

STRENGTHENING AUSTRALIAN MEDIA

Publicly funded and diverse media to strengthen our democracy

Democracy thrives when the fourth estate is strong and diverse. We are a diverse country with a mono-cultural media monopoly.

Our national broadcasters are under assault from the twin threats of funding cuts and political interference. Changes to media ownership laws have also undermined the strength of our journalism, allowing power to concentrate in the hands of a few, with the health of our democracy at stake.



THE GREENS WILL:

- Increase and lock-in **funding for the ABC and SBS**
- **Protect the ABC** from political interference
- Strengthen media diversity and **stop the spread of misinformation and hate**
- Fund and **support our First Nations media**

SAVE THE ABC AND SBS

The ABC has been cut by more than 1,000 jobs and more than \$300 million since Tony Abbott went to the 2013 election promising no cuts to the ABC.¹

We are seeing attacks on the independence of the ABC from political appointees.

Meanwhile, SBS is under attack from commercial stations trying to undermine its ability to serve its audience.²

The ABC and SBS are cultural cornerstones of our national life. That's why the Greens will restore every dollar cut from the ABC's budget by the Abbott-Turnbull-Morrison Government since 2013, and we'll grow the ABC's funding year-on-year to account for those years of chronic underfunding.

This represents an investment of \$320m through to 2021-22, and \$1,227m over the decade.

The Greens will make sure that funding for the ABC is done by hard law not handshakes.

We will amend the ABC Act to create a standing appropriation - meaning that funding of the ABC is law, not subject to the whim of the government of the day.

This will help recover the jobs lost and restore and protect the news-breaking ability of our nation's public media across the country.

We also explicitly rule out ABC iView and SBS On Demand being placed behind a paywall, as the commercial broadcasters are pushing for.³

The Greens will also phase out advertising on SBS.

The Coalition Government has tried to expand the number of advertisements SBS can carry, as a pretext for cutting its funding.⁴ But every advertisement makes it harder for SBS to fulfill its charter obligations.⁵

It compromises the independence of the public broadcaster when it is forced to rely on commercial sponsorship to stay afloat.

We will commit \$130m over the next three years to phase out in-program advertising on the SBS, and reduce program break advertising by 80 per cent.

Public broadcasters shouldn't rely on private income to keep the lights on.



1 "ABC has shed 1012 jobs since 2014, Senate ... - The Guardian." 24 May. 2018, <https://www.theguardian.com/media/2018/may/24/abc-has-shed-1012-jobs-since-2014-senate-estimates-told>. Accessed 9 Jul. 2018.

2 "The politics behind the competitive neutrality inquiry into ABC and SBS." 2 May 2018, <http://theconversation.com/the-politics-behind-the-competitive-neutrality-inquiry-into-abc-and-sbs-95925>. Accessed 9 July 2018.

3 "Media heads call for crackdown on ABC and SBS | NewsMediaWorks." 1 August 2017, <http://www.newsmediaworks.com.au/media-heads-call-for-crackdown-on-abc-and-sbs/>. Accessed 9 July 2018.

4 "SBS faces \$27m advertising revenue hole - The Australian." 18 May. 2017, <https://www.theaustralian.com.au/business/media/sbs-facing-budget-crisis/news-story/20f883011199f2608b95821666198881>. Accessed 9 July 2018.

5 Department of Communications, April 2014, The ABC and SBS Efficiency Study Report (redacted), pp 85

AN INDEPENDENT ABC

The ABC is under attack from more than just funding cuts. The politicisation of the board has never been more evident.⁶ We need a clear, non-partisan process for selecting the board.

The Greens will secure the editorial independence of the ABC in legislation. To do this we will:

- Protect the Nomination Panel by legislating a role for them rather than relying on protocol;
- Require board nominees to come before the Senate Standing Committee on Environment and Communications in addition to being referred to the Minister;
- Require the Minister to explain in-writing to the Standing Committee the rejection of any nominee recommended by the panel;
- Give the Standing Committee power to recommend the Chair to the Minister; and
- In addition to a staff-appointed board member, introduce an audience-appointed board member, reflecting the role of ABC viewers as the critical stakeholder in our public broadcaster.

The new board processes will ensure that the board is independent and filled with the best candidates with relevant skills, experience and expertise.



⁶ "ABC Chairman Justin Milne under intense pressure over multiple claims of political interference - The Sydney Morning Herald." 26 September 2018. <https://www.smh.com.au/politics/federal/abc-chairman-justin-milne-under-intense-pressure-to-resign-20180926-p50676.html>

STRENGTHENING MEDIA DIVERSITY AND STOPPING THE SPREAD OF MISINFORMATION AND HATE

Australia has one of the most concentrated media markets in the world.⁷ We know that to have a healthy democracy we need a healthy media and ours is trending in the wrong direction.

