



On 19 April, the ABA released the following news release.

requirement under part 3 of the Standard was specifically designed to provide transparency for listeners by way of on-air disclosure where presenters of current affairs programs have hidden sponsorship arrangements. This is not the situation in this case.

However, the ABA notes that prior to the commercial agreement Alan Jones made a number of on-air statements critical of Telstra, especially with respect to its fees and charges. The dates for these statements are, 17 April, 18 April, 22 April (twice), 23 April (twice), 26 April and 11 July 2002. From 17 July 2002 onwards, however, the material provided to the ABA records Mr Jones making predominantly positive commentary, supporting Telstra's service standards, public image and credibility. It may be noted that Mr Jones' views on the privatisation of Telstra also seem to have changed over time.

Arising from the circumstances of this investigation, the ABA considers that the Commercial Radio Codes of Practice, in particular clause 2.2(c), may need to be amended. The aim would be to provide extra safeguards with respect to accuracy and fairness in current affairs programs in situations where a controversial issue of public importance is being dealt with and where a major advertiser or sponsor of the licensee has a particular interest in that issue. Such an amendment might, for example, require that within that program reasonable efforts are made or reasonable oppor-

tunities are given to present significant viewpoints.

Are there any other gaps in regulation?

The purpose of the Disclosure Standard was to augment the Commercial Radio Codes of Practice, specifically by making possible commercial influences on current affairs presenters visible. As discussed above, it was not intended to deal with all aspects of the potential impact of commercial advertising and sponsorship arrangements on current affairs program content. Rather, the disclosure standard is part of a package of regulatory measures relevant to this question with the Codes of Practice, in particular, governing the conduct of licensees by seeking to ensure that standards of fairness and accuracy are promoted.

In addition to a review of clause 2.2(c) of the code, the ABA considers that there may be merit in reviewing the existing regulatory measures aimed at promoting fairness in news and current affairs coverage. The purpose would be to consider existing measures aimed at achieving a clear distinction between editorial comment and advertising material (including live reads), and to assess whether and how commercial arrangements may impact on other program material. The ABA will raise these matters with Commercial Radio Australia and would welcome wider discussion of these issues.



Draft report of the investigation

The ABC TV program *Media Watch* obtained a copy of an internal working document relating to the ABA's investigation into Telstra's sponsorship of the *Alan Jones Program* on commercial radio service 2GB Sydney.

The document is in the form of an initial draft report on the investigation. It was prepared by a relatively junior officer of the ABA and submitted to senior ABA staff in December 2003 for clearance to proceed to the ABA board. Senior management did not approve the paper and a substantially different draft was ultimately submitted to the ABA board, in February 2004.

The document obtained by *Media Watch* has not been before the ABA board and does

not represent the views of the board or any of its members.

It contains confidential third party information that has not been provided to relevant parties for comment, as required by law. The ABA asked *Media Watch* to respect the confidentiality of the document, which would appear to have been illegally or improperly supplied to the program.

The ABA's views are canvassed fully in its report of the investigation, *Investigation relating to sponsorship of the Alan Jones program on Radio 2GB pursuant to an agreement between Telstra Corporation and Macquarie Radio Network Pty Ltd*, released in April 2004.

The ABA is investigating the circumstances behind the apparent leakage of an internal working document. 