



**Australian  
Broadcasting  
Authority**

## **Investigation Report No. 1346**

<b>File No.</b>	2003/1410
<b>Service</b>	SBS TV
<b>Type of Service</b>	National Television
<b>Name of Program</b>	<i>Insight</i>
<b>Date/s of Broadcast</b>	18 September 2003
<b>Relevant Legislation/Code</b>	Clause 2.4.1 of the SBS Codes of Practice 2002.

### **Investigation Conclusion**

The ABA has determined that the Special Broadcasting Corporation, in relation to the broadcast of *Insight* on SBS TV on 18 September 2003:

- breached clause 2.4.1 of the Code in relation to accuracy, by stating “Tasmania is the last Australian State to allow clear felling in old growth forest”.

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## The Complaint

On 15 December 2003 the Australian Broadcasting Authority (the ABA) received a complaint regarding a report on the program *Insight* broadcast by Special Broadcasting Services (SBS) TV on 18 September 2003.

The complainant alleged that the report was neither accurate nor objective and therefore not in compliance with the SBS Codes of Practice 2002 (the Code).

### Matters not considered by the ABA

The complainant also complained about a number of matters that relate to the broadcaster's compliance with the SBS Charter and the Code of Ethics of the Media Entertainment and Arts Alliance. These matters are not within the jurisdiction of the ABA and have not been included in this investigation. The ABA's role is to assess whether or not there has been a breach of the relevant provisions of the *Broadcasting Services Act 1992* (the Act) or the SBS Codes of Practice (the Code).

## The Program

The *Insight* current affairs report entitled 'Styx versus Gunns' reported on the forestry industry in Tasmania, and claims of renewed controversy regarding policies being applied to logging, especially in relation to old growth forests.

The 30-minute report focused on what was described as "a growing middle ground" response from within the community, that is, people who are neither environmentalists ("greenies"), nor engaged in the commercial aspects of the timber industry. This group of "growing middle ground" people was described as recognising the need for a viable timber industry in Tasmania, but also the need for a sustainable timber industry that did not threaten the old growth forests.

Among the concerns aired in the program were allegations that:

- woodchipping, as the dominant end-product of logging in Tasmania, was unduly influencing forest policy;
- alternative timber industries, such as plantation pine harvesting, were being disadvantaged due to economic factors, making these alternatives less viable than logging native forest for woodchipping; and
- there was growing community concern with government policies that allowed clear felling of old growth forests, a policy that the program claims is not operational in any other Australian state.

In presenting these issues the report reflected the viewpoints of various groups and individuals, namely:

- Ian Johnston                      Boat Builder
- Peter Adams                      Environmentalist
- Geoff Couser                      A member of 'Doctors for Forests – Tasmania'
- Christine Milne                      Tasmanian Greens Member
- Peg Putt                              Tasmanian Greens Leader
- Virginia Young                      Wilderness Society Member
- Scott Anthony                      General Manager, Frenchpine



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4. The statement: “The number of seats in the Tasmanian Parliament was reduced, specifically to destroy the power of the Greens”.
  5. The statement: “The ‘Valley of the Styx’ is native old growth forest on the edge of a world heritage area (WHA)”.
  6. The description of Tasmanian company Gunns as a “virtual monopoly”.
  7. The statement: “Further up the hill is an old growth area that has just been clear felled”.
  8. The statement: “It doesn’t take much of a search to find the evidence still here, carrots poisoned with 1080. Nearby a dead possum and a dead wallaby”.
  9. The statement: “The area was being clear felled, the best logs removed and the rest left behind”.
  10. The statement: “...the logging trucks keep leaving the forests around Scottsdale bound for the Burnie wharf”.
  11. The statement: “Tasmania is the last Australian State to allow clear felling in old growth forest”.
- In terms of the segment’s compliance with the Code requirement in relation to fair, objective balanced and professional presentation of the issues:
    12. The statement: “This area is destined to become eucalypt plantation, almost certainly for wood chipping”.
    13. The segment relating to Tasmania Together failed to provide fair, objective, balanced or professional presentation of the issues.
    14. The statements: “But Tasmania Together went off the rails when the benchmarks were finally released. One of them called on the Government to end clear felling in areas of high conservation value old growth forest by January 1 2003. It was a simple request and it would have stopped clear felling in the ‘Valley of the Styx’”.
    15. The statements: “The problem is a simple one. In an industry dominated by a company like Gunns, the push for woodchips is squeezing out all the other competing demands for timber”; and “no one is bothering to plant enough pine for them to keep growing”.
    16. The statement: “In an attempt to bypass the Government and stop Gunns from clear felling old growth forests, the Wilderness Society forced an extraordinary meeting of Gunns in Launceston, urging shareholders to vote against the practice”.
    17. The statement: “Tasmanian Doctor Michael Vaughan who invests in Gunns”.

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## **Issue 1: Whether the broadcast met the Code requirement for accuracy in the presentation of current affairs**

There is an expectation from viewers that news and current affairs programs will provide accurate factual information on social, economic and political issues. The Code imposes on SBS news and current affairs programs a requirement that accuracy be given the highest priority and that all reasonable steps will be taken to ensure timely acknowledgement and correction of errors.

In assessing the first 12 complaints, the ABA considered the accuracy of material presented in the report; the information used by the broadcaster in preparing the report; and the extent to which the broadcaster could have reasonably judged that the material was accurate, including verifying that material with other sources, or its consistency with other reporting of the issue around the same time.

The Code requirement to present material accurately is not a requirement to present *all* material relating to a particular issue. However, the omission of material that could substantively alter the presentation of the report may be sufficient to constitute a breach of the Code.

### **1. Presenting Mr. Johnston as “a new voice” in the Tasmanian forest debate.**

The report contained the following statement:

**Reporter:** Ian Johnston is part of a growing middle ground in the Tasmanian forest debate – a new voice that hasn’t been heard before. He believes Tasmania is wasting its forest reserves, selling them off cheaply for woodchips and burning excess logs as waste. But at the same time, he’s not a traditional greenie. He doesn’t argue for more national forests to be locked up and protected from the loggers.

#### ***Complainant’s submission***

The complainant submitted that presenting Mr Johnston as “a new voice” in the Tasmanian forest debate was inaccurate and misleading.

The complainant alleged that Mr Johnston’s participation in the forestry debate is well known in Tasmania, as he participated in the Tasmanian Regional Forest Agreement (RFA) process in 1996/97, and this process has been extensively covered in the local media for over seven years.

#### ***Broadcaster’s submission***

The SBS submitted that the reference to Mr Johnston was not intended to suggest that Mr Johnston had not been an active participant in the Tasmanian forest debate, but rather to suggest that his views are “part of” a growing middle ground in the debate, and that this growing middle ground is a voice that is becoming increasingly significant.

### **Finding**

The ABA makes the finding that the statement presenting Mr Johnston as part of a growing middle ground – “a new voice” in the Tasmanian forest debate did not breach clause 2.4.1 of the Code in relation to accuracy.

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## Reasons

The ABA considers that the description of Mr Johnston as “a new voice” in the Tasmanian forest debate must be considered within the overall context of the broadcast.

The ABA notes the complainant’s submission that Mr Johnston has been an active participant in the forestry debate in Tasmania for some time. However, the ABA also notes the broadcaster’s submission that Mr Johnston is presented in the report as “part of a growing middle ground in the Tasmanian forest debate”. This group is identified as a “new voice” in the forest debate and not Mr Johnston per se.

The ABA notes that a coalition of professional groups with an interest in forestry outcomes in Tasmania has been established. The coalition includes groups such as Doctors for Forests, Teachers for Forests, Scientists for Forests and Lawyers for Forests.

The coalition is described on their website as follows:

The 'Coalition for Forests' has been formed to lobby significant stakeholders to reform the forest management decision-making process. The coalition is not a front for the wilderness society nor is it politically aligned to any political party. None of the 'for forests' groups are anti-forestry. Contrary to being anti-forestry, these groups are supportive of an industry which is willing to participate in the democratic process and review some of its practices in the light of overwhelming evidence that certain current practices are environmentally unethical, socially alienated and economically highly questionable.<sup>1</sup>

The ABA considers professional groups, such as those that are part of the coalition, are reflective of the “growing middle ground” suggested in the report.

- 2. The statement: “ People like Ian Johnston are suddenly finding themselves right in the middle of a bitter struggle over the future of Tasmania’s forests, a struggle that’s entering a new phase”.**

The report contained the following statement:

**Reporter:** People like Ian Johnston are suddenly finding themselves right in the middle of a bitter struggle over the future of Tasmania’s forests, a struggle that’s entering a new phase.

### **Complainant’s submission**

The complainant submitted that it was inaccurate and misleading to state that Ian Johnston now suddenly finds himself in the middle of the forest debate, because Mr Johnston has been active in the forest debate, even prior to the signing of the RFA in 1997.

### **Broadcaster’s submission**

The SBS submitted that the particular views of Ian Johnston, and the similar views of others, have recently become the prime point of contention between the timber industry and its opponents.