The Greens will prioritise stronger media diversity with a comprehensive plan. We will:

- Establish an inquiry into breaking up current media concentration; and
- Implement a suite of policies designed to encourage diversity, support public interest journalism and act for a digital age.

PRODUCTIVITY COMMISSION INQUIRY

There have been several reviews of the news media during the last decade, from the Finkelstein Review to the Convergence Review and a Senate Inquiry into the Future of Public Interest Journalism. It's clear that the health of the fourth estate is central to our democracy.

In 2012 the Finkelstein Review called for the Productivity Commission to conduct a review of the health of our news media and make recommendations about what role the Commonwealth can and should have in ensuring that health.

The Australian Greens believe the Productivity Commission is the right place for this inquiry to happen.

We will ask them to examine:

- The current state of media ownership;
- Role and strength of our regulatory bodies in ensuring a healthy news media, including the ACCC, ACMA, the Australian Press Council and the Foreign Investment Review Board;
- Media regulation models utilised in other democracies; and
- The role of the Commonwealth in strengthening the health and diversity of our news media.

⁷ <https://theconversation.com/factcheck-is-australias-level-of-media-ownership-concentration-one-of-the-highest-in-the-world-68437>

STRENGTHEN THE AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY'S POWERS

The Australian Communications and Media Authority (ACMA) is Australia's regulator for broadcasting, the internet, radiocommunications and telecommunications. It works on a 'co-regulatory' model, where industry groups develop their own industry codes in cooperation with the ACMA, who then enforces the negotiated code.

The ACMA registers an industry code when it is satisfied that, among other considerations, the code provides appropriate community safeguards. If a draft code is found to be lacking appropriate safeguards, the ACMA can direct the content of the code.



The definition of these safeguards has failed to keep pace with the times. Broadcasters can now invite neo-nazis and far-right extremists onto their programs for panel discussions without facing any penalty from the regulator.

This mainstreams and normalises extremist ideology that further emboldens hate speech, which puts public safety at risk.

The Greens support expanding the definition of community safeguards used by the ACMA to include the protection of the public from content that maligns a person or persons based on certain immutable characteristics.

All news and commentary in Australia should maintain a high standard of truthfulness and journalistic ethics. That's why we support the ACMA having greater powers over subscription and streaming services.

Subscription services like Sky News and online news streaming should not have a lower level of scrutiny, especially when they are broadcast in so many public spaces and so many people are moving to consuming their news online.

In the wake of the Christchurch terror attack the ACMA

made the point that their powers do not allow them to monitor and regulate content made available or linked to on broadcasters' websites.

This is a problem we've known about for some time. Back in 2012 the Convergence Review made the point that, "content-specific, platform-specific and provider-specific rules are inconsistent, confusing and inflexible" and that "media content regulation should be technology neutral."

We agree. That's why we will grant the ACMA responsibility for handling Australian media, across free-to-air, subscription and streaming services, ending the inconsistent treatment of complaints.

The ACMA's enforcement mechanism will be strengthened so they are able to step in when the line is crossed to ensure hate speech does not infiltrate mainstream news, whatever medium it comes through.

PUBLIC INTEREST TEST

The Greens would implement a new public interest test, as recommended by the 2012 Convergence Review and the ACCC, which would apply to changes in control of nationally significant media enterprises, defined, under the existing Act, as organisations that hold broadcast licences or own newspapers, that have:

- Control over the media content they deliver;
- An Australian audience of at least 500,000 per month; and
- A minimum revenue of \$50 million per year derived from supplying media content in Australia.

The matters to be taken into account in applying the test include:

- Whether the outcome of the transaction would diminish the diversity of unique owners providing general content services as well as news and commentary at a national level;
- Whether the outcome of the transaction would diminish the range of content services at a national level;
- Whether the person(s) taking control of a content service enterprise would represent a significant risk that the content service enterprise would not comply with its obligations;
- The likely impact on editorial independence;
- The likely impact on free expression of opinion; and
- The likely impact on the fair and accurate presentation of news.

This would help ensure that future sales and mergers of media organisations are in the public interest, not just the interest of multinational companies or wealthy individuals wanting to wield influence over public debate.

TRANSPARENCY IN DIGITAL ADVERTISING

In the digital age, news organisations are struggling to fund journalism with fewer and fewer people prepared to pay for news.

Online news generates income through digital advertising. This advertising technology enables marketers to effectively target advertising at individuals wherever they go across the web.

