



SENATE INQUIRY INTO THE EFFECTIVENESS OF THE BROADCASTING CODES OF CONDUCT

QUESTION ON NOTICE FOLLOWING PUBLIC HEARING OF 23 MAY 2008

1. Complaints made to the Advertising Standards Bureau (ASB) relating to advertisements on commercial radio between 26 May 2007 and 26 May 2008

The below figures represent the number of complaints received by the ABS arising out of all advertisements broadcast by Commercial Radio Australia's 260 member stations during the twelve month period prior to 26 May 2008.

Complaints relating to language

- Only 4 complaints relating to language were made in the 12 months prior to 26 May 2008.
 - 3 of these complaints were dismissed by the ASB.
 - 1 complaint was upheld, and this related to an advertisement for Nandos in which the "F word" was ineffectively bleeped.

All complaints relating to advertisements (including the above language complaints)

- A total of 41 complaints (including the above 4 language complaints) regarding advertisements broadcast on commercial radio have been made to the ASB during the 12 months prior to 26 May 2008.
 - 29 of these complaints were dismissed.
 - 9 of these complaints were upheld.
 - 3 of these complaints were withdrawn or discontinued.
- The grounds of the complaints are detailed below. Three of the complainants invoked two grounds in relation to a single advertisement (44 grounds of complaint were invoked in the overall total of 41 complaints):
 - Language: 4 in total (1 upheld/3 dismissed)¹
 - Discrimination or vilification: 8 in total (1 upheld/5 dismissed/2 withdrawn)

¹ One of the dismissed complaints is also recorded as a complaint of *Violence (other)*. The complainant invoked both grounds.

- Portrayal of sex/sexuality/nudity: 18 (5 upheld/12 dismissed/1 withdrawn)²
- Violence (cruelty to animals): 4 in total (1 upheld/3 dismissed)^{3 4}
- Violence (other): 3 in total (1 upheld/2 dismissed)⁵
- Health & Safety: 2 in total (0 upheld/2 dismissed)
- Driving: 3 in total (0 upheld/3 dismissed)
- Other: 2 in total (1 upheld/1 dismissed)⁶

2. The total number of formal complaints (covering all Codes provisions) made to CRA member stations in 2007

- There were 198 formal complaints made to the 260 Commercial Radio Australia member stations between 1 January 2007 and 31 December 2007.
- This number represents the total number of formal complaints relating to alleged breaches of all Codes provisions (for example, program content and language, complaints processes, accuracy of reporting and so on).

3. The total number of formal complaints (covering all Codes provisions) made to the ACMA in 2007

- Complainants refer complaints up to the ACMA if they are not satisfied with the station's response to their formal complaint, or if the station does not respond within the required time period.
- There were 5 complaints referred to the ACMA in 2007 relating to alleged breaches of the Codes by commercial radio stations. One complaint is still being investigated. The ACMA's findings in relation to the other 4 were:
 - 2 breaches; and
 - 2 non-breaches.
- This number represents the total number of complaints referred up to the ACMA relating to alleged breaches of all Codes provisions (for example, program content and language, complaints processes, accuracy of reporting and so on).

The Committee should contact Joan Warner or Sarah Herbert on 02 9281 6577 if it has any further questions or requires further information.

² One of the dismissed complaints is also recorded as a complaint of *Violence (cruelty to animals)*. The complainant invoked both grounds.

³ The upheld complaint is also recorded as a complaint of *Other (causes alarm and distress)*. The complainant invoked both grounds.

⁴ One of the dismissed complaints is also recorded as a complaint of *Portrayal of sex/sexuality/nudity*. The complainant invoked both grounds.

⁵ One of the dismissed complaints is also recorded as a complaint of *Language*. The complainant invoked both grounds.

⁶ The upheld complaint is also recorded as a complaint of *Violence (cruelty to animals)*. The complainant invoked both grounds.