 October 2000. During this period, most of the licensee's programming consisted of live or near live coverage of the Olympic Games.

There were three promotions for 'Bad Girls', one timed at approximately one minute, and the other two at 30 seconds. The full version consists of female voiceover introducing the characters as 'good girls' and 'bad girls'. The visuals include close-ups of characters' faces, an upset looking woman being held over a washbasin by another woman, a man and woman kissing, quick shots of women dancing in tasselled outfits on stage, a man carrying a large gun and dangling handcuffs, and a woman looking out of a cell window, then slumping down with an anguished cry. The final voice-over consists of a man's voice saying, 'Come inside, and see just how good bad can be'. Dramatic music runs throughout the pro-

motion, building to a climax at the end.

There are five different program promotions for 'Blue Heelers'. Channel 7 categorised these as 'softer' and 'harder' versions of the promotion. Two promotions were approximately one minute long (one 'softer', one 'harder') and three were approximately thirty seconds (two 'softer', one 'harder').

The one-minute 'softer' promotion comprises a male voice-over stating, slowly and in a sombre voice, 'It will happen to one of them ... a bullet will be loaded ... a gun will be pointed ... and a Blue Heeler will be *shot*'. Voices then repeat, ominously, 'who will it be?' as the camera pans the anxious, attentive faces of the Blue Heelers cast. The visuals then cut to an image of a gun falling to the ground, police officers seemingly searching a field carrying guns, a car being stopped by the police, quick visuals of one person pursuing another, and tense scenes in a hospital.

At various points there are close-ups of guns being pointed, and the promotion ends on a cutaway shot of a trigger about to be pulled as a voice shouts, 'Drop the weapon now!'. Much of the promotion is dark-lit, and dramatic music accompanies the visuals.

Relevant code of practice

The Commercial Television Industry Code of Practice states:

2.11 Material classified G is not necessarily intended for children but it must be very mild in impact and must



munity Broadcasting Code of Practice 4, as an examination of the written translations revealed that sponsorship announcements were made during the relevant broadcasts concerning numerous organisations. As a result, the ABA concluded that 3WRB had not given 'exclusive rights of advertisement to One World Communications'.

Action taken

3WRB advised the ABA that following the ABA's findings it had taken the following action:

1. Meetings were held between the Station Manager and the station's Vietnamese on-air presenters in relation to the importance of distinguishing between community service announcements, station promotions and paid sponsorships.
2. These same presenters underwent a period of retraining and were informed that their programs would be closely monitored in the future.
3. The station's computer network, software and scheduling was completely upgraded to minimise the possibility that computer errors could occur in the future i.e. doubling up of sponsorship announcements etc.
4. The ABA's report was distributed to all presenters at 3WRB. This information will also be incorporated into 3WRB's Training Agenda.

The ABA was satisfied with the above response and, as it was the first time that a breach of this nature had been found against the licensee, the ABA decided not to take any further action.