

Investigation Report No. 3071

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| File no. | ACMA2013/1057 |
| Licensee | Radio 2SM Pty Ltd |
| Station | 2SM Sydney |
| Type of service | Commercial radio broadcasting |
| Name of program | *John Laws* |
| Date of broadcast | 19 March 2013 |
| Relevant Code or licence condition | Clauses 1.3 and 5.5 of the *Commercial Radio Australia Codes of Practice and Guidelines March 2013* |
| Date Finalised | 2 December 2013 |
| Decision | No breach of clause 1.3 (generally accepted standards of decency)  No finding in relation to clause 5.5 (response to complaints) |

Complaint

The Australian Communications and Media Authority (the ACMA) received a complaint about the *John Laws* programbroadcast by Radio 2SM Pty Ltd, the licensee of 2SM Sydney, on 19 March 2013.

The complaint relates to comments made by Mr Laws to a caller who stated on air that she was a survivor of child sexual and physical abuse.

The complainant did not receive a response to her complaint from the licensee.

The investigation has considered the licensee’s compliance with clause 1.3 (generally accepted standards of decency) and clause 5.5 (response to complaints) of the *Commercial Radio Australia Codes of Practice and Guidelines March 2013* (the Codes).

The program

The *John Laws* program is broadcast in Sydney from Monday to Friday between 9.00am to 12.00pm. It is described on the licensee’s website as:

John Laws is the undisputed 'King' of Talkback radio, after all he's been doing it for over 54 years. John cuts thru [sic] the political spin and asks the hard questions, often unsettling politicians. If it's news, information, entertainment and talkback you're after, there is only one choice, John Laws, weekdays from 9am.[[1]](#footnote-1)

The broadcast

On 19 March 2013, a caller (referred to as C in this report) phoned the station and detailed her history of sexual abuse by family members from the ages of six to 16 years. She commenced the call as follows:

**C**: I’m a, like a victim of sexual abuse and physical, verbal and all sorts of different violence, um, through a lot of my life actually. Anyhow, now I’ve got married to a really wonderful man, I have a great career, um, a really good job um which is nursing, and I’m still studying…

During the discussion, Mr Laws posed some questions to C, including:

**C**: … in the end she [C’s mother] decided that it was all my fault so she took my father back and it just continued.

**John Laws**: Was it in any way your fault?

**C**: I don't think so, no. No.

**John Laws**: You weren't provocative?

**C**: Um I was a little girl so I don't think so, John. No, I was just a little girl.

Following this discussion:

* three listeners called the station and were put to air in the course of the three hour program to express their views on the comments made by Mr Laws;[[2]](#footnote-2)
* Mr Laws read out four messages sent to the station by listeners;[[3]](#footnote-3)
* C called the station again and was put to air a second time;
* Mr Laws read out the Oxford Dictionary definition of ‘provocative’.

Related broadcasts

The broadcast occurred on Tuesday 19 March 2013. On Friday 22 March 2013, Mr Laws apologised for his comments in the broadcast on 19 March 2013. His apology included the following:

It’s been claimed that I asked a series of alarming questions, alarming questions. Well, there you are. As if I was suggesting the abuse she’d suffered from the age of six might have been her fault. If anybody has genuinely felt that way then I’m very sorry. That certainly wasn’t my intention. I’m not worried about trumped up journalists or the clowns of Twitter looking for a cheap headline. I’m talking about the very important regular listeners who listen to this program. I mean I wouldn’t offend you for anything, not for anything, certainly not deliberately. If I created any ambiguity at all about my compassion or sorrow or understanding about what [C] had been through then I am truly sorry and as a regular listener you’d be aware I take thousands of calls from all over the country every single year and when you take them you never know how they are going to pan out, you don’t.

[...]

You know, I was genuinely concerned for [C]’s welfare which was why I continued the call for as long as I did. At one point you could even hear her laugh during our exchange, relieved I suspect that somebody was prepared to listen to her and lighten her load. She wanted to get it off her chest. Of course, her appearance shouldn’t matter and of course you can’t be provocative at the age of six, but not deliberately. That’s wasn’t my intent. I mean, you couldn’t imagine what I’ve done for people like [C], away from the radio program over the years and I’m not about to get into that now. But I understand the gravity of what people like [C] are dealing with. You know, I do not treat these things flippantly, I don’t take them lightly and I certainly would never belittle victims of child sex abuse. My track record in this area over 55 years in radio speaks for itself. It’s a record in which I’m very, very proud.

Following the apology:

* Five listeners who called the station supporting Mr Laws were put to air.[[4]](#footnote-4)
* Mr Laws read out eight emails which supported him and one email criticising the questions he asked C.
* C called the station on a third occasion, was put to air and stated that she ‘wasn’t offended by the question because I understood exactly what you meant’.

On 5 April 2013, Mr Laws commented on a group of protestors who had gathered outside the station with a petition of 38,000 signatures protesting over his comments to C during the 19 March 2013 broadcast. Mr Laws also repeated his apology:

… there was a story in the Daily Telegraph, written by [AS] claiming I’d asked a series of alarming questions of [C] as if I was somehow suggesting the abuse that she’d suffered from the age of six was her fault. Now at the time if anybody took offence at the way I framed the questions then of course I’m sorry and I’ve already said I’m sorry and I also made it very clear that if I created any ambiguity at all about compassion or sorrow or understanding of what [C] had been through, that certainly was not my intention ...

The ACMA notes Mr Laws’ apologies and expressions of regret in the related broadcasts and that any offence caused by the broadcast was not intended by Mr Laws.

However, while these later related broadcasts could inform the ACMA’s response (as to remedial measures) to any breach finding it might make, the related broadcasts have no bearing on whether the broadcast on 19 March 2013 offended generally accepted standards of decency.

Excerpts of the broadcast and related broadcasts are at **Attachment A**.

Assessment

This investigation is based on submissions from the complainant and a copy of the broadcasts provided to the ACMA by the licensee. Other sources used have been identified in the report.

In assessing content against the Codes, the ACMA considers the meaning conveyed by the relevant material that was broadcast. This is assessed according to the understanding of an ‘ordinary, reasonable’ listener or viewer.

Australian Courts have considered an ‘ordinary, reasonable’ reader (or listener or viewer) to be:

A person of fair average intelligence, who is neither perverse, nor morbid or suspicious of mind, nor avid for scandal. That person does not live in an ivory tower, but can and does read between the lines in the light of that person’s general knowledge and experience of worldly affairs[[5]](#footnote-5).

In considering compliance with the Codes, the ACMA considers the natural, ordinary meaning of the language, context, tenor, tone, and any inferences that may be drawn. In the case of factual material which is presented, the ACMA will also consider relevant omissions (if any).

Once the ACMA has ascertained the meaning conveyed, it then determines whether the Codes have been breached.

Issue 1: Generally accepted standards of decency

**Relevant clause of Codes**

Code of Practice 1: Programs unsuitable for broadcast

***Program Content and Language, including Sex and Sexual Behaviour***

1.3 (a) Program content must not offend generally accepted standards of decency (for example, through the use of unjustified language), having regard to the demographic characteristics of the audience of the relevant program.

(b) For the purposes of determining:

(i) the audience of the relevant program; and

(ii) the demographic characteristics of that audience,

regard must be had, in particular, to the results of any official ratings surveys of the licensee’s service in the prior 12 months, (or, in the case of any licensee service operating in regional areas, the most recent official ratings surveys for the licensee’s service).

Complainant’s submissions

The complainant submitted to the licensee that:

I am disgusted in the John Laws interview of [C] and have seen [C]'s own comments on the Facebook page that confirm she is not happy and calls the interview unfair. You have been hanging on the fact that [C] was fine with it all - when she clearly is not.

On Friday John then went on to comment about "5 year olds wearing bras and pumping up their bosom". 5 year olds don't have a bosom and what is John implying - that they too are asking for abuse?

John's arrogance on this matter is disturbing. He apologises but then tells us to go to hell - really?

No apology will suffice. He needs to be removed from the air immediately. This will not go away 2SM so take action now.

