



3MEL/Nova FM Melbourne

Contemporary standards of decency, having regard for the likely characteristics of the audience of the licensee's service

Complaint

On 6 May 2003 the ABA received a complaint concerning the 'Double Dilemma' competition segment broadcast on Nova FM on 2 April 2003. The competition comprised a dilemma, set against the historical backdrop of Auschwitz in 1942, which required a contestant to respond to a question involving a choice between the survival of two family members.

In the complainant's view, the dilemma posed was offensive, demeaning and trivialised the Holocaust. It was argued that, as a consequence of the broadcast, significant offence was caused to the Jewish community, particularly to those who were the subject of the very real dilemma under the Nazis. The complainant pointed out that Melbourne is home to the largest population, proportionally, of Holocaust survivors in the world.

Decision

The ABA determined that on 2 April 2003, the licensee of 3MEL, Nova 100 Pty Ltd breached sub-clause 1.5(a) of the Commercial Radio Codes of Practice in that the segment, 'Double Dilemma' did not meet contemporary standards of decency having regard to the likely characteristics of the licensee's audience.

Action taken

The ABA notes and commends the licensee's prompt actions following receipt of complaints regarding the broadcast. In this regard it issued an on-air apology on the day of the broadcast and then again during the breakfast show the following day. The ABA notes, also, that in its response to the preliminary investigation report the licensee reiterated its acceptance that the dilemma caused offence to a section of the community and that it regretted the Auschwitz setting. The ABA proposes no further action against the licensee.



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