

PARKERVILLE STONEVILLE MT HELENA BUSHFIRE REVIEW — COMMUNICATIONS
INTERFERENCE

3131. Ms M.M. Quirk to the Minister for Emergency Services:

I refer to the *Parkerville Stoneville Mt Helena Bushfire Review* which notes reports of unknown ‘outside’ interference across the uncontrolled radio network and insufficiencies in the fire ground radio network added to the communication issues experienced on the day. An investigation of the interference recordings by Department of Fire and Emergency Services (DFES) Communications Branch found the interference was caused by deliberate transmissions from an unknown, unauthorised user with a radio set that transmitted on DFES channel 238, and I ask:

- (a) what measures exist for the investigation and prosecution of unauthorised users in such circumstances;
- (b) what offences are such persons allegedly committing; and
- (c) was there evidence that these unauthorised transmissions were from a child or children?

Mr J.M. Francis replied:

The Department of Fire and Emergency Services (DFES) advises:

- (a) Radio spectrum access is regulated and managed by the Commonwealth agency Australian Communications and Media Authority (ACMA), who have the power to investigate and prosecute unauthorised radio users, under provisions of the *Radio Communications Act (1992)*, and related legislation, including the *Crimes Act 1914*.

DFES does have the capacity to report interference to the ACMA. DFES will resort to these actions when such interference significantly hinders its communications, and procedures have now been put in place within the Communications area and the State Operations Centre to ensure in future such matters are reported immediately to ACMA. This incident was reported to compliance staff early on 13 January 2014, following up with a written report on 20 January 2014. As the interference had ceased by the time ACMA were contacted, it was not possible to investigate by tracking a signal to the source. Future immediacy of reporting may allow for early engagement of ACMA facilitating urgent investigation.

- (b) Advice received from ACMA is that persons causing this interference potentially commit several offences under various sections of the *Radio Communications Act (1992)*, including: Sections 193 and 197, causing interference; Section 46, unlicensed operation of radio communications devices; and Section 47, unlawful possession of radio communications devices.
- (c) DFES received recorded information from a third party that suggest there was childlike communications; however, there is no evidence which could determine if the transmissions were made by children, or by adults disguising their voices. DFES has not experienced any further interference of this nature.