The complainant subsequently submitted to the ACMA that:

I write with disgust about comments made by John Laws on his radio 2SM show to a lady who had been through years of sexual abuse. For him to ask if she was provocative as a 6 year old and whether it was her fault is beyond unacceptable and I ask the ACMA to ban him from radio and censure his employers.

Licensee’s submissions

The licensee submitted to the ACMA that:

On the matter of the content of the complaint, the broadcaster has apologised and subsequently interviewed an advocate on the matter and received a satisfactory response on his handling of the topic.

Finding

The licensee did not breach clause 1.3 of the Codes.

Reasons

At the outset, the ACMA observes that it is legitimate for broadcasters to discuss matters of public interest and concern, including extremely sensitive matters such as child sexual abuse and the sexualisation of children. However, such matters should be discussed with care.

The question for the ACMA is to determine whether, in this case, the broadcast breached clause 1.3 of the Codes.

The ACMA has reviewed the broadcast in its entirety with particular reference to the comments below in bold.

**John Laws**: How old were you when you were sexually abused?

**C**: Ah, from when I was six.

**John Laws**: Six!

**C**: And it didn’t stop till I was 16 then I got myself into some terrible relationships of abuse. It just continued on until I was about 35 and then I decided to change things. I thought, mm, I need to change things I think.

**John Laws**: Yeah, that was a very good idea. But tell me, you said it started when you were about six?

**C**: Uh um, yep,

**John Laws**: And was this a member of the family?

**C**: Members.

**John Laws**: Members? More than one?

**C**: Yeah, yeah.

**John Laws**: What, brothers?

**C**: Yeah, and father and uncles.

**John Laws**: **My God, they were having a good time with you**. You mean, a number of males were sexually abusing you when you were six years old?

**C**: Yeah, from when I was six, yeah. That’s the first time I can remember back.

**John Laws**: Ok, but after it continued for a while, why didn’t you tell somebody?

**C**: I did, I told my Mum.

**John Laws**: And what did she say?

**C**: Um, well she actually um broke up with my father and um, because she didn’t know about my brothers and that, because I was too scared to tell her about them and um the other men were her brothers also. So and then, um…

**John Laws**: **What a charming family**.

**C**: Yeah, it was charming um but, um in the end she decided that it was all my fault so she took my father back and it just continued.

**John Laws**: **Was it in any way your fault?**

**C**: I don't think so, no. No.

**John Laws**: **You weren't provocative?**

**C**: Um I was a little girl so I don't think so, John. No, I was just a little girl.

**John Laws:** And it continued until you were 16?

**C:** Yes.

**John Laws:** And then what happened?

**C**: When I left home. Well, one day my father come into my room, just out of the blue and he had the belt with him because he used to love using the belt on me, on all us kids actually. He come into the room with the belt in his hand and he said, ‘you’ve got a choice, you can cop a hiding every day of your life while you’re here, or you can leave today’. And I still don’t know why he gave me that ultimatum but I left.

**John Laws**: **So obviously he became physically tired of you.**

**C**: I think so, yeah.

**John Laws: And tell me, how many other people were involved in this abuse**?

**C:** Um, four.

**John Laws:** **So there were five altogether, your father and four others?**

**C:** Yep.

**John Laws:** **And how often did this take place?**

**C:** Um, with my father it was every week-end, just about, every Saturday because my Mum used to go to work, and the others it was, oh, whenever, like whenever.

**John Laws:** **But did you, did you just give in to this?**

**C:** Well, when I was 15 I then took myself off, I told my parents I was going to a friend’s place on Wednesday afternoons.

**John Laws:** Yeah.

**C:** But what I was doing was I was actually going to see a social worker. I decided that I was different from everyone else, and there was something wrong with me. So um, because they used to call me names and everything. They used to tell me I had to take my ugly pills.

**John Laws:** Oh God.

**C:** You know, and all that sort of stuff because I was so ugly and, you know, they used to put me down all the time. So I thought, there’s something really wrong with me so I then started to take myself off to see therapy and I didn’t stop therapy until I was 27.

**John Laws:** **Tell me this, are you unattractive?**

Following the initial discussion with C, Mr Laws read out messages received from five listeners who expressed their shock at the questions asked. This elicited a comment from Mr Laws that on ‘occasions little girls appear to be provocative and they obviously don’t know they are provocative at the age of six, and ...if you are of that bent, it doesn’t take a lot to cause provocation’. He later repeated this point. Two callers agreed with Mr Laws’ views regarding young girls dressing provocatively. C also called back and stated that it was a ‘fair question even though it did take me back a bit’.

**Generally accepted standards of decency**

Clause 1.3(a) requires the ACMA to consider the meaning of the phrase ‘generally accepted standards of decency’.

The objects of the BSA include the promotion of the availability of a diverse range of radio services to audiences throughout Australia.[[6]](#footnote-6) Another object is to encourage providers of broadcasting services to respect community standards in the provision of program material.[[7]](#footnote-7)

Determining the current consensus of recognised standards of decency is challenging because there is a range of standards within the community and there will always be different views on these matters.

The ACMA acknowledges that such standards are not hard and fast either over time or across all sections of the community. Diverse audiences in Australia will not have everyday tastes and standards in common. The majority of people in the community are likely to accept that material that they find coarse or offensive may not be similarly judged by others.

In determining whether a breach of clause 1.3 has occurred, the ACMA must reflect on whether material, which may not be to everyone’s taste, so offends generally accepted standards of decency in the broader community that it is inappropriate for broadcast.

Previously, where the ACMA has found breaches of the decency provisions of the Codes it has reflected on a number of matters, including:

* the subject matter or themes dealt with: for example, care needs to be taken with material that is sexually explicit or extremely sensitive;[[8]](#footnote-8)
* the tenor or tone of the broadcast: for example, was it light-hearted or threatening; matter-of-fact or salacious;[[9]](#footnote-9)
* the language used in the broadcast: for example, was it abusive, profane, vulgar or lewd;[[10]](#footnote-10) and
* the attitudes conveyed: for example, contemptuous disregard for human life or suffering.[[11]](#footnote-11)

**Demographic characteristics of the audience of the relevant program**

Clause 1.3(a) of the Codes requires the ACMA to have regard (though not sole regard) to the demographic characteristics of the audience of the relevant program. Pursuant to clause 1.3(b) of the Codes, for the purposes of determining the audience of the relevant program and the demographic characteristics of that audience, regard must be had, in particular, to the results of any official ratings surveys of the licensee’s service in the past 12 months.

In this case, the licensee has not provided survey results of its audience. Nor has the ACMA has been able to obtain survey results from the Nielson radio ratings as it does not collect listener data for the licensee.

However, having regard to the fact that the stated ‘purpose of [Code of Practice 1] is to prevent the broadcast of programs which are unsuitable, having regard to *prevailing community standards and attitudes*’ (emphasis added), the ACMA considers that the absence of official survey results does not prevent it from determining whether the obligations at clause 1.3 have been met.

**Assessment of the content against the Code provision**

***Issues raised by Mr Laws’ comments***

The ACMA considers that Mr Laws’ comments fall into two categories:

1. comments made to or directly about C’s experience of child sexual abuse; and
2. more general comments made about the sexualisation of children.

*Comments pertaining to C’s experience of child sexual abuse*

During this discussion, Mr Laws asked a series of questions about the duration and frequency of the abuse, the perpetrators of the abuse, the part that C played in the abuse (‘was it in any way your fault?’ and ‘you weren’t provocative?), and the impact the abuse has had on C. Mr Laws established that C was abused between the ages of six and 16, by male members of her family, on a weekly basis.

*Comments about the sexualisation of children*

Following the initial discussion with C, and in response to feedback and calls from listeners, the subject matter of the broadcast expanded from C’s individual experience to include the topic of sexualisation of children, using phrases such as:

* ‘on occasions little girls appear to be provocative’
* ‘they do the little dance and wiggle their little bottoms and things’
* ‘putting the kids on display’
* ‘a lot of kids ... they impersonate the grown women’.