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<sup>1</sup> <http://www.doctorsforforests.com/coalition/>

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## Finding

The ABA makes the finding that the statement, “[p]eople like Ian Johnston are suddenly finding themselves right in the middle of a bitter struggle over the future of Tasmania’s forests” did not breach clause 2.4.1 of the Code in relation to accuracy.

## Reasons

The ABA considers that the statement must be considered within the overall context of the report.

The ABA notes the complainant’s submission that Mr Johnston has been an ongoing participant in the forestry debate in Tasmania for some time.

In the context of this statement, however, the ABA considers that the words “[p]eople like Ian Johnston are suddenly finding themselves in the middle of a bitter struggle that is entering a new phase” make it clear that Ian Johnston is not identified *per se* as being “in the middle of a bitter struggle over the future of Tasmania’s forests”. The words clearly link Ian Johnston to a group of people who hold similar views and it is this group which is presented as being suddenly in the middle of the struggle.

**3. The statement: “Only in Tasmania can you find Doctors for Forests – GPs who have put down their stethoscopes and picked up their placards”.**

### **Complainant’s submission**

The complainant submitted that the statement was inaccurate and misleading as it ignores the fact that Doctors for Forests groups are active in both NSW and Victoria.

### **Broadcaster’s submission**

SBS confirmed that it had ascertained, since broadcasting the program, that organisations similar to Doctors for Forests exist in states other than Tasmania. SBS advised the ABA that a correction has been published on the SBS website, and it believes this is the most appropriate way to redress this type of error.

SBS submitted that it considers that the error is not sufficiently substantial to amount to an inaccuracy for the purposes of Code 2.4.1. In this regard, the SBS’s comments included the following :

- The reference to the existence and appearance of Doctors for Forests in Tasmania was merely mentioned as illustrative of the report’s dominant narrative: that support for the cessation of the felling of old growth forests was spreading into mainstream groups within the Tasmanian society. Whether or not the organisation exists elsewhere is of no particular significance in this context.
- The statement that “Only in Tasmania can you find Doctors for Forests” was overshadowed by the significance and weight of the interview which followed directly from the voice-over. The spokesman for Doctors for Forests in Tasmania, Dr Geoff Couser, represents the most relevant voice of all the Doctors for Forests groups. ...SBS submits that the emphasis of this segment of the report demonstrably falls on the opinion expressed by Dr Couser, not on the reporter’s fleeting remark.

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## Finding

The ABA makes the finding that the statement “[o]nly in Tasmania can you find Doctors for Forests – GPs who have put down their stethoscopes and picked up their placards” did not breach clause 2.4.1 of the Code in relation to accuracy.

## Reasons

The ABA notes that although the relevant clause of the Code states that ‘accuracy is the highest priority of news and current affairs’, the ABA is of the view that minor factual errors such as an insignificant misdescription of some kind may not amount to a breach of the Code. What is considered ‘minor’ and where a line should be drawn between an inaccuracy that is significant to the extent that it does amount to a breach of the Code and an inaccuracy that does not amount to a Code breach are not matters that are subject to prescribed rules and need to be considered on a case-by-case basis. The wording of Clause 2.4.1, which states that ‘SBS will take *reasonable* steps to ensure timely acknowledgement and correction of any errors of fact’ (emphasis added by the ABA) could also be interpreted as implying that the obligation does not extend to minor factual errors.

The ABA has examined this error in the context of the story as a whole. It is of the view that the error does not have a serious enough impact on the story to warrant a breach of the Code.

### 4. *The statement: “The number of seats in the Tasmanian Parliament was reduced, specifically to destroy the power of the Greens.”*

The report contained the following statement:

**Reporter:** In 1989, the Tasmanian Greens, led by Bob Brown and Christine Milne, signed an historic accord with the Labour Party to form government. The Greens had five seats and their numbers were crucial...

It didn’t work. Labour and the Greens argued over a range of issues, especially forest policy, and the Government collapsed. Labour vowed never to work with the Greens again, and it never has. The number of seats in the Tasmanian Parliament was reduced, specifically to destroy the power of the Greens.

### **Complainant’s submission**

The complainant submitted that this statement was inaccurate and misleading because:

- parliamentary reform in 1998 was designed to reduce the numbers of both houses of State Parliament;
- the reform process had a long history commencing in 1983, including an attempt to link a pay rise for politicians to reducing numbers in 1993;
- during debate of the bill in 1998, Jim Bacon, then opposition leader, pointed out that even with reduced numbers in Parliament, under the Hare Clarke system of multi member electorates, the Greens would have been elected;
- if the intention of the reform was to “destroy the power of the Greens”, single member electorates would have been introduced that required candidates to obtain 50% of the vote, not multi member electorates requiring only 16.7% of the vote;

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- the Legislative Council, which had no Green members, was also reduced in number; and
  - prior to the reduction in size of the Tasmanian Parliament, the Greens held four seats and today they hold four seats. This would have been relevant to viewers in making up their own minds about the reporter's statement.

#### **Broadcaster's submission**

In response the SBS submitted that:

- while the issue of parliamentary reform has been debated often in Tasmania, the two inquiries established to consider the matter (the Ogilvie and Morling Reports) had both recommended against a reduction in parliamentary numbers;
- against that background, the heated debate over the 1998 reform, the political impact of that reform, and the subsequent discussion, all point to the power of the Greens as a specific target of the process;
- it could provide numerous excerpts of media commentary from the period that support the contention that the parliamentary reform referred to in the story was directed towards eliminating the power base of the Greens in the Tasmanian Parliament at that time; and
- it acknowledges that some viewers might have interpreted the reporter's statement as fact rather than analysis, but it does not believe that this affects the accuracy of the story.

#### **Finding**

The ABA makes the finding that the statement “[the number of seats in the Tasmanian Parliament was reduced, specifically to destroy the power of The Greens]” did not breach clause 2.4.1 of the Code in relation to accuracy.

#### **Reasons**

The ABA notes from the available evidence that the reasons for the parliamentary reform are open to debate and it would appear that this issue has been publicly argued. For example, a research note published by the Tasmanian Department of the Parliamentary Library stated:

The 1998 reduction in the size of the House of Assembly aimed to reduce the influence of the Greens, appeared to be successful at the time, with the Tasmanian Greens winning just one seat in 1998.<sup>2</sup>

In these circumstances, there would appear to be varying available interpretations of the event concerned. It is not for the ABA to assess the veracity of conflicting interpretations of historical events.

#### **5. The statement “The ‘Valley of the Styx’ is native old growth forest on the edge of a world heritage area (WHA)”.**

The report contained the following statements:

**Reporter:** We're on our way into the 'Valley of the Styx', one of Tasmania's old growth forest areas, with Christine Milne and the Wilderness Society's Virginia Young.

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2 S. Bennett, 'Tasmanian Election 2002' Research Note, no 7, Department of the Parliamentary Library, 2002-2003  
<http://www.aph.gov.au/library/pubs/rn/2002-03/03rn07.htm>

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**Virginia Young:** This is the gateway to one of the most special places on earth. Only 113 natural world heritage sites on the planet and this is the gateway to one of them.

**Reporter:** The ‘Valley of the Styx’ is native old growth forest on the edge of a world heritage area. Conservationists want to save it, but Tasmania’s biggest company, a timber firm Gunns, has been given permission to log it. Gunns is a traditional family company that in recent years has transformed itself into a billion-dollar enterprise on the back of huge woodchip exports and a virtual monopoly on the logging of Tasmanian forests. The battle over its current logging plans has been dubbed by the locals – “Styx versus Gunns”.

***Complainant’s submission***

The complainant submitted that the statement “[t]he ‘Valley of the Styx’ is native old growth forest on the edge of a world heritage area (WHA)” failed to be fair, objective, balanced or provide a professional presentation of the issues because:

- whilst the Styx Valley does contain some old growth forest as defined by the Tasmanian RFA, it also has a long history of timber harvesting during the last 60 years and large areas of regrowth forest;
- the Wilderness Society’s own proposal for a National Park shows extensively harvested area in the Valley;
- the gateways to the WHA are listed in the 1999 WHA management plan on page 175:

These are well situated for general tourism development associated with, but outside the WHA. They include the following locations: Dover, Geeveston, Port Huon, Hobart, National Park Maydena, Strathgordon, Bronte, Derwent Bridge, Queenstown, Strahan, Pencil Pine, Mole Creek, Gowrie Park, Deloraine, Miena and Recherche Bay/Cockle Creek;

and

- the Styx Valley is not one of these gateways. Viewers should have been informed that the WHA covers 20% of Tasmania and as such there are many areas “on the edge of a world heritage area”.

