

**From:** Community Broadcasting  
**Sent:** Friday, 5 April 2013 10:16 AM  
**To:** Broadcasting  
**Cc:** Community Broadcasting  
**Subject:** FW: [SEC=UNCLASSIFIED]  
**Attachments:** 20130405084548643.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[For BIS](#)

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**From:** [REDACTED]  
**Sent:** Friday, 5 April 2013 9:52 AM  
**To:** Community Broadcasting  
**Subject:** [SEC=UNCLASSIFIED]

**GREG WILSON**

Villa 3 - Moreton View Tower & Villas  
42 Ferry St, Kangaroo Point  
Brisbane, QLD 4169

**AUSTRALIA**

Tel: (07) 3217 4759  
Mob: 0414 233 971  
Email: [gwequis@iinet.net.au](mailto:gwequis@iinet.net.au)

**3 April 2013**

The Director  
Community Complaints  
Australian Communications & Media Authority  
P O Box Q500  
Queen Victoria Building  
**SYDNEY NSW 2000**

**Dear Sirs**

**CODE COMPLAINT CONCERNING ABC Q&A PROGRAMME 11 APRIL 2013 &  
ABC'S SUBSEQUENT MANAGEMENT OF COMPLAINTS HANDLING PROCESS**

Enclosed please find a completed copy of your standard complaints form in relation to this matter, together with copies of all relevant email correspondence between the writer and Ms Claire Gorman ABC's Audience and Consumer Affairs Unit, as referred.

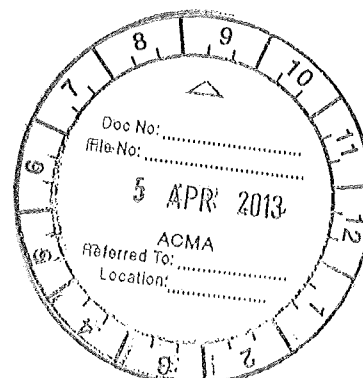
I request your investigation into:

- The original complaint made in relation to the programme content and its claimed breach of ABC's published and committed Editorial Policies Principles & Standards
- The complaint consideration, investigation and response process adopted by ABC in its response to the original complaint.

I look forward to receiving your report and findings in due course.

Yours sincerely

**GREG WILSON**



# ACMA broadcasting complaint form



## Instructions for completion

### What to provide

#### Code complaints

A complaint about a matter that is covered by a code of practice must be first made to the station concerned. If your complaint is about a matter that is covered by a code of practice, please provide details on this form and attach:

- a copy of your complaint to the station
- a copy of the station's response to you, if received
- a copy of any other correspondence between you and the station.

#### Complaints about a licence condition or standard

If your complaint is about a licence condition matter or a standard, it can be made directly to ACMA. Please provide details on this form.

### Where to send your complaint

#### Complaints about community broadcasting services

Community complaints  
Community Broadcasting Group  
Australian Communications and Media Authority  
PO Box Q500  
Queen Victoria Building  
SYDNEY NSW 2000  
Fax: 02 9334 7799  
Email: [communitybroadcasting@acma.gov.au](mailto:communitybroadcasting@acma.gov.au)

#### Complaints about other broadcasting services

Assistant Manager  
Investigations Section  
Australian Communications & Media Authority  
PO Box Q500  
Queen Victoria Building  
Sydney NSW 2000  
Fax: 02 9334 7799  
Email: [broadcasting@acma.gov.au](mailto:broadcasting@acma.gov.au)

### Interpreter assistance

Interpreter assistance in making a complaint about a radio or television broadcast can be arranged, at cost to ACMA. The Telephone Interpreter Service is a national service and can be contacted during business hours on 131 450.

### Privacy notes

- As a complaint about a code matter must be made to the station before it is made to ACMA, the name and address of the complainant are usually disclosed to that licensee.
- As a complaint about a licence condition or standard can be made directly to ACMA, the name and address of the complainant are usually not disclosed to a licensee, unless the consent of the complainant has been obtained.
- ACMA publishes most investigation reports on its website and includes a summary in its Annual report and other ACMA publications. A media release may also be issued. ACMA's usual practice is to not use a complainant's name in an investigation report. However, complainants need to be aware that some details of the complaint may receive publicity, regardless of whether a breach is found.

## Personal information

|            |        |
|------------|--------|
| Surname    | Wilson |
| Given name | Greg   |
| Title      | Mr     |

### Address

|                          |
|--------------------------|
| 3/42 Ferry St            |
| Kangaroo Point, Brisbane |
| 4169                     |

### Contact details

|        |                         |
|--------|-------------------------|
| Home   | ( 07 3217 4759 )        |
| Work   | ( )                     |
| Mobile | (0414 233 971 )         |
| Fax    | ( )                     |
| Email  | ( gwequis@inet.net.au ) |


## Complaint information

|  |                   |   |
|--|-------------------|---|
| Complaint issue/s<br>Failure by Broadcaster to meet and adhere to its published editorial policies, principles and standards. Failure of the broadcaster to deal correctly and objectively with a complaint in this regard submitted by a member of the public |                   | Time and date of broadcast (if applicable)<br>11 February 2013 - Evening                                |
| Code provision, licence condition or standard (if known)<br>1) Editorial Policies Principles & Standards – Sections 1 & 4<br>2) ABC's internal complaints handling procedures and process  |                   | <b>For code complaints:</b><br>Date of complaint to station (attach copy of letter)<br>12 February 2013 |
| Station ABC 1  | Location National | Date of station reply (attach copy of letter if received)<br>27 February 2013                           |
| Program title (if applicable) Q&A  |                   |   |

## Complaint summary

|   |
|---|
| Please refer to attached chain of email correspondence  |
| Original complaint – 12 February 2013   |
| ABC Audience & Consumer Affairs Unit response – 27 February 2013  |
| Complainants further response to ABC – 27 February 2013   |
| ABC Further response 14 March 2013  |
| Complainant reply – 14 March 2013   |
| Further response from Clair Gorman of ABC – 18 March 2013   |
| Details of my original complaint can be found in my first email of 12 February 2013. As you will see Ms Gorman  |
| Of the ABC Consumer Affairs Unit who allegedly "investigated" the original complaint either misread the   |
| Basis and nature of complaint or chose to re-characterise the complaint to suit a pre-determined response.  |
| Further correspondence from the ABC clearly indicates that the ABC's investigation into the matter was not carried out in good faith, with proper professional due diligence, or with genuine impartiality and objectivity, and that the ABC's Audience and Consumer Affairs complaint process has – at least in this instance – been manipulated to whitewash a legitimate public concern. |
| Apart from the ABC's failure to properly deal with the complaint itself, it's self-serving response manipulation of process undermines the integrity of any claimed self-regulatory system and breaches faith with the public.  |

I seek an objective investigation into my original claim of a breach of standards by the ABC in relation to the programme under discussion and a further investigation into the ABC's - and it's responsible officers' - process in their handling of the original complaint.

 GREG WILSON.  
3 April 2013

## Greg Wilson

---

**From:** Greg Wilson <gwequis@inet.net.au>  
**Sent:** Monday, 18 March 2013 4:17 PM  
**To:** 'ABC Corporate\_Affairs10'  
**Subject:** RE: Email to the ABC of 12 February 2013 (ABC reference C11601-13)

Thank you, Claire.  
GW

**From:** ABC Corporate\_Affairs10 [mailto:Corporate\_Affairs10.ABC@abc.net.au]  
**Sent:** Monday, 18 March 2013 3:54 PM  
**To:** 'Greg Wilson'  
**Subject:** RE: Email to the ABC of 12 February 2013 (ABC reference C11601-13)

Dear Mr Wilson

I am an Investigator in the Investigations Unit of Audience and Consumer Affairs.

Yours sincerely

Claire M Gorman

**From:** Greg Wilson [mailto:gwequis@inet.net.au]  
**Sent:** Thursday, 14 March 2013 1:28 PM  
**To:** ABC Corporate\_Affairs10  
**Subject:** RE: Email to the ABC of 12 February 2013 (ABC reference C11601-13)

Thanks Claire

But, with respect, you have misread again.

Refer the section in your most recent reply highlighted in yellow below.

Now refer the extract from my original complaint as reproduced here:

“contrary to your organisation's published Editorial Policies Principles & Standards (the Code), in particular: Section 1 - Independence, Integrity & Responsibility, specifically Code commitments 1.1;1.2 & 1.3 & Section 4 - Impartiality & Diversity of Opinion - specifically Code commitments 4.1;4.3;4.4 & 4.5”  
Note the section highlighted in green above. My original message made it abundantly clear that I was referring to your Editorial Principles and Standards.

In the consideration of a very simple complaint you have made two fundamental and inexcusably sloppy errors in actually just reading and understanding the complaint itself.... This hardly inspires confidence in the discipline and process of your “review” of the material to which the complaint itself relates (which, based on the content of your email seems to have been your personal responsibility).

Can you please advise by reply your position within ABC’s “Audience & Consumer Affairs Division”, so that I know the who I’m actually dealing with here, and for appropriate referencing in the ACMA submission.

Regards  
GW

**From:** ABC Corporate\_Affairs10 [mailto:Corporate\_Affairs10.ABC@abc.net.au]  
**Sent:** Thursday, 14 March 2013 10:52 AM

**To:** 'gwequis@inet.net.au'

**Subject:** Email to the ABC of 12 February 2013 (ABC reference C11601-13)

Dear Mr Wilson

Thank you for your further email.

Firstly to clarify, the reference to the Code in a response to a complaint that raises code issues is required under the ABC's complaints handling procedures. Furthermore, I provided the link to the Code of Practice because it appeared from my reading of your complaint that in fact you were referring to the ABC's Editorial Policies in your original email. This conclusion was drawn from the fact that you quote section 1 in your email. The provisions under section 1 which you quote do not exist in the ABC Code of Practice.