***Discussion***

As indicated above, both child sexual abuse and the sexualisation of children are topics which licensees should approach with great care. In the broadcast complained of, the two matters were clumsily juxtaposed and at times conflated.

The ACMA acknowledges that some people will hold the view that the broadcast was deeply offensive because:

* + it was capable of suggesting that a six year old child might have provoked or been at fault for her own sexual abuse, a notion which is not only abhorrent to the community, but also insensitive to victims of such abuse, some of whom may well have been listeners to the broadcast; and
  + the prolonged public questioning of C and the nature of some of the questions asked were inappropriate given her clear vulnerability.

However, while Mr Laws’ comments may have been construed by some as suggesting highly abhorrent notions, they are equally capable of being construed as a clumsy attempt to show empathy and support for C. It was apparent that Mr Laws was listening to and questioning C out of concern and interest, rather than to express any views he had on child sex abuse.

The ACMA has also taken close account of the following matters.

* C was an adult woman who introduced the subject matter of child sexual abuse, voluntarily recounted her experience, and willingly answered all Mr Laws’ questions. This can be distinguished from Investigation 2266[[12]](#footnote-12) in which the ACMA concluded that a broadcast in which a 14 year-old girl was questioned on-air about her truancies and sex life while strapped to a lie-detector, breached the decency code provisions
* The program content was spontaneous, and it was not underpinned by an inherently problematic premise as, for example, in:
  + Investigation 2266 - a premise that involved exploiting the vulnerability of a child; and
  + Investigation 1270[[13]](#footnote-13) - a competition segment based on the Holocaust.
* Mr Laws’ tone was not aggressive or harassing as, for example, in Investigation 2751[[14]](#footnote-14) where the presenter made deeply personal, derogatory and offensive comments directed at an individual in a menacing and vitriolic tone.
* Mr Laws’ comments and questions did not convey contemptuous disregard for human life or suffering as was the case in:
  + Investigation 1270 – as part of competition segment, a listener was asked to picture herself in Auschwitz in 1942 and to choose who gets sent to the gas chamber: her able mother or her sick daughter.
  + Investigation 2598[[15]](#footnote-15) - a quiz competition asked listeners to ‘guess the amount of deceased asylum seekers to be buried in Sydney’.
  + Investigation 2848[[16]](#footnote-16) - the presenter aggressively stated that he hoped that asylum seekers drown while en route to Australia, conveying contemptuous disregard for their welfare.
* Many of Mr Laws’ questions were prompted by C’s own comments. Moreover, C willingly answered all questions without hesitation and took the opportunity to affirm that she was not at fault. In contrast, in Investigation 1270, the contestant’s discomfiture at the question was obvious from her sustained reluctance to respond.
* The broadcast did not did not trivialise child sexual abuse. In Investigation 2266, the presenter’s response to a child stating she had been raped was ‘was that the only [sexual] experience [you have had]?’ Here, although Mr Laws’ references to provocation and appearance were clumsy and tended to conflate the discrete issues of an individual’s experience of child sexual abuse and the sexualisation of children, Mr Laws stated very clearly that ‘nothing justifies [molesting a child] at all’.

Accordingly, on balance, the ACMA concludes that the licensee did not breach clause 1.3 of the Codes.

Issue 2: Complaints handling

**Relevant clause of Codes**

Code of Practice 5: Complaints

***Advice in writing***

5.5 Written complaints must be conscientiously considered by the licensee and the licensee must use its best endeavours to respond substantively in writing within 30 business days of the receipt of the complaint. If the licensee needs to investigate the complaint or obtain professional advice and a substantive response is not possible within 30 business days, the licensee must, in any event, acknowledge receipt of the complaint within 30 business days and provide a final reply within 45 business days of receiving the complaint.

Licensee’s submissions

The licensee submitted to the ACMA that:

…the complaint from [the complainant] was not received by 2SM, by the time the ACMA forwarded to the Super Radio Network the complaint from [the complainant], not only had the 30 days time frame lapsed, but the return address was an email address and the complaint an email complaint, both points according to the code placing 2SM in the position of not being obliged to respond…

It has been pointed out on numerous occasions to the ACMA that 2SM dealt with over a hundred valid complaints on the matter in which [the complainant] alleged complaint refers, all of which have been without follow-up or questioning. It would seem extraordinary that 2SM would refuse to respond to just one complaint based on this evidence, in fact, it would only be because the alleged complaint was not received by our online site, which is the case. It is to be noted that the email complaint forwarded by the ACMA from [the complainant] has given a postcode in South Australia, this is most certainly not in the 2SM broadcasting area.

Finding

The ACMA makes no finding on whether the licensee has breached clause 5.5 of the Codes.

Reasons

Clause 5.5 requires that the licensee substantively respond to complaints within 30 days of receipt and that even if a substantive response is not possible within the timeframe, that the licensee must acknowledge receipt of the complaint within the 30 days and then provide a final reply within 45 days.

The complainant submitted that she lodged a complaint with the licensee, via its on-line electronic complaint form on 21 March 2013, and provided the ACMA with the following information:

* an email[[17]](#footnote-17) sent to her on 21 March 2013 by system@radiocomplaints.com.au which acknowledged receipt of her request for a 2SM complaint form and provided a link to it to submit an on-line complaint, and the message, ‘Thank you for submitting your request for a complaints form for 2SM. Click [link] or copy and paste the link to your browser to submit your complaint’;
* a copy of the text she states she entered on the form (set out at page 4, above); and
* advice that she ticked the ‘Breach of Commercial Radio Australia Codes of Practice’ button on the on-line form.

The licensee submitted that it did not receive the complaint and has advised that its on-line system sends an acknowledgement email to complaints lodged on-line.

The complainant is unable to locate an acknowledgement of the submission of her complaint of March 2013, but has advised the ACMA that when she later tested the link by submitting a further message in June 2013 to follow up on her complaint, and clicked on the complaint link a second time she received the message, ‘Please wait 24 hours before attempting to submit another complaint, click to try again’ indicating to her that her original on-line form had been submitted.

The ACMA does not consider that this is evidence of successful lodgement of the original complaint.

The requirement under clause 5.1(a) is that the complaint has been ‘made’, rather than it has been received. In this case the complainant has advised that she completed an on-line request to obtain a complaint form from 2SM, and received an on-line complaint form which she completed and submitted on-line to the licensee. However, she received no automated complaint acknowledgement email. In addition, the ACMA notes that the licensee received and responded to a number of other complaints about the same broadcast and indicated in the letters that if the complainant was dissatisfied with the response they may complain to the ACMA.

The ACMA has no clear evidence that the complainant successfully submitted her complaint or that the licensee received the complaint. In all the circumstances, the ACMA makes no finding on compliance with clause 5.5 in this instance.

Decision

The Australian Communications and Media Authority determines for the above reasons that Radio 2SM Pty Ltd, the licensee of 2SM Sydney:

* did not breach clause 1.3(a) of the *Commercial Radio Australia Codes of Practice & Guidelines September 2013*;
* The ACMA makes no finding in relation to clause 5.5 of the *Commercial Radio Australia Codes of Practice & Guidelines September 2013*.

**Attachment A**

**Excerpts of the broadcast – 19 March 2013**

**1:09:10 – 1:19:05**

**John Laws**: [C] are you there?

**C**: Hello John.

**John Laws**: Hello [C].

**C**: Hi, how are you?

**John Laws**: I’m very well I wish I was high, I’m not but…

C: I’m ringing up about something completely different.

**John Laws**: Yeah.

**C**: I’m a, like a victim of sexual abuse and physical, verbal and all sorts of different violence, um, through a lot of my life actually. Anyhow, now I’ve got married to a really wonderful man, I have a great career, um, a really good job um which is nursing, and I’m still studying…

**John Laws**: Did you say nursing?

**C**: Yes.

**John Laws**: That’s good, that’s a lovely thing to do, I love nurses and admire them greatly, I admire them greatly.

**C**: Yeah, it’s a hard job.

**John Laws**: Well, I imagine it is a very hard job, but, and, it would be a very intense job because you’ve got to be very careful what you’re doing, haven’t you.

