

Australian Greens' dissenting report

1.1 This bill is an attack on Australia's national broadcasters, coming from quarters of the Parliament opposed to the broadcasters' roles as institutions committed to the public interest. Support for this bill would undermine the effectiveness of these institutions and would be a victory for ideologically hostile elements of the Parliament who support tying up the broadcasters in regulation to prevent them from functioning effectively. It presents itself as a crude solution to a fictional problem when in fact it is simply designed to create a new problem, and in doing so hobble the ability of the ABC and SBS to hold political parties and politicians to account.

1.2 The argument that this bill is necessary to close a gender pay gap within national broadcasters is laughable. If a national broadcaster has a gender pay gap, it is curious why we would only wish to close it for those earning more than \$200,000 a year.

1.3 If we are to believe this bill is motivated by an interest in gender pay equity, it is a remarkably poorly targeted way to do so: because most of the staff of the national broadcasters earn under the 'transparency' threshold, the vast majority of the people working for the ABC and SBS would therefore not have their gender pay gap publicly disclosed or resolved. The fact that this bill does nothing for those people shows the disingenuousness of that justification.

1.4 This bill provides no means to compare two on-air talents on a like-for-like basis, when considering the extent of any gender pay gap. It is noted that the assertion that a gender pay gap at the ABC or SBS may exist is presented as a justification for why this extreme move should be pursued. There is little evidence for the former, and there is no support for the latter. The government's Explanatory Memorandum for this bill notes the lack of gender pay gap at the ABC, acknowledging there is no problem in need of this blunt solution. It nonetheless suggests this bill may be justified as a means to prevent a gender pay gap from developing.

1.5 But by acknowledging that there is no gender pay gap at the ABC, and that the current policy parameters have not allowed one to develop, it critically undermines the case that is being publicly made that change is required to prevent a gap from developing into the future.

1.6 It is an important point to emphasise: that, in the government's own view, what is currently in place is working, and what is being proposed is not intended to achieve anything other than what is already being achieved.

1.7 The argument that because an institution is in receipt of public funding, it should be subject to the highest level of transparency, is an equally spurious one. The SBS already publishes de-identified information about executive salaries. The ABC has met a higher standard than that required by any other organisation, taxpayer funded or otherwise.

1.8 It is not unreasonable to demand transparency on how tax money is being spent. It is unreasonable however to demand total, absolute transparency when it undermines an individual's right to privacy and property.

1.9 We do not require national broadcasters to disclose employee's home addresses, expense receipts, travel arrangements or email correspondence. All of these disclosures could be justified as 'enhanced transparency', but all of them, like the one this bill proposes, would represent an extreme and irresponsible violation of the right for an individual to maintain their privacy.

1.10 Employees of the ABC and SBS are by and large not public figures. Their salaries are not relevant to the public interest any more than the salaries of the staff who work dutifully in the Minister's office are: both are paid by public money, and both are earning relatively high salaries, but both are deserving of some privacy. The Minister does not believe these staff should be publicly highlighted in the name of 'enhanced transparency' because he rightly believes that transparency is a principle that must be balanced against privacy, and such a disclosure would disrupt that balance.

1.11 The Australian Greens do not oppose transparency when it serves the public interest. However, it is important that the need for transparency is balanced against the need for privacy. If there is a way to improve transparency without undermining privacy, that should be the preferred approach.

1.12 It is standard for Commonwealth government departments and agencies to publish salaries and allowances of senior public servants within fixed salary bands, so that individuals cannot be identified. Furthermore, it is entirely possible to include in such a publication the number of persons employed in each salary band according to gender.

1.13 The purpose of the bill is to solve an imaginary problem: that the level of transparency of the national broadcasters is insufficient. This committee has received no evidence that this is the case, nor has the government attempted to demonstrate that this is the case. There has been no indication that the public interest would be better served by this additional level of forced disclosure.

1.14 If this bill was a genuine attempt to improve gender pay gaps, then it would have some mechanism to do so. It does nothing other than put in place a draconian measure to solve a problem that the government does not believe exists, and that the government acknowledges has been prevented from coming into existence by existing policy.

1.15 It is laughable that, in the name of transparency, this bill is being pushed by this committee and this government with no reference to its real motivation: making good on a side-deal made with Pauline Hanson's One Nation party to secure its support for the media reform package that passed the Senate in 2017.

1.16 The Australian Greens recommend the Senate does not pass this bill.

Senator Janet Rice
Deputy Chair
Senator for Victoria

Senator Sarah Hanson-Young
Senator for South Australia