ABC Radio Response to Editorial Review No. 5

Higher Education Coverage on the ABC

General comments

ABC Radio acknowledges the value of this audit process, and in particular the thoughtful and thorough approach taken by Mr Harris. We note the broad scope of the review, and the complex nature of the subject matter, addressing as it does the "economic, educational and philosophical dimensions, as well as short and long-term imperatives" in the context of what has been characterized as "the short-term and adversarial nature of contemporary Australian politics".

We also acknowledge and agree that in addition to these factors there is the "reality of some Government negativity, or sensitivity, towards aspects of the ABC, and the view of some Government members and commentators that the ABC too often evidenced a left-green-elite-inner city orientation".

Radio also appreciates the reviewer's acknowledgement of the complexities in assessing the impartiality of individual segments taken from programs which are broadcast live to air, and that in relation to "matters of fairness, objectivity, open-mindedness etc" there will inevitably be differences of professional judgment.

We note that while the review was undertaken "with the mindset of a one-time, first-time viewer/listener/reader, ie to approximate the perspective of an average member of the ABC audience," it is the case that Radio target audiences are more often than not familiar with individual program and presenter styles, and there is no one standard audience cohort which would share the same expectations across this range of programs from triple j's Hack to RN Breakfast to 720 ABC Perth Mornings and Drive. To add clarity in terms of the purpose and "mission" of the Radio programs reviewed:

720 ABC Perth Mornings - "Join Geoff Hutchison on the Morning Show for the news of the day as well as the issues that affect your life. If it's happening in WA, Mornings will keep you informed. The Morning Show: your opinions, your voice"

http://www.abc.net.au/perth/programs/720_mornings/ http://www.abc.net.au/profiles/content/s1863045.htm?site=perth

720 ABC Perth Drive with John McGlue is described as "You've finished work, you're battling traffic on your way home, what better way to enjoy the trip by tuning in to John McGlue on 720? Entertaining interviews, news of the day, sport, weather, great songs and guaranteed laughs" http://www.abc.net.au/perth/programs/720 drive/
http://www.abc.net.au/profiles/content/s1855195.htm?site=perth

RN Breakfast is described as "the show informed Australians wake up to. Start each day with comprehensive coverage and analysis of national and international events, and hear interviews with the people who matter today—along with those who'll be making news tomorrow."

http://www.abc.net.au/radionational/programs/breakfast/
http://www.abc.net.au/radionational/fran-kelly/2913202

And triple j's Hack program is presented as "the only national show of its kind, delivering the most relevant stories of the day from the unique - and often surprising - viewpoint of young Australians".

http://www.abc.net.au/triplej/hack/

Radio notes Mr Harris' overall conclusion that while a substantial number of segments complied with ABC policies and guidelines, there were instances of imbalance in focus, content gathering and presentation, ranging from broadly satisfactory but containing "lapses", or warranting further reflection or review, to segments which have been deemed unsatisfactory.

Radio welcomes, as always, the opportunity to review and reflect on how our programs are perceived, both by our audiences, and by expert reviews. We have reviewed the content examined by Mr Harris, and we offer the following comments.

In relation to the findings summary, Radio acknowledges that "In most cases material was presented professionally within the parameters of the ABC Editorial Policies, Principles and Standards, and Impartiality Guidance Note" but in terms of basic principles we would add that there is no proscriptive reference in this material in relation to "tone".

Radio presenters, broadly speaking, are not precluded from expressing a personal view, provided that is done within the parameters of the ABC's standards and the guidelines particularly in relation to opinion versus analysis, and that those views are not put forward at the expense of others or presented in a way which gives them undue weight. Presenters of Local Mornings and Drive programs in particular are specifically tasked with keeping their audiences up to date on local, state, national and international events, and they are invariably keen observers of political and public life. While they may put forward views to which they subscribe, that can only be done with the intention of helping their audience to understand an issue, to flesh out an argument, or further a debate, and always with an awareness of the complexity of contentious issues.