**C**: Absolutely, absolutely, because you’re accountable for everything that you do.

**John Laws**: How old were you when you were sexually abused?

**C**: Ah, from when I was six.

**John Laws**: Six!

**C**: And, and it didn’t stop till I was 16 then I got myself into some terrible relationships of abuse. It just continued on until um I was about 35 and then I decided to change things. I thought, mm, I need to change things I think.

**John Laws**: Yeah, that was a very good idea. But tell me, you said it started when you were about six?

**C**: Uh um, yep,

**John Laws**: And was this a member of the family?

**C**: Members.

**John Laws**: Members? More than one?

**C**: Yeah, yeah.

**John Laws**: What, brothers?

**C**: Yeah, and father and uncles.

**John Laws**: My God, they were having a good time with you. You mean, a number of males were sexually abusing you when you were six years old?

**C**: Yeah, from when I was six, yeah. That’s the first time I can remember back.

**John Laws**: Ok, but after it continued for a while, why didn’t you tell somebody?

**C**: I did, I told my Mum.

**John Laws**: And what did she say?

**C**: Um, well she actually um broke up with my father and um, because she didn’t know about my brothers and that, because I was too scared to her about them, and um the other men were her brothers also. So and then, um…

**John Laws**: What a charming family.

**C**: Yeah, yes it was charming um but, um in the end she decided that it was all my fault so she took my father back and it just continued.

**John Laws**: Was, was it in any way your fault?

**C**: I don't think so, no. No.

**John Laws**: You weren't, you weren’t provocative?

**C**: Um I was a little girl so I don't think so, John. No, I was just a little girl.

**John Laws:** And it continued until you were 16?

**C:** Yes.

**John Laws:** And then what happened?

**C**: When I left home. Well, one day my father come into my room, just out of the blue and he had the belt with him because he used to love using the belt on me, on all us kids actually. He come into the room with the belt in his hand and he said, ‘you’ve got a choice, you can cop a hiding every day of your life while you’re here, or you can leave today’. And I still don’t know why he gave me that ultimatum but I left.

**John Laws**: So obviously he became physically tired of you.

**C**: I think so, yeah.

**John Laws:** And tell me, how many other people were involved in this abuse?

**C:** Um, four.

**John Laws:** So there were five altogether, your father and four others?

**C:** Yep.

**John Laws:** And how often did this take place?

**C:** Um, with my father it was every week-end, just about, every Saturday because my Mum used to go to work, and the others it was, oh, whenever, like whenever.

**John Laws:** But did you, did you just give in to this?

**C:** Well, when I was 15 I then took myself off, I told my parents I was going to a friend’s place on Wednesday afternoons.

**John Laws:** Yeah.

**C:** But what I was doing was I was actually going to see a social worker. I decided that I was different from everyone else, and there was something wrong with me. So um, because they used to call me names and everything. They used to tell me I had to take my ugly pills.

**John Laws:** Oh God.

**C:** You know, and all that sort of stuff because I was so ugly and, you know, they used to put me down all the time. So I thought, there’s something really wrong with me so I then started to take myself off to see therapy and I didn’t stop therapy until I was 27.

**John Laws:** Tell me this, are you unattractive?

**C:** I don’t think so, I think I’m alright.

**John Laws:** Yeah, you sound alright. That’s, I mean that is really, that’s cruel stuff.

**C:** It was very cruel, it was very cruel. Anyhow, why I’m ringing up John is um is because of that, also I fought it, I fight it, I fight every day, every day I fight to keep the dream alive and um, some days it just gets really hard.

**John Laws:** I can imagine it does dear.

**C:** And I’m at that stage now where I’m doing my RN and I’m really enjoying it, and I’m a good nurse and it’s like when you do you stop, when do you stop fighting John?

**John Laws:** Well you’ve got to dedicate yourself totally to your nursing, you’ve got to start to worry about all those other people, it’s going to be very difficult to do, I mean, you’ve had a terrible time and…

**C:** I enjoy doing it.

**John Laws:** It was not something that you’re going to forget in a hurry, is it?

**C:** No.

**John Laws:** So you have to do your best to keep your mind off it. And did you tell me that you’re now married?

**C:** Yes, I’m married to an absolutely wonderful man.

**John Laws:** Ok, just make the most of him, just spend as much time with him as you can and be loved by him and try and put the other things out of your mind. I mean, it’s going to be hard to do isn’t it?

**C:** Yes, yeah, and like I never went onto drugs, never went to drugs, I never went to alcohol.

**John Laws:** No.

**C:** But I used to just fight every day, um, every day is a constant fight. I mean I enjoy doing it though.

**John Laws:** Anyway so, it seems that you’re getting by, you know, you sound bright enough. I don’t know what it’s like when you’re in your bed alone at night, as it says in the song, maybe you think about these things, I don’t know.

**C:** No, no I don’t really, it’s just that sometimes it gets me down.

**John Laws:** Well, I can…

**C:** I just wanted to let you know that I keep the dream alive.

**John Laws:** Anyway, that’s, that’s good if you do that. That’s what life’s all about, you’ve got to keep the dream alive, and good luck to you sweetheart, I hope everything improves.

**C:** Yeah, oh, it improves all the time, but every now and then it gets me down a little bit, that’s all.

**John Laws:** Well try not the think about it.

**[Music]**

**John Laws:** Poor little [C], I suppose it’s the kind of thing that, that you can’t stop thinking about, I don’t know…[K] are you there?

**Caller 1:** Yes, I’m here, hello.

**John Laws:** Hello [K], what can I do for you?

**Caller 1:** Hi John, I listen to you lots with my husband, I think you’re fabulous. I’m just a little bit shocked that you asked [C] if she was in any way provocative um towards the men that molested her and I think maybe you should have thought before you said that.

**John Laws:** No, no, no, no, no, I wanted, I wanted to say that, it wasn’t an unreasonable question.

**Caller 1:** Oh, John I think it is. A six year old doesn’t know how to be provocative um they’re innocent, they’re sweet.

**John Laws:** Yes, but a 15 year old does.

**Caller 1:** Yes, but the time she was 15 her brain would have been so messed up and her self esteem would have been so low that she wouldn’t have been at fault for anything um, even if she were provocative, that’s what happens when you’ve been molested.

**John Laws:** That’s right but surely if a girl’s been provocative, she knows she’s been provocative?

**Caller 1:** Oh John, not after you’ve been molested for nine years, no, and I’m sure [C] would agree with me on that um, she’s been abused by several men, I mean, I’m just shocked then I supposed to be asked in any way she was provocative um, I’m sure [C] would say that even if she was provocative it would have been her way of life.

**John Laws:** Yeah, by asking her, ‘was she in any way provocative’ I wasn’t suggesting that that made the offence less important, it certainly doesn’t. To the contrary, they’re still grown men and should have known to behave themselves better.

**Caller 1:** Yes, but even if she was provocative, which I’m sure she wouldn’t have been, oh, I just think that was a terrible question to ask a woman who’s been through so much. I think any woman who has been molested would be very upset. I myself have not been molested, I knew that was your next question, but I just think it’s a very, very horrible question to ask of [C] because a six year old again does not know how to be provocative and with years of torture from these men, whatever way she did turn out was surely not her fault.

**John Laws:** Maybe not, but sorry I still don’t think the question was unreasonable because…

**Caller 1:** You don’t?

**John Laws:** No, I don’t.

**Caller 1:** Alright John, I normally agree with you, especially with your politics, but with this one I, I disagree, sorry.

**John Laws:** Ok, have a lovely day [K].

**Caller 1:** And I hope [C] agrees with me too. Thank you John.

**John Laws:** Good bye.

**Caller 1:** Bye.

**1:42:15 – 1:43:38**

**John Laws:** [M] has sent a note:

‘Just want to say that the excuse child molesters often use to justify their behaviour is the child engaged in provocative behaviour’.

