

10 February 2011

The Manager
Broadcasting Standards Section
Citizen and Community Branch
Australian Communications and Media Authority
PO Q500, Queen Victoria Building NSW 1230

Email: anti-terrorism@acma.gov.au

Dear Sir/Madam

Re: Reform of the anti-terrorism standards

The Executive Council of Australian Jewry (ECAJ), the elected representative organisation of the Jewish community in Australia, presents the following submission on behalf of the Australian Jewish community, in response to your call for public submissions concerning proposed reform of the *Broadcasting Services (Anti-terrorism Requirements for Open Narrowcasting Television Services) Standard 2008* and the *Broadcasting Services (Anti-terrorism Requirements for Subscription Television Narrowcasting Services) Standard 2008* (together “the Anti-terrorism Standards”).

A key outcome of the most recent investigation by ACMA into the content of transmissions into Australia by *al-Manar* television was a recommendation to broaden the Anti-terrorism Standards so as to prohibit transmissions which indirectly counsel or urge the doing of a terrorist act or which directly praise the doing of a terrorist act. This would close a loophole in the current standards and bring them into line with the anti-terrorism provisions of the *Classification (Publications, Films and Computer Games) Act 1995*, as advocated by our organisation in its written submission to ACMA dated 14 September 2009. We naturally endorse that recommendation.

We also urge the government to amend the Anti-terrorism Standards so as to prohibit all transmissions from any media outlet which the Minister determines to be an instrument or agent of a terrorist organisation that is listed under the *Security Legislation Amendment (Terrorism) Act 2002*. The Minister would need to be empowered to make such a determination if the Minister is satisfied that the dominant purpose of the media outlet is to promote the ideology, policies or practices of that terrorist organisation. The relevant Minister for the time being would be the Minister for Broadband, Communications and the Digital Economy. We would expect that any such determination would be a reviewable decision for the purposes of the *Administrative Decisions Judicial Review Act 1977*.

We await the final outcome of the reform process with interest.

Yours sincerely

Peter Wertheim AM
Executive Director