



NETWORK TEN

14 May 2008

Dr Ian Holland
Committee Secretary
Senate Standing Committee on Environment, Communications and the Arts
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Mr Holland

Thank you for providing Network Ten with the right to reply to the submission made by Media Standards Australia (MSA) to the inquiry into the effectiveness of the broadcasting Codes of Practice.

Network Ten takes its responsibilities under the Commercial Television Industry Code of Practice (Code) very seriously. We are a member of Free TV Australia, and strongly support the submission made by Free TV Australia to this inquiry. As that submission demonstrates, the Code provides a robust and successful framework for the regulation of content on free-to-air television, and for the resolution of complaints.

Big Brother is a popular reality television program now in its eighth year on Australian television. Each year we have put in place a number of classification safeguards to ensure compliance with the Code. These include:

- Hiring a dedicated classifier, based on set in Queensland, to work exclusively on the show. *Big Brother* is the only television program on free-to-air television which has its own classifier.
- Employing specially developed classification equipment to enable programs to be appropriately classified, for example, vision switching equipment allows the classifier to cut to an alternative camera view, and the 'bleep machine' allows for inappropriate comments to be obscured by an audio effect.
- Providing extensive cast and crew classification training sessions before the show airs, and providing cast and crew with written briefings on what can and cannot be broadcast.
- Ensuring that all programs are classified in accordance with the Code, and display classification symbols and consumer advice as appropriate.

Despite broadcasting between four to five different weekly television shows over a period of three months as part of each year's *Big Brother* series, only three episodes of *Big Brother* have ever been found in breach of the Code. All three episodes occurred in the 2005 season of *Big Brother Uncut*. Since then, there have been no more breaches

of the Code by *Big Brother* programs, demonstrating the effectiveness of the existing system.

We do not agree with Media Standards Australia's assertion that programs such as *Big Brother* have 'few or no guidelines'. As the Free TV Australia submission demonstrates, the Code has clear and firm rules for content at all classification levels. These cover classification elements such as nudity, adult themes and sexual themes. The rules are in line with community attitudes, as demonstrated by the extensive Code review process, research conducted by ACMA, and the complaints data.

Reality television content has recently been the subject of an extensive review by the broadcasting content regulator, the Australian Communications and Media Authority (ACMA). In 2007 ACMA released its report into reality television programming, of which *Big Brother* was a key focus. The report was based on public submissions, and qualitative and quantitative research conducted by ACMA. The report found that "the current regulatory arrangements are generally providing appropriate community safeguards" and that "the Code generally reflects current community standards."¹ The report did, however, make some recommendations for changes to the Code and these are being considered as part of the current Code review.

Network Ten takes great care to comply with the complaint handling provisions set out in the Code. We note that the letter described by MSA is not a Code complaint as it does not refer to offensive material broadcast on television (rather, it alleged that a website address was referred to which contained offensive material) and therefore is not a matter covered by the Code. We can confirm that we did investigate this matter and could not find any evidence of the segment referred to by MSA despite viewing the episode repeatedly.

Thank you for the opportunity to provide a right of reply.

Yours sincerely



Annabelle Herd
Head of Broadcast Policy

¹ Reality TV Review Final Report Volume 1, Page 1