Well, it’s exactly what we were talking about earlier.

‘Nothing justifies molesting a child, I know you agree.’

Regards [M], I certainly do agree. Nothing justifies it at all. But on occasions little girls appear to be provocative and they obviously don’t know they are provocative at the age of six, and ah, I suppose if you are of that bent, it doesn’t take a lot to cause provocation.

Here we have another one, [E],

‘I’m hurt and disgusted that John Laws asked the caller if she was being provocative and was it her fault that she was raped as a child’.

I did not say it was her fault that she was raped as a child.

‘Especially when the caller held John in high esteem and that he was unable to contemplate and reconsider his actions afterwards. I feel his actions were so insensitive and potentially damaging, he should not be permitted on air.’

Well [E], I’m sorry I don’t, I can’t agree with that. It’s a question that is often asked and as I say that children can be provocative without knowing they’re being provocative and if somebody is of that particular bent, if you know, a male is of that particular bent, it doesn’t take a lot to provoke him.

**1:49:35 – 1:50:35**

**Caller 2:** A few ladies getting into you there about the comments about little girls and being provocative and stuff like that. I’ve got a little daughter and even how they, if you let em watch TV and how they pick up on music clips and whatever else

**John Laws**: Yeah, and they do the little dance and wiggle their little bottom and things, yeah.

**Caller 2**: And if you was [sic] a parent, if you got any backbone as a parent you should be teaching your children that’s not on and that teaches them to protect themselves, I think.

**John Laws**: Good on you [T], got to leave you mate because of time but it was good to talk to you and I hope we get to talk again. Good fella [T] and of course the point I made about children being provocative is they do, they do copy what’s on television, they do. What about that little girl, that little Ramsey girl or whatever her name was, remember her? My God, if anyone was provocative, she was.

**2:02:40 – 2:04:05**

**John Laws**: Seems I’m in trouble with a few people around here…’John’, this is from [R],

‘I agree with your caller, it was just the wrong question to ask, a victim is in the wrong space with the wrong mindset due to extreme trauma’.

Come on, I’m sorry, I don’t agree with that. The victim is in the wrong mindset, I don’t know about that. Anyway [R], there you are, thank you.

‘John, you’ve been my hero for 50 years, you just lost me with your question to [C] about her being provocative at the age of six.’

I didn’t say sexually provocative.

‘First time I’ve witnessed you not put your brain in gear before you spoke, very disappointed’.

[J], Yeah Ok, a couple of others there, the reason I didn’t read that one was that it had nothing to do with provocative, but the definition of provocative: ‘serving to provoke, to excite or to stimulate discussion or exciting controversy, provocative remark’. You know I didn’t say that the girl was sexually provocative. But anyway, read whatever you want to read into it, I don’t mind because that certainly was not my intention. If I did use the wrong word and I upset anybody, that was not my intention, put it that way.

**2:06:33 – 2:08:40**

**John Laws:** [J] are you there? [J]?

**Caller 3**: Morning John, how are you?

**John Laws**: Pretty good [J], what can I do for you?

**Caller 3**: Look, seems like you’ve stirred a bit of a hornet’s nest with the comment you made this morning, but most questions that people are uncomfortable with, they generally tend to, you get the greatest result. I saw a couple of year ago, about 18 months ago I was in a large regional town, I saw a young girl, she wouldn’t have been more than 12 years old, she was with her parents.

**John Laws**: Yep.

**Caller 3**: And she was wearing one of those tight midriff t-shirts and those little cut off denim jeans, very short, I would classify as inappropriate wear for a child of that age.

**John Laws**: How old do you reckon she was?

**Caller 3**: 11 or 12. But on the t-shirt, this is what got me the most. On the t-shirt was printed in large letters, ‘you wish’.

**John Laws**: Dear, dear, dear. How could, how could a mother let a child wear a t-shirt like that or get dressed like that?

**Caller 3**: I think I was just too stunned for words, I went back and told my wife and she was, she was equally disgusted. She said, ‘what kind of people would let their child go out in a public place like that’. So you talk about provocative behaviour. What about the adults, and it’s almost tantamount to…oh… you know.

**John Laws**: It’s tantamount to putting the kids on display but listen, you can to go websites, there’s one website Honey Booboo, or something, somebody was talking about where these little girls, and what about that little girl who disappeared, never to be seen again, and her provocative behaviour in some dance routine she was doing. I mean, her parents allowed it to happen and they should not allow it to happen.

**Caller 3**: It’s the culture John and it wants to be stopped. But unfortunately we live in this new society now where you can say and think whatever you want as long as you don’t mean it.

**John Laws**: Well said [J], good on you.

**Caller 3**: No worries John, thanks mate, bye.

**John Laws**: Bye.

**2:23:49 – 2:24:18**

**John Laws:** Apparently somebody said I was wrong about the word ‘provocative’. Oh well, I’m sorry, if I’m wrong about it, the Oxford Dictionary is wrong. The Oxford Dictionary definition:

‘causing anger or strong reaction, provocative remarks on race, intended or intending to arouse desire or interest. A provocative side long glance’.

So please don’t, don’t be like that, it’s not nice.

**2:33:17 – 2:36:50**

**John Laws**: [C]

**C**: Hello John, it’s [C].

**John Laws**: The same [C] I talked to earlier?

**C**: Yes.

**John Laws**: Ok, [C].

**C**: Okay. I just want to say the question did take me back um but it’s ok that you asked me that question. It was a fair question um because I was 15 and 16 when it did stop um but at that stage it had turned from molestation to rape and it was more of a power thing.

**John Laws**: Yeah, well that’s what it is.

**C**: Yeah, and that’s what it was and I was an absolute bitch to my brothers, my dad and my uncles and I think that’s what spurred them on to do it because I was such a little bitch um because I was so cranky.

**John Laws**: Yeah, well I can imagine you being cranky darling.

**C**: Yes, and it was just a power thing, so um, I just wanted to let you know that it was a fair question even though it did take me back a bit.

**John Laws**: Yeah, well you were there and now you’re a grown woman, I’m quite sure that you were honest in what you told me and quite often when you look at, who was that little girl that was on television and she disappeared? Sure you talk about provocative, she was. I can’t remember her name um, but it will come to me in a moment. But she appeared on television and then she disappeared. Jon Benet Ramsey I think was her name. Do you remember her?

**C**: No I don’t.

**John Laws**: She appeared , she appeared on some American television show. But a lot of kids can be, because they watch television and they watch grown women being provocative, and they impersonate the grown women and you see it all the time.

**C**: And also, I think the reason why they do it is because um they don’t know right from wrong.

**John Laws**: Yeah.

**C**: And it’s the only way that they can get attention and probably not get hurt. It’s a protective mechanism basically.

**John Laws**: Yeah, well that’s a very interesting way of putting it.

**C**: Yeah but I was the opposite. I was a horrible, a horrible person to my family because what they were doing to me.

**John Laws**: I don’t blame you.

**C**: And that spurred them on which I didn’t realise at the time. It was a power thing.

**John Laws**: Yeah, well there you are. Anyway, I appreciate your honesty very much, you’re very sweet to call us back and I’m glad that I didn’t offend you because certainly it was not my intention.

**C**: No, I realise that John, I realise but I do understand how other women, if you asked them that question, they would be very offended by it um but because I’ve faced it and I do have my hard days, but I didn’t find it a hard question.

**John Laws**: Well that’s good.

**C**: Do you know what I mean?

**John Laws**: Well you seem to me to be a mature woman who was dealing with what is a problem very well and hopefully you’ll continue to deal with it very well, I’m sure you will.

**C**: Yes I’m actually going to write a book about it one day and I’m also going to ask other victims if they would like to go into my book you know, like tell their own story.

**John Laws**: Ok, you let me, you let me know when you start on the book and we’ll find you some victims because we hear from them all the time.

