

Friends of the ABC (NSW) Inc. submission to the Senate Inquiry into the National Broadcasting Legislation Amendment Bill 2010

Executive Summary

Friends of the ABC NSW (Inc) is an independent and unaligned community organisation.

Nearly everyone agrees that the ABC Board appointment process has been abused. The Coalition, the A.L.P. and minor parties have criticised the abuse of the appointment process.

Politicisation of the ABC Board is damaging because it threatens ABC independence, because it is destabilising, and because it erodes public trust in the ABC.

The more open process envisaged by this Bill will go a long way towards restoring confidence in the ABC Board. However in accordance with the Westminster tradition of ministerial responsibility the Minister, under this Bill, retains the right to reject the advice of the selection committee. This is balanced, to some degree, by the fact that the Minister would be obliged to make the reasons for his/her decision public.

This is why the position of the staff-elected Director is so important. The staff-elected Director would be the only non-Executive Director not appointed by the Minister. The submission outlines some of the many instances wherein the staff-elected Director has acted to protect the independence and integrity of the ABC.

The proposal to exclude from eligibility for appointment to the ABC Board former parliamentarians or people who have recently been "senior political staff members" is also likely to lead to greater public confidence in the ABC Board. Indeed the public tends to perceive unelected political advisors as faceless manipulators.

While the Uhrig Review was been critical of what it called "representational appointments" to government authorities, we note that the previous government, when it abolished the staff-elected Director of the ABC did not abolish similar positions in other Commonwealth authorities. These included the Australian National University, the Australian Film, Television and Radio School and the Rural Industries Development Corporation. Friends of the ABC (NSW) Inc believes that the independence of the ABC is just as important as these other organisations.

Submission

The official historian of the ABC, K.S. Inglis has noted:

The ABC is bound to broadcast information and opinion useful and harmful to people in public life. More particularly, the ABC accommodates criticisms, sometimes severe, of the government on which it depends for revenue, and that is bound to be a rich source of conflict.¹

It is not surprising therefore that both of the major parties represented in the Australian parliament have expressed concern at the tendency of the party in office to appoint political sympathisers to the ABC board.

I have already commented on the stacked nature of the board, which at one stage saw six out of nine members with past or present ALP affiliations.
Senator Richard Alston, Senate Hansard, 30 March 1995.

For 10 years the government has tried to stack the ABC board with its political mates to try to control the ABC. People like Michael Kroger, Ron Brunton and Janet Albrechtsen have been dispatched to the board with orders to bring the ABC to heel.
Senator Stephen Conroy, Senate Hansard, 28 March 2006.

In Australia many cultural and educational organisations are governed by boards operating at arm's length from government. In many cases the composition of the governing body, and the process for making appointments to it, is set out in the relevant Act. This Bill makes similar provisions for the ABC, including a provision for one member to be elected by the staff.

This system needs to be retained both with educational bodies and the ABC because of their key role in opinion formation. Without these safeguards there is a serious risk of active government interference in the transmittal of knowledge and opinion, and the possible hiding or distortion of the truth.

The relevant experience of ABC Board members

In the eighty-eight years that the ABC has existed the government has only once appointed a person with broadcasting experience to the ABC Board. Robert Raymond, a distinguished television producer for both the ABC and Channel 9, served only one term.

By contrast the ABC staff have always elected a broadcaster, when they could have elected a clerk, an accountant, or a technician. Without the staff-elected Director the ABC would have been without a person with broadcasting experience on the Board for 90% of the time.

This Bill is long overdue. At last we have some fundamental principles, like the public advertisement of vacancies, applied to the selection of the ABC Board.

At last we have the development and publication of selection criteria, so that both applicants for the position, and the committee formed to recommend the appointment of the successful applicant, will both know the requirements of the job. With the

restoration of the staff-elected Director position we can be confident that there will be greater diversity on the Board.