***Broadcaster’s submission***

The SBS submitted that:

- notwithstanding the fact that logging has previously occurred there, the Valley of the Styx is largely native old growth forest, and it is on the edge of a world heritage area. The story makes it clear that parts of the area have been logged in the past, and continue to be logged;
- this description of the Styx Valley as native old growth forest is reflected in other sources such as the non-partisan Tasmania Together website, which uses it when referring to the recommendation under benchmark 24.2.1 Goal 24:

High conservation value old-growth forest refers to the following areas: Tasmanian Wilderness World Heritage Area proposed eastern extensions, **Styx Valley** (emphasis added by ABA), Tarkine Forest extensions;

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and

- as the complainant recognises, the term “gateway” was used by one of the people interviewed in the program, Virginia Young, and not by the reporter. SBS believes that, given the context in the story, it is reasonable to expect that viewers would have interpreted it in the generally accepted sense of the word and not in any technical way.

## **Finding**

### **(a) *Representing the Valley of the Styx as native old-growth forest.***

The ABA makes the finding that the statement “[t]he ‘Valley of the Styx’ is native old growth forest...” did not breach clause 2.4.1 of the Code in relation to accuracy.

### **(b) *Representing the Valley of the Styx as the gateway to a World Heritage Site.***

The ABA makes the preliminary finding that the statement “[t]his is the gateway...” did not breach clause 2.4.1 of the Code in relation to accuracy.

## **Reasons**

### **(a) *Representing the Valley of the Styx as native old-growth forest.***

The Australian 1992 National Forest Policy Statement (NFPS) made specific provision for the protection of old growth forests. The NFPS definition of old growth forest is:

Forest that is ecologically mature and has been subjected to negligible unnatural disturbance such as logging, roading and clearing. The definition focuses on forest in which the upper stratum or overstorey is in the late mature to over mature growth phases<sup>3</sup>

The NFPS initiated a process for undertaking assessments of forests for conservation values, including old growth values. A working group of State and Federal Government agencies took the NFPS definition into consideration in developing a definition that was accepted by all governments (JANIS 1997<sup>4</sup>):

Old growth forest is ecologically mature forest where the effects of disturbances are now negligible.<sup>5</sup>

However, the complexity in defining old growth forest and the difficulties of applying the criteria in a practical way are noted by the Department of Agriculture, Fisheries and Forestry:<sup>6</sup>

Defining a term as value-laden as old-growth forests, translating it into national public policy, assessing it across a vast array of ecosystems and applying it in a practical way through nationally agreed criteria (JANIS) was one of the greatest challenges of the Regional Forest Agreement (RFA) process. Given the issue’s

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3 The 1992 National Forest Policy Statement (NFPS) - <http://www.affa.gov.au/content/publications.cfm?objectid=cda4caf9-d118-4e13-aac472ac7603ebe5>

4 JANIS Forests glossary and criteria: ANZECC and MCFFA (1997) Nationally Agreed Criteria for the Establishment of a Comprehensive, Adequate and Representative Reserve System for Forests in Australia. A Report by the Joint ANZECC/MCFFA National Forest Policy Statement Implementation Sub-committee. Regional Forest Agreements process. Commonwealth of Australia, Canberra.

5 Australian Government Bureau of Rural Sciences – Old Growth Forests in Australia (Conservation status and significance for timber production) Keenan R & Ryan M - [http://www.nafi.com.au/files/library/BRS\\_oldgrowth\\_paper.pdf](http://www.nafi.com.au/files/library/BRS_oldgrowth_paper.pdf)

<sup>6</sup> <http://www.affa.gov.au/content/output.cfm?ObjectID=D2C48F86-BA1A-11A1-A2200060B0A01802>

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complexity, the RFA process made considerable advances in the identification and protection of old-growth forests.

It is apparent that there are differing views as to what constitutes an old growth forest. Different people appear to define old growth forests differently, including:

- forest which is old and structurally mature, regardless of past disturbance;
- forest which is unlogged, regardless of its age or its structure i.e. virgin forest; and
- forest which is old, structurally mature and is undisturbed, little disturbed or there is little evidence of recent disturbance.

In addition, some people appear to regard understorey fire disturbance to be a factor in whether a forest could be considered to be an old growth forest.

While not meeting the Tasmanian Forestry's technical requirements of an old growth forest, the ABA notes the broadcaster's contention that the Styx Valley was identified as old growth forest in Tasmania Together, the 20-year social, environmental and economic plan, and that it falls into the first definition above (i.e. forest which is old and structurally mature, regardless of past disturbance).

A common characteristic in the definitions of old growth forests is that they contain a significant proportion of mature or old trees. In this regard, it would be reasonable for an average viewer to understand from the statement, as it was broadcast, that the Styx Valley is an 'old growth forest' in the common rather than technical usage of the phrase.

**(b) *Representing the Valley of the Styx as the gateway to a World Heritage Site.***

The ABA notes that the word "gateway" was not used by the SBS reporter but by Virginia Young, a representative of the Wilderness Society.

Regardless of who used the word "gateway", the ABA is of the view that it would be reasonable for an average viewer to understand from its juxtaposition in this statement that it was used not so much as a technical term as to indicate the location of the Valley of the Styx.

**6. *The description of Tasmanian company Gunns as a "virtual monopoly".***

The report contained the following statement:

**REPORTER:** The 'Valley of the Styx' is native old growth forest on the edge of a world heritage area. Conservationists want to save it, but Tasmania's biggest company, a timber firm, Gunns, has been given permission to log it. Gunns is a traditional family company that in recent years has transformed itself into a billion-dollar enterprise on the back of huge woodchip exports and a virtual monopoly on the logging of Tasmanian forests. The battle over its current logging plans has been dubbed by the locals - "Styx versus Gunns".

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### ***Complainant's submission***

The complainant submitted that the description of Tasmanian company Gunns Ltd as a “virtual monopoly” is misleading and does not allow the audience to make up its own mind because:

- Gunns is now the largest forest company in Tasmania, but it is not a monopoly. The Collins dictionary defines a monopoly as “exclusive control of the market supply”. There are many other companies that access Tasmania’s forest resources.

### ***Broadcaster's submission***

The SBS submitted that:

- the description of the company Gunns is an accurate one, designed to summarise briefly both its origins and its current status as a dominant force in Tasmania’s forest industry;
- analysis quoted in the Australian Financial Review on 20 July 2002 estimated that Gunns accounted for 85% of logging in Tasmania. According to Gunns’ own corporate website the company is “Australia’s largest fully integrated hardwood forest products company”;<sup>7</sup>
- in its 2001 market report, the Private Forests Organisation of Tasmania noted that “in Tasmania, the two main companies purchasing pulpwood are Gunns and North Forest Products”. Since the figures in that report were compiled, North Forest Products has been taken over by Gunns;
- these examples indicate that, for some time, Gunns has been publicly depicted and considers itself as the dominant force in the Tasmanian logging industry; and
- SBS referred to Gunns as a “virtual” monopoly indicating that, although Gunns is not an actual monopoly, its dominance in the market place provides it with virtually the same or similar power.

### **Finding**

The ABA makes the finding that the reference to Gunns Ltd as a “virtual monopoly” did not breach clause 2.4.1 of the Code in relation to accuracy.

### **Reasons**

As all parties appear to agree that Gunns is by far the most dominant producer of hardwood in Tasmania, it is reasonable to assume that Gunns has substantial market power and that it effectively operates as a “virtual monopoly” in Tasmania. Significantly, the use of the word “monopoly” is qualified by the word “virtual”. In these circumstances the phrase is an accurate description of Gunns’s dominance in the relevant market.

**7. The statement: “Further up the hill is an old growth area that has just been clear felled”.**

The report contained the following statements:

**REPORTER:** Further up the hill is an old growth area that has just been clear felled.

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<sup>7</sup> <http://www.gunns.com.au/corporate/profile.html>

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**VIRGINIA YOUNG:** This was all old growth. What you see, the remains they've just pushed into windrows and burned after they've encouraged all the animals out to feed, then they lay poisoned carrots and then there's a massive death toll, and that's to help the seedlings that are planted out.

***Complainant's submission***

The complainant submitted that the statement "Further up the hill is an old growth area" is both inaccurate and misleading because:

- the area or coupe shown was not old growth. The forest harvested was 40 year old regrowth forest that had been clear felled for Australian Newsprint Mills in the early 1960s; and
- Forestry Tasmania's Derwent District Senior Operations Forester, Richard Shoobridge, has identified the vision accompanying these statements as coupe TNO52K. The area was harvested from November 2000 to March 2001. The coupe produced over 300m<sup>3</sup> of regrowth sawlog and 14,251 tonne of regrowth pulpwood that was processed locally by Norske Skog at Boyer for newsprint. Less than 11% of the timber was pulpwood for export sold to Gunns.

***Broadcaster's submission***

SBS submitted that:

- the information in this statement was supplied to the reporter by those people who took him to the area;
- if the complainant is correct regarding the site shown, SBS still believes the sequence was a fair representation of the effect of clear felling in the area and that no error of substance was made.