**C**: Yeah, um I just have to um, I’ll wait till I’ve done my RN and you know prepare myself for it.

**John Laws**: Yeah, well you let me know, if I can help I’d be happy to help.

**C**: Ok, thanks John.

**John Laws**: Ok, [C] bye.

**Excerpts of the broadcast – 22 March 2013**

**12:35 – 19 40**

**John Laws**: Well the newspapers have been having a field day for the past couple of days and television ever since I took a call from a lady named [C] who had been repeatedly sexually abused as a young girl through her teens. Now the story was very sad ah, and I do know that I am a, not a big target, I’m a huge target and ah that’s Ok if we can somehow launch an attack against John Laws we will. Too old for radio, he’s a dinosaur, all the usual BS, these self-appointed arbiters of moral standards go on with, and as for the righteous brothers down there in Melbourne, Hinch and the other fellow I can’t think of his name, I mean they are so precious. The standard formula involves grabbing one piece of radio discussion, a little piece, having a look at that in total isolation, selectively grabbing a few quotes and then running around to the usual dial a quotes to get the predictable mock indignation that is needed to play out the story. And that’s what we get and the standard formula involves that.

It’s been claimed that I asked a series of alarming questions, alarming questions. Well, there you are. As if I was suggesting the abuse she’d suffered from the age of six might have been her fault. If anybody has genuinely felt that way then I’m very sorry. That certainly wasn’t my intention. I’m not worried about trumped up journalists or the clowns of Twitter looking for a cheap headline. I’m talking about the very important regular listeners who listen to this program. I mean I wouldn’t offend you for anything, not for anything, certainly not deliberately. If I created any ambiguity at all about my compassion or sorrow or understanding about what [C] had been through then I am truly sorry and as a regular listener you’d be aware I take thousands of calls from all over the country every single year and when you take them you never know how they are going to pan out, you don’t.

I mean you can’t plan for a call like, like [C]’s. Now sometimes in the midst of that as you try to piece together the chronology of somebody’s harrowing life story by the way of clarification, about times or ages, you might ask a question that on the surface that appears to be crass. But at no point in our conversation did [C] once complain that I was prying. She never complained that I was being off handed. She never complained that I was partly trying to blame her for the abuse she’d suffered, not once. However, for anyone who did get that impression, I’m sorry. It’s an impression I didn’t intend to create. You know, I didn’t want to create the impression because that’s not the way I feel, it’s not my intention. You know, I was genuinely concerned for [C]’s welfare which was why I continued the call for as long as I did. At one point you could even hear her laugh during our exchange, relieved I suspect that somebody was prepared to listen to her and lighten her load. She wanted to get it off her chest. Of course, her appearance shouldn’t matter and of course you can’t be provocative at the age of six, but not deliberately. That’s wasn’t my intent. I mean, you couldn’t imagine what I’ve done for people like [C], away from the radio program over the years and I’m not about to get into that now. But I understand the gravity of what people like [C] are dealing with. You know, I do not treat these things flippantly, I don’t take them lightly and I certainly would never belittle victims of child sex abuse. My track record in this area over 55 years in radio speaks for itself. It’s a record in which I’m very, very proud.

Now, I don’t know whether you remember the [C] call but this was after the call and she called me back…..[the program aired the call from [C] at the end of the program broadcast on 19 March 2013].

So, was that an offensive call? [C] was happy. [C] didn’t think that I had stepped out of line. But all you righteous people out there, you know we do do a few good things on this program, we have helped an incredible number of people but I shut up about that. But as soon as you do something that you don’t like, you know the moral minority out there, you’re up in arms, you even bother to send emails, you probably don’t even listen to the program and ah anyway you can all go to hell, it doesn’t bother me. I’m comfortable in my skin, I’m comfortable what I said to [C]. We managed to get the story out, the story was an important one and if you have a precious attitude then I’m sorry. She wasn’t offended as you heard her say, not in one way was she offended. I found her absolutely charming, quite open and quite honest and bear in mind that she’s now a mature woman so what she experienced, she experienced about 40 years earlier and she was quite prepared to talk about it. She rang me, I didn’t ring her.

**23 – 24:50**

**John Laws**: [P] are you there?

**P**: Hello John.

**John Laws**: Hello [P].

**P**: Hi, look, I don’t have much to say except I just want to back you up regarding this ridiculous beat up story that’s going on. I don’t watch television so I didn’t know anything about Derryn Hinch and his comments any anybody else but um, I don’t find it at all offensive. I think it was a fair and reasonable question and as you say, these young girls are not young girls anymore and they copy the provocative adults and um, it’s quite easy for this kind of thing to happen.

**John Laws**: Yeah, well it is and I just believe by telling the truth, I’ve never, I’ve never shied away from anything and I’ve certainly never shied away from the truth and I’m certainly not afraid to apologise if I’ve offended people, then I apologise and I apologise very sincerely but I believe it was worth bringing that forward. [C] thought it was worth bringing that forward, that it well could be helpful to other people who might find themselves in the same position and encourage them to speak out and I tell you what, there are plenty of young girls and boys who are in the same position .

**P**: Yes, it’s becoming worse and worse, more prevalent but I think people go overboard, they don’t seem to think things through, and that, what you just played, the repeat of the interview, was just good and it just proved that there was nothing out of…

**John Laws**: Out of line, I hope you mean.

**P**: Yes, so that’s all I wanted to say John.

**25 – 26:11**

**John Laws**: Well, I’ll tell you what, there’s a pile of emails here about five, six inches high and there’s another pile that consists of two. The pile that is six inches high is abusing me from one end of the world to the other. The two that I’ve got in my hand are the only two good ones but they’re very pleasant….

**29:30 – 32:10**

**John Laws**: [M] are you there?

**M**: Hello, yes John, how are you going?

**John Laws**: Pretty good [M] thank you.

**M**: That’s good. John, I just wanted to make my comments regarding, I saw it on TV, I actually wasn’t at home when I heard it yesterday morning so I watched the TV and I really thought that interviewer, that lady who was interviewing you was, I really thought she was just on the point of harassing you and trying to get out of you that you had done the wrong thing um, which I don’t agree. I have been in that situation, if I had been [C] on the other end of that line then I would have thought this man really has compassion, he understands. You didn’t force that question onto her, it was when her mother said it was her to blame, that’s when you followed on, I felt, with ‘ do you think you were to blame’. And we do ask ourselves that, what did I do? I must be to blame, you know, you do, you go on with that for years until you finally, thank God, be able to work thought it and deal with those problems, the children’s problems, and deal with it as an adult and it makes us the people we are today. Not that anybody wants that to happen to them.

**John Laws**: No.

**M**: Certainly not. But I just think that you were extremely supportive of that woman [C] and good on her for ringing up and…

**John Laws**; And good on her for ringing back more importantly.

**M**: Well, that’s true, exactly. I think they just wanted to try to make something bad of something that was good. You know, you do so, I listen to you all the time. You do so many good things for people but you do one wrong thing and they jump on you.

[…]

**34:35 – 36:30**

**John Laws**: A couple of emails here. Now, people are going to say that you’re only going to read the good emails. Well, I’m certainly not going to read the abusive ones because some of the abusive ones, the language used in them, you couldn’t use it on air anyway. You know, some of you people are absolutely foul in the language that you use. Really, I’m so surprised, I’m shocked. I really am, it takes a bit to shock me. I really am shocked, some of the language you use people in emails, just extraordinary.

Anyway, [CM], thankyou [C], at least you’re an understanding man:

Good morning Lawsey, it takes a big man to say sorry and this morning you proved that you’re a big man. Everybody occasionally says something that doesn’t come out the way it’s meant to. You’re a good person John…

Good on [C], well you’re right, I mean, I apologise because I said something that was insensitive. I didn’t mean it to be insensitive, I meant it to be enquiring but it turned out to be insensitive and again let me say, I’m very happy to apologise all day if I’m wrong and I was wrong. But [C] wasn’t offended I’ve got to tell you and really it’s [C] we should be thinking about, she wasn’t offended.