It does appear however that I misread part of your complaint. I do apologise. I did review the Q & A program in question in light of your claim that Tony Jones and the production team were biased against the Coalition and Tony Abbott and I am satisfied that this was not the case. The third and fourth paragraphs of my email did address the question of bias/impartiality directly. Specifically I am satisfied that there was no breach of either the editorial standards regarding impartiality outlined in Part IV, section 4 of the Code or in section 4 of the ABC's Editorial Policies. With regard to your reference to section 1 of the Editorial Policies, I am also satisfied that there has been no breach of these standards in the show.

Yours sincerely

Claire M Gorman

**From:** Greg Wilson [mailto:gwequis@inet.net.au]

**Sent:** Wednesday, 27 February 2013 12:19 PM

**To:** ABC Corporate\_Affairs3

**Subject:** RE: Wilson - Email to the ABC of 12 February 2013 (ABC reference C11601-13)

Dear Claire

ABC - Audience & Consumer Affairs Unit

I find your response (below) utterly breathtaking.

Rather than approaching the issues raised with professionalism and integrity, it would appear that your unit has chosen to completely reconstruct the basis of my complaint in order to provide itself with a platform from which it can then disingenuously deny any fault.

Kindly refer to the contention highlighted in yellow in your email below. Now refer to my actual complaint and point out to me please, where the claim that you attribute to me (and on which your investigation is based) is actually made by me?

Apart from the matter of obvious generalised bias (which your response completely and conveniently ignores) the crux of my complaint is highlighted in my original email in blue. Your response ( and therefore, it can be presumed, your "investigation") fails totally to address the issues I raised or the conduct of the relevant ABC employees and executives against your committed standards.

My complaint provided you with clear reference points to the claimed breaches by your personnel of your Code of Practice, however – while not denying that these breaches have in fact occurred – your response completely and dismissively ignores this entire issue and then patronisingly provides me with weblinks to the Code of Practice to which I have already referred you.

Your response demonstrates that your internal complaints review process is an utter farce and disgrace.

I suspect that it will be of little interest to them however you may wish to advise your unit's executive, the show's host, producer, and your MD, that my original complaint, compounded by the manner in which it has been dealt with by your organisation – is being referred to the ACMA.

Regards  
GREG WILSON

**From:** ABC Corporate\_Affairs3 [[mailto:Corporate\\_Affairs3.ABC@abc.net.au](mailto:Corporate_Affairs3.ABC@abc.net.au)]  
**Sent:** Wednesday, 27 February 2013 10:23 AM  
**To:** 'gwequis@inet.net.au'  
**Subject:** RE: Wilson - Email to the ABC of 12 February 2013 (ABC reference C11601-13)

Dear Mr Wilson

Thank you for your email of 11 February regarding the Q & A program that night.

In accordance with the ABC's complaint handling procedures, your correspondence has been referred to Audience & Consumer Affairs, a unit which is separate to and independent of program making areas within the ABC. The role of Audience & Consumer Affairs is to investigate complaints alleging that ABC content has breached the ABC's editorial standards.

We understand you are concerned that Tony Jones was biased against the Coalition, the Leader of the Opposition Tony Abbott and Senator George Brandis in his moderation of the panel discussion. Accordingly, we have reviewed the program against the ABC standards for impartiality as set out in section 4 of the ABC's Editorial Policies document (<http://about.abc.net.au/wp-content/uploads/2012/06/EditorialPOL2011.pdf>).

You claim that Tony Jones did not allow Liberal's Senator George Brandis or James Patterson form the IPA adequate opportunity to have their say. On review of the show, we cannot agree that this was the case. Both Senator George Brandis and James Patterson were provided with the opportunity to express themselves. They were asked follow up questions in the same way that Tony Jones asked follow up questions of Senator Evans and the other panellists.

With regard to the video question posed at the end of program concerning the media appearances of the Leader of the Opposition, we are satisfied that Tony Jones conducted this part of the discussion in keeping with the ABC's impartiality standards. He ensured that both James Patterson and George Brandis were provided with an opportunity to have their say and they robustly defended Mr Abbott and his approach to media. He did not pass a negative or positive judgement on Mr Abbott or his approach. In fact he said at one point: " But I'm not personally complaining. I'm just saying there is a general observation that's being made."

Thank you again for taking the time to write and express your views. Please be assured that your views have been passed onto the Q & A team for their reference.

For your reference a copy of the ABC's Code of Practice can be found at: <http://about.abc.net.au/wp-content/uploads/2012/12/CodeofPractice2013.pdf>. Should you be dissatisfied with this response, you may be able to pursue your complaint with the Australian Communications and Media Authority (<http://www.acma.gov.au>).

Yours sincerely

Information logged via website

Date/time submitted: 12/02/2013 7:01:59 PM

Salutation: Mr

First name: G

Surname: Wilson

Email address: [gwequis@iinet.net.au](mailto:gwequis@iinet.net.au)

State: QLD

Country: Australia

Case type: Complaint

Response required?: True

Issue category: Bias or lack of impartiality

Platform: Television

Service: ABC1

Program name: Q&A

Program date: Monday February 11

Program URL:

Comments: There is no question that in their presentation and direction of this programme your programme host, Tony Jones, and the programme's Producer, demonstrated extreme, overt and consistent bias against the Coalition and Tony Abbott. I am no fan of George Brandis, however Jones' persistent snide comments on and mockery of comments and responses made by Brandis and IPA representative, James Patterson on practically every topic discussed... while failing to direct even the most modest scrutiny of, or challenge to, Labor's position on these matters as expressed by Chris Evens, was totally unacceptable and completely contrary to your organisation's published Editorial Policies Principles & Standards (the Code), in particular: Section 1 - Independence, Integrity & Responsibility, specifically Code commitments 1.1;1.2 & 1.3 & Section 4 - Impartiality & Diversity of Opinion - specifically Code commitments 4.1;4.3;4.4 & 4.5 I consider your managing director (in failing to exercise his ultimate editorial responsibility) the host and the programmes's producer to be equally responsible for these breaches and request formal investigation into their conduct. G Wilson  
[gwequis@iinet.net.au](mailto:gwequis@iinet.net.au)

Web form used: <http://about.abc.net.au/talk-to-the-abc/lodge-a-complaint/>

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9 April 2013

Mr Greg Wilson  
Villa 3 – Moreton View Tower & Villas  
42 Ferry St, Kangaroo Point  
Brisbane QLD 4169

ACMA file reference: ACMA 2013/4-2  
C 22306

Dear Mr Wilson

Thank you for your letter, received by the Australian Communications and Media Authority on 5 April 2013, regarding your concerns about the broadcast of Q&A on 11 February 2013 on the ABC.

The matters you have raised are under consideration and you will be contacted again in due course.

Yours sincerely

  
Broadcasting Investigations Section

12 April 2013

Mr Greg Wilson  
Villa 3 – Moreton View Tower & Villas  
42 Ferry St  
KANGAROO POINT QLD 4169

ACMA file reference: ACMA2013/4-2  
C 23306

Dear Mr Wilson

I refer to your complaint to the Australian Communications and Media Authority (the ACMA) about Q&A broadcast on ABC TV on 11 February 2013.

Having examined your complaint, I am writing to advise you what the ACMA can and cannot do in relation to it, and to seek your advice as to whether you would like the ACMA to pursue the matter in light of this information.

#### **What the ACMA can do**

The ACMA can investigate whether the ABC complied with clauses 4.1, 4.3, 4.4 and 4.5 of the *ABC Code of Practice 2011* (copy enclosed) in the broadcast of concern to you.

#### **What the ACMA cannot do**

The ACMA cannot investigate how the ABC handled your complaint. The ACMA can relevantly only investigate matters covered by the ABC code. The ABC's complaint procedures do not form part of the ABC code (see highlighting on the back cover of enclosed code booklet).


The ACMA cannot investigate whether the ABC complied with section 1 of its Editorial Standards and Policies. The ABC's Editorial Standards and Policies is a different instrument from its code of practice. The code of practice does not contain any requirements that mirror clauses 1.1, 1.2 and 1.3 of the Editorial Standards and Policies. The ACMA is relevantly only able to investigate complaints that the ABC has complied with the code.

#### **Advice sought**

It is unclear whether you would wish the ACMA to conduct an investigation which would be limited in scope in the way I have outlined above. Accordingly, your advice on the matter is sought.

No further action will be taken in relation to your complaint until and unless I receive advice from you on this.

Yours sincerely

  
Assistant Manager  
Broadcasting Investigations Section  
Encl: *ABC Code of Practice 2011*

**GREG WILSON**

Villa 3 - Moreton View Tower & Villas  
42 Ferry St, Kangaroo Point  
Brisbane, QLD 4169

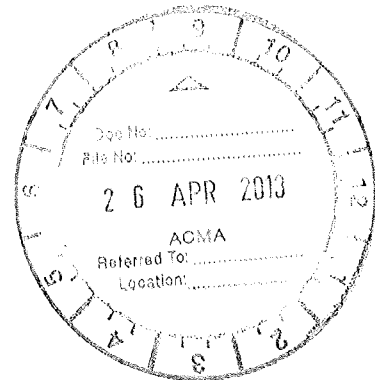
**AUSTRALIA**

Tel: (07) 3217 4759  
Mob: 0414 233 971  
Email: [gwequis@iinet.net.au](mailto:gwequis@iinet.net.au)

23 April 2013

Assistant Manager - Broadcasting Investigations Section  
ACMA  
P O Box Q500  
Queen Victoria Building  
SYDNEY NSW 1230

Dear [REDACTED]



**ACMA file reference: ACMA2013/4-2  
C 23306**

Thank you for your letter of 12 April in response to my complaint dated 3 April regarding the ABC TV Q&A Broadcast of 11 February (the programme) and the subsequent handling by the ABC of my original complaint made directly to the ABC.

I acknowledge and appreciate your explanation about what ACMA "can and cannot do" in the circumstances. In particular I note the curious distinction that the ABC's published *"Editorial Policies, Principles and Standards"* (the Editorial Policies) are not directly reflected in its *"Code of Conduct"* (the Code) – the subtle (and not immediately obvious) difference being that Section 1 of the former document – *"Independence, Integrity & Responsibility"* – is conveniently omitted from the latter. I also note your advice that the ABC has elected to exempt its complaint handling procedures from Code of Conduct oversight. So much for transparent self-regulation.