Being clear about the selection criteria will enable the Board of the ABC to have a voice in the mix of skills and experience needed for it to function effectively.

Now that the process is much more open there is likely to be better appointments and thus better governance. It is also likely that there will be greater public confidence in the ABC Board.

The proposal to exclude from eligibility for appointment to the ABC Board former parliamentarians or people who have been "senior political staff members" is also likely to lead to greater public confidence in the ABC Board. Indeed the public often perceive unelected political advisers as faceless manipulators.

We note that this process follows the Westminster conventions on ministerial responsibility, with the Minister retaining the power to reject the recommendations of the selection committee and appoint someone else. This is balanced, to some degree, by the fact that the Minister would be obliged to make the reasons for his decision public.

While this has the virtue of exposing his decision to debate, the government of the day retains a great deal of influence over the national broadcaster under this system. The ABC should, in its editorial decisions, be independent of the government.

This is why it is critically important that the position of the staff elected Director, the only non-executive Director not appointed by the government of the day, be retained.

In a Media Release dated November 2009 Senator Minchin, the then Coalition Shadow Minister for Communications said:

The position creates the potential for conflict of interest with the staff-elected director legally bound to act in the best interests of the Corporation, despite having been appointed as a representative of staff and elected by them.

Senator Minchin is correct when he says that the staff-elected Director is legally bound to act in the best interests of the Corporation. He is also right when he says that the staff-elected Director is elected by staff. That is basically a tautology. However he is wrong when he says that the staff-elected Director's role is to represent staff.

Senator Conroy made this clear in his second reading speech.

The staff-elected Director has the same duties, rights and responsibilities as all other non-executive Directors. Like any other ABC director, the staff-elected Director's primary duty is to act in the best interests of the corporation. The only difference between the staff-elected Director and other ABC directors is their means of appointment.

A similar point was made by John Cleary, a former staff-elected Director of the ABC in a submission to the Senate Inquiry into the Australian Broadcasting Corporation Amendment Bill 2006. Mr. Cleary wrote:

The position of staff-elected Director is not a 'staff representative' position. The Director is elected by all staff of the organization and, on taking office, assumes

the same responsibilities as all other directors. These responsibilities are defined in the provisions of the Commonwealth Authorities and Companies Act of 1997

There has been no expectation from staff that the staff-elected Director should act in the interests of staff, indeed there have been significant occasions such as the opposition to 'infotainment' programs, and the decision over Pay TV, when the staff-elected Director has put the independence of the corporation ahead of the 'interests of staff' when narrowly defined as more jobs and money.

Responding to an announcement by the then Communications Minister, Helen Coonan, that the staff-elected Director would be abolished, the then staff-elected Director, Ramona Koval wrote in the Melbourne Age:

All directors are obliged to act independently, in the best interests of the ABC. Only the method of our appointment differs. I am elected by staff. All other board members have been picked by the Government, except the managing director who has been picked by the Board. I am the only director independent of government.ⁱⁱ

In support of its decision the then Coalition government quoted from the Uhrig Report on corporate governance in the federal public sector. In particular the then government referred to Mr. Uhrig's comments that "representational" appointments to statutory authorities were not desirable.

The Uhrig report was delivered in June 2003. At the time a significant number of federal government authorities had provision for the election of board members by staff or industry bodies. In addition to the ABC they included the Australian National University, the Australian Film, Television and Radio School, and The Australian Institute of Health and Welfare.

It is worthwhile noting that the ANU governing body has much more staff involvement than the ABC. Acts of the federal parliament established both the ANU and the AFTRS. The ANU Act provides for the staff to elect four members of the Council and for students to elect two members.ⁱⁱⁱ

The AFTRS Act provides for the staff to elect one member of the Council and for the students to elect one member.

The Australian Institute of Health and Welfare Act provides for the staff of Institute to elect one member of the governing body.

