Review of Voice to Parliament coverage

Introduction

The ABC has commissioned this independent external review of its coverage of the Voice to Parliament Referendum, involving the examination of a broad sample of content against the following Terms of Reference:

1. How well did the sampled content achieve the aim of helping Australians make an informed decision when they voted? Could the sample have done this better, and if so, how?
2. Did the sampled content exhibit an appropriate approach to dealing with misinformation and disputed claims?
3. Were interviews conducted in an appropriately probing manner?

Sampled programs included:
- News Programs – 730 Report, 7PM, RN Breakfast, Insiders, ABC News On-line
- Discussion Programs – Q&A, The Drum, Late Night Live, Between the Lines
- *The Voice Referendum Explained* podcast.
- ABC Fact Check, Analysis and Explainers

Approach

The ABC describes its obligation as the national public broadcaster as being *to facilitate the democratic process and help Australians make an informed decision... [including]… by providing context and analysis, interviewing advocates, and addressing misinformation where appropriate*.

This review has been undertaken from an independent observer perspective rather than media professional standpoint. ABC Editorial Policies on Interviewing and Accuracy were considered as part of the review process, however an assessment of compliance with these policies was out-of-scope. A rubric developed by the University of Canberra also provided a useful frame through which to view content. Ultimately, however, the observations and findings of this review are informed by twenty-five year's experience in First Nations affairs policy and reform.

The review focusses on the conduct and presentation of interviews, rather than the performance of the 'talent' – including when the 'talent' were ABC journalists providing content (e.g. Tingle on 7.30 and Late Night Live (LNL), and the various State/Territory political reporters invited to provide their reflections on the current state of the campaigns in their jurisdictions).

The review considered a sample of the total content provided by the ABC (detailed in Attachment A). The review did not include a separate fact checking process. Nor did it include access to the ABC's research or decision-making processes about what guests were (or were not) invited and what content was to be aired.

Findings

1. **How well did the sampled content achieve the aim of helping Australians make an informed decision when they voted? Could the sample have done this better, and if so, how?**

The Referendum was highly contested, and the nature of the debate became news in itself. To assess how well the sampled content helped to inform Australians it was necessary to consider what was relevant, or of most relevance, to the Referendum proposal. For this review, relevance was applied based on what was likely to directly and substantively help people make informed decisions

when it came time to vote – that is, what added to peoples' understanding of what the Voice means, how it would work, and what it would do; as well as what the Constitution is and is not, what referendums are and are not, and what is the role of the Parliament.

The review considered the adequacy of information presented on the Referendum; the adequacy of information on the benefits, risks and outcomes of a yes and no result; whether there was sufficient background on both the yes and no cases; the external sources used and whether the majority of background was from external sources or the journalist's own reporting; as well as clarity and transparency of what was communicated.

Overall, the sampled content, taken together, achieved the aim of providing clear and informative facts about the Referendum, and a balanced diversity of perspectives on both the yes and no cases.

There was an airing of assertions on the benefits, risks, and expected outcomes across the yes and no cases – and these were routinely tested and challenged. Programs tended to use a balance of external sources to set context, provide background and frame questions, including yes and no proponents, constitutional experts, and citizens. Obvious questions and various viewpoints were generally pre-empted and called out.

Consumers viewing the full range of sampled content were likely to have felt better informed about Referendums, and this Referendum in particular, and also better able to distinguish between misinformation and material facts. This is likely to be true also for those who viewed multiple episodes of some programs. For example, the 7.30 Report, RN Breakfast and Insiders all covered a range of perspectives and issues across several episodes and overall provided a good understanding of the referendum proposal and the yes and no cases.

Some programs, including the Drum and Q&A, enabled a point in time comparative overview of yes and no cases, with viewers likely to feel broadly informed about the range of perspectives as a result. As an example, the 30 August episode of the Drum covered the Prime Minister's announcement, and did a good job of explaining what the Constitution does and does not do, and what the debate is about, highlighting a diversity of views, including within Indigenous communities, while attempting to contextualise the debate within difficult histories.

For consumers viewing content on a more ad hoc basis, the extent to which they were informed would likely have depended on the mix of programs consumed. For example, because RN Breakfast generally features interviews providing alternate cases, often back-to-back, along with context and factual foregrounding, consumers of this program had access to a balance of perspectives even if tuning in on an irregular basis only. This also holds true for the 7.30 Report and Insiders, which while only interviewing a yes or no proponent in any one episode, tended to represent the facts and interests of the alternate case in foregrounding and questioning. However, listeners happening to tune into the more conversational interviews in sampled episodes, including Behind the Lines and Late Night Live (discussed below), would not have received a balanced sense of both the yes and no cases, or the facts.

