



AUSTRALIAN SENATE

STANDING COMMITTEE ON RURAL AFFAIRS AND TRANSPORT

REFERENCES COMMITTEE

Mr Mark Scott, AO  
Managing Director  
Australian Broadcasting Corporation  
GPO Box 9994  
SYDNEY NSW 2001

Dear Mr Scott,

*Inquiry into Animal Welfare Standards in Australia's Live Export Markets*

At a Private Meeting on 12 October 2011, the Committee discussed the evidence provided by representatives of the Australian Broadcasting Corporation (ABC) during the Committee's Inquiry into Animal Welfare Standards in Australia's Live Export Markets.

The Committee resolved to write to the ABC regarding evidence provided during the Canberra hearing on 14 September 2011 and the answers to questions taken on notice following the hearing.

During the hearing on 14 September, it was put to Ms Sarah Ferguson, that in footage relating to the abattoir at Jalan Stasian (shown in the documentary *A Bloody Business*) she had stated the name of the Australian cattle station from which cattle originated.

The Committee notes that when the subject of the cattle station being named during the documentary was raised with Ms Ferguson, she stated quite categorically that this was not the case. In part, the transcript reads:

**Senator BACK:** Restlessness, wild-eyed, extreme nervousness, agitated, easily excited, skeletal muscle tremors, unsteady on their feet, shivering continuously, and showing rapid, gasping breathing. Incidentally, you did name the cattle station from which those animals came and you may or may not be interested –

**Ms Ferguson:** No, we did not.

**Senator BACK:** You did.

**Ms Ferguson:** No, we did not.

**Senator BACK:** And I do not intend –

**Ms Ferguson:** No, we did not.

**Senator BACK:** I do not intend to read it out.

**Ms Ferguson:** No, we did not.

**Senator BACK:** But those people, in fact have had –

**Ms Ferguson:** We called them to ask them about their involvement in the live export trade. I did not mention them in the program.

**Senator BACK:** For which then I apologise to you, if that is the case.

**Ms Ferguson:** That is the case.<sup>1</sup>

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<sup>1</sup> Ms Sarah Ferguson, *Four Corners*, Australian Broadcasting Corporation, *Committee Hansard*, 14 September 2011, p. 26.

In fact, the ABC's answer to Question 3 acknowledges that Ms Ferguson was wrong. The Committee notes that in the answer questions taken on notice provided on 27 September 2011, the ABC states:

She was thinking of another station which was *not* mentioned in the story as there were uncertainties related to properly identifying a tag.<sup>2</sup>

The Committee would, therefore, like to remind officers from the ABC to be mindful of the importance of providing accurate information to Senate committees. As indicated in the Chair's opening statement: in giving evidence to a committee, witnesses are protected by parliamentary privilege. The statement also notes that:

It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee (and such action may be treated by the Senate as a contempt). It is also a contempt to give false or misleading evidence to a committee.

The Committee questions whether the officers associated with the *Four Corners* program adequately considered the consequences of 'naming' the cattle station and whether they are aware of the impact this has had on those associated with the station. When asked in a question on notice about what would be done to redress the harm and offence suffered, the ABC replied:

In relation to the station that *was* identified, once we had established that animals from the station in question were being slaughtered at the Jalan Stasian abattoir on the day of the visit, we contacted the station and asked if they wanted to take part in the program. They declined. Given their involvement in the industry and the fact that their animals were being poorly treated at Jalan Stasiun there was no reason not to report that fact. We did the same for each station where we were able to identify ear tags on the animals. The story was about Australian animals and making the connection between specific stations and the scenes in the Indonesian abattoirs was obviously important.

The clear editorial purpose was to identify the facts of the matter clearly, and to make the necessary connections. Nothing in the story suggested in any way that individual cattle stations were directly responsible for the activities of the Indonesian abattoirs.

In evidence, Mr Alan Sunderland indicated at the hearing that the purpose of the story was to raise very important questions about the live export industry and the manner in which it was being conducted.<sup>3</sup>

The Committee accepts that there was no direct suggestion during the *Four Corners* program that the 'named' cattle station was in any way responsible for activities at the abattoirs. The Committee does question, however whether it was necessary, for the purpose of the story, to 'name' an individual station. In the light of the fact that the operators and employees of the station have been caused considerable harm and offence, the Committee also questions whether those involved in the *Four Corners* gave adequate consideration to the of impact 'naming' the station.

The Committee once again asks the ABC to:

1. explain the editorial purpose of 'naming' this particular cattle station; and
2. whether the ABC proposes to take any action to redress the harm and offence suffered by the operators of the station.

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<sup>2</sup> Australian Broadcasting Corporation, Answers to Questions on Notice, 14 September 2011, provided 27 September 2011.

<sup>3</sup> Mr Alan Sunderland, Australian Broadcasting Corporation, *Committee Hansard*, 14 September, 2011, p. 30.

It would be appreciated if you could provide a response to the Committee as soon as possible.

Please contact me if you have any questions regarding this correspondence.

**Senator the Hon. Bill Heffernan**  
**Chair**

25 October 2011



26 October 2011



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Senator Bill Heffernan  
Chair, Senate Standing Committee on Rural Affairs and Transport  
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Dear Senator Heffernan

I refer to your letter dated 25 October 2011.

The ABC is fully aware of its accountability obligations, particularly as they relate to parliamentary proceedings. The ABC regularly appears before Senate committees, whether they be Estimates or special-purpose hearings, such as the one recently held into the live export trade. All ABC staff are advised of the need to provide precise, accurate information. When mistakes occur, the ABC is aware of the obligation to correct the information at the first available opportunity.

As your letter notes, Ms Sarah Ferguson was mistaken in one point in her oral evidence to the committee in the September 14 hearing. The ABC regrets the inaccuracy, but we stress that it occurred as the result of a misunderstanding in the exchange with Senator Back. Again, as you note, the ABC acknowledged that fact in its written response on September 27.

In regard to the two questions you pose, the ABC remains firmly of the view that the naming of cattle stations that sourced animals to the Indonesian abattoir was appropriate.

**A Bloody Business** was about Australian animals and the Australian industry. Making the connection between Australian cattle stations and the scenes in the Indonesian abattoirs was crucial. The ear tags and the provenance made it unarguable that Australian animals were being mistreated. As well as being a basic piece of journalism to report the facts, the attempts after **A Bloody Business** was aired to question the reality of what occurs in the footage vindicates that decision.

Secondly, as the committee states, the program did not hold the owners of the station personally liable for the terrible treatment meted out to their cattle. It was made clear that Meat and Livestock Australia was principally responsible for the situation given their years of involvement and supply of the heavily criticised boxes.

The ABC and *Four Corners* would have failed in their journalistic duty if they did not detail the various links in the export chain. Some companies agreed to be interviewed by *Four Corners*. The ABC considers that concealing the names of other companies and stations whose cattle had also been caught up in the issue would have unjustly given the impression that only one supplier was involved.

**A Bloody Business** was a fine piece of journalism, exposing serious flaws in a multi-billion business and prompting all stakeholders within it to review their conduct. This is recognised by the program's recent nomination for a Walkley Award, the highest honour in Australian journalism. The ABC regrets any harm or offence that may have been suffered by the operators. However, it believes that they were accurately portrayed in the story and it would have been inappropriate for *Four Corners* to disguise or conceal the source of the cattle. The ABC maintains that these facts were entirely relevant to the integrity of the story.

Yours sincerely

Mark Scott  
Managing Director