Nevertheless, since Sections 4.1, 4.3, 4.4 and 4.5 of the Editorial Policies and the Code appear to be identical, in response to the advice sought, I confirm that **I do wish ACMA to proceed with an investigation into whether the ABC has – in its direction and delivery of this programme – breached any of these Sections of the Code.**

In particular I request I believe the investigation should consider whether the programme was managed and presented in such a way that ACMA is fully satisfied that:

- All "information" was presented with due impartiality
- No particular perspective was implied as "editorial opinion"

- The production and presentation accurately and fairly represented the perspectives of all participants (and the entities they represent)
- Did not unduly favour one perspective over another.

I look forward to hearing the outcome of your investigation in due course. Perhaps in the meantime you could advise the nature and scope of penalties and/or sanctions available to ACMA for enforcement against a broadcaster who is found through ACMA investigation to have been in breach of its established Code of Conduct.

Yours sincerely



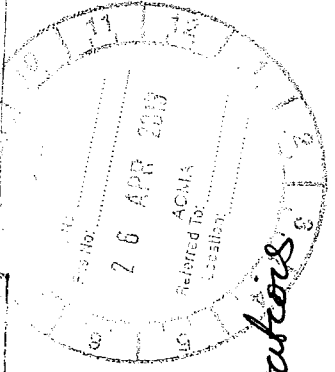
**GREG WILSON**

UNC 505 123

APR 2013



POSTAGE LABEL Q&Q AREA



Assistant Manager  
Broadcasting Investigations  
ACMA  
PO Box Q500  
Queen Victoria Building  
NSW 1230

26 April 2013

Mr Greg Wilson  
Villa 3, Moreton View Tower & Villas  
42 Ferry St  
Kangaroo Point QLD 4169

ACMA file reference: ACMA2013/4-2  
C 22306

Dear Mr Wilson

Thank you for your letter dated 23 April 2013, received by the Australian Communications and Media Authority (the ACMA) on 26 April 2013, regarding your concerns about Q & A. I can confirm that your request to investigate the matter has been noted. You will be contacted again in due course.

In response to your additional request, I can inform you that the ACMA's powers in relation to remedial action in relation to breaches of the *ABC Code of Practice 2011* are dealt with under ss.152-153 of the *Broadcasting Services Act 1992* (Cth), which are produced for you below:

**152**

**Action by ACMA where complaint justified**

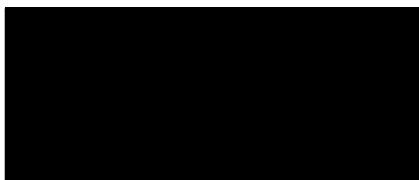
- (1) If, having investigated a complaint, the ACMA is satisfied that:
  - (a) the complaint was justified; and
  - (b) the ACMA should take action under this section to encourage the Australian Broadcasting Corporation or the Special Broadcasting Service Corporation to comply with the relevant code of practice; the ACMA may, by notice in writing given to the Australian Broadcasting Corporation or the Special Broadcasting Service Corporation, recommend that it take action to comply with the relevant code of practice and take such other action in relation to the complaint as is specified in the notice.
- (2) That other action may include broadcasting or otherwise publishing an apology or retraction.
- (3) The ACMA must notify the complainant of the results of such an investigation.

**ACMA may report to Minister on results of recommendation**

- (1) If:
- (a) the ACMA has made a recommendation to the Australian Broadcasting Corporation or the Special Broadcasting Service Corporation under section 152; and
  - (b) the Australian Broadcasting Corporation or the Special Broadcasting Service Corporation, as the case may be, does not, within 30 days after the recommendation was given, take action that the ACMA considers to be appropriate;
- the ACMA may give the Minister a written report on the matter.
- (2) The Minister must cause a copy of the report to be laid before each House of the Parliament within 7 sitting days of that House after the day on which he or she received the report.

I hope this information has been of assistance to you.

Yours sincerely



Broadcasting Investigations Section

|   |  |
|---|--|
| <b>Complainant</b>  | Mr G Wilson  |
| <b>File No.</b>   | ACMA2013/4-2   |
| <b>Broadcaster</b>  | Australian Broadcasting Corporation  |
| <b>Station &amp; locality</b>   | ABQ - Brisbane   |
| <b>Type of Service</b>  | National Broadcaster   |
| <b>Name of Program</b>  | Q&A  |
| <b>Date of Broadcast</b>  | 11/2/13  |
| <b>Substance of Complaint</b>   | Bias against the Coalition and Opposition Leader Tony Abbott.  |
| <b>Relevant Provisions</b>  | <i>ABC Code of Practice 2011</i><br>Standards:<br>4.1 Gather and present news and information with due impartiality<br>4.3 Do not state or imply that any perspective is the editorial opinion of the ABC<br>4.4 Do not misrepresent any perspective<br>4.5 Do not unduly favour one perspective over another. |
| <b>Breaches of provision by ABC in last year</b>                          | None   |
| <b>Current investigation for ABC involving Standard 4 of the ABC Code</b> | 11 - See attachment  |
| <b>Complaint handling issue?</b>  | N/A (2011 ABC Code)  |
| <b>ABC to be asked for/advised:</b>                                       | Copy of broadcast, may seek further later  |
| <b>Complainant to be advised:</b>   | Investigation commencing   |

**Comments:**

- The panel discussion apparently dealt with questions about Mining Tax and Labor, Northern Policy and Tony Abbott's ability to handle TV interviews.
- The complainant alleges that the program's host, Tony Jones, made 'persistent snide comments on and mockery of comments and responses' of some of the panellists, and failed to 'direct scrutiny of, or challenge to, Labor's position on matters...'

**DECISION UNDER SECTION 151 OF THE BSA**

Complainant meets section 150 of the *Broadcasting Services Act 1992*.

CCB EM

Date

April 2014

**CONSIDERATION LEVEL**

**CRITERIA FOR DECIDING WHETHER A BROADCASTING INVESTIGATION SHOULD BE CONSIDERED BY THE AUTHORITY**

A broadcasting investigation should be considered by the Authority when:

1. The subject matter of the complaint is of significant public interest or notoriety; or
2. The outcome (including any possible sanctions arising) may have material precedent value; or
3. The outcome from the complaint might raise important policy questions or concerns about the adequacy of the code.

Also relevant to a decision as to whether a broadcasting investigation should be considered by the Authority will be whether:

4. The alleged breach is of a licence condition rather than a code of practice;<sup>1</sup> or

<sup>1</sup> Noting that some investigations into the alleged breach of a licence condition are relatively routine in nature e.g. complaints about advertising and sponsorship on community radio.

5. Within the recent past (say, 12 months), the same licensee, or another licensee within its 'Network', has breached, or the same program has given rise to a breach of, the same licence condition or same code provisions which are the subject of the complaint.

The initial decision as to whether an investigation needs to be considered by the Authority will be made by the Executive Manager, Content and Consumer Branch, or the Executive Manager, Citizen & Community Branch, in consultation with the General Manager, Content, Consumer and Citizen Division, as required.

This decision should be reviewed if, at any time, it becomes apparent through the investigation that any of the circumstances in 1, 2 or 3 have been enlivened, or the matter is sufficiently complex and/or high-profile to suggest consideration by the Authority is otherwise warranted.

**NB:** At the draft report stage, case officers should review current and recently completed investigations for the same Network/code provision for actual or likely breaches and present this information to the clearing officer. This should enable Managers to identify likely 'cluster' breaches and revise the consideration level if necessary.

Delegate (EM/GM): Criterion 1 is met but the complaint appears to be of a relatively routine nature at the outset. Possible escalation to the ACMA as the investigation progresses if additional complexities arise.

██████ CCB EM

Date

April 2013

| INV  | PROGRAM                 | COMPLAINANT                 | STANDARD           |
|------|-------------------------|-----------------------------|--------------------|
| 2949 | Science Show            | ██████                      | 4.1, 4.3, 4.4, 4.5 |
| 3002 | Mornings with Jon Faine | ██████                      | 4.1                |
| 2865 | 7:30                    | ██████                      | 4.1                |
| 2976 | Media Watch             | ██████                      | 4.1                |
| 2975 | ABC News 24             | ██████                      | 4.1                |
| 3024 | ABC News                | ██████                      | 4.1                |
| 2974 | 7:30                    | ██████                      | 4.1, 4.4, 4.5      |
| 2939 | 7:30                    | ██████                      | 4.1, 4.2, 4.4, 4.5 |
| 2972 | AM                      | ██████                      | 4.2                |
| 3025 | ABC News                | ██████ (██████████████████) | 4.5                |
| 3032 | AM                      | ██████                      | 4.1                |

## NEW INVESTIGATION BRIEF – Complaint 22306

|   |   |
|---|---|
| <b>Complainant</b>  | Mr G Wilson   |
| <b>File No.</b>   | ACMA2013/4-2  |
| <b>Broadcaster</b>  | Australian Broadcasting Corporation   |
| <b>Station &amp; locality</b>   | ABQ - Brisbane  |
| <b>Type of Service</b>  | National Broadcaster  |
| <b>Name of Program</b>  | Q&A   |
| <b>Date of Broadcast</b>  | 11/2/13   |
| <b>Substance of Complaint</b>   | Bias against the Coalition and Opposition Leader Tony Abbott.   |
| <b>Relevant Provisions</b>  | <p><i>ABC Code of Practice 2011</i></p> <p>Standards:</p> <p>4.1 Gather and present news and information with due impartiality</p> <p>4.3 Do not state or imply that any perspective is the editorial opinion of the ABC</p> <p>4.4 Do not misrepresent any perspective</p> <p>4.5 Do not unduly favour one perspective over another.</p> |
| <b>Breaches of provision by ABC in last year</b>                          | None  |
| <b>Current investigation for ABC involving Standard 4 of the ABC Code</b> | 11 - See attachment   |
| <b>Complaint handling issue?</b>  | N/A (2011 ABC Code)   |
| <b>ABC to be asked for/advised:</b>                                       | Copy of broadcast, may seek further later   |
| <b>Complainant to be advised:</b>   | Investigation commencing  |

**Comments:**

- The panel discussion apparently dealt with questions about Mining Tax and Labor, Northern Policy and Tony Abbott's ability to handle TV interviews.
- The complainant alleges that the program's host, Tony Jones, made 'persistent snide comments on and mockery of comments and responses' of some of the panellists, and failed to 'direct scrutiny of, or challenge to, Labor's position on matters...'