The relevance of content varied across the content sample. In some instances, a focus on behaviours and events around the politics of the debate, diverted attention from (and likely impacted the clarity of) the purpose, benefits, and risks of the referendum proposal itself – and the cases for and against. For example, a RN Breakfast interview with Thomas Mayo on 27 September asked about Anthony Mundine inviting Mayo to a boxing match. Perhaps fair in terms of providing a right of reply, but the relationship of this to the Referendum was tenuous at best.

The 21 July episode of Behind the Lines strayed into discussions about pre-1968 recognition of Aboriginal people, enabling the presentation of arguments that a small number of Aboriginal people were able to vote, and that Aboriginal people were already being counted in various censuses. It also compared the settlement of Australia and subsequent treatment of First Nations people with the 11th-century Norman invasions of England. These largely unchallenged or uncontextualised statements did not add relevant information about the Voice and potentially added to misinformation (discussed further below).

There was generally adequate transparency of who interviewees were, and their respective interests and opposing interests (e.g. 7.30 Report, RN Breakfast, Insiders, Q&A). An exception to this was the 21 July episode of Between the Lines where interviewee Geoffrey Blainey was introduced as 'Australia's greatest living historian'. While likely intended as a term of respect or endearment, it was also misleading in the absence of context relating to Blainey's involvement in academic and commentator debate about highly contested positions on First Nations and colonial history - often referred to as the 'History Wars.'

In terms of how the sampled content may have done better, "scenarioising" might have been an effective way of explaining how the Voice would operate in practice and where its role would start and end relative to that of the Government. An example of when this opportunity was missed is the Drum episode of 30 August. When the issue of youth crime was raised, there was no probing or exploring how the Voice could operate in addressing such an issue, how that differs from what happens now, and why it might lead to a more successful response.

Also – given the primary intention of the ABC's coverage of the Voice Referendum was to inform people for when it came time to vote – ensuring interviewees were selected based on their ability to provide relevant information about the Referendum proposal and the yes and no cases should have been the key consideration. Across the sampled content, some interviewees had significantly more relevant insight and experience than others to speak factually about the Referendum proposals and related issues. These included representatives of the yes and no campaigns, constitutional experts, and people in, or previously in, key Indigenous affairs roles such as Julian Lessor and Tony Abbott. Others, such as Alexander Downer and Geoffry Blainey, had less relevant contributions, voicing arguably less informative, less factual, and potentially counterproductive views that contributed to misinformation.

2. Did the sampled content exhibit an appropriate approach to dealing with misinformation and disputed claims?

The review considered whether supposition, or unverifiable or misleading claims were called-out and reasonable attempts made to test and dispute these, whether facts were foregrounded, and reasonable efforts made to include material facts in the content.

Generally, the sampled content showed appropriate and reasonable approaches to dealing with misinformation and disputed claims, with consistent attempts to do live fact-checking. The RN Breakfast interview with Tony Abbott (5/10/2023) was a good example of this in the way it countered Abbott's claims of separatism and that having a Voice inform policy affecting Aboriginal people was a 'doubling down on failure'. Arguments for the yes and no cases were routinely aired or put to interviewees across various programs/episodes allowing assertions to be fact checked, tested, rebutted, and challenged. This increased exposure on the range of facts, arguments, and depth of perspectives. Good examples of this include the counterclaims put in RN Breakfast separate interviews with Tony Abbott and Julian Lessor on 5 July and the 7.30 Report interview with Noel Pearson on 11 October.

There were exceptions. The relevance of the 21 July episode of Between the Lines interview with Geoffrey Blainey was questionable as noted above, nor was there balance in the interview which seemed to accept Blainey's comments at face value and without probing or challenge. Blainey minimised the circumstances of Aboriginal people in Australia with comparisons to historical treatments of people in England in the wake of the Norman invasion, and by comparing massacres of Aboriginal people in Australia to historic (and by insinuation, worse) massacres that occurred in Europe. These comments were accepted by the interviewer without question as evidence that the circumstances of Aboriginal people are not unique, and not as bad as what others have experienced. In contrast, similar claims made by Warren Mundine on the Insiders (17/9/2023) where challenged.

Similarly provocative comments such as "the majority of Aboriginal people have done well"; "Aboriginal people were never enslaved in the true sense of the word;" and "oldest' living culture implies "backwards" also went unchallenged and added nothing constructive (or of relevance) to arguments about Constitutional Recognition or the Voice, and potentially contributed to misinformation. This was starkly contrasted by the Behind the Lines episode "the Voice is Cracking" (8 September) where both interviewees (Shireen Morris and Alexander Downer) were probed constantly.

