



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

**BROADCASTING LEGISLATION
AMENDMENT (DIGITAL
TELEVISION) BILL 2006**

**BROADCASTING SERVICES AMENDMENT
(MEDIA OWNERSHIP) BILL 2006**

Second Reading

SPEECH

Tuesday, 17 October 2006

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

Date Tuesday, 17 October 2006	Source House
Page 76	Proof No
Questioner	Responder
Speaker OÖÇÖConnor, Brendan, MP	Question No.

Mr BRENDAN O'CONNOR (Gorton) (6.00 pm)—I rise to support the comments made by the member for Throsby, and oppose the Broadcasting Services Amendment (Media Ownership) Bill 2006 and accompanying bill because the government has not outlined a cogent case for change. Again we see the parliament filled with opposition members explaining to the people, via this chamber, why the government has not explained sufficiently the reason for changing the cross-media ownership laws in this country.

In fact, if you were to look at the list of speakers for these particular bills you would see that there are more than 20 opposition members compared with four government members, none of whom are frontbenchers of the government. So, you see, the government is not interested in debating the change. I have to explain to Tories in this place—I have to explain to the conservatives—that if they want to radically alter the laws of this country, their job is to explain why.

If they want to maintain the laws of this country, they may get away with not explaining themselves to the people of Australia, but when they want to radically alter very important laws that regulate media ownership in this country it is incumbent upon them to explain why. They have chosen not to come into this place long enough to do so. That is, in itself, an indictment of this government—a government that is arrogant and has no regard for this place or for the people of Australia—because, as the member for Throsby clearly indicated, this legislation does not arise from a groundswell of concern amongst community members who are suggesting we need to respond to the technological change in media. That is not the reason for the change that has been sought by the government.

This is the third occasion that I have spoken on cross-media ownership laws since being elected to this place. In 2002 and 2003 I rose in this chamber and explained why I did not support the changes that were sought by the government. Of course, the fundamental difference between then and now is that the government has a majority, with the support of Senator Fielding, in the Senate. It has managed to secure that majority and, as a result, it is seeking to ram these extreme laws through both houses of parliament. It is, unfortunately, a travesty.

I agree with all of the comments made by the members on this side of the chamber so far in this debate, but I think it is important to note that, whilst not one member of the executive government wants to enter into the debate on this, there have been comments by ministers in the past about these laws. I would like to make some reference to a couple of comments made by the member for Moreton—now a minister of this government—who is on the record as saying:

My concern is simple. I think people are best served by a diverse range of choices in the media. Diversity is not something that is guaranteed in a deregulated environment because a natural consequence of free enterprise is acquisition. My fear is that if you bring it down to two or three proprietors, you could find the next stage is two proprietors and then the next stage is one.

That was clearly a view held by the member for Moreton when he was a backbencher. We have not heard from him with respect to this bill on this occasion, and we certainly have not heard from him about why he would now hold a different view. I would also like to refer to some comments made by the Minister for Defence. When he was a backbencher, he made a number of comments with respect to these particular laws and his concerns about the concentration of media ownership. He said:

I have no concern at all about Mr Packer gaining control of Fairfax. My concern is that if he does that, without relinquishing some of his other media assets. The average Australian feels uncomfortable with the concentration of media ownership.

That was what the Minister for Defence was willing to say on the record. And he has not chosen to distance himself from those comments and tell us why there is a need for him to vote for these bills. He also said, in a column in his local newspaper the *North Shore Times*:

A proprietor with a considerable domestic political agenda controlling a television station and a newspaper in both Sydney and Melbourne, not to mention all the outlets for credible business commentary, is not a legacy we should wish to leave our children.

That is what the now Minister for Defence said with respect to these laws. In fact, if these laws are enacted that is exactly what could happen. A proprietor will be able to own, effectively, a newspaper in Melbourne and/or Sydney and a television station. Therefore, clearly, if the minister was correct, it would be something that we would be bequeathing future generations and it is something we should not be proud of. But, of course, we have not heard from the Minister for Defence or any of the other ministers who have been on the record opposing the concentration of the media, to explain why they will come into this place sometime soon and support the bills that we are currently debating.

