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Secretary
Senate ECITA References Committee
S1.57, Parliament House
Canberra ACT 2600

Dear Secretary

I attach a submission to the Committee's inquiry into ABC Board Appointments.

Yours sincerely

Gillian Appleton (Ms)

SUBMISSION TO THE STANDING COMMITTEE ON ENVIRONMENT,
COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS
REFERENCES COMMITTEE

ABC BOARD APPOINTMENTS

The ABC is Australia's most important cultural institution. Its national radio and television coverage and its freedom from commercial pressures place it in a unique position compared to other broadcasters. There is abundant evidence that in times of national or local crisis, Australians turn to the ABC for authoritative, reliable and unsensationalised coverage. While the broadcaster may not always justify the high regard in which it is held, it is nevertheless vital that it retain the confidence of the Australian public.

Fundamental to this confidence is the perceived independence of the broadcaster from the government of the day. And fundamental to this perceived independence is that the board of directors should comprise people, who as well as possessing collectively the attributes set out in the ABC Act, are recognised by the public as free from narrow political allegiances or considerations, and able to put the best interests of the organisation and its audiences first. In a phrase sometimes used to refer to those at the helm of the BBC, they should ideally be drawn from 'the great and the good' of our society, and should be firmly committed to the concept of public, non-commercial broadcasting.

Background

I was employed by the ABC from 1969 to 1974, working in both radio and television as a producer and researcher. I subsequently worked for the Australia Council, the Australian Film Radio and Television School, and the Australian Broadcasting Tribunal. During the 1980s I was a senior project officer on the Committee of Review of the ABC (1981) and the Committee of Review of the SBS. I have also served on a number of boards, including the Australian Film Commission, the Public Broadcasting Foundation, the Australian Commercial Disputes Centre, the

Royal Botanic Gardens Trust (current) and the NSW Arts Advisory Committee (current chair). These experiences have given me significant insights into the appointments processes and operations of the boards of public service organisations, particularly those involved in influential cultural areas.

Some History

The 1981 Committee of Review of the ABC considered a large number of submissions touching on the issue of board appointments and concluded that none of the systems proposed would constitute an improvement on the existing system. Other inquiries have suggested various options, but the system has remained essentially the same - presumably because there has been no will on the part of any government to change it.

The public has come increasingly, and with justification, to view as highly politicised a system under which the party in power hands out political patronage to people who have served that party in some capacity and/or are unlikely to flout the government's own desired directions for the national broadcaster, whether explicit or implicit.

Another unfortunate side effect of this approach is that it can, and often does, result in the appointment to boards of people who fail to contribute in any significant way to the workings of those boards. In effect, the beneficiaries of appointments made on a purely political basis often regard them as prestigious sinecures.

Criteria for Directors

The terms of reference for this committee mention the possibility of 'representativeness'. This is a problematic concept if it is taken to mean that the directors of the ABC should 'represent', for example, various geographic regions, indigenous people, people from non-English speaking backgrounds, special interest groups. Any such approach can be no better than tokenistic and is likely to result in an unwieldy group with wildly differing capabilities, as historical experience with the ABC's former Commission, when 'representativeness' was an objective, proved.

Experience has also shown that in practice, people do not represent anyone but themselves: and indeed so it should be. If some sort of 'representativeness' is considered desirable it should be achieved through the system of advisory committees which, if State-based, can allow for a greater spread of members drawn from diverse groups and regions.

The options for selecting board members were extensively canvassed before the ABC Act was drafted and introduced. The criteria enshrined in the 1983 Act aim to achieve an appropriate mix of skills and experience, without being unduly prescriptive. They should, if properly implemented, ensure that the ABC board 'represents' only the best interests of the whole Australian community .

A Suggested Approach

Any system of appointing board directors to the ABC should

- Be open to public scrutiny
- Avoid flagrantly political appointments
- Achieve the mix of skills and experience among directors set out in the ABC Act
- Be realistic and practicable

The last of these is critical, as many of the systems proposed in the past would have been complex, cumbersome and ultimately impracticable. The ABC is unique because of the community's demonstrable feeling of 'ownership' of the broadcaster, and its potential for influencing public opinion; nevertheless, establishing an entirely new 'independent' body to vet appointments to its board would raise complex issues. For example, whether the boards of all government organisations involved in cultural activities (such as the Australia Council and the Australian Film Commission), or even appointments to all boards of all government bodies, should be subject to similar scrutiny, since all appointments have the potential to be 'political'. But such an approach would be, in my view, totally unworkable.

I therefore propose that **a parliamentary committee (whether a joint committee of both houses or a senate committee) should be responsible for scrutinising**

appointments to the ABC board. Hearings of this committee should be open to the public, and interested parties should be able to make submissions on proposed candidates.

In order to widen the field of potential candidates, there should be a system whereby nominations are invited from:

The ABC itself

Broadcasting and film industry organisations

ABC Advisory Committees

Political parties

Appropriate cultural and public interest/consumer organisations

(I have not included ABC staff as the system of a staff-elected director remains in place at this time).

I suggest that a limit be placed on the number of nominations that each of these parties be permitted to make; they may make fewer but not more than this number.

There is a view that selection by a parliamentary committee would still be likely to result in a 'politicised' board, since the party in power would have the casting vote on any committee. Unlike many in the Australian community, I retain enough faith in the parliamentary process to believe that an open and transparent system such as I propose would place on committee members a heavy responsibility to make choices informed by the public interest, rather than by party political interest. This should result in a useful balance of diverse views on the ABC board.

I served on the board of the Australian Film Commission during a period of transition from a Coalition to a Labor Government (1983-85). As a result, at one time the board comprised half Coalition and half Labor appointees. The outcome was that board meetings were extremely lively and productive, as there was valuable in-depth scrutiny of all proposals from different points of view, rather than rote-like unanimity of a kind that I have observed on other boards where directors have been selected for their perceived sympathy to government policies.

Any approach which results in a genuine diversity of views being represented on the board would be an improvement on the current system, and would reinforce public confidence in the broadcaster. I believe the system I propose is the most feasible and practicable option for achieving such an outcome.