

Submission to the Senate Inquiry into Press Freedom

Emeritus Professor Ed Davis AM, ABC Friends National Vice President

29 August 2019

The Friends of the ABC (now ABC Friends) was established in 1976 in response to funding cuts to the ABC made by the federal government, led by Prime Minister Malcolm Fraser. Its purpose then and since has been to lobby on behalf of people who listen to, watch, read and interact with the ABC. ABC Friends is not aligned to any political party. Our organisation has grown in numbers and strength over the last several decades so that we have members in every state and a national office, led by Margaret Reynolds, ABC Friends National President.

ABC Friends sees properly funded, strong and independent public service media as essential to the quality of life of all Australians and critical for the operation of democracy. The United Nations Economic, Cultural and Scientific Organisation (UNESCO) has presented this case in compelling terms:

Neither commercial nor State-controlled, public broadcasting's only raison d'être is public service. It is the public's broadcasting organization; it speaks to everyone as a citizen. Public broadcasters encourage access to and participation in public life. They develop knowledge, broaden horizons and enable people to better understand themselves by better understanding the world and others.¹

Media Freedom

The Foreign Secretaries of Britain and Canada convened *The Global Conference for Media Freedom* in London from 10-11 July this year. Approximately 100 countries attended, with senior representatives from governments, academics and journalists. Senator Marise Payne, Minister for Foreign Affairs, represented Australia. Some excerpts from the address by Jeremy Hunt, then British Foreign Secretary, are instructive:

The strongest safeguard against the dark side of power is accountability and scrutiny- and few institutions fulfil that role more effectively than a free media...Real accountability comes from the risk of exposure by a media that cannot be controlled or suborned....But a free media does more than just criticise failure and deter wrongdoing: it also nurtures and nourishes the progress of ideas. Throughout history, humanity has achieved its swiftest progress whenever we have allowed ideas to be freely debated, tested and challenged...We are on the side of those who seek to

¹ UNESCO (2001) Public Broadcasting: Why? How? UNESCO, 2001, <http://unesco.org/images/0012/001240/124058eo.pdf>.

report the truth and bring facts to light. We stand against those who suppress or censor or exact revenge.²

Human rights lawyer Amal Clooney, appointed Special Envoy to the Conference by the British Foreign Secretary, gave an address highlighting dire challenges to media freedom across the globe. Over the past eighteen months approximately 100 journalists have been killed and 350 imprisoned. Journalists work at their peril in countries such as Turkey, China, Egypt, Saudi Arabia, Iran, Myanmar and the Philippines. The police raid on the ABC also attracted her attention. She suggested that there are now few places in the world “where journalists are not surveilled, harassed, disenfranchised or subjected to self-censorship”. Her plea to the governments at the conference was that they should recognise that:

...signing pledges and making speeches is not enough; they must make sure that their laws respect media freedom, and that their police, prosecutors, judges and citizens do the same.³

A pledge was drafted and endorsed at the conference. The following are extracts:

Media freedom is an integral element of global security and prosperity. People need free media to provide them with accurate information and informed analysis if governments are to be held to account.

Attacks on media freedom are attacks on human rights. They entail attacks on the human rights of journalists and those working in media organisations. These rights are enshrined in the Universal Declaration of Human Rights

Too often, it is governments who are the source of threats to media freedom. Governments – which are responsible for protecting human rights – instead are the ones to violate them. Sometimes, governments target individual journalists or media outlets, often violating the right to a fair trial and public hearing and ensuring impunity for perpetrators. Sometimes they put in place unreasonably restrictive legal and regulatory frameworks that make it impossible for journalists to do their work.⁴

AFP Raids on the ABC

ABC Friends were astonished and deeply distressed by the raids on the ABC on 5 June.⁵ We were not alone. The raids on the ABC and News journalist, Annika Smethurst, appear to have united the broad spectrum of media in Australia and major international media too

² Jeremy Hunt, Media freedom and journalists under threat, 10 July 2019 at <https://www.gov.uk/government/speeches/media-freedom-and-journalists-under-threat-foreign-secretarys-speech>

³ Amal Clooney, Addressing threats to media freedom, 10 July 2019 at <https://www.gov.uk/government/speeches/addressing-threats-to-media-freedom-amal-clooneys-speech>

⁴ Global pledge on media freedom at <https://www.gov.uk/government/publications/global-pledge-on-media-freedom>

