

Dear Senator Bragg,

The problem with the ABC's complaints handling procedures is that there is no external component, it is a case of the ABC investigating the ABC. The ABC has a statutory duty to be fair and impartial in its news service, but

at the present time there is no adequate means of enforcing its performance of this duty. I suggest that its Act be amended to introduce a right of a complainant who is not happy with the way that the ABC has dealt with his /

her complaint to seek a review of its decision in the Administrative Appeals Tribunal. This exists to review administrative decisions of Commonwealth Departments and instrumentalities. It is a standing body with a wide

jurisdiction, subject to an appeal on a question of law to the Federal Court with a further appeal by special leave to the High Court. Provision for external review of the ABC's decisions on complaints of breach of its statutory

duty to be fair and impartial will introduce a much needed remedy for breach of this duty and encourage the ABC to take its duty seriously even if there is never an appeal.

Yours faithfully,

The Honourable K R Handley AO QC