

Senate Standing Committee on Environment and Communications
Answers to Senate Estimates Questions on Notice
Additional Estimates Hearings February 2015
Communications Portfolio
Australian Broadcasting Corporation

Question No: 41

Program No. Australian Broadcasting Corporation

Hansard Ref: 24/02/2015 Page 94-95

Topic: Legal unit oversight

Senator CANAVAN asked:

Mr Scott: We have a legal unit. There is extensive 'legaling' of programs before they go to air if there is a belief that there is a legal issue involved with them, and our lawyers can be quite involved in those programs. I am not in a position to tell whether this was 'legaled' before it went to air, but we will deal with Mr Cooper's complaint. I understand that The Australian has a strong point of view on it. We will let our independent review team take a look at it.

Senator CANAVAN: Can you take it on notice then, whether lawyers provided advice on the story before it went to air...

Senator CANAVAN: ...and obviously make your own judgements in your response. That is the pre—before the story. I would also be interested in whether you have had any legal advice subsequent to the story airing. I note already that on the Media Watch website at least there has been a correction about a quote that was attributed to the NHMRC. I do not know what that stands for.

Mr Scott: National Health and Medical Research Council.

Senator CANAVAN: National Health and Medical Research Council, I think. Are there any plans to provide any further corrections?

Mr Scott: I believe this is ongoing, and it will be looked at by our independent complaints review process. I will be able to give you more information on notice on that.

Mr Scott: They sometimes do go to people, so we can take that on notice.

Senator CANAVAN: In my experience, good journalists come and talk to you first. They make the time to do that. Can I also ask you to look, in particular, at claims that were, I think, made yesterday in an article in The Australian. I do not know if this would be captured by your process, but I just want to make sure that certain researchers in Media Watch—Mr Duxfield, I think, in particular—received advice that was different to the line taken in the story and received advice that the research, by Mr Cooper in this case, was a reasonable scientific inquiry. None of that opinion was reported in the story. I am sure you are not, potentially, aware of all the details there. Some of that advice came from the acoustics experts, such as Dr Paul Schomer, and I would just like you to take on notice why that advice, which apparently was received before the story went to air, was not reflected in the subsequent story.

Mr Scott: I will take questions on that on notice.

Answer:

The script for *Media Watch* is reviewed by the Executive Producer of the program, the Presenter and a lawyer from ABC Legal every Monday morning prior to broadcast. Amendments and modifications are suggested and agreed upon by all present before the script is finalised.

Senate Standing Committee on Environment and Communications
Answers to Senate Estimates Questions on Notice
Additional Estimates Hearings February 2015
Communications Portfolio
Australian Broadcasting Corporation

The scripts for the *Media Watch* episodes broadcast on 23 February and 2 March 2015, challenged *The Australian's* story, which claimed Mr Steven Cooper's report contained 'groundbreaking evidence' that suggested wind farms were dangerous to health, were subject to this process.

Media Watch published a joint statement from Mr Cooper and Pacific Hydro (who commissioned the report on the Cape Bridgwater wind farm) on its website:

http://www.abc.net.au/mediawatch/transcripts/1503_jointstatement.pdf

In the joint statement, both Mr Cooper and Pacific Hydro agree that Mr Cooper's study was neither a scientific study nor a health study.

Mr Cooper has not commenced legal action against the ABC in relation to this program.