In addition, and in relation to the particular instances under review, we note that putting a view forward within the context of an interview is not necessarily to express a personal viewpoint; rather, it is more often than not a recognized interviewing technique, often characterized as playing Devil's advocate, which is employed routinely by journalists and presenters in order to facilitate robust discussion. Putting forward criticisms of a guest or expert is commonplace, particularly when it is not possible or practicable (for any number of reasons) to pitch those with opposing or just differing views against each other during any one program or segment.

Specific findings – Lapse and Unsatisfactory

triple j Hack

In relation to the first of the three triple j Hack segments reviewed – an interview between Presenter Tom Tilley and Shadow Minister Kim Carr on 16 March) and the finding that "the Minister's changes [being described] as 'little tricks' was unnecessarily pejorative, risking the reporter being seen to be judgmental, or less than impartial or open-minded", Radio notes that triple j ask and expect their reporters to "speak in the language of the network's target audience (18-24 year olds) bringing a light tone to dense topics such as federal politics. An offhand term like "little tricks" is nothing more than an attempt to describe cleverness or political manoeuvring, rather than passing judgment on the minister's actions".

Beyond this minor lapse, we note the review finding that all three triple j Hack segments were found to be satisfactory and that Hack "had a balanced mix of pithy text line and phone commentary from listeners" which we agree is instructive.

Audience feedback is important to all Radio programs, either via talkback, email, comment pages online, or through social media, informing the content and direction of programs as we strive to meet and deliver on audience needs and expectations.

RN Breakfast

Fran Kelly interview with Kim Carr 18 March

We note that all eight RN Breakfast interviews reviewed were found to be satisfactory, but that in relation to presenter Fran Kelly's interview with Shadow Education Minister Kim Carr on 18 March there was a suggestion that we review to consider whether an opportunity should have been given to Education Minister Christopher Pyne to defend himself over accusations of threats, chicanery, intimidation and tricks etc made by Carr.

Radio agrees with the reviewer that politicians are more used to these kinds of accusations than others, and there is, therefore, "a lesser need" but we have reviewed this particular segment to establish whether it would in fact have been "prudent to put more focus and transparency around right-of-reply treatment when substantive or highly negative criticisms are involved" as suggested.

Radio agrees with the finding that the interview was satisfactory overall, noting that while Carr took the opportunity to make a series of strong politically-based criticisms of the Minister, Fran made a point of saying she "understood the 'politics'" of his criticisms, thus pointing the audience to the possibility of a lack of substance in relation to his responses.

In terms of the Editorial Standards in relation to opportunity to respond (section 5.3), the requirement is to make "reasonable efforts in the circumstances" which is a clear acknowledgment that it will not always be possible or practicable for particularly politicians to appear on the same program to answer specific criticisms. In the RN Breakfast setting — early morning live, fast-paced breakfast radio - it is very often impractical to offer an immediate right of reply; however, Radio confirms that that opportunity would be offered to any individual, regardless of practical considerations, where allegations made against them are both serious in nature and are being raised for the first time on the program.

Neither of these conditions applied in relation to the Carr interview, and the criticisms he made of the government's bill and their motivations, which we think are fairly characterized as "well worn".

RN Breakfast advise that this was the only time they had invited the Shadow Minister on during the course of the Higher Education debate - "precisely because his criticisms were well worn and well aired" – and they elected to speak to the Minister, cross-benchers, Vice Chancellors and other peak body representatives to provide listeners with a wide diversity of viewpoints on this complex issue.

Radio also notes that the Minister is a regular guest on RN Breakfast, and in fact had been interviewed the previous day, and that immediately prior to that 17 March interview listeners heard audio featuring the views of Senators Leyonhjelm, Lazarus and Xenophon.

The reality is that Minister Pyne's actions and behaviour had been widely criticized, in and out of the parliament, and widely reported across all media, and we agree that he falls squarely into the category of politicians, particularly high profile ministers, who "do not suffer from lack of opportunity to espouse their position and are expected to be more accommodating of robust give-and-take debate and criticism" as contemplated by Mr Harris.