The ability of services like Google ads to target end users means they dominate the market. But the gap between what advertisers pay and what publishers receive is astronomical. Instead of ad dollars paying for quality journalism they disappear into a black hole.

Making this process more transparent will result in more dollars for quality journalism. It will remove the power of the digital advertising giants and create a more level playing field.

That's why we will ask the ACCC to investigate new rules to govern advertising regulation in the digital age, based on the rules that govern transactions in financial markets. This kind of two sided accounting model would allow the publisher, advertiser and the regulator to see all the figures and shine a light on the dodgy and deliberately opaque practices of digital advertising giants.

SOCIAL MEDIA AND DIGITAL PLATFORMS: AN INDEPENDENT INQUIRY

The digital age has seen the rapid growth of new social phenomena. We are connected like never before. Unfortunately, this connection has an insidious underbelly, with fake news, foreign influence in democratic elections, and the rise of hate speech.

Social media and digital platforms have fundamentally changed the way that we receive and consume news and information. Australia's hyper-concentrated traditional media environment is not helped by this concentrated digital environment, with too much power amassing in the hands of just a few key players.

The huge global corporations that run digital and social



media platforms are driven by massive profits, conveying news at the same time as they commodify their users. And more and more members of the community are concerned that these corporations are not behaving responsibly or being held to account when it comes to the social and public interest.

In the last few years we've seen other jurisdictions around the world grappling with the right way to ensure digital and social media platforms operate within the public interest.

With the concentration of power in the hands of a few, and virtually no rules to govern what they do with this power, it's clearly time to have a public debate about the role and regulation of the digital space.

That debate should be an informed one. That's why we will commission a fully independent inquiry, led by experts in the human, digital and consumer rights fields, into digital platforms and social media. The final terms of reference will be developed in consultation with experts in these fields but would look to include:

- The role of digital and social media platforms in upholding the rights and protections of their users, and contributing to public discourse;
- Social media giants' handling of complaints, and the resources dedicated to handling and resolving complaints;
- How other jurisdictions are responding, particularly the European Union;
- The role of public interest in setting standards for the digital age; and
- The role of the Commonwealth in appropriately regulating for the public interest and public safety.

DEDUCTIBLE GIFT RECIPIENT

STATUS (DGR) FOR PUBLIC INTEREST JOURNALISM

Many news organisations rely on philanthropic donations, but Australia's rules around tax deductibility make it incredibly hard to attract these kinds of donations. To combat this the Greens will introduce DGR status for organisations that meet the following criteria:

- A minimum of 75% of total spending over the past 12 months was on the production and dissemination of news, public interest journalism or other fact-based editorial content;
- A minimum of 75% of total revenue was derived from sales, subscriptions, advertising revenue or other individual or philanthropic donations;
- A turnover of minimum \$1 million in the past financial year;
- The primary business and dominant purpose is the production and distribution of news and editorial content that is in the public interest (this test excludes organisations producing content whose purpose is promotional, or for public relations or advocacy).

TAX DEDUCTIBLE NEWS FOR ALL AUSTRALIANS

We will also provide a tax incentive for Australians who want to engage with public interest journalism by extending the tax deductible status of news media subscriptions, donations and purchases to all Australians.

This will apply to news media organisations in Australia that adhere to appropriate standards of practice for public interest journalism.

COMMUNITY BROADCASTING

Community broadcasters play an important role in strengthening media diversity in Australia. Despite this, they face a great deal of uncertainty thanks to short funding cycles. This compromises their ability to deliver content and produce public interest journalism.

The Greens will provide additional surety for them by guaranteeing future funding for the community broadcasting sector beyond a 12-month funding cycle, locking in five years' worth of funding so these broadcasters can plan adequately.

FIRST NATIONS MEDIA

Funding for First Nations Media has remained largely stagnant for the last decade despite demand for funding more than doubling as the sector has grown.⁸ The Greens recognise the importance of our First Nations media and the significance of First Nations Australians having access to stories told by and for their own community, as well as the benefits for all Australians. That's why we will increase and index the annual funding for First Nations Media to \$30 million per annum.

The Greens will also move to provide for a separate broadcaster license category for First Nations broadcasting and to make the necessary regulatory changes for spectrum allocation and codes of practice. This will prevent First Nations broadcasters from having to compete with community broadcasters for broadcast licenses and support the rights of First Nations peoples to establish their own media.⁹



⁸ <https://firstnationsmedia.org.au/sites/default/files/files/2018%20Calls%20for%20Action/2.%20Operational%20Employment%20Funding-CFA-2018.pdf>

⁹ <https://firstnationsmedia.org.au/sites/default/files/files/2018%20Calls%20for%20Action/1.%20Broadcasting%20Act%20reform-CFA-2018.pdf>