

- A racial vilification law will not change the views of racists.
- Suppressing the expression of racist views could drive racists underground, where their activities could be even more dangerous.
- Prosecuting racists for breaking the law would allow them to use the courts as a platform from which to gain publicity for their views and perhaps make martyrs of themselves.

The paper contains an appendix which provides examples of racial vilification laws in New South Wales, Western Australia, New Zealand and Great Britain. Copies of the paper may be obtained from:

Committee to Advise the Attorney-General on  
Racial Vilification  
232 Victoria Parade  
EAST MELBOURNE VIC 3002  
Telephone: (03) 412 6229.

## tv violence in australia

Television: a medium, so called because it is neither rare nor well done.

Ernie Kovacs

*ABT report.* The Australian Broadcasting Tribunal's report on TV violence in Australia was released in May 1990. Senator Gareth Evans, then the Minister for Transport and Communications, commissioned the inquiry in May 1988 in response to increasing community concern about the effect of violent material on television, especially on children. Tragedies such as the Queen Street and Hobble Street shootings had increased this concern. The inquiry, headed by Deirdre O'Connor, then Chairman of the Tribunal, was asked to look at: the presentation and reporting of violence on television; what is the most appropriate method of ensuring that licensees properly

consider the suitability of violent material for screening; and the adequacy of powers under the Broadcasting Act 1942 to prevent unacceptable levels of violence in television programs. The Tribunal was to have regard to community concern that incidents of extreme violence represent an erosion of human sensibilities and respect for life, the role and influence of television in that erosion, the particular susceptibility of children and the media's responsibility to report events faithfully and accurately.

*conclusions.* The Tribunal rejected censorship as the answer to the problem of violence on television and recommended the development and implementation of a uniform self-regulatory industry code of practice by both commercial networks and the Australian Broadcasting Corporation and the Special Broadcasting Service.

*current system.* The Australian Broadcasting Tribunal sets program standards which include the criteria commercial stations must address when classifying programs and the times of day at which programs which fall within the G, PGR and AO classifications may be broadcast. Violence may occur across all categories but the Tribunal's Interim Television Program Standards, introduced in 1986, include guidelines for the level of violence appropriate for various classification categories. The Standards allow material which would not normally be permitted during a G timeslot to be shown in news programs but direct licensees that news programs must not present news in such a manner as to cause public panic or distress to viewers. The Tribunal's standards apply to commercial stations only. The ABC and SBS are responsible for their own programming but accept the Tribunal's standards as their own minimum standards. Since March 1986, the commercial stations have been responsible for classification of imported programs as well as local material. Prior to that time, classification of imported programs was carried out by the Film Censorship Board.

*powers of tribunal.* The Tribunal administers the present system by investigating complaints from the public and spot monitoring programs. At Licence Renewal Inquiries the Tribunal checks the procedures at individual stations for assessing the suitability of violent footage. The Broadcasting Act provides for various sanctions if standards have been breached including revocation or suspension of licence and the imposition of conditions on a licence. The inquiry concluded that the existing powers of the Tribunal under the Broadcasting Act are adequate.

*self-regulation.* The Tribunal recommended that the Australian television industry should draw up a uniform self-regulating code on the treatment of violence on television and that the code should have as its basis the Tribunal's Interim Television Program Standards. The code should be evaluated and updated at regular intervals by the television industry with regard to current community standards and the implementation of the code should be reviewed by the Tribunal within the normal licence renewal process. It recommended that the industry examine its approach to all programming giving special attention in the code to particular issues including the exercise of care in regard to the child audience, the depiction of suicide and the depiction of violence out of context.

*management procedures.* The Tribunal also recommended that effective management procedures be adopted to ensure responsible application and practice of the code. Unless this is done the operational personnel - camera operators, producers, editors - may be unaware of or unable to apply the Code. Appropriate senior staff should be responsible for the daily ongoing application of the standards and there should be internal training seminars and regular meetings between the various classification officers to ensure consistent decision making and to provide an internal forum for the discussion of classification issues.

*public awareness campaign.* The Tribunal

concluded that there is a definite need to conduct a campaign to teach the public about the system currently in place. The campaign should offer specific advice on the classification of programs and program content. Such a program would coincide with the current campaign, co-ordinated by the Office of Film and Literature Classification and run by the Office of Film and Literature Classification and the film industry, to raise community awareness of the Australian film and videotape classification system.

*children.* More than 90% of submissions received by the Tribunal referred to children's susceptibility to television violence. The Tribunal felt it was up to parents to direct children's viewing but they should be given assistance in providing such guidance through media education programs and the adoption by the industry of clear and appropriate program and scheduling classification practices. The Tribunal also recommended that the federal and State governments support a nationwide education program to enable parents and schools to assist children to deal with violence in television programs and that the Australian Education Council be requested to consider the introduction of appropriate television studies into all Australian primary and secondary schools.

*news.* Much attention was focussed on the news and current affairs program during the inquiry and the Tribunal recommended that the television industry examine its approach to news and current affairs programs, giving special attention in the Code to editorial policy and practice where graphic footage is available, care in the reporting of suicide and guidelines for programs which intrude into private grief. ■

## media law

1337—1453: The Hundred Years War. I found this in the big brown book in the hall. Mathematics were very primitive in those