In the seven years following the Uhrig Report none of the elected members of the above organisations has been removed. It is only the ABC that has been singled out. If the Coalition government had been taking Mr. Uhrig's concerns about "representational" appointments seriously then surely they would have made changes to the governance of these other statutory authorities between April 2003 and when they lost office in November 2007.

There are at least three bodies established under federal legislation where there is provision for the appointment of directors nominated by stakeholders other than staff. While nominating a director is different, at least in theory, to electing a director, it is relevant to note that a number of government bodies dealing with primary industry have provision for stakeholder organizations to nominate directors.

The Rural Industries Research and Development Corporation (RIRDC) is a statutory corporation formed in July 1990 under the Primary Industries and Energy Research Development Act. According to the latest Annual Report of the RIRDC the Minister directly appoints the Chairperson and the Government director, while another six directors are nominated by a selection committee established by the Minister in consultation with the National Farmers Federation and the Australian Chicken Meat Federation. It was set up by the Commonwealth Government to work closely with Australian rural industries on the organisation and funding of their R&D needs.

The Fishing Industry Research and Development Corporation (FIRDC) operates in a similar manner, with six directors being nominated by a selection committee consisting of stakeholder organisations concerned with the fishing industry.

Following the Uhrig Report there have been no changes to the rights of industry representatives to nominate members of these Corporations. It appears to be a system that has worked well for years.

Friends of the ABC believe that a provision for a staff-elected Director of the ABC is an essential ingredient in a national broadcaster that is expected to be independent of the government of the day.

The track record of the staff-elected Directors

The history of the actions of the staff elected directors indicates that they have not focused on narrow industrial issues such as pay and conditions, or the state of the staff canteen, but rather have focused their attention on their key responsibility under the ABC Act, namely “to maintain the independence and integrity of the Corporation”

Tom Molomby served on the ABC board between 1983 and 1987.

Within a couple of months of his appointment he was involved, with fellow director Robert Raymond, in saving the ABC from considerable embarrassment due to the sloppy work of ABC staff.

Raymond describes^{iv} how early in 1984, he was asked, as Acting Chairman of the ABC to sign what ABC management described as “an important financial document”. He was told that the Acting Chairman and one other director could sign the document on behalf of the board. Raymond wrote “I was therefore suspicious of this sudden emergence of an ‘urgent’ proposition, (and not at all flattered by the apparent belief in Broadcast House that I would sign anything put in front of me).”

Raymond arranged to meet urgently with ABC management, together with Tom Molomby, the only other board member available at short notice. He continued:

Molomby and I wondered – but not for long - why management had waited while the chairman and deputy chair were unavailable before producing our ‘new policy proposal’. When we read what was proposed to go to Canberra in the board’s name we were appalled. It was very sloppily prepared and would have brought down justifiable criticism on the board. One example of carelessness (among many) that we picked up concerned the costing of some new electronic cameras and editing suites for the news, plus the fifty-four extra staff who would use them. No provision had been made for the maintenance staff to service the equipment, or for office space to accommodate all the new personnel.

Raymond and Molomby discovered that the ABC had been notified of the deadline for the new policy proposal during the previous board meeting, but ABC staff had not informed the board. Raymond and Molomby refused to sign the document as submitted, but contacted the Secretary of the Department of Communications who readily agreed to an extension of time to allow the issue to go before the full board.

Both Raymond and Molomby have written how they acted, together with other members of the ABC board, but against the wishes of ABC senior staff, to protect the ABC from interference in its internal affairs by a foreign government.

According to Raymond's account *Four Corners* reporter Alan Hogan had been filming a story in Papua New Guinea about the independence movement in the neighboring Indonesian state of Irian Jaya.

Hogan, after visiting camps holding Irian Jayan refugees just inside the PNG border, made it known that he was going to interview Joseph Nyaro, leader of the independence movement. The PNG government warned Hogan not to encourage Nyaro to cross the frontier or interview him on PNG territory, for fear of offending the Indonesian government.