**DECISION UNDER SECTION 151 OF THE BSA**

Complainant meets section 150 of the *Broadcasting Services Act 1992*.

CCB EM

Date

6 April 2014

**CONSIDERATION LEVEL**

**CRITERIA FOR DECIDING WHETHER A BROADCASTING INVESTIGATION SHOULD BE CONSIDERED BY THE AUTHORITY**

A broadcasting investigation should be considered by the Authority when:

1. The subject matter of the complaint is of significant public interest or notoriety; or
2. The outcome (including any possible sanctions arising) may have material precedent value; or
3. The outcome from the complaint might raise important policy questions or concerns about the adequacy of the code.

Also relevant to a decision as to whether a broadcasting investigation should be considered by the Authority will be whether:

4. The alleged breach is of a licence condition rather than a code of practice;<sup>1</sup> or

<sup>1</sup> Noting that some investigations into the alleged breach of a licence condition are relatively routine in nature e.g. complaints about advertising and sponsorship on community radio.

5. Within the recent past (say, 12 months), the same licensee, or another licensee within its 'Network', has breached, or the same program has given rise to a breach of, the same licence condition or same code provisions which are the subject of the complaint.

The initial decision as to whether an investigation needs to be considered by the Authority will be made by the Executive Manager, Content and Consumer Branch, or the Executive Manager, Citizen & Community Branch, in consultation with the General Manager, Content, Consumer and Citizen Division, as required.

This decision should be reviewed if, at any time, it becomes apparent through the investigation that any of the circumstances in 1, 2 or 3 have been enlivened, or the matter is sufficiently complex and/or high-profile to suggest consideration by the Authority is otherwise warranted.

**NB:** At the draft report stage, case officers should review current and recently completed investigations for the same Network/code provision for actual or likely breaches and present this information to the clearing officer. This should enable Managers to identify likely 'cluster' breaches and revise the consideration level if necessary.

Delegate (EM/GM): Criterion 1 is met but the complaint appears to be of a relatively routine nature at the outset. Possible escalation to the ACMA as the investigation progresses if additional complexities arise.

CCB EM

Date 6 April 2013

| INV  | PROGRAM                 | COMPLAINANT | STANDARD           |
|------|-------------------------|-------------|--------------------|
| 2949 | Science Show            |             | 4.1, 4.3, 4.4, 4.5 |
| 3002 | Mornings with Jon Faine |             | 4.1                |
| 2865 | 7:30                    |             | 4.1                |
| 2976 | Media Watch             |             | 4.1                |
| 2975 | ABC News 24             |             | 4.1                |
| 3024 | ABC News                |             | 4.1                |
| 2974 | 7:30                    |             | 4.1, 4.4, 4.5      |
| 2939 | 7:30                    |             | 4.1, 4.2, 4.4, 4.5 |
| 2972 | AM                      |             | 4.2                |
| 3025 | ABC News                |             | 4.5                |
| 3032 | AM                      |             | 4.1                |

9 May 2013

Mr Greg Wilson  
Villa 3 – Moreton View Tower & Villas  
42 Ferry St, Kangaroo Point  
Brisbane QLD 4169

ACMA file reference: ACMA2013/794 Investigation 3042

Dear Mr Wilson

**RE: Complaint about Q&A broadcast by ABQ on 11/2/13**

I refer to your complaint to the Australian Communications and Media Authority (the ACMA) concerning the above matter.

The ACMA has decided to investigate your complaint against relevant provisions of the *ABC Code of Practice 2011*.

The investigation may take several months, including preparation of a report and internal clearance.

You will be notified of the results of the investigation when it is finalised.

The ACMA usually publishes final investigation reports on its website and includes an investigation summary in the ACMA's Annual Report and other ACMA publications. A media release may also be issued. Your name and personal information will not be published. However, you need to be aware that some details of your complaint may receive publicity, regardless of whether a breach is found.

Yours sincerely

  
Complaints and Reporting Officer  
Broadcasting Investigations Section

From: [REDACTED]  
Sent: Thursday, 9 May 2013 4:03 PM  
To: [REDACTED]  
Subject: Investigation 3042 [SEC=UNCLASSIFIED]  
Attachments: 22306 - Wilson - Complaint.PDF

ACMA reference: ACMA2013/794 Investigation 3042

Dear [REDACTED]

**RE: Complaint regarding Q&A broadcast by ABQ on 11/2/13**

The Australian Communications and Media Authority (the ACMA) has received a written complaint from Mr G Wilson concerning the above program broadcast by the Australian Broadcasting Corporation. A copy of the complaint documentation is attached.

Under section 151 of the *Broadcasting Services Act 1992*, the ACMA must investigate the complaint if it is about a matter that is covered by the ABC Code of Practice and the person has not received a response from the ABC within 60 days, or the person has received a response but considers it to be inadequate.

It has been decided to investigate the complaint against relevant provisions of the *ABC Code of Practice 2011*. Accordingly, the ACMA seeks from the ABC a recording of the above-mentioned broadcast. Following a review of the broadcast material, the ACMA may contact you again to specify the issues to be pursued and to seek your comments and any additional material.

The ACMA would appreciate receiving the material by **5pm Thursday 16 May 2013**.

Please note that giving false or misleading information is a serious offence. This includes information that may be misleading due to omission.

Please contact me on (02) 9334 [REDACTED] should you have any questions, and please address the copy of the broadcast to my attention.

Please confirm receipt of this email.

Yours sincerely

[REDACTED]  
Complaints and Reporting Officer  
Broadcasting Investigations

**Australian Communications and Media Authority**

T +61 2 9334 [REDACTED] F +61 2 9334 7799

E [REDACTED] [acma.gov.au](mailto:[REDACTED]@acma.gov.au)

[www.acma.gov.au](http://www.acma.gov.au)



communicating | facilitating | regulating

## ANTIDISCRIMINATION LAWS 14:16

MICHAEL KOZIOL: Yes. Well, Jeremy Fernandez is far from the only one as Senator Evans eluded to. It's not actually an uncommon thing in this country to be the victim of an offensive and insulting attack on public transport. But, George Brandis, you believe that to prosecute such racists under an antidiscrimination law would be, and I quote, "An outrageous attack on our fundamental freedoms". Why?

GEORGE BRANDIS: Well, first of all, what we're talking about is an incident that involved more than the expression of racial abuse. There is the world of difference between somebody expressing an opinion that others might find offensive and somebody creating a scene in which people feel threatened and their children feel intimidated or they feel worried about the wellbeing of their children. So that's the first point. But I don't for a moment abate from my view that it's not the role of Government to impose prohibitions on what people in a peaceful and orderly way are allowed to say and think. Even, you know, the test of a free society is whether you're free to say things that other people find offensive or insulting. That is the test. You can't say we live in a free society because I am at liberty to say something so innocuous that other people will agree with it. The test of a free society is whether you're allowed to say unpopular things.

TONY JONES: Are you, under your imagining of this, are you allowed to should you be allowed to, without any prosecution, racially abuse someone openly in public, to their face, while their child is sitting there? Should that not be an offence?

GEORGE BRANDIS: Well, I think that goes way beyond the expression of an opinion. That constitutes intimidation or, in certain circumstances, assault, which has always been against the law.

TONY JONES: So let's just go back over this because you do want to see major changes to the Antidiscrimination Act as it now stands, even though the Government is in the process of renovating it or changing it significantly. There are sections of it, including the clause which caught up Andrew Bolt, which you want to change if you come to Government. Is that right?

GEORGE BRANDIS: That's right. That's right. And, in fact, it's the infamous section 18C which, in a sense, as a result of bad drafting, runs together the two quite separate things that the gentleman adverted to in his question. What it criminalises or prohibits, at least, is conduct that may cause offence, insult, humiliation or intimidation. Now, the Liberal Party has never said that conduct that intimidates in the sense of threatens people ought not to be against the law. It always has been, going back to the dim dark reaches of the criminal law centuries ago. But the expression of an opinion that merely offends somebody else or insults somebody else is, in my view...

TONY JONES: Humiliate.

GEORGE BRANDIS: ...none of the law's business.

TONY JONES: So, I mean, insult, humiliate and, what is it, offend, those things should be okay?

GEORGE BRANDIS: The point at which you draw the line is whether it is the expression of an opinion, regardless of how provocative or unpopular it might be to the ears of others or even a majority, and conduct which is invasive of somebody else's rights because it threatens or intimidates them. That is where I draw the line.

TONY JONES: Corinne, what do you think?

CORINNE GRANT: Well, hasn't Nicola Roxon already flagged that the offensive bit, the bit you find offensive, the bit about offence, is already going to be taken out of that?

GEORGE BRANDIS: No. No, she hasn't.

CORINNE GRANT: I'm sure she has, hasn't she?

GEORGE BRANDIS: What she, in fact, said...

TONY JONES: She's changing one section of it is but there still will exist clause 51 or some version of clause 51.

GEORGE BRANDIS: That's right.

TONY JONES: Which will actually include the same sort of - the same things that he just said will be in the Act in future.

CORINNE GRANT: Right. I think there's sort of two ways of looking at it as well. You say, like, a free society should be able to do whatever it likes but, at the same time, a free society gets to decide what rules it wants to be applied to its country. That is how a democracy works. And this bill has been - this draft bill has been out for a long time. There have been hundreds of submissions, which is an indication, I think, that democracy is working and I don't think there are too many people in this country who really do want to see people using their freedom of speech to intimidate and harass other people to the point that they don't get to enjoy the same rights as the rest of us.

