

Australian Greens' Additional Comments

The Greens are on the record condemning the decision made by the government to impose an arbitrary timeframe for examining these bills. The Greens depart strongly from the Committee's comment that the debate through the Convergence and Finkelstein reviews on media reform issues can be applied to this package which represents slim pickings indeed from those comprehensive reports and detailed recommendations. It is extraordinary for such important bills to be rushed, for witnesses to be given virtually no notice but expected to produce submissions and provide evidence, and for the good will and expertise of Committee secretariats to be abused quite as they have in this case.

Some of the proposals and measures in these bills have real merit and can easily stand up to close examination. Others measures contained in the bills need to be amended to properly achieve the objective of strengthening an independent press that adheres to basic standards.

As Mr Finkelstein stated, these bills have 'a relatively minor imposition on press freedom and probably no restriction on free speech,' and that, "most of the topics dealt with in the legislation are covered by existing codes of conduct." The Australian Greens believe very strongly that freedom of the press and effective and accessible media and communications systems are integral to the functioning of a successful democratic society. We also believe that media diversity in content and format is a right of all Australians.

It is in the public interest, and it is in the interest of a flourishing and free press that further concentration of media ownership in Australia is prevented. Australia's is the most concentrated in the western world. We have a problem in Australia; it is recognised globally.

The Bills establish a public interest test for major changes of media ownership based on the threshold of 30% of an average metro commercial TV evening news audience.

The Greens believe that the public interest test needed more definition. We believe that it needs to be clearer that there is a public interest case for content services, including news services, to not be diminished as a result of mergers and acquisitions. We believe that local news should not be diminished, and that editorial independence of media operations should not be threatened by any future media mergers or acquisitions. We believe amendments should be made to more clearly articulate just exactly what a public interest test would be trying to protect, for example, whether the transaction will diminish the range of content services, whether the transaction will diminish the production of news at the local level, the impact on editorial independence is vital to protect, as is freedom of opinion and the fair and accurate presentation of news.

Establishing a press standards model for an independent self-funded self-regulatory body is not diminishing press freedom in this country. We believe that a regulatory race to the bottom should be avoided and that the Australian media landscape would

not benefit from a proliferation of press councils, however we have no objection to an independent, self-funded body setting press standards.

The problem these bills are trying to address is the actual implementation of the standards set by the industry itself. A representative from Fairfax recognised that there is no doubt that, ‘people may not have been happy about the performance of the Press Council.’ The Press Council is failing to apply appropriate redress, despite improvements in recent years. The Bills attempt to find a path to find incentives for journalists and publications to adhere to their own standards.

The Bills also establish a part time Public Interest Media Advocate who would apply both a Public Interest Test and have a role in accrediting the Press Council or its successor organisation. That is, the PIMA would not be able to dictate content appearing in Australian newspapers. The PIMA would be independent, and at arm’s length of government.

The Bills amend the ABC Charter to protect digital media services and to include an indigenous representative on the SBS Board – both overdue reforms which are very much welcomed by the Greens.

The Greens also welcome that the Australia Network will be kept in public hands which is consistent with Australia’s national interests. The Australia Network shapes perceptions of Australia and its relationship with nations in the region and globally. Keeping the Australia Network in public hands is also consistent with the practice of every other country that provides international broadcasting services, including Britain’s BBC World Service, the Voice of America and Germany’s Deutsche Welle.

The ABC is independent of government but accountable to parliament and the public through statutory transparency obligations. The ABC regards its audience as citizens, not consumers and through the Australia Network extends that respect to neighbours in the region. The ABC has a statutory responsibility to provide independent news and has a proven record in this regard.

The Greens are very concerned that Australian content standards be improved and that Australia’s actors, writers, producers, directors, and technical skills are maintained and nurtured. These bills stipulates Australian content across multichannels of 730 hours in 2013, 1095 hours in 2014 and 1460 hours from 2015 onwards that includes sport and repeats in return for 50% reduction in TV licensing fees. The Greens do not agree that Australian content quota hours should be spread across the multichannels, and we are not satisfied that repeats and sport count towards the number of hours. We attempted to amend the bills in the House of Representatives to double the number of Australian content hours.

The Greens welcome spectrum allocation for Community TV as announced by the Minister; however this is not explicitly outlined in the Bills, and the Greens will ensure that this is acknowledged in debate.

The Community TV sector provides a great deal of local Australian content through 80 community TV licenses reaching over 3.6 million Australians. The community broadcasting sector has developed over 40 years to represent a significant contribution to media diversity, social inclusion, cultural diversity, media & technical skills

development and participatory democracy in the Australian broadcasting sector. The sector engages 23,000 volunteers, with more than 70% of TV and Radio broadcasting stations located in rural, regional and remote areas providing a highly diverse range of services including cultural and specialist talks programming, alternative news and views, music of all genres, Indigenous, print handicapped, religious, ethnic and multicultural, youth, educational and community access services.

Community television has struggled to survive for over the last 25 years with virtually zero funding support to their operations. There is now some level of transmission support and \$300,000 per year to cover hundreds of community television programs produced for CTV stations. CTV urgently requires a higher level of funding support to develop in a convergent media environment.

As the two days of inquiry into these bills have revealed, the functions and social purpose of journalism goes beyond the form of delivery – whether that be online, via a newspaper, on the radio waves or on free to air or pay TV. Witnesses to this inquiry and commentary on it have discussed the role of a free press in a democracy to inform citizenry.

The debate around reforming the media is highly relevant. It needs to be based on facts, rather than alarmist fears. The Greens believe that citizens require more than just information. Disaggregated facts or news that is shortened, disconnected and designed to be quickly consumed is not enough in a democratic society where citizens are making informed decisions about urgent policy questions of the day.

The commercial media is certainly part of a market, but in order to fulfil its role as a public service in a flourishing democracy, it needs to earn some of the spectrum it gets – a public good – at discount prices or other forms of support, by providing relevant quality journalism, analysis of complexities and in depth reporting that is relevant to people's lives in their geographical location.

This week, the British Parliament has finally passed media reforms, creating new mechanisms for independent self-regulation of the British press – backed up by statutory recognition. That is exactly what is proposed here in Australia – independence backed up by legislation. The regulator in the UK will be able to call for apologies and corrections and in the cases where a wrong has been done will be able to issue fines. These are basic standards to which media organisations should be able to easily abide in the UK and here in Australia.

Senator Scott Ludlam