Hogan came back to Sydney with a brief interview with Nyaro, but it was not made clear where he had done it. When the PNG government found out about the interview they complained to the Department of Foreign Affairs in Canberra, whence a polite but meaningful telex was sent to Broadcast House. A few days later the PNG foreign minister contacted the ABC directly, insisting that the interview not be shown. Otherwise he threatened, our long-time correspondent in PNG, Sean Dorney, would be expelled.

The acting managing director, Stuart Revill, instructed that Hogan's interview not be used. This became headline news in the media. Both Molomby and Raymond wrote in their books that they saw this as an issue affecting the independence of the corporation, and in Molomby's words "because it involved whether we should allow threats to influence the content of our programs".

When the board finally met to discuss the issue a majority agreed with Raymond and Molomby, and the ban on the interview was overturned. The interview was broadcast despite, as Molomby reported, a threat by Managing Director Geoffrey Whitehead to resign.

Broadcasting from the back blocks.

Molomby took action at his first or second meeting of the ABC board to oppose the views of the ABC Staff Union on the location of the ABC's building in Melbourne.

Years before the ABC had acquired a large parcel of land in the then outer suburb of East Burwood. Radio Australia had been moved there already, and there were plans to locate the entire ABC there.

This move was enthusiastically supported by most ABC staff, because many staff lived near there. The Victorian branch of the ABC Staff Union supported the East Burwood plans. Molomby wrote in his book:

It was in my view a wholly impractical location from which to conduct radio in particular. Traveling time from there to the most frequently required locations

for interviews and research would be enormous, and some outsiders would be reluctant to come so far for studio interviews. Planning in late 1983 was full ahead to begin construction on some of the major buildings.....

I outlined my reservations briefly to the Board and they agreed with me immediately. Staff in Melbourne who had bought houses near the proposed new site were aggrieved, but it seems to me that the only possible decision was in accordance with the operational interests of the organisation, bearing in mind that its effect would be of indefinite duration.

The East Burwood project was stopped and we set about exploring locations close to the city.^v

Molomby's understanding of the operational requirements of the ABC, and his foresight, saved the ABC from a serious mistake. Subsequently the ABC's Melbourne operations were consolidated at Southbank in the city, while the relatively remote Gore Hill site on Sydney's North Shore was abandoned in favour of the Ultimo site near the CBD.

Quentin Dempster served on the ABC board between 1992 and 1996. He gave evidence critical of ABC management failure to take adequate safeguards against commercial influence detrimental to the independence of the ABC to the Senate Select Committee on ABC Management and Operations. His contribution is quoted with approval in the Senate Select Committee's report signed by the committee chairman, Senator Richard Alston.

Kirsten Garrett served on the ABC board between 1996 and 2000. She expressed concern that the proposed sale of ABC program output to Telstra broadband would adversely affect the independence of the ABC. She gave evidence *in camera* to the Senate Inquiry into ABC Online, presumably because some of the information available to ABC board members was commercial-in-confidence.

A transcript of her discussion of the issue on A.M. is attached as Appendix 3. This demonstrates her respect for the appropriate level of board confidentiality consistent with her duty to defend the independence of the ABC. Significantly the sale of ABC content to Telstra did not proceed.

Ramona Koval was the last staff elected director of the ABC. An article she wrote for *The Age* dealing with her role is attached as Appendix 1.

Appendix 2 has brief biographies of the staff elected directors.

Conclusion

This submission has demonstrated that:

- The staff-elected Directors have contributed essential and expert knowledge of broadcasting to the board.
- The staff-elected Directors have, without exception, acted diligently to protect the independence and integrity of the ABC.
- The provision for a staff-elected Director adds to the diversity of the Board, that would otherwise be appointed entirely by the government of the day
- The appointment of former parliamentarians or political advisors to the Board would damage public confidence in the independence of the Board.