GEORGE BRANDIS: But I'm not disagreeing with that proposition. In fact, what you've said, Corinne - what you've said in slightly different words is the very thing I said, that is the law should draw the line at conduct which intimidates or harasses on the one hand and conduct which is merely the expression of an unpopular opinion, which should not be the business of the law.

TONY JONES: Well, let's go to Chris Evans because, well, it is your government that's keeping, essentially, this clause, so should conduct which is reasonably likely to offend, insult, humiliate or - we'll leave out intimidate because it sounds like there is agreement on that word - offend, insult or humiliate. Should that be legal?

CHRIS EVANS: Well, I think, first of all, this was - a draft put out for discussion and the Government's listening to those views and this one has turned out to be more controversial than was anticipated. I think from the Government's point of view, we thought other things would be more controversial

than this because we're effectively bringing current Acts together to try and get a better regime in place. But I think I fall I mean, this is about where you draw the line. I suspect I draw it a bit before George, in the sense that I think where people seek to racially abuse people, seek to harass them, then I think it is reasonable, in a civil society, for people to be protected from that. Now, it's always about where you draw that line but I don't think I would be as Liberal as George Brandis is and I don't think our view is that we ought to be that Liberal. We had this debate about racial hatred back in the mid '90s, the incitement of racial hatred and we take the view that those are - that people have a right to be protected from that sort of activity.

GEORGE BRANDIS: But you know, Chris, this is an - if I may, this raises a deep issue. Just because something is bad, racism in my view is always bad, a bad thing, should the Government always parcel law to deal with it or should society deal with it other than through legislation and regulation?

TONY JONES: Okay. We'll leave that as a rhetorical question. I want to hear from our other panellists and let's go to James.

JAMES PATERSON: Tony, I think it's worth pointing out that what happened to Jeremy Fernandez on that bus is covered by a myriad of other laws, for example harassment laws at the state level. Clearly he was the subject of harassment and that would have covered that. It's illegal to swear on a public bus so that would have covered it. There are a lot of ways of addressing this without any new Federal legislation on anti discrimination. But this federal anti-discrimination legislation, which the Government is currently exploring, has a lot of perverse things in it. For example, it reverses the onus of proof. So under the current law if I allege that, for example, the ABC has discriminated against me, it is up to me to prove that you've discriminated against me. But under the new draft, the onus is reversed and all I have to do is make a basic prima facie case to get it into the court and then it's up to you to defend yourselves and prove that you didn't discriminate against me. Now, that's an extraordinary thing. That's undermining the presumption of innocence, which is a fundamental legal principle that we've had for many years in Australia. But it's even more extraordinary when if you offend me on the basis of my political opinion that will be unlawful. So if I think that you didn't give me sufficient air time tonight, Tony, and I was offended on that basis, the ABC would have to defend an antidiscrimination claim against me under these new laws.

CORINNE GRANT: Well, no, because the judge could actually throw that out for being vexatious.

JAMES PATERSON: That doesn't mean they don't have to defend it in court. That doesn't mean they don't have to engage lawyers to defend themselves. I shouldn't be able to make a claim like that. That's clearly (indistinct)...

TONY JONES: It is a draft bill, as we've said earlier.

CORINNE GRANT: Yeah.

TONY JONES: Let's quickly go to Chris Evans. Do you think that reversal of the onus of proof, which is obviously proving to be very controversial, do you think that will change?

CHRIS EVANS: Well, look, I think this is a draft that's out for discussion, feedback, submissions, a Senate inquiry process. This is the debate we're having as to where we finalise where the Parliament finally lands. So I think that's a good and healthy thing. But I say the major focus of this is actually bringing current legislation together. I think there are some conspiracy theories...

JAMES PATERSON: Well, that's not true at all.

MULTIPLE SPEAKERS TALK AT ONCE

CHRIS EVANS: Well, there's arguments about some of it going further. I concede that. But I think there's some conspiracy theories...

GEORGE BRANDIS: Well, that's been conceded on your behalf.

CHRIS EVANS: Well, I think there are some conspiracy theories also taking hold here that aren't warranted. But the process is in place. I think we'll end up with a good piece of legislation and the parliament will go through that process. But, as I say, most of it's about trying to bring the current pieces of legislation together.

TONY JONES: All right. There are other questions on this general subject. We've got one from Daniel Iachini.

#### **RACISM AND THE MEDIA 23:07**

DANIEL IACHINI: The saturation of online social media, such as Facebook, Twitter and YouTube, are now giving us insight into racist behaviour which would have previously remained hidden from public view. There is an alarming growth of racist Facebook groups, titled "F-off, we're full," and the like and a growing number of YouTube videos now show people caught on camera racially abusing others. Do you think social media exacerbates racism or can we use it as a tool to assist in defeating it?

TONY JONES: Rachel, what do you think?

RACHEL BOTSMAN: Yeah. I think it goes back to the most common question that's asked around social media, which is: is it a tool for good or for evil? You have to sort of - if you think of what social media does, it gives us access to information, it gives us access to conversations. But it's also going to change the types of conversations that are out there. So for every good conversation there's going to be a dark side. I personally believe that the debate is a good one to have. I think Jeremy was incredibly brave at how public he was around social media. So I think it's - you can't say let's control social media because you're actually trying to fight against the DNA of what social media is about. It is an open system that's designed to go viral. So trying to put it back in the box is kind of an obsolete conversation to have.

TONY JONES: Corinne, what do you think? I mean, if you're going to try and put certain things in a box, that means you can't insult people, you can't humiliate them, can you do that on social media or not, do you think?

CORINNE GRANT: Well, the UK has tried to do that a bit and it's not working out so well for them. I mean but that's a separate that's under the Communications Act I think that they're doing that, not under the Discrimination Act. I think that I am not sure that Facebook and Twitter is changing the level of racism. I think it's I don't think that if you're a person who is not particularly racist that somehow Facebook has turned you into a racist. At least I hope not. But I think it's found a place for those people to meet and form a group. But at the same time, like Rachel said, it has found a way for those who are more Liberal in their way of thinking to form groups as well. I think what needs to happen for any kind of educative process to happen is for the people who believe that racism is wrong, such as myself, need to take the heat out of their argument, need to not abuse people back. They need to find ways of being more educative in the process and to come to it with good heart and try and find a way to communicate with these people effectively.

TONY JONES: I'll hear from the other non-politician first. James, what do you think?

JAMES PATERSON: Yeah, Tony. I think we need to be extremely cautious when we're talking about regulation or legislation in this area. We've seen elsewhere in the world, particularly in the United Kingdom, 17 year olds being jailed for sending a silly Tweet, which they regret. We don't want to see young people making a silly mistake online and paying for it with serious jail time and that's the kind of thing that these laws lead to. Police agents - police are completely diverted to chasing up silly online disputes and that is not something I think we want to see in a free country like Australia.

TONY JONES: Chris Evans?

CHRIS EVANS: Well, I think that the reality is that even if you wanted to, controlling social media is probably beyond regulation in many ways. It's certainly beyond very effective regulation.

TONY JONES: But just put it this way: if your laws, you know, writ broadly as they are, the Antidiscrimination Act, comes into effect, could it actually impinge on people's freedom to say things on social media? Could you find the same thing as happening in the United Kingdom, you people - stupid young people - getting arrested for doing or saying stupid things?

CHRIS EVANS: Well, I think it's more about whether or not people are trying to incite something like racial hatred rather than saying stupid things. But I think the reality is all governments are struggling to come to terms with social media and what it means more broadly for our society. But I don't think us trying to sort of intervene heavily is the answer. It is about people sharing their views and I think Corinne's point is the key one, you want to try and help people develop more positive views rather than think that somehow by clamping down on their use of social media, one is able to somehow solve the problem. I think the reality is Governments are struggling to keep up with the rate of technological change and the way the world is moving and I am not sure there are easy answers.

RACHEL BOTSMAN: But to be honest, I don't think our politicians are trying hard enough. I mean there was a study that was released last year that showed that a third of all our government leaders are social media virgins. They have no social media accounts whatsoever. A third of ...

CHRIS EVANS: You're deliberately trying to embarrass me here, aren't you?

RACHEL BOTSMAN: I won't embarrass you. I know you have a Twitter account. I don't think that is you tweeting by the way which is...

CHRIS EVANS: Absolutely, absolutely not.

CORINNE GRANT: Is it full of YouTube video of cats, is that why?

RACHEL BOTSMAN: No, it's pretty boring. I could give you some advice actually.

CHRIS EVANS: I am very glad to hear that.

RACHEL BOTSMAN: Yes. Follow the Mayor of Newark. He's pretty good actually, Cory Booker. The interesting thing so a third are completely inactive, a third are like you, where they have an account, because I am sure some young person said this is what you should do and then a third are...

TONY JONES: The other third are Malcolm Turnbull and Kevin Rudd.

CORINNE GRANT: Exactly.

RACHEL BOTSMAN: Yeah. Who actually have more combined than the whole political party, which is very interesting. So do we really trust these people who don't innately use these tools to be our internet policemen? They shouldn't be our digital guardians. They shouldn't be selling regulations around...

GEORGE BRANDIS: Well, why should we have policemen and guardians though, I mean? I think that's the problem and if I can, Tony, return to the question that was asked of us, I don't think it is - I don't think that to throw a spotlight on a problem is to exacerbate the problem. You asked, sir, whether social media make the problem of racism worse. No, I don't think so because when you throw a spotlight on unattractive or unacceptable conduct that most people would find shocking, then more people will come to learn of that and the capacity of society spontaneously to join together and say, well, you know, that's not the way we Australians behave, I think will be enhanced and that's a much better way of exposing obnoxious opinions than by heavy-handed Government regulation or legislation.

TONY JONES: Okay. Let's move along. Our next question is a very different one tonight. It comes from Carolyn Zietsch.

