

Senate Standing Committee on Environment and Communications
Answers to Senate Estimates Questions on Notice
Additional Estimates Hearings February 2014
Communications Portfolio
Australian Communications and Media Authority

Question No: 4

Program No. Australian Communications and Media Authority (ACMA)

Hansard Ref: Page 7/8 (25/2/2014)

Topic: Broadcasting Investigations – Alan Jones

Senator Urquhart asked:

How many investigations did the ACMA instigate into broadcast by Alan Jones in 2013?

Ms McNeill: Again, I do not have those figures to hand. But we would regard that as an investigation, again, against the licensee rather than against Mr Jones or any particular personality or presenter.

Senator Urquhart: Okay. Well, I understand that there are about 10 into that. Again, what were those investigations into?

Ms McNeill: Typically the same suites of issues. Again, my memory is that there was a combination of breach and non-breach findings.

Senator Urquhart: Are you able to provide on notice a little bit more detail about both of those?

Ms McNeill: I am happy to give you that.

Answer:

1. How many investigations did the ACMA instigate into broadcast by Alan Jones in 2013?
In 2013, the ACMA commenced ten investigations into broadcasts by Harbour Radio Pty Limited (2GB) of the *Alan Jones Breakfast Show*.
All investigations were commenced in response to complaints received from members of the public who had first complained to 2GB and were either not satisfied with the response they had received from 2GB or did not receive a response from 2GB.

2. What were those investigations into? Are you able to provide on notice a little bit more detail about both of those [breach and non-breach findings]?
All ten investigations referred to in the preceding answer concern 2GB's compliance with provisions of the *Commercial Radio Australia Codes of Practice 2011*.
Details of the eight investigations that have been completed are provided in the table below. As the table illustrates, in the eight investigations the ACMA found six breaches of the Code's complaint handling provisions and two breaches of the Code's accuracy provisions.

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Investigation no.	Subject matter	Applicable Code provision(s)	Outcome
2947 and 2960	Comments about government expenditure and the National Broadband Network	<ul style="list-style-type: none"> • Clause 2.2(a) – accuracy; • Clause 2.3(b) – presentation of significant viewpoints; • Clause 5.5 – complaint handling 	<p>No breach</p> <ul style="list-style-type: none"> • clause 2.2(a) • clause 2.3(b) <p>Breach</p> <ul style="list-style-type: none"> • clause 5.5 (one instance)^
2952, 2953 and 2954	Comments about corruption in the Department of Planning, public service wages and the US economy	<ul style="list-style-type: none"> • Clause 2.2(a) – accuracy; • Clause 5.5 – complaint handling 	<p>Breach</p> <ul style="list-style-type: none"> • clause 2.2(a) (accuracy in relation to public service wages only) • clause 5.5 (four instances)^
2962	Discussion on closure of power stations	<ul style="list-style-type: none"> • Clause 2.2(a) – accuracy; • Clause 2.3(a) – factual material distinguished from commentary • Clause 2.3(b) – presentation of significant viewpoints; • Clause 2.3(c) – ; viewpoints not misrepresented 	<p>No breach</p> <ul style="list-style-type: none"> • clause 2.3(a) • clause 2.3(b) • clause 2.3(c) <p>Breach</p> <ul style="list-style-type: none"> • clause 2.2(a)
2961	Statements about carbon dioxide emissions produced by human beings	<ul style="list-style-type: none"> • Clause 2.2(a) – accuracy 	<p>No breach</p> <ul style="list-style-type: none"> • clause 2.2(a)
3075	Premature reporting of death of a rugby league player	<ul style="list-style-type: none"> • Clause 2.2(a) – accuracy; • Clause 5.5 – complaint handling 	<p>No breach –</p> <ul style="list-style-type: none"> • clause 2.2(a) <p>Breach</p> <ul style="list-style-type: none"> • clause 5.5

^Investigations involved multiple complainants

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Investigation reports are available from the ACMA's website at

<http://www.acma.gov.au/theACMA/ACMAi/Investigation-reports/Radio-investigations>

As the remaining two investigations are pending, we are unable to give further details at this time.