ⁱ Australian Fabian Society Autumn Lecture, Assembly Hall Melbourne, 22 March 2004. A copy is available at <http://www.friendsoftheabc.org/opinion/armslength.pdf/view>

ⁱⁱ The article is reproduced in Appendix 1.

ⁱⁱⁱ The Deans elect one of their number, staff of the Institute of Advanced Studies elect one, staff of the Faculties elect one and the general staff elect one. Postgraduate students and undergraduate students each elect one of their number.

^{iv} Raymond. R., *Out of the Box*, Seaview Press, 1999

^v Molomby. T, *Is There a Moderate on the Roof*, William Heinemann, 1991

Appendix 1.

A staff director is essential to protect the ABC's independence

The Age March 29, 2006

By Ramona Koval

WHEN Communications Minister Helen Coonan announced her intention to introduce legislation to amend the ABC Act and abolish the position of staff-elected director on the ABC board, she cited claims that the position created uncertainty about accountability.

Contrary to the minister's view, there has never been uncertainty about this position. All directors are obliged to act independently, in the best interests of the ABC. Only the method of our appointment differs. I am elected by the staff. All the other board members have been picked by the Government, except the managing director, who has been picked by the board.

I am the only director independent of the government.

The election of a staff director means that at least one member of the board brings expertise in journalism, broadcasting and a working knowledge of the role and functions of the public broadcaster and its importance in the cultural life of the country.

Since the creation of the corporation in 1984, the staff-elected director has provided balance to party-political stacking of the board. Previous incumbents have also been publicly engaged in defending the role and independence of the ABC and making sure that its obligations under the charter were upheld. The position has evolved as a vital structural element in the protection of the ABC's strategic and editorial independence. The staff-elected director raised concerns in the early 1990s about the ABC's proposed commercial partnership with Fairfax and Cox (US) in pay TV in Australia.

In 1995, the then staff-elected director, Quentin Dempster, (backed by staff) assisted the Senate in its inquiries exposing breaches of the ABC Act through backdoor sponsorship, a point acknowledged at the time by Coonan's predecessor, Richard Alston, in his Senate report *Our ABC*.

In 2000, then staff-elected director Kirsten Garrett debated the provision of the ABC's programming output to Telstra's broadband portals. Had the ABC entered into such a partnership with Telstra, we may now have been in even greater financial difficulties.

In October 2002, I informed the chairman of my unwillingness to support a number of proposals in the *Board Directors Handbook*, a document not binding under law and which serves as a gentleman's agreement. I assured the chairman and the board that I fully intended to act in accordance with my legal obligations under the Corporations Law and the ABC Act.

Among other problems, the document attempted to make the actions of individual directors subject to approval by the chairman or the majority of the board. This is contrary to the requirement that directors act at all times independently and in good faith.

Since 2002, I have made 11 reports to staff while I have been a member of the board. Each is prefaced with a statement about legal limitations on my ability to discuss many matters. As well as containing a summary of the issues I took to the board, they contained a summary of my views about board decisions.

I have never breached confidentiality in this role. I have simply raised concerns about the potential for political interference. Board governance was at the heart of the matter that led to the resignation of Maurice Newman in 2004, when managing director Russell Balding decided to contract out monitoring of the ABC's news and current affairs coverage in a non-election period without his seeking a formal resolution of the board.

The minister's intervention in acting to abolish the staff-elected director position while an Australian Electoral Commission election is under way reveals the urgency of the Government's desire to control the ABC.

It is my sincere concern that the pressure on the ABC to conform to the Government's political agenda will only intensify in the coming months. This is a time of great uncertainty for the organisation as it searches for a new managing director and awaits the Government's latest political manoeuvre in appointing a new chairman or perhaps extending the present chairman's appointment.

Coonan's announcement also mentions concerns about conflicts of interest and the effective functioning of the ABC Board. The board has functioned perfectly well in the four years since I first declined to be a part of the cosy club that presumably stands for modern principles of governance.

