

Commercial radio industry asked to develop new codes

The commercial radio industry must strengthen community safeguards for participants in live hosted entertainment programs or face new regulatory measures, according to an ACMA report released in January.

The report, *Live hosted entertainment radio programs: Adequacy of community safeguards for the protection of participants*, reveals that there is significant community concern about the treatment of participants in such programs—and that the concern is greater when the participant is a child.

'The changes to the commercial radio codes that the ACMA has suggested are designed to ensure that new practices are introduced which specifically and meaningfully address these concerns, especially in relation to the treatment of children participating in commercial radio programs,' Mr Chapman said.

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'The ACMA recognises that commercial radio needs the flexibility to provide attractive and innovative programming to attract and retain audiences. However, the industry must also be responsive to issues of community concern and address them as and when they emerge,' said Chris Chapman, Chairman of the ACMA.

The ACMA's decision to investigate the commercial radio industry was in part prompted by the public reaction to the 29 July 2009 broadcast of the *Kyle and Jackie O Show* on 2Day FM Sydney, in which a 14-year-old child was attached to a lie detector and asked questions about her sexual conduct and truanancies.

The broadcast, in addition to the results of the ACMA's commissioned research *Attitudes to Radio Content 2009* and the recent rise in complaints about commercial radio content, highlighted potentially broader issues about the treatment of participants and subjects in some types of live hosted entertainment programs on commercial radio.

The ACMA is now calling on the commercial radio industry to develop new codes that include provisions:

- > seeking to prevent the exploitation of participants in commercial radio programs
- > ensuring the radio industry has practices and processes in place that provide safeguards for participants in commercial radio programs and are transparent to the public
- > dealing with children as participants in commercial radio programs, including the requirement that the best interests of the child are a licensee's key consideration, irrespective of any consent given.

If these community concerns are not addressed in a timely manner under the co-regulatory scheme enshrined in the *Broadcasting Services Act 1992* (the BSA), the ACMA retains its power to determine a program standard under section 125 of the BSA. 📡

The ACMA's investigation report can be accessed on the ACMA website at www.acma.gov.au (go to For the public: Content & advertising > Broadcasting: ACMA investigation—Live hosted live entertainment radio programs).