

From: Quentin Dempster
Sent: Thursday, 8 November 2012 4:02 PM
To: Quentin Dempster
Subject: Joint statement: Quentin Dempster and Matt Peacock

NOTE TO STAFF

STATEMENT FROM QUENTIN DEMPSTER ON ABC STAFF-ELECTED DIRECTOR* BALLOT

I have been rendered ineligible to nominate for the position of staff-elected director of the ABC in the impending Australian Electoral Commission ballot.

My legal advice is that the recently passed National Broadcasting Legislation Amendment Bill and associated regulations about to be proclaimed will retrospectively and unfairly discriminate against ABC employees who served two successive terms as director before the abolition of the position by the Howard government in 2006. Myself and only one other still serving employee, John Cleary, are affected.

I had been eligible to nominate (and in fact won the position) in 2006 even though I had served two terms as SED from 1992 to 1996.

But the new legislation in establishing five year terms for staff elected directors in future applies a retrospective prohibition to former office holders in spite of the fact that the ABC Act's former provisions set SED terms at just two years. The Minister's office has indicated my ineligibility is an inadvertent and unintended consequence of legislative drafting.

I am distressed by this turn of events but have no choice now but to withdraw.

I thank the Minister for Broadband, Communications and the Digital Economy, Senator the Hon Stephen Conroy, members and senators of the Australian Labor Party, supportive independent MHRs and the Greens for the governance reforms which establish an arms-length merit selection process for the appointment of all ABC directors and the reinstatement of the SED position. This is a significant legacy after 80 years of politicisation, influence peddling and the regular practice of stacking the board with partisans and ideologues by both the Labor and Liberal parties to the detriment of the ABC and this institution's trusted role in our national life.

I respectfully ask the Liberal and National parties to now review their policy and support these more enlightened governance arrangements.

I apologise to staff and ABC supporters who have been encouraging me to 'hang in there' in the six years since the SED position was abolished. I have kept faith with staff and the ABC over those six years, making submissions to parliamentary inquiries on ABC issues, supporting staff, engaging with Friends of the ABC and audiences, advising management on editorial policies and contributing to the debate about public broadcasting and the ABC's future.

I will remain an advocate for non-commercial mainstream public broadcasting in Australia and will be supporting Matt Peacock, an experienced, courageous and committed public broadcaster for the staff-elected director position. Matt is planning to visit Brisbane, Melbourne, Hobart, Adelaide, Perth and Darwin and as many regional centres as possible to engage with all staff on current issues in coming weeks and months.

I am asking all ABC colleagues to give Matt your full support in the difficult and uncertain period ahead to help secure the ABC's future.

Quentin Dempster
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STATEMENT BY MATT PEACOCK

This is to confirm I'll be nominating for the position of staff-elected director of the ABC when a ballot is held, probably in the [New Year](#).

I do so with some regret, given the circumstances of Quentin's unexpected ineligibility. Quentin has been a tireless fighter for ABC independence and I am very proud that he has asked me to continue his work.

The ABC staff-elected director position, along with merit selection of all board appointments for the ABC and SBS, has been achieved because of the campaigning of many committed people over the last six years. We [now](#) have an opportunity to generate a genuine discussion about what a public broadcasting system can cost-effectively deliver through the digital revolution.

The ABC faces uncertainty until we see the result of the triennial funding negotiations, soon to be underway as the ABC makes its formal submission.

At a time when other mainstream media organisations are shedding staff, it is more important than ever to secure the ABC's role as an independent, creative and stabilising institution.

I will be publishing a detailed position paper shortly on how I want the position of staff-elected director to act as a conduit to the ABC board on our strategic direction.

My primary concern at a time when resources are limited and stretched across multi-channel platforms and digital devices is the quality and distinctiveness of all our programs.

Regional audiences are crucial to our identity as a comprehensive national broadcaster.

So too is our role as an innovator and creative training ground.

None of these can be taken for granted. They must be fought for at board level.

If the ABC is to be downsized in the next triennium the choices the board makes must be based primarily on protecting our Charter obligations and not compromising our efforts [by](#) commerciality.

Your input is sought and welcomed as we make the position of staff-elected director work in the best interest of the ABC and all our audiences.

MATT PEACOCK

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*The ABC's staff-elected director position was first introduced into the broadcaster's governance initially by ministerial arrangements adopted by Moss Cass, Minister for the Media in the Whitlam government 1972-1975. After a ballot of all ABC staff the minister appointed the successful candidate to the board. The position was enshrined in the ABC Act by the Hawke Government in 1983, but was removed in the last term of the Howard government in 2006 when that government had the numbers in the Senate. The following have served as staff-elected director: Marius Webb (1975-78), Tony Bond (interim 1983), Tom Molomby (1983-88), John Cleary (1988-92), Quentin Dempster (1992-96), Kirsten Garrett (1996-2000), Ian Henschke (2000-2002), Ramona Koval (2002-2006). The position has evolved as an integral conduit to board strategy and decision making processes and over time has proved itself to be crucial to the ABC's independence and integrity. Through the SED position the illegal 'backdoor sponsorship' of programs and commercial compromise through pay TV deals in the 1990s and the Telstra content deal in 2000 were fully exposed. In the 'backdoor' scandal the ABC Board was seen by the public to have acted to restore the broadcaster's integrity. This made the ABC less vulnerable to attack when its program Media Watch exposed 'cash for comment' practices in commercial radio. In 2004 the SED acted decisively to expose political interference through a proposal for external 'bias' monitoring of ABC news and current affairs programs. A staff elected director is not a 'representative' of staff as such on the board and has the full range of duties, obligations and responsibilities as all other directors.