#### **MINING TAX AND LABOUR 29:04**

CAROLYN ZIETSCH: My question is mostly directed at Senator Evans. I have been a Labor Party voter since I was 21 and that's a long time ago. I would like to ask how can the present Labor leaders destroy the party of the true believers by having watered down the mining tax to such an extent that it raised such a paltry sum of money? Why do they continue to pander to the interests of such a wealthy minority? Will they bring back the tax as it was envisaged under Rudd?

TONY JONES: Chris Evans?

CHRIS EVANS: Well, I mean, it's interesting. We were attacked for bringing in a tax that was going to destroy the mining industry. Then we were attacked now for it hasn't raised enough money. But I think the response in the crowd indicates that public sentiment has come to support the mining tax because the principle is that companies who are making super profits get to share some of that wealth with the Australian public. It is a profit based tax.

CAROLYN ZIETSCH: I think the grass roots Labor people always did...

TONY JONES: Sorry. Hang on. We'll get a microphone over to you. Go ahead.

CAROLYN ZIETSCH: I think the grass roots Labor people always supported it and didn't appreciate it being watered down.

CHRIS EVANS: Yes, but it is also true, as a West Australian politician, I can tell you it was pretty tough arguing the case for the mining tax in Western Australia.

TONY JONES: It's not so tough arguing the case for one that doesn't raise any money I suppose.

CHRIS EVANS: No. No. No. Well, I think it's fair to say we won that argument. We won that argument.

GEORGE BRANDIS: Why, by not raising any revenue?

CHRIS EVANS: I think, no, apart - no, apart from - well, you thought earlier, your rhetoric was we were going to destroy the country by putting the tax on. We put the tax in place, then Liberal State Governments increased their royalties to try and undermine it in that way. But the reality is it's a sensible tax. It is based on the same principles as apply in the petroleum industry, that's served us well. It is profit base so it will be volatile and it will go up and down depending on the profits being made by those companies but fundamentally it's a good tax.

TONY JONES: You've sort of put your finger on one of the things, there's a key criticism of the tax as it is currently written and that is that Liberals State Governments, they are in fact Liberals, as it turns out, or Liberal National Party governments, can actually raise royalties and the Federal Government has to cover that with the mining companies, therefore you don't raise any money?

CHRIS EVANS: Yeah. No, look it is a problem.

TONY JONES: Should that be fixed?

CHRIS EVANS: Well, it's got to be fixed in my view and I think there's a process now with the States where we are looking to meet in March to try and resolve that because the reality is State Governments State Liberal Governments immediately abandoned the rhetoric and pushed up their

royalties so the argument that somehow mining companies couldn't afford it went out the window.

TONY JONES: So, look, to get this straight and bearing in mind you are a West Australian Senator and all that you said how hard it is to argue that case in Western Australia, you would now argue, would you, that you would need to close that loophole, stop State Governments doing that?

CHRIS EVANS: Well, there's always been a tension between the two and Premier Barnett in WA immediately put up the royalties well, soon after put them up in Western Australia. But royalties are inefficient. They apply to companies who may not be making a profit. They apply to companies who might be start up trying to establish themselves. The minerals resource rent tax applies to profits, applies to super profits so it's a fairer tax. It doesn't act as a barrier to participation in the industry and it makes much more sense. I think it's a good regime. It may well need to be tweaked but it is returning revenue. It will return revenue when prices, commodity prices increase again. They were at \$170, \$180 for iron ore. They went down to \$80. That had a huge impact on the amount of revenue being raised but fundamentally...

TONY JONES: But you are in trouble if those prices stay low and, for example, the economist Ross Garnaut says they will stay low for a very long time.

CHRIS EVANS: Well, they've already recovered a bit. I think the last time I saw they were at about \$130 so ...

TONY JONES: Okay. All right. I'm sorry. I'll go round the panel. Corinne, let's get your view. You heard what the questioner said and we'll go back to you if you want to respond as well.

CORINNE GRANT: I think the best way to make sure that the Government gets more money is to follow Gina Rinehart's idea and just pay everyone \$2 a day then they make more money and then you get more tax.

TONY JONES: James Patterson, I think we probably should declare some interest that you have in connection to Gina Rinehart at the IPA?

JAMES PATERSON: Do you Tony?

TONY JONES: Yes.

JAMES PATERSON: Well, the Institute of Public Affairs is running a joint program with Australians For Northern Development and Economic Vision, which is an organization which is co-chaired by Gina Rinehart and I think Corinne is right. We should follow Gina Rinehart's advice. She's a great Australian. She's made a lot of money. She's created a lot of jobs.

CORINNE GRANT: I was being a smart arse.

JAMES PATERSON: And so, thank you, Corinne, for that excellent suggestion. But I have to take exception to one thing that Senator Evans said and that is that we can take applause on Q&A as a

representative sample of the Australian population. I suspect if the Labor Government is using that instead of real polls maybe that is why they're in such a bad state.

TONY JONES: What's your view on the mining tax and whether or not that loophole should be taken away and so that it can actually raise money?

JAMES PATERSON: Well, as Senator Evans said, the thing about the mining tax is it was actually designed to be volatile. It was designed to collect less revenue when profits were lower and more revenue when profits are higher and that's why it was such a bad mistake to attach the mining tax to recurrent spending; spending like small business tax concessions and increase in superannuation. It was never going to collect enough revenue every year to cover the costs of those things. Some years it would. Some years it wouldn't and that means it was always going to have a negative impact on the budget. So the minerals resource rent tax was flawed from its very beginning of its conception and that's why we're seeing the problems we've got with it today.

TONY JONES: Rachel, do you have a view on this? Here's a tax that was actually put together with an awful lot of pain and ended up raising no money, or at least so far very little money.

RACHEL BOTSMAN: Look, one of my pet peeves on Q&A is when people try and talk and take up air time about issues they don't know a lot about. So I'm not going to talk about the tax structure. But personally, you know, I arrived in Australia four years ago and one of the things that frightens me is the complacency and this is when I talk to business leaders and Government leaders is what do we do beyond mining? So personally, it may be naive, I'd take all the money from mining tax and throw it into renewables. It is the next wave of development?

TONY JONES: George Brandis?

GEORGE BRANDIS: Well, Tony, I don't think your questioner and I would agree on whether or not there should be a mining tax.

CAROLYN ZIETSCH: No, I don't.

GEORGE BRANDIS: Because you're true to your Labor values, which is to increase taxes and invent new taxes, and the Rudd and Gillard Governments in the last five years have introduced 27 new or increased taxes.

CORINNE GRANT: Is that like the tax that you're going to put on large business to pay for your schemes for six months maternity leave?

GEORGE BRANDIS: The tax system has always been and will always be lower under Liberal Governments historically and that would be the case under an Abbott Government. But I think there's a broader story here, Tony, and that's the question of competence. I mean Chris has already admitted that the State royalty issue is a major design flaw in the tax. Well, mate, who designed the tax? You did. What sort of Government invents a tax - and don't forget this was the tax that was used as the excuse for the midnight coo against Julia Gillard on 23 June, 2010 - against Kevin Rudd by

Julia Gillard. Julia Gillard said, well, I had to do this because one of my three core objectives was to fix the mining tax along with fixing the carbon tax and stopping the boats, good luck there, and then publishes an estimate that the tax will raise \$4 billion of revenue. It books \$14 billion of expenditure across the forward estimates against this anticipated revenue and it raises \$126 million. Three percent. So the Government not only got the design of the tax wrong, not only raised 3% of the anticipated revenue from the tax but, with incredible foolishness, spent the money before it came in and now it hasn't come in, so the debt has further expanded.

CHRIS EVANS: Can I just make the point...

TONY JONES: Well, you can. I have got actually a question for you, just to bring you in on this, and that is: should Julia Gillard take responsibility for this since she negotiated this tax?

CHRIS EVANS: Well, you fall under the trap that George Brandis does and focus...

TONY JONES: Of asking a question?

CHRIS EVANS: No. No. But focus on the sort of insider stuff. What we should be debating is should mining companies...

GEORGE BRANDIS: No, we're talking about policy.

CHRIS EVANS: ...be paying a larger percentage of their profit to support the Australian economy and the Australian society? I say yes. That is what the tax is designed to do and the Liberal Party don't want to discuss that because they want to abolish the tax, which they said was going to break the country. Now they say its main problem is it doesn't raise enough money. But the point is...

GEORGE BRANDIS: It is not our fault that you're incompetent.

CHRIS EVANS: The point is the principle of the tax is a good one. I'm very happy to argue it. We understand the revenue is going to be volatile. It has been lower than expected and other times it will be higher than forecasts.

TONY JONES: Can I just make one point? That insider stuff that you just talked about did lead to a change of leader in the Labor Party.

CHRIS EVANS: I'm just saying to you let's debate whether this is a...

TONY JONES: It actually didn't seem like such an insider story when you lost a Prime Minister.

CHRIS EVANS: Well...

CORINNE GRANT: Oh, we didn't lose him. We know where he is.

GEORGE BRANDIS: He seems to be looming larger every day.

CHRIS EVANS: I suspect he's tweeting as we speak but the point is let's argue the principle and the principle is it's a very important tax for the future of Australia. If we are going to better distribute wealth in this country, making sure that those super profits of the large mining companies are taxed appropriately is a really important thing and the mining tax is making, I think, a useful contribution to better taxation in this country.

TONY JONES: All right. I'm just going to go back to the questioner because she's wanted to get involved. Just a quick comment.

CAROLYN ZIETSCH: I agree with everything you said but it is not enough. My point is you watered it down, you haven't raised the money, you got rid of a Prime Minister and we're probably going to lose the next election.

TONY JONES: I think that's where we'll leave that point. We'll take that as a comment. Our next question is from Adam Kamradt-Scott.

#### NORTHERN POLICY 40:12

ADAM KAMRADT-SCOTT: Labor recently ridiculed the Coalition's discussion paper on major development in Far North Queensland and the Northern Territory. Given that some of the proposals reflected recommendations from parliamentary inquiries that enjoyed bipartisan support and given Labor alleged commitment to closing the gap for indigenous Australians, what practical alternatives is Labor proposing? Isn't it worthwhile to at least begin a national conversation about what we can do.

TONY JONES: Yep, Chris Evans, we'll have to start with you. It's directed to you.