Dear John, I’d like to commend you for the way you dealt with [C]’s call earlier in the week…I believe you handled the call with great delicacy and compassion from a young person’s perspective…

**36:48 – 39**

**John Laws**: [C] are you there?

**C**: G’day John how are you mate?

**John Laws**: Pretty good Chris.

**C**; Listen, I just was to support you. I listened to the bit of the girl and I thought there was nothing wrong with it actually.

**John Laws**: Good.

**C**: But I was just listening to you show yesterday and you had one of your songs on and I like your show but sometimes …

**John Laws**: You don’t like the music.

**C**: I’ll switch over a bit so I just switched over to 2GB and I just heard a little bit of what Ray Hadley said.

**John Laws**: What did he say?

**C**: I didn’t quite get it so I listened to his podcast last night and he actually said that you’re a compassionate person that they were a poor choice of words from your side and then he went on and said how anyone can conclude that a 6, 7, 8, 9, 10 or 11 year old can somehow be blamed for a sexual assault is beyond me.

**John Laws: Yeah, well true. I would agree with that totally.**

**C**; Yeah, but I just thought that he’s always having these little digs at you and I just thought it was another way at having a little dig at you, you know what I mean?

**John Laws**: Well, at least Ray knows that I’m still here. Listen I really don’t have a problem with Ray …

**[**…]

**John Laws**: Well I keep saying it’s your program not mine so whatever you want to say providing you’re not going to say something that is absolutely outrageous. I let people say what they want to say and if people want to be critical of me that’s ok, I’ve been criticised before and maybe my choice of words could have left a little bit to be desired and I’m prepared to admit that.

**52:34**

**John Laws**: [J] are you there?

**[J]**: Yes, I just thought I’d give you a call briefly this morning…I heard your radio release about the young lady you got molested…from my point of view John I’ve got a young daughter, she’s eight years old and she’s a beautiful girl and I think you handled yourself as a gentleman with that lady throughout the entirety of our interview with her and I think the press have given you a hard time to be honest with you John.

**John Laws**: Yeah, but as I said to her… having a go at John Laws is virtually a national sport. I’m used to it now…

**1:11:35 – 1:16:08**

**John Laws**: [M] are you there?

**M**: Hello…my comment is about [C]…I just want to say how much I admire [C] for ringing into your program and tell her story because when you are behind a microphone you become a social worker as well sometimes, and these people want to tell their story to someone and it was you that she told it to. I admire her that she came out of such a horrible childhood be become who she is now and she really needs to be admired. She studied and from an abusive childhood she is now looking up to other people.

**John Laws**: Yes, that’s right. I think she’s a terrific woman.

**M**: She is fantastic….but also I would like to say something about your comment because I am very lucky that I grew up in a very loving family and whatever happened in the outside world I could always go home and …loved so I could leave that behind and go home but [C] couldn’t do that because her abuse came from within the house, that’s even the worst of the worst. She could never really go to a shelter really.

**John Laws**: Oh no, she had a dreadful time as a young girl. But as a teenager, I mean, when I was talking to her I was mainly thinking of when she was in her teens, 12, 13, 14 and up to 15 apparently the abuse went on. Anyway, it was a very sad story.

**M**: Yes, well I accept also your comment, your comment was made in confirmation of you know, how it all evolved and all that.

**John Laws**: That’s right.

**M**: As a child, a child is innocent, the child is innocent so really the abuse comes from the adult not from the child, never the child, being six years old. However, as the children these days are growing up, they wear clothes that are inviting.

**John Laws**: That’s right.

**M**: I’ve got two girls of my own and my girls would never leave the house dressed like that. Not because I don’t want them to but because they do not want to. They respect themselves. But some kids these days want to show themselves and invite trouble.

**John Laws**: Yeah, and you can go into kidswear shops and buy little bikinis with pumped up bras, it looks like a 5 year old has a bosom for God’s sake. You know, what are we doing to children?

**M**: What are we doing to children? But another thing I would like to say, you mentioned the little girl in the competition, the American girl.

**John Laws**: Yeah.

**M**: I have to say, I watch these shows continuously, sometimes on TV, they’re still on all the time. These kids, it is not their fault, these kids are taken there by their parents.

**John Law**s: Yeah it’s right, it’s not their fault.

**M**: It’s not their fault so the kids are not provocative themselves, they are being made to be so. How sad is that, at six year old, even younger, they are being taught to showcase themselves.

**John Laws**: Well, you’re right, a child of six can’t make a decision, I want to go into a beauty pageant. It’s got to be the parent every time.

**M**: You see them crying on the show, they don’t want to be there.

**John Laws**: That’s right. You do see them crying. Why do you watch those things incidentally?

**M**:…I’m thinking how sad is it for a child is made to do something or perform in a manner that she does not even want to be there.

**John Law**: Yeah, I agree with you, I think it’s…apart from being an embarrassing enough setting for a child because you do see the crying. You see them, you quite often see them almost dragged onto the platform and it’s not right. Good on you [M]…

**1:41:15 – 1:42:45**

**John Laws**:[F] thank you very much for your email:

Morning John, you go on and keep the dream alive. Make no apology for asking the hard questions we all want answered. Listener for life [F].

[…]

This [B]:

You said absolutely nothing wrong in your conversation with [C]. She rang to speak to you to seek your advice as she obviously listens to you and feels comfortable in your knowledge and feedback. Regardless of what you asked, it was about your intentions and your intentions were from the heart full stop. I’ve been working with disadvantaged kids for over 10 years and nothing can prepare you for that kind of conversation. You do and say whatever you can to help them and give them clarity but it’s not like you can prepare the exact line of questioning for such a situation…

**1:59:24 – 2:01:24**

**John Laws**: [Reading an email]

Dear John, like [C] I was a bit surprised about being provocative but afterwards I came to think, good on you John. You broached a subject everybody is too polite and too too-goodish to get into and I believe it needed to be said. Your ability to ask the unasked is very much part of your huge appeal especially as it is as a result of your kindness and honesty. Thank goodness for your lack of fear to be judged and saying what so many of us fear to say and probably think, good on you John. And good on you [C] too, she’s a survivor against all odds, what a lady.

[A] at [R], you’re right and thank you [A] for your complimentary email. I’m not sure I deserve it and a lot of people would think I didn’t deserve it because a lot of people complain, but I can’t do much about that. I can only say what I believe to be right.

[P] says:

Good morning John, anybody who knows you knows that the questions you asked were to find out about the truth and to eliminate any ambiguity about the story while being sensitive to that person. Simply reading excerpts from a transcript and talking over them doesn’t show the empathy to the person you’re talking to..

Very nice of you [P].

[…]

John I listened to both interviews with [C] and I thought you were very aware of what she had been through and handled the interview accordingly and we could tell that she was appreciative that you had listened to her …

[IR]

They can have a Royal Commission into sexual abuse in institutions but they really need to look into private home…

[I] you’re right, they should look into private homes after what we heard yesterday, they certainly should.

**2:10:23 – 2:11:45**

**John Laws**: An email here from [J] which I will read:

Why are you only reading out comments that support your stupid comments? Why are you only taking calls from people who are going to say you did nothing wrong? Your handling of [C]’s call was a disgrace. At no point did [C] or any of the listeners think your comment about being provocative was directly to when she was 15. So you’re a liar.

Be careful there [J], you haven’t put your whole name there, good thing you haven’t.

[C] said, ‘I was a little girl, I didn’t think, John no I was just a little girl’.

I remember that, and she said because she was six years old. I remember that.

Do you really see little girls and teenagers as being provocative?

I certainly do not, but I see television programs that display them and maintain they are provocative.

Do you really look at five year olds and see that they’re wearing bras with a pumped up bosom as you said?

No, you stupid woman [J]. You can tune into those current affairs programs anytime and you’ll see them covering stories like that where they have little girls that are obviously wearing pumped up bosoms and the television programs are happy to tell you about that. I mean, I’ve seen it more than one time.

[C] is allegedly not offended by your interview but I can assure you that many, many Australians are. Why not read this one out eh?

Well [J], I just read it out, didn’t I?