In addition, SBS stated that two other issues should be taken into account:

1. Significance of footage to the program;
2. Attempts to verify accuracy.

In relation to 1 above, SBS contended that the several seconds of vision in question are insignificant in the context of the overall visual scope of the report, which ran for a total of approximately 27 minutes.

Even if it can be determinatively established that the precise area shown was not an old growth area, the accuracy of the voice-over "Further up the hill is an old growth area" is not in dispute.

The area which the reporter visited had been and continued to be used for the felling of old growth forests. In relation to accuracy, that is the central issue. The audience was given accurate information about the forestry practices in regard to old growth forests in that particular area.

In relation to 2 above, SBS submitted that there remains some confusion as to the precise location represented in the vision in question.

The assistance of Forestry Tasmania was denied to SBS at the time of making the report, though it is the independent expert and can best determine precise locations. At the time of making the story, the reporter requested an interview with Forestry

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Tasmania and was redirected to the office of the State Minister for Forestry. The State Minister's office refused a request for interview and redirected the reporter to the Premier's Office, who also refused an interview. The reporter was left to rely on the material publicly available through Forestry Tasmania. This could not disclose the exact location of the camera, but the reporter was able to verify that the footage was taken in an area where old growth felling had occurred.

Code 2.4.1 states that accuracy is the highest priority. Based on the above information, it is apparent that all reasonable attempts were made by SBS to ensure that the vision accurately matched the voice-over.

In support of this point, SBS referred to ABA Investigation Number 1397. That investigation had involved an assessment of a program's compliance with the *ABC Code of Practice*. In that report, the ABA said,

The requirement to ensure accuracy means that every reasonable effort must be made to ensure factual content is presented truthfully and is free from error or defect. This does not require all efforts, or unreasonably excessive efforts, to be made. It requires only those efforts which are reasonable.

SBS submitted that in light of all reasonable efforts having been made a remaining ambiguity about the location of the footage, the short segment did not breach the intent of Clause 2.4.1.

### **Finding**

The ABA makes the finding that the statement "[f]urther up the hill is an old growth area" did not breach clause 2.4.1 of the Code in relation to accuracy.

### **Reasons**

The ABA notes the broadcaster's view that the accuracy of the voice-over that "Further up the hill is an old growth area" is not in dispute, and accepts that the statement does not represent an error of substance when taken in the context of the story as a whole.

The ABA acknowledges the broadcaster made several unsuccessful attempts to interview Forestry Tasmania and others, and that they chose not to participate in the program.

In this regard, the ABA notes SBS's reference to Investigation Number 1397. The comparable clause in the ABC Code<sup>8</sup> specifically includes the phrase, '(e)very reasonable effort must be made to ensure that the factual content of news and current affairs programs is correct.'

In any event, what amounts to reasonable efforts is to be determined on the facts of each case. In this instance, the ABA is satisfied that the efforts made in this matter were sufficient to prevent a breach of this clause of the Code.

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<sup>8</sup> ABC Code of Practice, 2002

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**8. The statement: “It doesn’t take much of a search to find the evidence still here, carrots poisoned with 1080. Nearby a dead possum and a dead wallaby”.**

The report contained the following statements:

**VIRGINIA YOUNG:** This was all old growth. What you see, the remains they've just pushed into windrows and burned after they've encouraged all the animals out to feed, then they lay poisoned carrots and then there's a massive death toll, and that's to help the seedlings that are planted out.

**REPORTER:** It doesn't take much of a search to find the evidence still here, carrots poisoned with 1080<sup>9</sup>. Nearby, a dead possum and a dead wallaby. This area is destined to become a eucalypt plantation, almost certainly for wood chipping.

***Complainant’s submission***

The complainant submitted that this statement raised inconsistencies in matters of fact. The complainant contends that:

- Coupe TNO52K was replanted with seedlings in December 2002. The Department of Parks and Wildlife then granted a permit to lay 1080 for browsing control. The bait was laid under supervision of officers of the Department of Primary Industry, Water and Environment (DPIWE) on 21 July 2003 and 2 days later, as per the permit condition, any remaining bait was buried; and
- The SBS footage clearly shows carrots that are natural in colour (i.e. carrying no poison) yet they are:
  - portrayed to be the reason for the dead animals;
  - shown as fresh, which is not consistent with how chopped carrots lying in the open air for 28 days would appear (i.e. the time between the bait laying and the SBS visit); and
  - the dead animals shown have clear signs of decomposition; the carcasses are in a very advanced stage of body collapse yet the poisoned carrots cited as causing the death are seen as fresh.

***Broadcaster’s submission***

The SBS submitted that:

- the statement accurately reflected what the reporter saw. That is, that the carrots were dyed and were not fresh and that the animals were not in so advanced a state of decomposition as to be inconsistent with having been poisoned by those carrots.

**Finding**

The ABA makes the finding that the statement relating to the state of the carrots and dead animals did not breach clause 2.4.1 of the Code in relation to accuracy.

**Reasons**

The ABA notes the complainant’s comments regarding the state of the carrots and dead animals shown in the broadcast, and the broadcaster’s submission that the reporter reflected what he saw in the area. In situations such as this, it is not the role of the ABA to adjudicate on different versions.

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<sup>9</sup> <http://www.dpiwe.tas.gov.au/inter.nsf/WebPages/RPIO-4ZM7CX?open>

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**9. The statement: “The area was being clear felled, the best logs removed and the rest left behind”.**

**Complainant’s submission**

The complainant contends that this statement is simplistic in its attempts to describe the aim of clear felling, and that it is both inaccurate and misleading and does not allow the viewer to make up his or her own mind because:

- viewers were not informed of the scientific reasons for clear felling - a silvicultural practice for wet eucalypt forests whether old growth or regrowth. It is based on scientific research done in the 1960s, which identified clear felling to be the best (if not the only) way to get adequate regeneration of the principal native eucalypt species;
- Forestry Tasmania has a policy to ensure the maximum amount of commercial timber is recovered from all harvesting operations, including clear felling; and
- the footage in this segment of the report is of coupe Styx 11. Even the smallest pieces of useable craft wood are being recovered as part of the harvesting operation.

**Broadcaster’s submission**

The SBS contended that:

- the statement is not simplistic, so much as it is simple and self-evidently accurate. The issue of environmental arguments for clear felling was not addressed in this part of the story. If Forestry Tasmania had chosen to participate in the program, SBS would have examined their arguments.

**Finding**

The ABA makes the finding that the statement, “[t]he area was being clear felled, the best logs removed and the rest left behind” did not breach clause 2.4.1 of the Code in relation to accuracy.

**Reasons**

The ABA notes the complainant’s submission that Forestry Tasmania has a policy to ensure the maximum amount of commercial timber is recovered from all harvesting operations. However, the ABA is also aware that after the extraction of sawlogs and pulpwood from the forest coupes, a proportion of the residue has no viable commercial use and is eliminated through regeneration burning to establish regrowth forest.

In August 2002, a Tasmanian Forestry report into biodiversity conservation issues relating to coarse woody debris (CWD) management in the wet eucalypt production forests of Tasmania stated:

Percentage standing timber left as harvesting residue after clearfelling. For clearfell, burn and sow (CBS) and for fuelwood harvesting scenarios, it is assumed that merchantable timber comprises 437 t/ha. This implies that 32% of the original standing volume of timber is left as residue after CBS.<sup>10</sup>

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<sup>10</sup> A review of biodiversity conservation issues relating to coarse woody debris (CWD) management in the wet eucalypt production forests of Tasmania - [http://www.forestrytas.com.au/forestrytas/pdf\\_files/technical\\_bulletins/tech\\_bulletin\\_august\\_2002.pdf](http://www.forestrytas.com.au/forestrytas/pdf_files/technical_bulletins/tech_bulletin_august_2002.pdf)

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In this sense, it could be argued that the phrase “the best logs removed and the rest left behind” has some substance in fact.

The complainant, to some extent, has argued that the omission of material has resulted in an inaccurate construction. For example, the complainant submits that viewers were not informed of the scientific reasons for clear-felling. However, the ABA is satisfied that the information not included would not have altered the substance of the presentation in this instance.

**10. The statement: “...the logging trucks keep leaving the forests around Scottsdale bound for the Burnie wharf”.**

The report contained the following statement:

**REPORTER:** But whilst that discussion goes on, the logging trucks keep leaving the forests around Scottsdale bound for the Burnie wharf. The pine sawmillers of Scottsdale may not want to turn their lack of wood into a political issue, but others do.

**Complainant’s submission**

The complainant submitted that:

- the statement is both inaccurate and misleading, as no log trucks from the Scottsdale area carrying logs from the region’s native forests would travel to Burnie Wharf. Hardwood saw logs are delivered to sawmills in the North, hardwood pulp logs are delivered to processing facilities on the Tamar River (North East), and these facilities include woodchip plants and export loading facility; and
- the footage accompanying this statement is a log truck carting hardwood saw logs destined for processing in sawmills in Launceston.