CHRIS EVANS: Sure. Well, there's no problem with having the national conversation but what was a Liberal Party sort of policy became a discussion document, became something they didn't own and then Mr Abbott was out there actually saying he didn't support any of the basic underlying principles of the report. But, look, there is a lot going on already in northern Australia. There is a lot going on in terms of indigenous employment and taking advantage of mining that is occurring in northern Australia. But I'm not sure saying to Australians that some ought to be taxed at a higher rate just because of where they live is the answer. What we've got is a need to take advantage of opportunities in northern Australia and we've got to provide infrastructure that allows people to take advantage of those things. But you can't tell people to just go and move to the north. You've got to actually provide ways that they make those own decisions and what we've have found previously are schemes that say direct migration and other mechanisms - we use other mechanisms to direct people there - haven't worked. People have free choice in this country and we can't have a situation where we pretend we can devise schemes that force people to go and do things against their will. The reality is we've got to build systems that support development but some of these sort of hair brained schemes that Gina and others come up with aren't going to work.

TONY JONES: Okay. James Paterson, you identified earlier that you are, in fact, working with Gina Rinehart directly to formulate these kinds of plans. Tell us what it is that is actually being talked

about here?

JAMES PATERSON: Well, I think it's wonderful that we're now having a serious conversation about really developing northern Australia. In the Government's own Asian Century White Paper they said that we should become the food bowl of Asia but they've got no plan to do it. In northern Australia, the CSIRO estimates we have been five million and 17 million hectares of arable land. To put that in perspective, in the rest of Australia we have two million hectares of land that are currently being farmed. That's a massive potential. We've got a booming middle class in Asia that we could be feeding. We've got huge opportunities to export our minerals resources overseas but, unfortunately, that's been held back by environmental regulation and red tape and, for example, if you want to establish a mine in Queensland, you have to get over 3,000 individual permits and you're subject to 48 different pieces of State and Federal legislation. Sometimes it's overlapping. Sometimes it's contradictory. We need to do is get that regulation out of the way and unleash the full potential of northern Australia.

TONY JONES: Okay. Let's just get this straight. Are you talking about a kind of national scheme funded largely by the Federal Government with large infrastructure funds going into this, plus special tax incentives for people who go and live and work there?

JAMES PATERSON: Infrastructure is definitely an important part of it and I think investment in dams and roads and other things are good things for the Federal Government to be doing but another part of it is something like a special economic zone which really encourages investment. These are being used really successfully around the world. China has dozens of them and that's part of the reason why China was able to lift 660 million people out of poverty over the last 30 years

TONY JONES: And they have lower taxes in those...

JAMES PATERSON: And they have lower tax.

TONY JONES: ...zones for the people who - income tax for the people who work there? Is that correct?

JAMES PATERSON: Sometimes it's for companies. Sometimes it's for individuals.

TONY JONES: Okay.

JAMES PATERSON: But it's all about fostering economic growth and development.

TONY JONES: All right.

JAMES PATERSON: And there are 3,500 special economic zones around the world: in Europe, in the Middle East, in Asia. It's not a new idea. It's not a radical idea. It is a sensible thing that Australia should be considering.

TONY JONES: Okay. Let's hear from George Brandis because this policy came out of your policy think

tank supposedly...

GEORGE BRANDIS: Indeed. Indeed.

TONY JONES: ...and was rejected almost immediately?

GEORGE BRANDIS: Well, I can't help reflect on the irony of the Institute of Public Affairs recommending the policies of the Chinese Communist Government as a template for a future Australian Liberal Government.

JAMES PATERSON: Hey, if they're moving in the right direction, we should be supporting them.

GEORGE BRANDIS: But that was a marvellous moment.

GEORGE BRANDIS: Look, the Liberal Party will never walk away, never has walked away from the big bold ideas. Developing northern Australia has been one of the big bold ideas that both sides of politics have sought to embrace over the decades. Now, the document which we were discussing was a draft of a discussion paper. That's what it was. It wasn't a final iteration of a discussion paper. It wasn't a policy but we don't for one moment walk away from grappling with and having a discussion...

CHRIS EVANS: But you did almost immediately.

GEORGE BRANDIS: No, we didn't.

CHRIS EVANS: Walked away immediately.

GEORGE BRANDIS: Not at all. And having a discussion among ourselves...

TONY JONES: (Indistinct) Just briefly, which elements did you actually walk away from?

GEORGE BRANDIS: I am not saying we walked away from any of it. What we said was...

TONY JONES: Special economic zones?

GEORGE BRANDIS: What Mr Abbott said was...

TONY JONES: Favourable taxation?

GEORGE BRANDIS: What Mr Abbot, if I may finish, Tony,...

TONY JONES: Okay. Sorry.

GEORGE BRANDIS: ... said was that we in the Liberal Party are perfectly happy to look at various proposals, some of them a little out there, some of them more conservative about developing

northern Australia. And I tell you what, in my State in Queensland, particularly in north Queensland and in the Northern Territory, there was celebration that at least one side of politics was looking at this seriously. Now, there was one thing...

CHRIS EVANS: But then you walked away from it by morning teatime?

GEORGE BRANDIS: Chris. Chris. Chris. There is one thing that...

CHRIS EVANS: The closest he got to a plan in all this time as leader of the Opposition and by morning tea he was, 'All too hard.' He walked away.

GEORGE BRANDIS: That's not right. There is one thing that Mr Abbott said which was asserted and has been repeated by you tonight falsely and that is that the document suggested that people would be forced to move to northern Australia. That was never part of the proposal, never has been or never would be and the assertion to that affect is simply wrong.

TONY JONES: Favourable tax zones were part of the proposal, were they not?

GEORGE BRANDIS: Well, we use the tax system to incentivise all sorts of economic behaviour.

TONY JONES: So should it be used to get people to go and work in these remote places as part of a great national scheme?

GEORGE BRANDIS: That's the discussion we're having in the Coalition at the moment.

TONY JONES: So you haven't rejected that?

GEORGE BRANDIS: That's the discussion we're having in the Coalition at the moment as part of our engagement with the big bold idea of developing northern Australia.

TONY JONES: Now, Corinne, I think you've said there are no big policy discussions in Australia recently and you're worried that there aren't but this is one isn't it?

CORINNE GRANT: Well, yeah, and I have no problem with the Liberal Party having a crack at thinking. I reckon that's awesome and they should do more of that. I have no problem with them throwing around ideas and there's really I think it is disappointing if we start jumping on people too soon. They should be having these discussions and it is probably unfortunate for them that it got leaked a little bit earlier than what it should have. But coming back to what James was talking about, there being too many regulations for mining companies, I'm kind of glad about all that. I'm really glad about that. And in terms of, you know, them being too many hurdles to get through with environmental protection, I think as has been shown down in the Tarkine, perhaps the rules aren't enough.

TONY JONES: Rachel, just on the idea that people find it very hard to actually have put out there a big idea and discuss it without everyone tearing them to shreds, is that one of the problems about

politics?

RACHEL BOTSMAN: Yeah. I mean, I think it is a culturally very interesting thing because I lived in the States for ten years and the opposite is true. Like, they have a very high tolerance for ambiguity in the early stages of innovation. I mean, I think that's what makes them so innovative as a nation and I do think, you know, we complain on the one hand that there's no substance around policy but yet, on the other hand, even if we don't agree with it, let's let the debate actually run its course.

CORINNE GRANT: Yeah.

RACHEL BOTSMAN: Because that's where ideas will come from. It may not be in its initial form but we don't give these big bold ideas a chance. We need the next mining industry, whether it is in food security or renewable energies and so I do think it's an issue with Australian politics is we ask for bold and then bold comes along and we get into the internal debate of knocking it down.

TONY JONES: Okay. We've got a video question we're going to go to. It's from Sue Hoffman in Perth.

#### ABBOTT CANCELS TV SPOT 48:38

SUE HOFFMAN: His. This is Sue Hoffman from Perth. Tony Abbott's chief of staff doubts his ability to handle soft interviews on breakfast television leading to cancellation of his weekly TV appearance. So what do the panel think of his suitability as Prime Minister, which includes representing and negotiating for Australia and dealing with foreign dignitaries when he isn't trusted by his own staff to manage 15 minutes on the Today Show?

TONY JONES: Corinne, I will start with you. I'll start with you because it does raise this question about why public debate is not happening at a higher level.

CORINNE GRANT: Yeah.

TONY JONES: I'm not saying the Today Show necessarily is a higher level of public debate but we haven't seen Tony Abbott in many places.

CORINNE GRANT: No.

TONY JONES: Not here for example. Not on the Sunday programs and very rarely on long format interview programs.

CORINNE GRANT: Yeah.

TONY JONES: What's going on, do you think?

CORINNE GRANT: I think it's really disappointing if the Leader of the Opposition can't find a way to articulate himself in a situation where, you know, the general public or television presenters are asking him questions that people really do want answers to. How can he do that as a Prime Minister? How can we send him overseas when he can't seem to open his mouth without sticking his

foot in it? And, also, just as a comedian, it's really disappointing when he's not on the television. I've got nothing to make jokes about.

TONY JONES: James Paterson?

JAMES PATTERSON: With respect, this is a pretty silly question. Tony Abbott was a cabinet minister in a successful Government. He's clearly a very well accomplished individual. Whether you agree or disagree with him, I think he's certainly competent to handle the job of Prime Minister.

CORINNE GRANT: But why is it silly to ask why he want talk to people?

JAMES PATTERSON: Well, Corinne, it's funny that you point out that we don't have a debate about policy in Australia and here we are talking about whether or not Tony Abbott goes on the Today Show. Is there a less important issue in Australian national politics than...

TONY JONES: No. No. To be fair, I think you can walk and chew gum if you like. We just were talking about policy a moment ago, now we're talking about...

JAMES PATTERSON: A triviality.

TONY JONES: Well, not necessarily because it's very hard to actually have a big discussion with Tony Abbott if he won't talk.

CORINNE GRANT: Yeah.

RACHEL BOTSMAN: Yeah.