The Government would like there to be no conflict of interest at all between the ABC board and the Government. With the staff-elected director removed, this will place the Government in a position more like that of Silvio Berlusconi, who has his own TV stations as well as holding the state-owned media in his hands. Is this really what Australians want?

Appendix 2 – Staff-elected Directors of the ABC

Marius Webb.

The first person elected to the governing body of the ABC (then the Commission rather than the Corporation.) Marius Webb was an innovative producer and presenter and co-founder of the ABC's ground breaking youth station, which grew, under his continuing involvement into the national youth network Triple J. Webb later served as Project Manager for the transition to the national network and occupied other senior positions in the ABC including Controller of Human Resources (Radio).

Tom Molomby, SC.

The first staff elected director of the new Australian Broadcasting Corporation established in 1983, Tom Molomby served on the ABC board during a major re-organisation of the corporation. With a background in the flagship television current affairs programs *Four Corners* and *This Day Tonight* went on to become the founding producer and presenter of *The Law Report*, which still runs on Radio National. He is the author of four books on legal issues as well as *Is There a Moderate on the Roof*, an account of his time as a director of the ABC. Since leaving the ABC he has practiced as a barrister while continuing as a writer.

Quentin Dempster, AO.

One of Australia's leading investigative journalists joined the ABC in 1984. In 1986 he wrote and produced *The Sunshine System*, a highly acclaimed documentary on institutional corruption in Queensland.

In 1995 he headed a national investigative unit for *The 7.30 Report* and exposed unsafe practices in offshore petroleum operations, a fuel spill at BHP Manganese Groote Eylandt facility, the Moura mine disaster and the use of tax havens by major Australian Corporations.

He is the author of three books, *Honest Cops* (1992 ABC Book) *Whistleblowers* (1997 ABC Books) and *Death Struggle* ((2000 Allen and Unwin).

John Cleary

The presenter of Sunday Nights on ABC Local Radio Cleary as been described as 'one of Australia's leading commentators on religious affairs. He is a member of the ABC's specialist Religion unit and is often heard as commentator on religious affairs on ABC radio and television. In 1994 his book on the Salvation Army in Australia, *Salvos*, was awarded Australian Religious Book of the Year.

Kirsten Garrett.

As Executive Producer of *Background Briefing*, ABC radio's flagship program of investigative journalism Kirsten Garrett won a Walkey Award in 1996 for a program she produced on BHP's activities in New Guinea.

Ian Henschke.

Starting as an education producer in Brisbane Ian Henschke has worked on a range of rural and current affairs programs in four states. He presents the weekly current affairs TV program *Stateline* in South Australia.

He was the Telstra Rural Journalist of the Year in 1988, won the Banksia Award for Environmental Journalism in 1999 and in the same year was the inaugural Reuter

Foundation Fellow at Oxford University, a joint initiative of the ABC and the British government.

Ramona Koval.

Ramona Koval is a freelance columnist and feature writer for newspapers and is the author of one novel and three books of non-fiction. She presents the Book Program five days a week on ABC Radio National. The new edition of her book *Jewish Cooking, Jewish Cooks* was published in March 2002 and has been sold to the UK. In 1995 she won the Order of Australia Media Award.

Ms Koval has served on the board of *Australian Book Review*, and on the Victorian Premier's Literary Award Advisory Committee and the Asialink Awards Literary Committee. She has judged the radio section of the Walkley Awards twice, and been a judge of non-fiction of the Victorian Premiers Literary Awards twice, once as chair of the committee. Her interviews are regularly published in transcript in *Australian Book Review*, *Meanjin*, and on the Web.

For the last two years she has been invited to conduct public interviews at the Edinburgh International Book Festival in front of sell-out audiences with major international writers. She has recorded these and other interviews, lectures and debates at these events, and has provided Radio National with many high quality programs that would have been otherwise unavailable.