It would be remiss of me if I did not mention the efforts of Senator Fielding, because Senator Fielding, unfortunately, chose to support the legislation last Wednesday. At noon on Wednesday, Senator Fielding came into the Senate chamber to justify why he would support this legislation. I would like to quote some of the comments made by Senator Fielding, because I find his reasoning questionable at best.

Mr Bowen—It's bizarre, isn't it?

Mr BRENDAN O'CONNOR—The member for Prospect said 'bizarre'. I think it is a fair construction to suggest that there were certainly some bizarre comments in his contribution on that day. One I would like to refer to is this:

You see, ordinary Australians are busy getting on with their lives. They are working hard to get the mortgages paid, struggling to keep on top of the bills and doing their best to raise their kids and put them through school.

I have no problems with the comments made by the senator there. He goes on to say:

Debates in parliament about who owns what in the media simply do not feature in the day-to-day lives of the Australians we represent.

He goes on to conclude that, because the bulk of the Australian population are too busy, too distracted looking after their children and with the daily requirements of ordinary life, somehow we should not be so concerned. In fact, we represent those people to look after their interests, and just because they are not in a position on occasion to focus on the consequences of legislation in this place it does not remove our obligations to consider the consequences ourselves as their representatives in this place or the other place. Senator Fielding's reasoning—that somehow because people's lives are so inundated with the pressures of paying the bills, of looking after the kids and indeed of paying higher interest rates or of being concerned about the extreme industrial relations laws that they cannot consider the consequences of these laws—shows he has no understanding of his obligations as a senator of Victoria to represent their interests.

Which families are beneficiaries of these laws? I can only think of two. Two come to mind at the moment. There might be some others, but the fact remains that Senator Fielding has no understanding of his obligations as a senator if he cannot understand that it is not the job of ordinary Australians to be debating fully the public policies of this country. It is their expectation, however, that we actually look after their interests in this place and the other place. I have to say, Senator Fielding's reasoning is certainly wanting with respect to that particular matter. He also went on to say:

Are we concerned about greater media concentration because it will boost profits of media barons?

That is not my main concern, but there is an issue there. He goes on:

The concern about ownership is based on the assumption that ownership is the dominant factor which determines content and editorial priorities.

He who pays the piper calls the tune. Those who own the media outlets, if they wish, can have a very strong and very influential effect upon what is determined both in copy and in editorials of print and electronic media. I think for Senator Fielding not to understand the causal link between ownership and output of media outlets shows at best a naivety on his part. Deregulating the market ensures that one media proprietor can have, for example, the *Age* in Melbourne, the *Sydney Morning Herald* in Sydney and Channel 9, and for him not to understand that that is going to cause problems for this country shows his lack of understanding. Therefore, it is a travesty that he, in the end, was one of the reasons why these bills will pass the houses of parliament.

I would also like to take up the argument that he makes further in his contribution, where he says:

Another point that is important to make is that, increasingly, news is becoming entertaining. Our talk show hosts and columnists are as much there to entertain as to run any editorial line imposed from above. As I said earlier, the media industry is driven by dollars. This is all commerce.

‘This is all commerce,’ he says. I would have to again disagree with the senator. This is not all commerce. The fact is that there is a big difference between some other businesses and the media. That is why we have laws specifically regulating their interests. I quote the member for Lowe’s comments, because I think he responded very well to the senator’s assertion that it is all about commerce. He said:

Australia’s media should not merely be seen as a commodity that can simply be bought and sold for the purposes of reaching economies of scale or economies of scope. We are not just talking about any commodity but something that strikes at the heart of our democracy.

I think the member for Lowe understands the issue of the concentration of media ownership in a way which Senator Fielding unfortunately does not.

It is very unfortunate that at noon on Wednesday last week the senator representing Family First chose to support the big end of town against the little person in the street. That is the reality that occurred on Wednesday. After some deliberation, I am told, the senator went into the Senate and gave what I think are quite illogical reasons for voting for the bills. The fact is, if I could use a cinematic metaphor, it was high noon. It was *High Noon* but, unfortunately, unlike the main character in that great classic film, he chose not to stand up to the bandit that returned to town. The bandit, of course, will now be those media proprietors that have the wherewithal to purchase those businesses that will be up for sale. He chose not to stand up for the little person. He chose instead to support the ranchers and the bandits. Unfortunately, he cannot depict himself, I believe, as the representative of the ordinary person in the street, because instead of defending their interests he chose to support the views and intentions of the large media proprietors.