Non-factual information was also an issue on the sampled Behind the Lines episodes. After Morris (8/9/23) challenged the basis of a question that asked if, *given that the many Aboriginal organisations already in existence had not managed to address disadvantage why would the Voice be different*, the interviewer provided blatantly incorrect examples of Aboriginal organisations, including NIAA, which is a Federal Government Department and Reconciliation Australia, a not-for-profit body made up of non-Indigenous and First Nations people established to promote reconciliation through improved relationships, trust and respect between First Nations and the wider Australian community. Neither organisation represents independent First Nations community voices providing advice to government. The interviewer, in a question to Morris, also represented the Voice as a 'Third Chamber of Government,' rather than advisory body, and inferred that the Referendum proposal was most significant for remote Indigenous people, whereas it has relevance for First Nations people regardless of where they reside.

The Explainers, on the other hand, were particularly good. The language was simple with equal weight given to the yes and no arguments. They simply explained the 'what' and 'how' of referendums, the proposal, where it came from, the problem it was trying to address, and the role of the Parliament in determining its detail. The *FAQ* approach/style was helpful in providing clear information and facts, and countering misinformation. ABC Fact Check was similarly helpful in this regard, effectively interrogating the claims and assertions of both sides, including mis/selective quoting.

That said, exactly how impactful these were in informing people when it came time to vote would depend on people knowing they were available and having the desire – and taking active steps – to access them.

3. Were interviews conducted in an appropriately probing manner?

The review considered whether interviews were conducted with professionalism, if the questioning was accurate and relevant, whether there was appropriate context provided and whether interviewee claims were appropriately challenged and contested.

Across the sampled content, assertions were in the main probed, challenged and contested respectfully, even robustly on occasion. Questions were generally relevant and framed with relevant

background and material facts. For instance, Q&A pushed panellists to answer questions and not skirt around them with rhetoric and non-answers (the audience also makes it apparent when they think people are non-answering). Insiders generally gave voice to multiple perspectives and held all to account equally for their previous statements, wherever vague or seemingly contradictory (e.g. episodes 17/9/2023 Mundine; and 8/10/2023 Albanese).

However, probing did vary at times. Discussion style programs like Late Night Live and Between the Lines were sometimes less contested, focussing more on the interviewee's interests and perspectives, with conversational and leading questions tending to drill further into those perspectives. For instance, the LNL interview with Professor Megan Davis and George Williams (25/7/2023) had a focus on the benefits of the Voice, with some probing, but branched into broader discussion of the historical context and differences with the 1969 Referendum. Likewise, the Between the Lines interview with Geoffry Blainey (21/7/2023) was more conversational, with an interview style that seemed less interested in facts about the current Referendum proposal than in Blainey perspectives of historical events and context, which went almost entirely uncontested. Both programs were less focused on answering questions that voters had about the Referendum proposal.

Conclusion

The finding of this review is that, overall, the sampled content was appropriate and fit for the purpose of helping Australians make an informed decision when they voted on the Voice to Parliament Referendum. Overall, the sampled content did exhibit an appropriate approach to dealing with misinformation and disputed claims, and interviews were conducted in an appropriately probing manner.

While, collectively, the sampled content offered a balance of perspectives, which were in the main challenged, tested and fact checked, this was not consistent across all the individual programs and content. There were some outliers in which views and perspectives were not adequately probed, challenged or fact checked. Also, some interviewees had more relevant experiences and knowledge for the interviewers to draw on than others.

The Analysis and Discussion style programs provided some interesting perspectives on the diversity of arguments for and against the Voice and what they tell us about reconciliation now and in the future. However, these were by nature less factual and ultimately less useful in helping people decide how to vote, or to know what they were voting on.

The extent to which people were supported in making an informed decision about the referendum proposal, would therefore have depended on the number or selection of programs and episodes viewed, and whether people chose to access the on-line Explainers and Fact Checks.

Attachment A – Sampled Content

Between the Lines

- 21/7 - Interview with Geoffrey Blainey
- 8/9 - interview with Shireen Morris and Alexander Downer

Insiders

- 10/9 - interview with Noel Pearson
- 17/9 - interview with Warren Mundine
- 8/10 - interview with Anthony Albanese

Late Night Live

- 25/7 - interview with Megan Davis and George Williams
- 18/9 - interview with Amy Remeikis
- 9/10 - interview with Laura Tingle

Q &A

- 9/10 - live from Adelaide

The Drum

- 30/8 - Referendum date announced

Referendum Explained podcast.

- 11/10 - Final Countdown

7:30 Report

- 4/10 - Black Sovereign Movement
- 11/10 - Torres Strait Islands with Noel Pearson

Rn Breakfast

- 30/8 - interview with Fred Hooper
- 8/9 - interview with Peter Dutton
- 13/9 - interview with Marcia Langton
- 25/9 - interview with Lydia Thorpe
- 29/9 - interview with Thomas Mayo
- 5/10 – interview with Tony Abbott
- 5/10 - interview with Julian Lessor
- 11/10 - interview with Noel Pearson

7PM

- All stories

ABC News Online

- Fact Checks
- Analysis
- Explainers