Appendix 3. AM Archive - Saturday, 5 February , 2000

Reporter: Elizabeth Jackson

ELIZABETH JACKSON: Well, Kirsten Garrett is the staff elected director on the ABC board, and she joins us now. Kirsten, what do you know of this deal?

KIRSTEN GARRETT: Well, I haven't read the papers, and the documents are confidential. But of course I know about it. I'm on the board of the ABC.

ELIZABETH JACKSON: All right. Can you describe for us what the deal would involve - I mean, what sort of material from the ABC would end up in the hands of Telstra?

KIRSTEN GARRETT: No I can't go into any details of the deal itself. It's commercial-in-confidence, and board discussions are confidential. But I can respond to what you say is in the papers, and I can say that in my belief this raised very important fundamental issues about the ABC and public broadcasting. It concerns the future of the ABC in this climate and how it gets its money.

We've got to remember that the new technologies are only that - they're only [inaudible] and delivery system. But everybody needs content. And the ABC has very high quality independent content. It has a priceless logo and brand - that's the word you use these days - and nothing must corrode that, must begin to get the wedge in the door to prise that out of us.

Newspapers - the newspapers apparently talk of revenue from ads over Telstra. That's a huge issue. And what influence and access Telstra get in return for their sixty-seven million. That has to be another huge issue. The most important thing is editorial control of past, present and future content. And I think that should be out for public discussion.

ELIZABETH JACKSON: Has this deal been initiated by Telstra or by the ABC?

KIRSTEN GARRETT: I don't - I'm not able to discuss that.

ELIZABETH JACKSON: Does the deal in any way contradict the ABC charter as far as you're aware?

KIRSTEN GARRETT: That's one of the things that, you know, I think needs public discussion. There are all sorts of things that might be legally okay, but then you've also got to look at the spirit of it.

ELIZABETH JACKSON: It's interesting that you mention public discussion, because of course there hasn't been any. And it appears as though this deal has progressed considerably. Is it appropriate in your view for the national

broadcaster to be considering such a substantial change without any public debate? This has all been done in secrecy.

KIRSTEN GARRETT: In my opinion it's not appropriate. But, of course, once you start getting into any important deals with any commercial partner, then everything becomes commercial-in-confidence. I think that in itself has huge dangers for an organisation that is publicly accountable.

ELIZABETH JACKSON: Now, you've raised some concerns. So I assume that to some extent you have been fighting this. Can you confirm that?

KIRSTEN GARRETT: Um, I can confirm that there have been a lot of vigorous discussions at the board, and I don't see why I can't publicly say what my opinion is. I've certainly been asking a great many what I consider very important questions.

ELIZABETH JACKSON: Have you been a lone voice on the board fighting this?

KIRSTEN GARRETT: I can't discuss that.

ELIZABETH JACKSON: Let's talk a little bit more about the concerns that you have. You mentioned the whole area of the ABC benefiting from Telstra's advertising revenue. Of course this has been very topical conversation for the ABC recently. What - what are your real concerns about that issue?

KIRSTEN GARRETT: Well, gosh - the advertising issue and revenue from advertising has been argued over and over again, probably for 20 if not 50 years, and time and time and time again the parliament, the legislation and the public and indeed people concerned with the ABC say no - definitely no. But, you know, there are ways and means of it arriving in other forms. It's been argued for example that we sell mother and son or other content to other broadcasters, other ways of delivering the stuff, and they put ads around it. That's one thing. You know, the chicken can lay an egg and it can go into anybody's house. It's another thing who's in the chicken house helping to make the egg. It gets very complicated, and people will argue it in different ways that suit them.

ELIZABETH JACKSON: Kirsten Garrett we will leave it there. Thank you very much for joining us.

KIRSTEN GARRETT: Thank you.

ELIZABETH JACKSON: Kirsten Garrett, the staff elected director on the ABC board.