Radio is of the view that given the amount of coverage devoted to the bill at this time across all platforms, and the exposure given to government and opposition viewpoints on RN Breakfast and other ABC programs, it would have been unnecessary and not particularly useful for the audience to give the Minister a further opportunity to respond to Senator Carr's criticisms.

We include here some additional comments from RN Breakfast presenter Fran Kelly regarding "broader concerns about the ABC coverage of this Higher Education reform process overall":

"I certainly accept the general observation that we can too easily focus on the political to and fro rather than the substance of the issue itself – in this case the need for change, the economics and the functioning of our Higher Ed system. But in the defence of RN Breakfast, this particular month was when the vote was going on. In the 8 months previously we had a broad coverage of the Higher Ed reforms and the debate around it. Including interviewing a number of Vice Chancellors - for and against – about their view of these reforms, the Higher Ed peak bodies, and I am pretty certain we also interviewed one of the architects of these reforms about the design and rationale, and other Higher Ed policy leaders including Bruce Chapman.

We also had packages on the reforms early in the piece. So in terms of RN breakfast across the months our coverage was broad, impartial and educative. But I take on board we can always do more to assist the listener in a comprehensive understanding, improving our compilation of material that might help with that and pointing them in the right direction to access it. A better broader more open source reference culture of excellence within the ABC on issues like this should be our goal."

720 ABC Perth Local Radio Drive and Mornings

In relation to the interviews on 720 ABC Perth Mornings and Drive, we have reviewed all five interviews – those which were found to be satisfactory, as well as those found to contain lapses, and the one found to unsatisfactory – primarily in order to determine whether the criticisms in relation to "tone" or inference are valid, despite there being no requirement under the ABC's standards or guidelines that a presenter must offer listeners "a straight and neutral recital of the facts" as suggested by the review.

Radio presenters are charged with engaging audiences in discussions and debates, providing them with a diversity of views having made reasonable efforts to ensure that material facts are accurate and that no view has been misrepresented or given undue prominence, which enables listeners to make their own minds up about any given topic.

Overall, we note that both presenters equipped themselves politely and respectfully, with all five interviews coming across as mature conversations in keeping with expected presentation standards for Local Radio audiences of adults over 40.

720 ABC Perth Drive - John McGlue interview with reporter James Bennett 16 March

In relation to the first of the three Drive segments (labelled as Mornings in the review) with presenter John McGlue – a segment with reporter James Bennett on 16 March – there were findings regarding the presenter's observation "What a difference a day makes" in his introduction, and a reference to the Minister's change of heart in relation to funding elements of the legislative package as "a double back-flip". Additionally, the review found that McGlue made "fair and reasonable" statements but in "a tone of incredulity".

On review, Radio cannot agree that these remarks constitute a lapse in standards. We note that the standards are worded specifically to avoid legislating for tone on the basis that it is entirely subjective and almost impossible to assess. We reiterate that presenters are encouraged to be accessible and inclusive, and to engage with their target audience. This is particularly true of Local Radio, with presenters developing their own idiosyncratic style, often employing humour and satire to entertain as well as to inform listeners.

In this specific piece, we note that the presenter made a point of ensuring that audio demonstrating what he (and many others) characterized as Minister Pyne's "backflip" on splitting the higher education bill was played to the audience, giving them the opportunity to hear what was said one day as opposed to the next, and to make their own assessment of the Minister's consistency on this specific issue. Both McGlue and reporter James Bennett agreed that the Minister was to be admired for his ability to "bounce back" from robust criticism, both in the media and during Question Time. Radio is of the view that it was entirely reasonable for McGlue to characterize Minister Pyne's behaviour as a "backflip" given the events are not — and were not then - in dispute.

http://www.theguardian.com/australia-news/live/2015/mar/16/governments-higher-education-overhaul-looks-set-for-defeat-politics-live

In addition, Radio cannot agree that in this context McGlue's comments would have been taken as personal political views by the 720 Drive audience, or that there was anything in his tone which would point to a lack of impartiality.