We know that Senator Fielding has sought to cultivate his image since arriving in this place. Senator Fielding would like you to believe that somehow he is there to listen to the arguments purely on their merits, that he will determine them without doing deals. I have to say that there are many questions being asked about why Senator Fielding chose to support the government of the day. There are concerns that some arrangements have been made with respect to his own electoral support, with either media proprietors or the government.

Can I say this on Senator Fielding’s efforts to put himself in a position where he is somehow—to use another cinematic metaphor—‘Mr Smith goes to Washington’: if he thinks he will be depicted as ‘Senator Fielding goes to Canberra’, looking after the little person, then I think, after his display last Wednesday, it is all over. It is all over because, when he was put in a position to determine whether we were going to maintain a set of regulations that would provide diversity in this country, both in the city and in the country, he chose to support the big moguls instead of the citizens of this land. That is the choice he made in turning up in the Senate last Wednesday and voting with the government in order to allow for further control by large proprietors of our media.

The fact remains that Australia will have one of the highest concentrations of media ownership compared with other comparable nations. That is the reality. Senator Fielding certainly managed to assist in that regard by coming into the Senate last Wednesday and determining effectively that the bills will now pass both houses. I think he should hang his head in shame. He has shown no respect for the people he represents. I think that about four or five per cent of the constituents of Gorton voted for Family First, and you would have to say that was a pretty good effort in getting that vote in their first election. And I know quite a few of them—I have spoken with them. I have to say that they gave Senator Fielding the benefit of the doubt. I think that is a fair enough thing. I can understand why, on occasion, people might not want to vote for the major political parties, or choose the Greens or other smaller parties—but I have to say, he has really trashed his brand. He has really trashed the Family First brand by supporting the government with respect to these particular bills.

Senator Fielding is not alone, of course. I know I have given him a bit of stick over the last five or 10 minutes, because I think he has been let off the hook too many times to date. But I think it is also important to note that The Nationals have again shown that they will abandon the bush, that they will abandon the concerns that people have across Australia when the pressure is on. We know what occurred on that fateful day last Wednesday. We know that, yes, Senator Joyce decided to stick with the opposition—and, for that, I will applaud his strength and resilience in maintaining a principled position on media regulation—but where were his colleagues? Where was Senator Boswell when Senator Joyce was quite rightly defending the diversity of media ownership in this country? Senator Boswell was being carpeted by the Prime Minister. Senator Boswell was being dragged into the Prime Minister’s office and effectively was told to vote this bill up. And of course, in the end, for all the talk we get from Senator Boswell at every doorstep he does, we know that he will buckle, as he did. He buckled like every other Nationals senator chose to do on that day—including, of course, Senator Nash, who sought to make a name for herself, making some comments that somehow she was involved in providing some amendments that in

some way mitigated the adverse effects of these particular bills—but, of course, in the end, she had a negligible effect on the outcome of this proposed legislation. Indeed, she buckled and sold out the bush, like the rest of them.

In the end, along with the Liberal Party, The Nationals have chosen to support the big end of town. They have not even bothered to come into this place to explain the reasons why change is required, to properly articulate the cogent arguments that are required, I would argue, if you want to radically alter national laws in this land. They have not even bothered to do that. I think that says it all. This government is arrogant and aloof. It is out of touch. It does not understand that, if you want to radically alter the country's laws, you should come into this place and explain yourself. The fact is that not one member of the executive government has chosen to do so.

Mr Bowen—Not one of them!

Mr BRENDAN O'CONNOR—Not one of them has chosen to do so. There are four government members on the speakers list to more than 20 from the opposition. You just watch them: the reality is that debate on these bills will be gagged by the government. They will not allow it and they will ram these bills through this House. But, in the end, the Australian people will not forget this—like they will not forget the IR laws, those extreme laws that are affecting the working people of this country. I think the government will pay in the end, as they should, come election time.