

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: 5

Program No. Australian Communications and Media Authority (ACMA)

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

Topic: Broadcasting Investigations – ABC radio

Senator Urquhart asked:

How many investigations did the ACMA instigate into broadcasts by ABC radio in 2013?

Ms McNeill: I do have those figures for the financial years but not by calendar year. In the 2012–13 financial year we opened 57 investigations into the ABC's compliance with codes of the act. In 2013–14, to date we have opened 29 investigations.

Senator URQUHART: Would you be able to break that down into 2013 and provide some further information on that on notice as well?

Ms McNeill: I would, yes.

Senator URQUHART: And what were those investigations into?

Ms McNeill: Again, a full gamut of matters. Some of them concerned captioning, some concern accuracy, some concern complaints about impartiality and there is some concern about harm and offence. There is a provision in the ABC code dealing with harm and offence. It is a full range of matters.

Senator URQUHART: Again, if you could provide a bit more detail on notice, that would be great.

Answer:

In 2013, the ACMA commenced 15 investigations into broadcasts by ABC radio. All investigations were commenced in response to complaints received from members of the public who had first complained to the ABC and were not satisfied with the response they had received from the ABC.

All 15 investigations referred to in the preceding answer concern compliance with the *ABC Code of Practice 2011* (the Code). The outcome in all 15 investigations was a 'no breach' finding.

Details of the investigations are provided in the table below.

Investigation no.	Subject matter	Applicable Code provisions
2949	Comments on climate change sceptics	Principle 4 – Impartiality and diversity of perspectives: <ul style="list-style-type: none">• Standard 4.1 – impartiality• Standard 4.3 – state or imply that any perspective is editorial opinion of the ABC• Standard 4.4 – misrepresentation of perspective• Standard 4.5 – unduly favour one perspective over another; Principle 7 – Harm and offence <ul style="list-style-type: none">• Standard 7.1 – harm and offence;• Standard 7.7 – prejudice and stereotypes
2972	Discussion on acupuncture	Principle 4 – Impartiality and diversity of perspectives: <ul style="list-style-type: none">• Standard 4.2 – present a diversity of perspectives over time.

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

Investigation no.	Subject matter	Applicable Code provisions
		<ul style="list-style-type: none"> • Standard 4.5 – unduly favour one perspective over another
2977	Use of term ‘Prophet Muhammad’	Principle 4 – Impartiality and diversity of perspectives: <ul style="list-style-type: none"> • Standard 4.1 – impartiality
3000	Comments about Dutch people	Principle 7 – Harm and offence <ul style="list-style-type: none"> • Standard 7.7 – Prejudice and stereotypes
3001	Discussion on impact of family violence on women’s health	Principle 2 – Accuracy <ul style="list-style-type: none"> • Standard 2.1 – reasonable efforts to ensure material facts are accurate and in context
3002	Discussion on Schapelle Corby	Principle 4 – Impartiality and diversity of perspectives <ul style="list-style-type: none"> • Standard 4.1 – impartiality Principle 5 – Fair and honest dealing <ul style="list-style-type: none"> • Standard 5.1 – dealing with participants • Standard 5.7 – undertakings
3032	Discussion on climate change	Principle 2 – Accuracy <ul style="list-style-type: none"> • Standard 2.1 – reasonable efforts to ensure material facts are accurate and in context • Standard 2.2 – presentation of factual content in a way that will materially mislead Principle 4 – Impartiality and diversity of perspectives <ul style="list-style-type: none"> • Standard 4.1 – impartiality
3040	Comment about a person’s medical condition	Principle 4 – Impartiality and diversity of perspectives <ul style="list-style-type: none"> • Standard 4.1 – impartiality Principle 7 – Harm and offence <ul style="list-style-type: none"> • Standard 7.1 – harm and offence • Standard 7.7 – prejudice and stereotypes
Investigation no.	Subject matter	Applicable Code provisions
3078	Discussion on flying foxes and Hendra virus	Principle 2 – Accuracy <ul style="list-style-type: none"> • Standard 2.1 – reasonable efforts to ensure material facts are accurate and in context
3111	Interview with politician	Principle 2 – Accuracy <ul style="list-style-type: none"> • Standard 2.1 – reasonable efforts to ensure material facts are accurate and in context Principle 4 – Impartiality and diversity of perspectives <ul style="list-style-type: none"> • Standard 4.1 – impartiality
3114	Caller’s description of medical consultation and naming their doctor	Principle 6 – Privacy <ul style="list-style-type: none"> • Standard 6.1 – Privacy

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

Investigation no.	Subject matter	Applicable Code provisions
3115	Offensive language	Principle 7 – Harm and offence <ul style="list-style-type: none"> • Standard 7.1 – harm and offence • Standard 7.2 – reasonable efforts to provide information about potentially harmful or offensive content
3116	Parody of gender composition of the new federal government ministry	Principle 7 – Harm and offence <ul style="list-style-type: none"> • Standard 7.1 – harm and offence • Standard 7.7 – prejudice and stereotypes
3123	Discussion on measles outbreak	Principle 2 – Accuracy <ul style="list-style-type: none"> • Standard 2.1 – reasonable efforts to ensure material facts are accurate and in context • Standard 2.2 – presentation of factual content in a way that will materially mislead
3142	Discussion on amalgamation of councils	Principle 2 – Accuracy <ul style="list-style-type: none"> • Standard 2.1 – reasonable efforts to ensure material facts are accurate and in context Principle 5 – Fair and honest dealing <ul style="list-style-type: none"> • Standard 5.3 – opportunity to respond to allegations

Investigation reports are available from the ACMA's website at <http://www.acma.gov.au/theACMA/ACMAi/Investigation-reports/Radio-investigations>