**2:22:55 – 2:28:40**

**John Laws**: [C] are you there? [C]?

**C**: Yes, I’m here.

**John Laws**: Oh dear [C].

**C**; I haven’t been listening to the radio John, I’ve been at work. I just want to say, I’m Ok, and what you said to me, I’m Ok with.

**John Laws**: Yeah, I know, I know but other people who, you know as I said before, it’s a national sport to have a whack at John Laws. Everybody else has had a go at me and in a pretty cruel way I’ve got to say. But I didn’t intend to offend you and I don’t think I did.

**C**: I wasn’t, um, as I said I was taken aback by the question but I wasn’t offended by the question because I understood exactly what you meant. I did understand what you meant and I didn’t take it as that you were saying that I was a provocative little girl.

John Laws: No.

C: I didn’t take it like that at all. It’s just that I understand, as you do, that men that think like that, it doesn’t take much for them to do something and sometimes all you need to do is, you want someone to love you and they take it wrong.

**John Laws;** That’s right and that’s what you said and I know that you wanted to get it off your chest cause you wanted other people to be aware of how it could happen.

**C:** And now I feel terrible that I ring you because um, because I shouldn’t have rung you and told, I was just having a really hard time.

**John Laws:** Yeah darling, no, it was good that you rang me and told me, it was good. I’ve got broad shoulders to take the criticism particularly when it’s unfounded and comes from the wrong people. I don’t mind that at all. But I know that you just wanted to get it out there and I think it’s very important that you did.

C: Yeah, I did, sort of, what I was really hoping was that maybe I’d get, I’d hear callers that would call up and say, hey [C] I’m going through the same thing also and this is how I deal with it and it’s Ok to feel like some days you just can’t cope. That’s all I wanted to sort hear back. I didn’t want to hear people going off at you. I wasn’t expecting that at all.

**John Laws**: Well, I’ll tell you what, they’ve gone off at me, you should see the emails, there’s a pile here about six inches high and they’re all pretty abusive and some of the language, I couldn’t read them, some of the language is just beyond belief. So it seems at the moment that I’m probably the most hated man in Australia all because I wanted to give you a chance to say what you obviously wanted to say.

**C**: Well I don’t hate you John.

**John Laws**: I know you don’t.

**C**: I think people need to just try and understand um, that it doesn’t take much. If a man is that way inclined, it doesn’t take much.

**John Laws**: No

**C**: To them, in their eyes, I think, this is what I think, they think you’re being provocative maybe. I don’t know John. I can’t look into the eyes of a man that does that. It doesn’t take much.

**John Laws**: I don’t know what it takes. To me, it’s very weird, people who behave in that manner to me are very strange and I also think they’re very dangerous. I mean, they could have done you a lot of harm, you seem to have coped with it very well, but it’s still there in your mind.

**C**: … as I said I was more hoping that people would ring up and say it’s Ok, I’m going through it too and this is how I cope with it and maybe I’m being too, putting too much pressure on myself to try and get further, I don’t know, you know.

**John Laws**: Well, maybe you are, maybe you are putting too much pressure on yourself.

C: Yeah, yeah. But I don’t feel any ill feelings towards you at all John.

**John Laws**: No, you are very sweet and you were very honest with me and I do know that you wanted to get the story out so other people could be forewarned to know this could happen and happen within the family and I too expected to get calls from other people saying, yeah it happened to me, and I’m sure there are many people who probably wanted to call but couldn’t get through because everyone was ringing up saying they hated me.

**C**: Well I just want to say to all the listeners, don’t hate John because I understand exactly what John meant by what he said.

**John Laws**: Good on you [C]… and just for those who are going to go the other way again, this telephone call was unsolicited, we didn’t ring you up and ask you to come on the program, you called.

**C**: Yeah, I did. I was just feeling down at the time and I just wanted people to hear me basically.

**John Laws**: Ok, well they certainly heard you and they certainly heard me.

**C**: I feel terrible, I feel really terrible because I got you into trouble. I feel awful.

**John Laws**: No, no, no, no, don’t worry about it. I’ll tell you what, if I need your help I’ll call on you and I’m sure you’ll be there to give it to me. Bless you [C], Ok, bye

**C**: Ok, bye.

**Excerpts of the broadcast – 5 April 2013**

**John Laws**: Apparently there’s a group of protesters hanging around the building who are angry with me, baying for my blood over my supposed treatment of [C] that you, I’m sure you may or may not remember. I seem to recollect that [C] wasn’t even her correct name. Anyway, it was a week or so again, she rang out of the blue to tell her story as a victim of child sex abuse. What followed since my discussion with [C] defies belief. A day or two later there was a story in the Daily Telegraph, written by [AS] claiming I’d asked a series of alarming questions of [C] as if I was somehow suggesting the abuse that she’d suffered from the age of six was her fault. Now at the time if anybody took offence at the way I framed the questions then of course I’m sorry and I’ve already said I’m sorry and I also made it very clear that if I created any ambiguity at all about compassion or sorrow or understanding of what [C] had been through, that certainly was not my intention. But let’s be very clear about one very important point. At no time during my original discussion with [C] did she raise any objections to the questions I asked or the way I handled her call. I subsequently spoke to her again on the air and far from being aggrieved, she felt vindicated by the airing of the story and told me publicly that she didn’t object to any of the questions anyway. So why are there protesters outside the building? Well, because you’ve got a few self appointed moral arbiters. Groups like ‘Get Up’ which ought to be called ‘Shut Up’, and ‘Destroy the Joint’, charming. Aren’t they clever little groups, they operate within the shadows of the internet, they’re constantly searching for reasons to be offended and the bigger the target the better. Me, Kyle, Alan, all of us. I mean they latch onto something that they it as a way of grandstanding for their own self ambition. You people, and I hope you’re listening down there, you people are just looking for a little of notoriety for yourself. I would think that you’re habitual failures. I mean, what are you doing for a living? Aren’t you at work today or have you taken a sickie? I need to point out that [AS] first contacted my office, she was terribly apologetic about chasing the story of my dealings with [C]. But she said that her editor has put her onto the story and, I quote, ‘wanted her to go hard on it’. Now, I don’t know who the editor at the time was, anyway, suddenly social media is a buzz with mock indignation about what I reported to have said but much of that response was simply a reaction to a reaction. That’s all that is. You know, you take your 38,000 signatures and dump them at the door of the editor of The Telegraph. He wanted to go hard on the story, let him have them. I don’t want them.

1. http://2smsupernetwork.com/john-laws/ [↑](#footnote-ref-1)
2. It is not clear from the broadcast whether other calls were made and not put to air. [↑](#footnote-ref-2)
3. It is apparent from the broadcast that more emails were received but not read on air. [↑](#footnote-ref-3)
4. It is not clear from the broadcast whether other calls were made and not put to air. [↑](#footnote-ref-4)
5. *Amalgamated Television Services Pty Limited v Marsden* (1998) 43 NSWLR 158 at pp 164–167. [↑](#footnote-ref-5)
6. See paragraph 3(1)(a) of the BSA. [↑](#footnote-ref-6)
7. See paragraph 3(1)(h) of the BSA. [↑](#footnote-ref-7)
8. For example, ABA Investigation 1270, and ACMA Investigations 1628 and 2266. [↑](#footnote-ref-8)
9. For example, ACMA Investigation 2751 and 2848. [↑](#footnote-ref-9)
10. For example, ACMA Investigations 1628, 1717 and 2848. [↑](#footnote-ref-10)
11. For example, ABA Investigation 1270 and ACMA Investigations 2598 and 2848. [↑](#footnote-ref-11)
12. ACMA decision dated 24 November 2009. [↑](#footnote-ref-12)
13. ABA decision dated February 2004. [↑](#footnote-ref-13)
14. ACMA decision dated 15 March 2012 [↑](#footnote-ref-14)
15. ACMA decision dated 28 October 2011. [↑](#footnote-ref-15)
16. ACMA decision dated 6 March 2013 [↑](#footnote-ref-16)
17. Potential complainants only receive this email if they have provided their name and address and enter a ‘capcha’ test on a page on the 2SM website. [↑](#footnote-ref-17)