

Labor Senators' dissenting report

1.1 Labor Senators reject the views and recommendation of the Committee in this report.

1.2 Labor Senators note that the Australian Broadcasting Corporation (Fair and Balanced) Bill 2017 is politically motivated and furthers One Nation's vendetta against the ABC in retaliation for quality investigative journalism by the ABC.

1.3 Moreover, Labor Senators note that this bill was introduced further to a backroom deal between the Turnbull Government and One Nation in exchange for Pauline Hanson's support for the repeal of the 2 out of 3 cross-media control rule, which Labor opposed. The Government used the ABC as a bargaining chip in exchange for support for the Broadcasting Legislation Amendment (Broadcasting Reform) Bill 2017 which made final passage through the House of Representatives on 16 October 2017.

1.4 The Turnbull Government couldn't get its media ownership changes through on merit, so they dragged the national broadcaster into the whole sorry mess of deals – deals which undermine media diversity and the public interest in Australia.

1.5 Labor Senators note that the ABC is already required to be accurate and impartial. We note that these concepts are interpreted as including notions of fairness and balance and that it is completely unnecessary to amend the Charter with the inclusion of the words 'fair and balanced'.

1.6 Labor Senators note that even the Minister for Communications has acknowledged that this bill is completely and utterly pointless as it will not alter existing standards expected of the ABC.

1.7 Labor Senators will not permit the Turnbull Government and One Nation to meddle with the ABC Charter simply because Pauline Hanson didn't like being scrutinised in a Four Corners episode, last year. We note the changes proposed by this bill are not in the public interest, they are in Pauline Hanson's complete self-interest.

1.8 Labor Senators believe it is important to note the context which led to the introduction of this bill into Parliament, last year.

1.9 In April 2017, the ABC Four Corners program aired an investigative story into One Nation called 'Please Explain' and ABC News subsequently published leaked recordings of conversations between Pauline Hanson on the donation of a light aircraft, among other things. In May 2017, One Nation complained of bias at the ABC and threatened to refuse to support the Federal Budget unless the ABC's funding was cut by \$600million over four years.

1.10 In August 2017, the Turnbull Government announced a deal with One Nation on the media ownership changes, inclusive of a number of unnecessary and

unwarranted amendments to the ABC Act and Charter as well as an insidious 'competitive neutrality inquiry' aimed at reducing the role of the ABC to that of a market failure broadcaster. In a subsequent press conference, Pauline Hanson also made it clear that she will be speaking to the Treasurer and going after the ABC's budget in 2018.

1.11 The Liberal-National Government used the ABC as a bargaining chip in exchange for One Nation's support for the Broadcasting Legislation Amendment (Broadcasting Reform) Bill 2017 which made final passage through the House of Representatives on 16 October 2017.

1.12 Labor Senators note the remarks of ABC Managing Director, Michelle Guthrie, in her speech at the ABC Friends Public Conference Dinner in October 2017:

The ABC's role in the media law reform debate was supposed to be as an interested bystander. We had no skin in the game. Or so we thought. We now find ourselves very much impacted by the deal-making and with a real need to ensure that the public interest – as opposed to vested interest – is protected.[and]

The ABC Act and Charter should not be tampered with simply to suit political or commercial agendas. Legislation designed to further a political vendetta by one party uncomfortable with being scrutinised by our investigative programs is not good policy-making. Neither is using the ABC Act as a bargaining chip in industry machinations that have nothing to do with the national broadcaster.

1.13 Labor Senators oppose the bill because the insertion of the words "fair, balanced" into the ABC Act is completely unnecessary, given that the concepts "accurate and impartial" are already interpreted and applied by the ABC to include 'a balance that follows the weight of evidence' and 'fair treatment', among other things. The new words add nothing in practice, may confuse established interpretation and even create the danger of 'false balance'.

1.14 We note that, in an August 2017 interview, One Nation Senator Brian Burston said that the 'fair and balanced' requirement meant giving equal weight to anti-vaxxers.

1.15 Labor Senators do not support a bill that achieves nothing of policy value and that permits the Turnbull Government to use the ABC as a political bargaining chip, that forms part of a concerted effort by One Nation to attack the ABC, that provides a platform for One Nation to spread misinformation about vaccination, among other things, and is an unjustified incursion on the independence of the ABC.

Senator Anne Urquhart
Senator for Tasmania

Senator Anthony Chisholm
Senator for Queensland