**Broadcaster’s submission**

The SBS contended that:

- this line of script accompanied footage, shot by the journalist, of a logging truck leaving the Scottsdale area on the main road heading for Burnie. Based on the information provided to him on the day, the journalist reported what he saw; and
- requests to Forestry Tasmania, Gunns and to the Tasmanian Government for information about the industry from their perspective were all declined.

**Finding**

The ABA makes the finding that the statement, “...the logging trucks keep leaving the forests around Scottsdale bound for the Burnie wharf”, did not breach clause 2.4.1 of the Code in relation to accuracy.

**Reasons**

The ABA notes the complainant’s claim that the logging truck in the broadcast was unlikely to be travelling to Burnie Wharf. The ABA also notes the broadcaster’s submission that the journalist reported what he saw i.e. that the logging truck was heading for Burnie. In situations such as these, it is not the role of the ABA to adjudicate on different versions. Were the information proved incorrect, the ABA is of the view that this detail was relatively minor and was not central to the focus of the story.

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**11. The statement: “Tasmania is the last Australian State to allow clear felling in old growth forest”.**

**Complainant’s submission**

The complainant submitted that:

- this statement is both inaccurate and misleading because old growth forest in East Gippsland, Victoria, is currently being clear felled, thus Tasmania is not “the last State to allow clear felling in old growth forest.”;
- *Insight* also failed to inform viewers of the scientific reasons for clear felling;
- the SBS response to this point shows their reliance on the advice of environmental groups rather than their own independent research. This research would have highlighted that old growth logging occurs in other states;
- the reliance on the advice of the interviewed environmental groups seems at odds with the SBS statement that it was “preparing a report on a controversial and divisive issue”; and
- environmental groups, including the Wilderness Society, currently claim that old growth forests are being clear felled in Victoria. The Wilderness Society’s background on East Gippsland old growth forests claims that 11,000 hectares are being clear felled. The Wilderness Society website also currently claims that clear felling occurs in both NSW and WA and old growth forests remain unprotected in these states.

**Broadcaster’s submission**

SBS said that it now accepts that the statement was technically incorrect, although it was not aware of this at the time of the broadcast. SBS submitted that the only states involved in the felling of old growth forests at the time of the report, were Tasmania and Victoria. SBS stated that it understands that the practice is so confined in Victoria to be, in effect, restricted and in practical terms is fundamentally different to the practices permitted in Tasmania.

SBS strongly rejected the complainant’s allegation that it had relied on the advice of environmental groups rather than their own independent research and said that there was no evidence to suggest that SBS did not rely on independent research. In this regard SBS said:

In fact, the reporter and the researcher for *Insight* undertook substantial independent investigations during the preparation and production of this report. The Forest Industry Council, the Wilderness Society, Doctors For Forests, Forestry Tasmania, various key logging companies as well as the relevant Minister and Premier were all approached. Some participated and some did not. Apart from approaches to the various individuals and groups involved, where access was denied, the *Insight* team sought to clarify the competing claims in the report by using independent material on the public record. A range of reference sources were used, including the Tasmanian Government website and Parliamentary Library.

**Finding**

The ABA makes the finding that the statement “Tasmania is the last Australian State to allow clear felling in old growth forest” breached clause 2.4.1 of the Code in relation to accuracy.

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## Reasons

SBS has acknowledged the error and the ABA has verified that the transcript of the program, on the SBS website,<sup>11</sup> contains a correction to the following effect:

\* Since this program was broadcast Insight has become aware that Doctors for Forests exists in other states.

\*\* At the time of broadcast, the reporter was unaware that clear-felling continues in some forests in Victoria.

The ABA considers that in the context of the story as a whole, the statement portrayed Tasmania in poor light and accordingly amounts to a breach of the Code.

### **Issue 2: Whether the broadcast met the Code requirement for a fair, objective, balanced and professional presentation of the issues.**

The SBS Code provides under clause 2.4.1 that ‘SBS believes in the right of its audience to make up its own mind after a fair, objective and professional presentation of the issues’.

The Macquarie Dictionary definitions of ‘fair’ and ‘objective’ are as follows:

fair, *adj* 1. free from bias, dishonesty or injustice<sup>12</sup>

objective, *adj* 1. free from personal feelings or prejudice<sup>13</sup>

The ABA accepts that an SBS audience while valuing accuracy, fairness and objectivity would also expect a degree of in-depth analysis and commentary. The ABA must assess commentary and analysis on a case-by-case basis to determine whether in a particular case the presentation is fair and objective and/or free from injustice or prejudice. The ABA takes the view that while comment may be challenging or probing, it should have a basis in fact. The ABA considers that a view that is opposed by a particular person or group is not inherently partial. Factors taken into account in making an assessment will include an examination of the issue, any editorial comment, the presentation of the story and the circumstances in which the program was prepared and broadcast.

Whereas the SBS provides for balance ‘over time and across the schedule of programs broadcast’, it is important for a program to achieve objectivity and fairness at all times.

One of the factors the ABA has taken into account in this matter is the broadcaster’s contention that Gunns Ltd, Forestry Australia, the Forestry Industry Council and the State Government refused to cooperate with the program makers. While the ABA acknowledges that the organisations may have been concerned about how they would

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11 <http://news.sbs.com.au/insight/trans.php?transid=606> – accessed by ABA on 22/02/05

12 Third Edition, at page 756

13 Third Edition, at page 1486

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be portrayed, appearing on the program may also have provided an opportunity to refute some of the claims aired in the report.

In this case, the ABA has assessed each of the complainant's six allegations regarding possible breaches of this requirement of the Code

**12. The statement: "This area is destined to become eucalypt plantation, almost certainly for wood chipping".**

**Complainant's submission**

The complainant submitted that:

- the phrase "almost certainly for wood chipping" is misleading and does not allow the audience to make up its own mind; and
- coupe TNO52K on the Styx Road is now managed for solid wood production and was planted late last year. The plantation is scheduled for clearwood (pruned) production for veneer wood. Thinning will be for pulp, but the primary purpose is solid wood for veneer.

**Broadcaster's submission**

The SBS submitted that:

- the phrase "almost certainly for wood chipping" was based on the fact that, statistically, wood chipping is the primary form of timber processing across the industry. It was also based on advice provided by those who accompanied the reporter to the site.

**Finding**

The ABA makes the finding that the phrase, "almost certainly for wood chipping" did not breach clause 2.4.1 of the Code in relation to the requirements to present issues in a fair, objective, balanced and professional manner.

**Reasons**

The ABA notes the complainant's submission that the primary purpose for the eucalypt plantation is for the production of solid wood for veneer. However, the ABA also notes that the reporter's comment was presented as editorial comment. The ABA is of the view that the comments while reflective of the reporter's opinion were, in this context, not unreasonable and had some factual basis. In this regard the ABA notes there is information which points to the fact that after extraction of timber logs for veneer, it is likely that a considerable volume of tree residue would be salvaged as pulpwood.

From a standard native forest operation which includes the sale of pulpwood, there may be 1,000 cubic metres of biomass, of which 10% ends up as saw and veneer logs and 35% as pulpwood.<sup>14</sup>

**13. The segment relating to Tasmania Together failed to be a fair, objective, balanced and professional presentation of the issues.**

The report contained the following statements:

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<sup>14</sup> Statement to the renewable energy inquiry – National Association of Forest Industries (NAFI)-  
<http://www.nafi.com.au/library/viewarticle.php3?id=74>

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**REPORTER:** Not long after he was elected, Jim Bacon launched an ambitious project called Tasmania Together. It was two years of exhaustive community consultation designed to produce a series of benchmarks and milestones in all policy areas. Back then, Jim Bacon promised to listen to what the community told him it wanted.

**JIM BACON, TASMANIAN PREMIER:** We will adapt our legislation, our budgets, our day-to-day decision-making to ensure that we are not being an obstacle to achieving the milestones, that we are contributing to achieving them. And of course, a lot of that is leaving the rest of the community to collectively achieve them.

**REPORTER:** But Tasmania Together went off the rails when the benchmarks were finally released. One of them called on the Government to end clear felling in areas of high conservation value old growth forest by January 1 2003. It was a simple request and it would have stopped clear felling in the 'Valley of the Styx'.

But, after promising to help achieve the benchmarks the Bacon Government back flipped. It ignored its own community consultation and refused to stop the clear felling, saying - it will not pursue a policy that results in any further jobs being lost in the forest industry in Tasmania.

**PETER ADAMS:** It seems like we had a wonderful opportunity to demonstrate not only to Tasmanians, but to the world, that we are working together as a whole and then all of a sudden, the benchmark is set, it's just - not even closely acknowledged. It's like, you go, OK, what's next?

**REPORTER:** It's that decision, more than any other, that drove the middle ground of the Tasmanian community back into the arms of the Greens and prompted the vigil outside Parliament in Hobart.