TONY JONES: That is the problem. I mean, yes, that question was a bit jokey but, you know, there is a more serious side to this, wouldn't you agree?

JAMES PATTERSON: Obviously, no, I don't agree. I think that we should be talking about the big issues. We have got an hour here. It's the only hour in Australian television that devotes itself to serious current affairs and we're going to talk about media management tactics. I think that is completely beneath the show.

CORINNE GRANT: No, I want Tony Abbott to talk about those issue.

CHRIS EVANS: One of the issues is accessibility of politicians and to the candidate to be Prime Minister of this country.

JAMES PATTERSON: Tony Abbott doesn't...

CHRIS EVANS: The reality is he is media managed to the point where they won't let him out. They won't let him out. He won't answer questions at press conference. He walks out of them. Why the media haven't nailed him for this before I don't know. He refuses to take difficult questions. He

won't do long interviews.

#### MULTIPLE SPEAKERS TALK AT ONCE

CHRIS EVANS: That's because they don't trust him. The Liberals call him the 'Mad Monk' and that's why.

JAMES PATTERSON: Tony, it is absolutely extraordinary to hear a lecture from the Australian Labor Party about media management. You guys invented it.

CHRIS EVANS: Rubbish. How many times has the Prime Minister been on your show. Tony.

RACHEL BOTSMAN: Twice.

TONY JONES: The Prime Minister has been on this show a few times. We have invited Tony Abbott quite a number of times to come on this show and he does seem to be avoiding that kind of scrutiny at the moment.

GEORGE BRANDIS: He's been on this show.

TONY JONES: Yes, he has.

GEORGE BRANDIS: He has been on this show several times.

TONY JONES: He has, during the last election campaign. Yes.

GEORGE BRANDIS: Well, he's been on the show several times.

TONY JONES: That was quite a while ago.

GEORGE BRANDIS: Well, Tony...

TONY JONES: But I'm not personally complaining. I'm just saying there is a general observation that's being made.

GEORGE BRANDIS: Like, for example, by your questioner, who I think is a good example of the rule don't believe everything you read in the newspapers because the assertion that she made that Tony Abbott's chief of staff has said that he's not to do this is rubbish. Complete rubbish. Now, Tony Abbott...

TONY JONES: Is it also true that Malcolm Turnbull was told he couldn't take his place?

GEORGE BRANDIS: Complete rubbish. Tony Abbott has been in public life for 20 years. In that 20 years - and before that he had an active role in the political life of the country as, for example, the director of Australians for Constitutional Monarchy. He has been a public figure in this country for

more than 20 years and in that quarter century or so he has done literally thousands of radio and television interviews.

TONY JONES: So can we...

GEORGE BRANDIS: Look, no...

TONY JONES: No, but just a question here...

GEORGE BRANDIS: Yeah.

TONY JONES: Should we then go back to old transcripts to find out what he thinks?

GEORGE BRANDIS: I think with anybody in public life, particularly somebody who has been in public life for as long as Tony Abbott, the record is the record and all of it builds the picture of the whole person, not that they don't evolve through time. But my point is Tony Abbott is one of the best known public figures in Australian life today. He has done media for a quarter of a century.

CORINNE GRANT: I don't think now is the time for him to retire from public life?

GEORGE BRANDIS: And if I may say so, I am sure in the next 215 days of the election campaign you will see lots and lots and lots of Tony Abbott and, finally, every day when parliament sits you see him in the toughest forum in Australia and that is on the floor of the House of Representatives.

TONY JONES: Absolutely true. Asking questions, not answering them.

GEORGE BRANDIS: And giving speeches and giving account of himself.

TONY JONES: Rachel, just as an observer of this just give us your thoughts?

RACHEL BOTSMAN: I just think the public deserves to see their leaders in an uncontrolled media environment.

CORINNE GRANT: Yeah.

RACHEL BOTSMAN: They deserve to see their leaders put under the heat and not prepped, not having questions. I mean, I think it would be really interesting if we had the debates that they have in the US. I mean can you imagine Gillard and Abbott going...

GEORGE BRANDIS: Well, we...

JAMES PATTERSON: I think we do have the debates.

GEORGE BRANDIS: I think we will. I think we will.

JAMES PATTERSON: We have debate during the election period and I think it's a really good thing and we'll see it again this year.

RACHEL BOTSMAN: Not...

GEORGE BRANDIS: There have been debates at every Australian election for the last several elections and...

MULTIPLE SPEAKERS TALK AT ONCE

TONY JONES: I'm going to close this down because we're out of time but for your benefit, James, we will have debates, one on one debates throughout the course of the year on policy on this program: Minister, Shadow Minister and the audience and other experts asking questions and it will be a formal thing so we are going to be doing though the course of the year.

JAMES PATTERSON: I'm delighted to hear it, Tony.

TONY JONES: I certainly hope they take up that offer. It's all we have time for tonight. Please thank the panel: James Paterson, Chris Evans, Rachel Botsman, Corinne Grant and George Brandis. Thank you very much. And you can join us next week on Q&A when our panel will include: Health Minister Tanya Plibersek; Climate Action Shadow Minister Greg Hunt; theoretical physicist and cosmologist Lawrence Krauss. Professor Krauss is best known for explaining how the universe can arise from nothing rather than divine intervention; and we'll also be joined by the director of the Centre for Public Christianity, John Dickson. So put on your thinking caps and send in your questions. Until next week's Q&A, good night.

**From:** [REDACTED]  
**Sent:** Wednesday, 29 May 2013 6:02 PM  
**To:** [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]  
**Subject:** WIM item for next Wednesday [SEC=UNCLASSIFIED]

Hi everyone,

I have a item for a next Wednesday's WIM meeting. The broadcast is an hour long – would people prefer to put it off until the following Monday (10 June)?

The broadcast is the ABC TV program *Q and A* broadcast on 11/02/13 (at [ED13/76107](#) – it can also be viewed on the web at <http://www.abc.net.au/tv/qanda/txt/s3682566.htm>) and the complaint raises 4.1, 4.3, 4.4 and 4.5 the *ABC Code of Practice 2011*.

[REDACTED] is clearing this one.

Unfortunately, due to the nature of the complaint, the whole of the program (60 mins) is relevant. In so much as, having watched it twice, I cannot see any evidence of the bias that the complainant alleges!

The topic was "Cry Freedom" and the panellists were:

Chris Evans, Labor Senator for Western Australia; George Brandis, Shadow Attorney General; Corinne Grant, Comedian & Writer; Rachel Botsman, Author & Social Innovator; and James Paterson, Editor of the IPA Review. The discussion covered topic including: sports gambling; racism- what would you do; anti-discrimination laws; racism and social media; the mining tax and Labor; the Coalition's paper on major development in Far North Queensland and the Northern Territory; whether Tony Abbott is accessible to the media.

The complainant alleges that the program's host, Tony Jones, made 'persistent snide comments on and mockery of comments and responses' of some of the panellists, and failed to 'direct scrutiny of, or challenge to, Labor's position on matters...'

In response, the ABC asserted that Tony Jones and the production team were impartial/not biased against Tony Abbott and the Coalition in the broadcast, and there was no breach of any part of standard 4.

Cheers,

[REDACTED]

[REDACTED]  
Investigations Officer  
Broadcasting Investigations

**Australian Communications and Media Authority**

T +61 2 9334 [REDACTED] F +61 2 9334 7799

E [REDACTED] [acma.gov.au](mailto:[REDACTED]@acma.gov.au)

[www.acma.gov.au](http://www.acma.gov.au)



communicating | facilitating | regulating

## BIS – WEEKLY INVESTIGATION MEETING AGENDA

### Sample entry

| Date       | Officer initials | Item description                       | Relevant materials                     |
|------------|------------------|--|--|
| Wed 5 June | e.g. [REDACTED]  | [REDACTED]<br>[REDACTED]<br>[REDACTED] | [REDACTED]<br>[REDACTED]<br>[REDACTED] |

### Monday 29 April 2013

| Item no. | Officer initials | Item description | Relevant materials |
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| 1        |                  |                  |                    |
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### Wednesday 1 May 2013

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| 2        |                  | <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>                                     | <p>[REDACTED]</p>                   |
| 3        |                  | <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>                                     | <p>[REDACTED]</p>                   |



Australian Government



Australian  
Communications  
and Media Authority

| Item no. | Officer initials | Item description | Relevant materials |
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**Monday 3 June 2013**

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**Wednesday 5 June 2013**

| Item no. | Officer initials | Item description | Relevant materials |
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Australian Government



Australian  
Communications  
and Media Authority

## Monday 10 June 2013 - Public Holiday

| Item no. | Officer initials | Item description | Relevant materials |
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| 1        |                  |                  |                    |
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## Wednesday 12 June 2013

| Item no. | Officer initials | Item description | Relevant materials |
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| 1        |                  |                  |                    |
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## Wednesday 19 June 2013

| Item no. | Officer initials | Item description | Relevant materials |
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| 1        |                  |                  |                    |
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Monday 24 June 2013

| Item no. | Officer initials | Item description  | Relevant materials         |
|----------|------------------|---|----------------------------|
| 1        | [REDACTED]       | [REDACTED]<br>[REDACTED]<br>[REDACTED]<br>[REDACTED]  | [REDACTED]                 |
| 2        | SD               | ABC - Wilson – standards 4.1, 4.3, 4.4 and 4.5 – Q and A 11/2/13 – bias, the host made ‘persistent snide comments’ and failed to ‘direct scrutiny of, or challenge to, Labor’s position on matters...’. | <a href="#">ED13/76107</a> |
| 3        |                  |   |                            |
| 4        |                  |   |                            |

Wednesday 26 June 2013

| Item no. | Officer initials | Item description                                     | Relevant materials |
|----------|------------------|--|--------------------|
| 1        | [REDACTED]       | [REDACTED]<br>[REDACTED]<br>[REDACTED]<br>[REDACTED] | [REDACTED]         |
| 2        |                  |  |                    |
| 3        |                  |  |                    |
| 4        |                  |  |                    |