We accept and welcome the finding that overall the segment was satisfactory but cannot agree that there was a lapse in relation to either the back-flip comments or the tone in which they were made.

720 ABC Perth Drive - John McGlue interview with Senator Leyonhjelm 16 March

In relation to the second lapse finding – an interview between Drive Presenter John McGlue and Senator David Leyonhjelm on the same day – McGlue repeated his characterization of the Minister's change of mind, saying "as back-flips go this was one of the most impressive you'll ever see". While the review saw this as "somewhat provocative but not unreasonable", it concluded that coming as it

did "after his tone in Segment 1 ... ran the risk of indicating a lack of neutrality or open-mindedness".

We reiterate our comments in relation to the Bennett segment, noting in addition that during this interview McGlue clearly set the "impressive backflip" comment into context, setting out for the benefit of his audience why that description of policy change was apt. We also reiterate our comments in relation to again the impartiality guidance acknowledgement that everyone has a view.

For the reasons set out above, Radio cannot agree that any perceived lack of neutrality necessarily precludes open-mindedness, or that there has been a lapse in the standards required for this program and presenter.

720 ABC Perth Mornings – Geoff Hutchison interview with Paul Johnson 18 March

In relation to the fifth and only 720 ABC Perth Local Radio Mornings interview reviewed – this one on between Presenter Geoff Hutchinson and WA Vice-Chancellor Paul Johnson on March 18 – the reviewer found that Hutchison, during a 20 minute exchange, "veered off the neutral script, allowing his own views to come through" and that this "editorialising gave the impression the presenter had a dim view of the Government and Ministerial policy approach and advocacy" which "did not satisfactorily evidence neutrality or impartiality".

On review, Radio consider that this interview was fair and reasonable and met the ABC's standards for impartiality, which we again note is not the same as the "neutrality" cited by the review. Hutchison's observations on the behaviour of the government and others were put to his guest – "Is that a fair observation? That has echoes of previous governments, doesn't it?" etc – in an endeavour to ensure his words were a fair and reasonable summary of the situation.

Hutchison noted that it was "Labor this time doing the sloganeering to good effect" but also wondering whether the Minister was in fact helping his own cause, asking an open-ended question - "How do you think the Education Minister handled this?" At all times the Vice Chancellor was given ample opportunity to voice his views, to agree or disagree with propositions put to him, and to proffer an entirely different perspective. In the absence of any prohibition on a presenter putting forward a view in order to further the discussion, Radio can find no evidence that the discussion sits outside the hallmarks of impartiality as set out in the ABC's editorial standards or guidance.

In addition, we note that the Vice-Chancellor spoke about politicians "behaving rather like kids in a primary school, I don't like you, I'm going to take my ball away."

After thanking the Vice-Chancellor, Hutchison played for listeners Senator Jacquie Lambi's take on the situation, saying as a "broad generalisation" that "the sector needs reform, and that you have to look at funding models that take us into the future" before taking talkback calls and reading out texts from listeners. Callers were likewise given an opportunity to express their views, occasionally being questioned – "Why are they fat cats?" - but largely left to express themselves unfettered.

Hutchison's reference to "Americanisation" was in the context of others' criticism. Comparisons to the Labor Party seeking to sell the benefits of a mining tax were couched in terms of political strategy, not criticism of that or any other political party – as was an entirely reasonable observation about "the parliament we have today".

Radio is of the view that what has been characterized in the review as personal political opinion is in fact observation and analysis, which the presenter is amply qualified to offer up to the 720 Mornings audience as part of the program's ongoing discussion about not only the passage of this bill but the state of federal politics generally.

With respect to Hutchison's final observation that "it's a tough argument ... and I know there are people on either side of it, but the politics of it has seemed really poor", we consider this has been a conclusion reached by many observers, and one which was neither unreasonable or showed a lack of impartiality as contemplated by the standards.