#### ***Complainant's submission***

The complainant submitted that:

- the whole segment has failed to be a fair, objective, balanced or professional presentation of the issues;
- the footage for this segment of the program shows the Dover meeting of the Tasmania Together community consultation process. The program's commentary indicates that this and other meetings were opposed to clear felling of old growth forest;
- the speaker shown seated at the table in the program, Mr Alan Duggan, was advocating the continued harvesting and development of our forests and natural resources, however, the broadcast did not include audio material of his speech;
- the footage also included Mr Manny Spiteri, a member of the Tasmania Together Community Leaders Group (CLG), who facilitated the Dover meeting and who was one of five members of the CLG who dissented from the benchmark;
- the old growth benchmark was presented by the program as enjoying overwhelming endorsement by the community members who participated in the Tasmania Together process. However, it was the only one of the 212 benchmarks that failed to get unanimous support by the CLG. It also attracted the most community discussion; and

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- statistics from the Tasmanian Together process also indicate that only approximately 2% of the State's population contributed to the process. This important statistic would have allowed SBS viewers to make up their own minds about the "popular" support for this benchmark.

#### **Broadcaster's submission**

The SBS submitted that:

- the segment relating to the Tasmanian Together process discusses only the overall findings of the two-year process, not the individual views of any particular group, region, meeting or individual who may have taken part. The script makes that perfectly clear; and
- when discussing the benchmarks that the Tasmanian Together process produced, the footage shown is part of the original television advertisement that urged Tasmanians to take part in the process, and footage from one particular community forum, which was from *Insight's* own program library. Taken as a whole, the segment relating to the Tasmanian Together process accurately summarises the final benchmark that was adopted in relation to clear felling in high conservation value old growth forest.

#### **Finding**

The ABA makes the finding that the segment relating to Tasmania Together did not breach clause 2.4.1 of the Code in relation to the requirements to present issues in a fair, objective balanced and professional manner.

#### **Reasons**

The ABA notes the SBS view that the segment regarding the Tasmania Together community consultation process focused on the overall findings of the two-year process, not the individual views of any particular group.

The ABA, while noting the complainant's assertion that only 2% of the State's population contributed to the process, notes that the Tasmania Together internet website<sup>15</sup> states that the entire run of their newsletter "Our Vision, Our Future" was requested by and distributed to 14,000 organisations and individuals, and more than 60 public meetings were held in cities and towns across the state.

Further, more than 100 community organisations were consulted, and more than 160 detailed written submissions were received from business groups, peak bodies and individuals.

While the outcome of the Dover Tasmania Together meeting was pro-forestry, the ABA notes the broadcaster edited this file footage, which it then used in the segment. However, rather than misrepresenting the outcomes of the Dover meeting, the ABA is of the opinion that this footage was used by the broadcaster to depict the consultative process of the Tasmania Together initiative.

In the context of the overall broadcast, the relevance of the segment relating to the Tasmania Together process was that the original benchmark [24.2.1] was a target to

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<sup>15</sup> <http://www.tasmaniatogether.tas.gov.au>

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end all clear felling in areas of high conservation value old growth forests by 2003 and a complete phase out of clear felling in old growth forests by 2010.

14. ***The statement: “But Tasmania Together went off the rails when the benchmarks were finally released. One of them called on the Government to end clear felling in areas of high conservation value old growth forest by January 1 2003. It was a simple request and it would have stopped clear felling in the ‘Valley of the Styx’.”***

***Complainant’s submission***

The complainant submitted that:

- the statement “[i]t was a simple request...” is both inaccurate and misleading, as there is nothing simple about the request, and does not allow the audience to make up its own mind;
- the areas of “high conservation value old growth forest” were never mapped nor defined by the Tasmanian Together process. Their high conservation value, boundaries and detailed descriptions have still not been articulated by the Tasmanian Together Progress Board;
- all forests in Tasmania were extensively studied in the Tasmanian RFA process, and conservation values were assigned to these forests. Conservation values of national significance were reserved. World Heritage Values were also fully assessed and both the Federal and State Governments agreed “that any World Heritage nominations of any part of the forest estate will be from areas within the dedicated reserve elements of the CAR reserve system”; and
- it is debatable what conservation values can be placed on forests outside the existing reserve system.

***Broadcaster’s submission***

SBS submitted that:

- this is an accurate and precise summary of the Tasmania Together benchmark, and given that its wording is clear and straightforward (with a precise date for implementation), it is fair and reasonable to describe it as a simple request. That its implementation may well have proven complex does not make the request, or the intention it expressed, any less simple.
- As such, the benchmark viewed as a statement is a simple request. This is immediately thrown into contrast by the reporter’s next sentence. The statement needs to be considered in the context of what immediately followed.

It was a **simple request** and it would have stopped clear felling in the “Valley of the Styx”. **But, after promising to help achieve the benchmarks the Bacon Government back flipped. It ignored its own community consultation and refused to stop the clear felling, saying – it will not pursue a policy that results in any further jobs being lost in the forest industry in Tasmania** (Emphasis added by SBS).

- References to other considerations – community consultations and economic impacts – make it clear to viewers that the *implementation* involved layers of complexity.

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## Finding

The ABA makes the finding that in the segment's analysis of benchmark 24.2.1 SBS did not breach clause 2.4.1 of the Code in relation to the requirements to present issues in a fair, objective balanced and professional manner.

## Reasons

There appears to be no dispute that the implementation of the benchmark was complicated and aspiratory. The question the ABA has had to consider is whether the statement, "...It was a simple request..." is a fair and balanced one. The ABA accepts that the statement cannot be viewed alone and must be viewed in the context of the comments immediately following. These comments sought to qualify the statement and, accordingly, to balance the statement.

15. ***The statements: "The problem is a simple one. In an industry dominated by a company like Gunns, the push for woodchips is squeezing out all the other competing demands for timber" and "...no one is bothering to plant enough pine for them to keep growing".***

The report contained the following statements:

**REPORTER:** It's not just small-scale users like Ian Johnston that feel frozen out of the current logging industry. French's Sawmill at Scottsdale, in Tasmania's north-east, has been operating for 75 years. It employs 180 people processing exclusively pine plantation logs.

**SCOTT ANTHONY, GENERAL MANAGER, FRENCHPINE:** The softwoods processing industry is very much a vital part of not only the North-Eastern Tasmanian community, but the Tasmanian community as a whole. Our value-added process employs a lot of people and, alternatively, generates a lot of revenue for the local community.

**REPORTER:** The management of French's Sawmill have no desire to get into any political controversy. They don't criticise the way Gunns runs its logging business and they don't criticise government forest policy. But the fact is, in a State where the most common criticism is that there's too much logging, French's biggest problem is that it's running out of wood.

**SCOTT ANTHONY:** We have reasonable resources through until about 2009, 2010, then there will be a drop in available resources in Tasmania at that point in time.

**REPORTER:** **The problem is a simple one. In an industry dominated by a company like Gunns, the push for woodchips is squeezing out all the other competing demands for timber** (emphasis added by ABA). There is more money to be made and it can be made quicker if native forests and hardwood plantations are cut down and exported as woodchips or whole logs.

By comparison, the sort of pine plantations French's need take 25 years to mature. So even though the pine sawmills do all their processing in Tasmania, creating hundreds of jobs, **no one is bothering to plant enough pine for them to keep growing, expanding and employing** (emphasis added by ABA).

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**SCOTT ANTHONY:** It is obviously a looming problem, and, you know, our business will have to be prepared for that reduction in resource, as will our competitor, I would imagine, at that point in time.

**REPORTER:** The town of Scottsdale has two pine sawmills, one in three local jobs is in saw-milling, then there's the flow-on as well. The local council can see what's happening, and it's worried.

**GREG PREECE, DORSET COUNCIL MANAGER:** I guess it's deeply in council's mind, if we can't get the raw product and we get another major industry like them closing, or reducing, their work force, it will leave a major hole in our economy.

**REPORTER:** The looming shortage in pine logs will come to a head in about six years, but council is already furiously lobbying the Government to change the focus of its forest policy if it really wants to create jobs.

**GREG PREECE:** We've held talks with the State Government. Council meets with various ministers and the Premier. It's certainly been raised at the Government level, with the Deputy Premier, who is the appropriate Minister and the Premier himself.

**REPORTER:** What the council wants is for the Government to intervene and push the industry towards planting more pine, to create more jobs and more value-adding industry in Tasmania. But there's no sign it's listening.

**GREG PREECE:** It's difficult to say. The Government sort of play their cards close to their chest. It's just a matter of continually reinforcing the issue.