⁵ See ABC Friends, Update, August 2019, Vol 27, no. 2 https://d3n8a8pro7vhmx.cloudfront.net/abcfriends/pages/95/attachments/original/1564727849/Update2019_8.pdf?1564727849

voiced their concern at this extraordinary violation of media freedom.⁶ Our organisation fielded numerous calls from members for action to demonstrate the depth and breadth of outrage on this issue. They saw that the work of journalists was being criminalised; journalists now risked jail by gathering, receiving and reporting news. The point made by so many of our members is that a free media is vital for democracy. Unless citizens are informed about what is happening in their society, democracy has little meaning. The ABC has a particularly important part to play, precisely because it is required, under the *ABC Act 1983*, to report news accurately and impartially.⁷ While there will always be critics at polar ends of the political spectrum who see the ABC as either much too left or much too right, the ABC is broadly seen as accurate and impartial and opinion surveys reflect that the ABC is by far the most highly trusted media organisation in Australia.⁸

The ABC has been under attack on many fronts for years, even decades. It has suffered major funding cuts, with a 28% decline in its funding in real terms since the mid-1980s.⁹ Put another way, funding for the ABC has decreased from being approximately 0.6% of total federal government expenditure in the late 1970s to approximately 0.2% in 2019.¹⁰ At the same time, its range of services has massively increased: more TV stations, more radio and the development of online services.

Taking the last six years, the 2014 Coalition budget resulted in cuts of \$254 million. The 2018 budget scheduled a further cut of \$84 million for 2019-2021. The ABC's former Chief Finance Officer, Louise Higgins, said at a Senate Estimates hearing last year that the ABC had shed more than one thousand jobs since 2014. When it is recalled that the ABC's budget is around \$1.1 billion, and its full-time equivalent workforce is around 4100, the magnitude of the budget cuts and their impact becomes clear.¹¹ Other attacks have come in the form of pointed Ministerial criticisms of ABC journalists, such as Emma Alberici and Andrew Probyn; IPA and Liberal Party proposals to sell the ABC, and government interference with its management and governance.

The 2018 Senate Inquiry into allegations of political interference in the ABC received numerous submissions which reflected the toll on the ABC's workforce and programming. The submission from the ABC Alumni is quoted in the Committee's report:

⁶ Submission by Australia's Right to Know coalition of media companies to PJCIS Inquiry into the impact of the exercise of law enforcement and intelligence powers on freedom of the press. The coalition included the ABC, News Corp, Nine, the Guardian and ten other media organisations

⁷ ABC Code of Practice, in *ABC Annual Report 2018*, pp. 211-212

⁸ *ABC Annual Report 2018*, Vol 2, pp. 58-61

⁹ Higgins, L. (2018) Speech by Louise Higgins, Chief Finance Officer, ABC's First Annual Public Meeting, February 9th 2018. Australian Broadcasting Corporation. <http://about.abc.net.au/speeches/chief-financial-officer-apm-speech/>

¹⁰ Tiley, D. (2018) ABC downhill for thirty years. Screen Hub, February 16th 2018. www.screenhub.com.au/news-article/news/policy/david-tiley/abc-downhill-for-thirty-years-heres-how-255197

¹¹ Australian Broadcasting Corporation (2017) Investing in Audiences: ABC Annual Report 2016-2017. <http://about.abc.net.au/reports-publications/2016-17-annual-report/>

The strain of treading a line between the Charter requirements...and making do with increasingly less funding, combined with the need for consequent staffing losses and diminished resources for program-making, have taken a heavy toll. Such an environment can breed timidity because of the apparently well-founded fear that giving offence to government might result in further assaults on the ABC's independence, funding and functions.¹²

Another submission argued that government efforts to diminish and undermine the ABC had worn down successive ABC chairs and managers and created a culture that encouraged a 'pre-emptive buckle'.¹³ Such developments threaten the ability of the media to do their job; to hold power to account.

Conclusion

It is the very strong view of ABC Friends that a free media is vital for the health of Australian democracy. We see the ABC as a most important player in Australian media, with special obligations to report news accurately and impartially. We are very concerned indeed at the AFP's raids on the ABC, and, indeed on the home of Annika Smethurst. We believe that the raids should not have taken place and are very critical of actions that appear designed to intimidate journalists and their organisations and to curtail the flow of important information to Australian citizens. The public's right to know is at risk.

This submission has pointed to the discussions and apparent agreement of countries, including Australia, at the Global Conference on Media Freedom in London on the vital importance of media freedom. ABC Friends recommends that this Senate Inquiry reminds the federal government of its commitment to media freedom and urges it to ensure that its agencies respect and uphold media freedom in Australia. As Amal Clooney declared at the conference, governments must 'make sure that their laws respect media freedom, and that their police, prosecutors, judges and citizens do the same'.

I would very much appreciate the opportunity to elaborate on these concerns at a hearing of the Inquiry.

¹² Environment and Communications References Committee, Inquiry into Allegations of political interference in the ABC, Report to the Senate, April 2019, p. 61

¹³ *ibid*