### ***Complainant's submission***

The complainant submitted that:

- these statements are neither a fair, objective, balanced or professional presentation of the issues and do not allow the audience to make up its own mind;
- this is not a simple issue and its relevance to the current activities of Gunns is very much questionable;
- the SBS journalist states that pine (softwood) saw logs take 25 years to grow. Mr Scott Anthony of Frenchpine states in the program that there will be a drop in available resource (non-native softwood) in 2009/2010. This indicates that the lack of establishment of softwood plantations occurred in 1984/85 and not in 2001 when the program alleges Gunns became the State's dominant wood chip company;
- the program provides no details of what issues may have affected softwood plantation establishment in the 1980s;
- the program also does not report on the fact that over the past five years, the industry has committed to plant more pine and that this commitment has resulted in a major increase over this period of softwood planted, in effect, doubling the volume of softwood planted for each of the past five years to that planted before 1998;

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- the likely cause of concern of the Dorset Council over the supply of pine logs is the recent export sales of some of these logs by Rayonier, a company that is not associated with Gunns. Rayonier is a competitor of Gunns in the supply of pine logs to the softwood saw mills at Scottsdale; and
  - concern expressed by Frenchpine may have been in relation to private landowners preferring to plant hardwood rather than softwood or the export of pine logs. The SBS program and their response offer no explanation of the limited planting of softwood in the 1980s.

#### **Broadcaster's submission**

The SBS submitted that:

- the problem is based on the looming shortage of pine logs, and the dominance of woodchipping, as reflected in the officially supplied statistics. The Annual Reports of Forestry Tasmania make clear the extent to which the production of wood for pulpwood (including woodchipping) dominates the native forest industry;
- in the 2001/2002 report (the most recent available at the time the story went to air), official Forestry Tasmania statistics reveal total pulpwood production of 2,423,868 tonnes, which represents more than 80% of total production;
- in terms of the impact on the availability of pine, there is no doubt, as expressed in the story by Mr Scott Anthony, that there is a looming problem in the availability of pine logs for Tasmanian sawmills; and
- the key points are that, despite any increase in plantations in recent years, there is still a looming shortage affecting users of pine logs in Tasmania, and that this is attributed to the concentration of the industry on other uses, most notably hardwood for woodchips.

#### **Finding**

The ABA makes the preliminary finding that the statement, “The problem is a simple one...no one is bothering to plant enough pine for them to keep growing” did not breach clause 2.4.1 of the Code in relation to the requirements to present issues in a fair, objective balanced and professional manner.

#### **Reasons**

The ABA is of the view that the statements regarding a looming shortage of pine are a fair representation of the issues as viewed by the interviewees, Mr Anthony and Mr Preece. The ABA notes that in an attempt to achieve greater balance, the SBS requested interviews with Forestry Tasmania, Gunns Ltd and the State Government. In declining, these organisations missed an opportunity to have their views presented.

The thrust of the reporter's argument would appear to be the concentration on hardwood production at the expense of industries dealing with softwood production. The ABA considers that it was not unreasonable for the reporter to imply this scenario, and that an average viewer would be able to determine that the reporter's argument was based on the views of the interviewees.

The ABA notes the views expressed by Mr Scott Anthony and Mr Greg Preece appear to be shared by others in the Tasmanian softwood industry. Mr Andrew Jakab, Chief

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Operating Officer for Auspine (Tasmania's largest sawmiller) issued a media release which included the statements:

Like the majority of Australians, Auspine supports the Government's attempts to reduce the logging of old growth forests...For some time now, the job security of the workers in the softwood sector have been undermined by the mismanagement of Tasmania's softwood estate by Forestry Tasmania. The sector has nothing like the security enjoyed by the old growth logging sector who have long term access rights. Our industry has no security beyond 2006. As a result we cannot proceed with millions of dollars of capital investment and job creation. The volume of softwood that will be available in future appears to be declining due to mismanagement and a propensity to seek short-term cash gains by over-cutting and exporting logs.<sup>16</sup>

The ABA also notes the complainant's view that the segment's relevance to the current activities of Gunns is questionable. However, the ABA notes that the following statement appears on the Private Forests Tasmania website in relation to the planned future activities of Gunns Ltd:

The company owns 175,000 hectares of land in Tasmania and manages more than 65,000 ha of plantations of mainly eucalypts. Its plan is to liquidate its remaining softwood plantations resource over the next few years and convert this area to medium rotation eucalypt plantation to produce hardwood pulp.<sup>17</sup>

Having regard to the above, and in the context of the refusal of Gunns Ltd, Forestry Australia, the Forestry Industry Council and the State Government to be interviewed for the program, the ABA is satisfied that the reporter did not prejudge this issue or demonstrate an unwillingness to consider other viewpoints.

**16. *The statement: "In an attempt to bypass the Government and stop Gunns from clear felling old growth forests, the Wilderness Society forced an extraordinary meeting of Gunns in Launceston, urging shareholders to vote against the practice".***

***Complainant's submission***

The complainant submitted that:

- this statement is both inaccurate and misleading and does not reflect the Wilderness Society motion put to shareholders at the Gunns Extraordinary General Meeting (EGM);
- the motion was designed to stop all harvesting, not just clear felling. The motion would exclude the selection harvest proposed by interviewee Mr Ian Johnston;
- the motion includes all native forest and plantations in areas adding up to over 240,000 hectares, not just old growth forest; and
- the motion outlined below was available from the Gunns website, and from the Wilderness Society:

That the Articles of Association of Gunns Ltd be amended by adding, after the final existing Article, an article to be numbered in continuing numerical sequence with the existing Articles as follows:

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<sup>16</sup> <http://www.auspine.com.au/Company/Press.asp> - Press Release 17/09/2004

<sup>17</sup> <http://www.privateforests.tas.gov.au/pubindex.htm> - Plantation Information Series – Plantation Companies Operating in Australia

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Notwithstanding any provision to the contrary in these Articles, or the memorandum of association of the company. The directors shall not have the power to, and shall not, authorise any act of the company which will have the effect of causing the company to develop, clearfell, selectively log, or accept any resource whatsoever from the following areas of Tasmania:

Area covered by The Wilderness Society proposal for The Styx Valley of the Giants National Park; Proposed extensions to the Tasmanian Wilderness World Heritage Area (Huon, Picton, Weld, Styx, Mt Wedge, Florentine, Broad River, Navarre, Counsel, Upper Derwent, slopes of Snowy Range); Tarkine; Great Western Tiers; Eastern Tiers (reserves proposed by The Wilderness Society [TWS] and Tasmanian Conservation Trust [TCT]); North East Highlands (park proposed by TCT, and unlogged slopes of Mt Maurice, Mt Barrow and Mt Arthur); Proposed extensions to Ben Lomond National Park; Tasman Peninsula (areas proposed as extension to the Tasmanian Peninsular National Park); Reedy Marsh State Forests and marked Reserve Agenda Maps on the attached documents numbered A1 to A9.

#### **Broadcaster's submission**

The SBS submitted that:

- the statement was not meant to be a comprehensive analysis of every aspect of the motion before the meeting, but simply to convey that the effect of it, if passed, would have been to stop the clear fell logging of old growth forests, which had been the principal area of discussion of the story.

#### **Finding**

The ABA makes the preliminary finding that the statement, “In an attempt to bypass the Government...urging shareholders to vote against the practice” did not breach clause 2.4.1 of the Code in relation to the requirements to present issues in a fair, objective balanced and professional manner.

#### **Reasons**

The ABA notes that the complainant has queried the accuracy of this statement. Having reviewed the statement in its context, the ABA considers that it is more appropriately considered in terms of the requirement in relation to fairness, objectivity and balance. This is because the statement purports to represent the views and actions of the Wilderness Society.

The ABA does not interpret the relevant Code as requiring that all the available material relating to a particular matter be presented. It is, however, a requirement that the material that *is* presented is done so in a fair, objective, balanced and professional manner, leaving viewers in a position to draw their own conclusions based on the material presented. A current affairs program will demonstrate partiality if its reporters and presenters appear to have prejudged an important issue or show favour or criticism that is not warranted by accepted journalism principles and practices.

The complainant has provided details of the motion put forward in the extraordinary general meeting of Gunns Ltd, which it considers significant in this case. The ABA accepts the relevance the information generally has to the subject. However, the ABA considers that the broadcast, in its omission of presenting the actual motion put to the

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meeting, did not render the material presented as biased or prejudged. The ABA also considers that the reporter did not suggest he was presenting the full motion before the Gunn's EGM.

The focus of the program was the clear fell logging of old growth forests and allegations of how the system of claimed self-regulation favoured the logging industry, at the expense of the environment. In this regard, it would appear reasonable that the segment concentrated on those parts of the motion before the meeting that related to old growth forest.

**17. The statement: "Tasmanian Doctor Michael Vaughan who invests in Gunns"  
Complainant's submission**

The complainant submitted that:

- this statement is misleading and does not allow the audience to make up its own mind, as the reporter does not state that Dr Vaughan is also a member of lobby group "Doctors for Forests" and had been an active participant and speaker at anti-forestry protest rallies dating back to August 2001.

**Broadcaster's submission**

The SBS submitted that:

- Dr Vaughan was interviewed briefly outside the meeting. He was interviewed because the reporter had heard his comments inside the meeting, was aware of his views, and wanted to include them in the story. It was on that basis (i.e. his views as a shareholder in Gunns Ltd) that he was included in the story; and
- the reporter was not aware at the time that Dr Vaughan may have been a member of "Doctors for Forests", but that in any event, this was not raised during the meeting where he made his comments.

**Finding**

The ABA considers that the statement, "Tasmanian Doctor Michael Vaughan who invests in Gunns" did not breach clause 2.4.1 of the Code in relation to the requirements to present issues in a fair, objective balanced and professional manner.

**Reasons**

The complainant has advised that Dr Vaughan is a founding member of "Doctors for Forests", which it considers significant in this case. The ABA notes the relevance this fact generally has to the subject. While the inclusion of some material may result in a difference in emphasis, the ABA does not consider that this omission rendered the presented material as prejudged or partial.

The ABA considers that Dr Vaughan was representing himself, and not "Doctors for Forests", at the meeting and this was presented in a fair manner. The ABA also accepts the SBS submission that the reporter was unaware at the time that Dr Vaughan was a member of "Doctors for Forests".

**Action Taken by the Licensee/Broadcaster**

The ABA notes that the broadcaster has acknowledged the breach finding and corrected the transcript of the program, on the SBS website.

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The ABA considers this action addresses the compliance issue raised by the investigation and will continue to monitor the broadcaster's performance in this regard.

## Decision

I, Andree Wright, Director, Industry Performance and Review Branch, being the appropriate delegated officer of the Australian Broadcasting Authority, determine for the above reasons that the SBS, in relation to the broadcast of a report on *Insight* on 18 September 2003;

- did not breach clause 2.4.1 of the SBS Code of Practice in relation to accuracy, by presenting Mr. Johnston as “a new voice” in the Tasmanian forest debate;
- did not breach clause 2.4.1 of the SBS Code of Practice in relation to accuracy, by stating “people like Ian Johnston are suddenly finding themselves right in the middle of a bitter struggle over the future of Tasmania’s forests”;
- did not breach clause 2.4.1 of the SBS Code of Practice in relation to accuracy, by stating “only in Tasmania can you find Doctors for Forests – GPs who have put down their stethoscopes and picked up their placards”;
- did not breach clause 2.4.1 of the SBS Code of Practice in relation to accuracy, by stating “The number of seats in the Tasmanian Parliament was reduced, specifically to destroy the power of the Greens.”;
- did not breach clause 2.4.1 of the SBS Code of Practice in relation to accuracy, by representing the Valley of the Styx as native old-growth forest on the edge of a world heritage area (WHA);
- did not breach clause 2.4.1 of the SBS Code of Practice in relation to accuracy, by the description of Tasmanian company Gunns as a “virtual monopoly”;
- did not breach clause 2.4.1 of the SBS Code of Practice in relation to accuracy, by stating “further up the hill is an old growth area”;
- did not breach clause 2.4.1 of the SBS Code of Practice in relation to accuracy, by stating: “It doesn’t take much of a search to find the evidence still here, carrots poisoned with 1080. Nearby a dead possum and a dead wallaby”;
- did not breach clause 2.4.1 of the SBS Code of Practice in relation to accuracy, by stating “The area was being clear felled, the best logs removed and the rest left behind”;
- did not breach clause 2.4.1 of the SBS Code of Practice in relation to accuracy, by stating “...the logging trucks keep leaving the forests around Scottsdale bound for the Burnie wharf”
- breached clause 2.4.1 of the SBS Code of Practice in relation to accuracy, by stating “Tasmania is the last Australian State to allow clear felling in old growth forest”;
- did not breach clause 2.4.1 of the SBS Code of Practice in relation to a fair, objective, balanced and professional presentation of the issues by stating “This area is destined to become eucalypt plantation, almost certainly for wood chipping”

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- did not breach clause 2.4.1 of the SBS Code of Practice in relation to a fair, objective, balanced and professional presentation of the issues in the segment relating to Tasmania Together;
  - did not breach clause 2.4.1 of the SBS Code of Practice in relation to a fair, objective, balanced and professional presentation of the issues by stating “But Tasmania Together went off the rails when the benchmarks were finally released. One of them called on the Government to end clear felling in areas of high conservation value old growth forest by January 1 2003. It was a simple request and it would have stopped clear felling in the ‘Valley of the Styx’”;
  - did not breach clause 2.4.1 of the SBS Code of Practice in relation to a fair, objective, balanced and professional presentation of the issues by stating “The problem is a simple one...no one is bothering to plant enough pine for them to keep growing”;
  - did not breach clause 2.4.1 of the SBS Code of Practice in relation to a fair, objective, balanced and professional presentation of the issues by stating “In an attempt to bypass the Government and stop Gunns from clear felling old growth forests, the Wilderness Society forced an extraordinary meeting of Gunns in Launceston, urging shareholders to vote against the practice”; and
  - did not breach clause 2.4.1 of the SBS Code of Practice in relation to a fair, objective, balanced and professional presentation of the issues in presenting “Tasmanian Doctor Michael Vaughan who invests in Gunns”.

Signed: -----  
Andree Wright

dated this            day of March 2005

**TRANSCRIPT OF INSIGHT - September 18, 2003**

***Styx versus Gunns***

**PRESENTER:** It seemed as though the battles over Tasmania's forests would peter away when nearly half the state was protected from logging. But now there's a new conflict over how best to use what's left of the state's forests. And it's bringing fresh voices into a debate that has long been monopolised by extremes. Alan Sunderland reports.

**IAN JOHNSTON, BOAT BUILDER:** When I was 21 years old, I decided my mission in life was to go out and sail the oceans of the world, and the only way I could get myself a boat was to build it.

**REPORTER:** Ian Johnston loves sailing. He loves boats, wooden boats. All his work is done with wood.

**IAN JOHNSTON:** The timber in it is King Billy Pine, which is one of the finest boat-building timbers in the world. It's an absolutely wonderful timber.

**REPORTER:** After 11 years as a professional ocean racer, Ian Johnston settled down in his home State of Tasmania and started a business building wooden boats. That means he's a supporter of cutting down trees and using them to make things.

**IAN JOHNSTON:** This timber is silver wattle. It was regarded, years ago, as the finest timber you can use for things like airframes and aircraft propellers.

**REPORTER:** Why is that?

**IAN JOHNSTON:** It's tough, it's resilient, it's shatter proof. It's very flexible, and it's a very reliable timber.

**REPORTER:** Is this local timber you've got here?

**IAN JOHNSTON:** This is local timber. Basically, we found it in a coupe which was about to get clear-felled I've built a couple of dozen oars out of it.

**REPORTER:** But don't be fooled. Just because Ian Johnston works with timber, that doesn't make him a supporter of the Tasmanian forest industry. In fact, he's a huge critic.

**IAN JOHNSTON:** Basically, what's happening with these old growth forests which are being clearfelled, is that quite a lot of them are less than 50% eucalypt. They are clear-felling them, burning them. Almost all of the special species is burnt.

**REPORTER:** Ian Johnston is part of a growing middle ground in the Tasmanian forest debate - a new voice that hasn't been heard before. He believes Tasmania is wasting its forest reserves, selling them off cheaply for woodchips and burning excess logs as waste. But at the same time, he's not a traditional greenie. He doesn't argue for more national forests to be locked up and protected from the loggers.

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**IAN JOHNSTON:** We've already got heaps of areas in reserve - world heritage, national parks and other State reserves of various descriptions. It's just those timber production areas, which we need to change.

**REPORTER:** People like Ian Johnston are suddenly finding themselves right in the middle of a bitter struggle over the future of Tasmania's forests, a struggle that's entering a new phase.

**REPORTER:** It is 7:30 on a Hobart morning, two degrees and an all-day vigil is starting outside Parliament House.

**MAN:** Two degrees. It's not raining. It could be worse.

**WOMAN:** It's not snowing.

**MAN:** It could be zero.

**PETER ADAMS, VIGIL ORGANISER:** We are here seeking, from the Government, an acknowledgment of the dignity and reverence of all living things, all humans, all animals, all plants.

**REPORTER:** The message of the vigil is a simple one. After several years of relative quiet the future of Tasmania's forests is back on the political agenda. There are plenty of hardline greens braving the early morning cold, pushing messages they've pushed for years, but among them are new voices and less predictable banners. Only in Tasmania can you find Doctors for Forests - GPs who have put down their stethoscopes and picked up their placards.

**GEOFF COUSER, "DOCTORS FOR FORESTS":** To be honest, I've never actually met anyone who wants to shut down the forestry industry. The Government will say that there's a bunch of extremists out here in Parliament House, but I've never met anyone who has that sort of view. I think we all want a forestry industry. We all want one that is sustainable. We want one that makes Tasmania special and unique.

**MAN:** They are just doing one logging coupe after another.

**CHRISTINE MILNE, TASMANIAN GREENS:** All through Reddy Marsh?

**REPORTER:** One of the more familiar political faces at the vigil belongs to this woman, Christine Milne, a 20-year veteran of Tasmanian environmental politics.

**CHRISTINE MILNE:** Isn't this a fantastic day. How are things up on the Blue Tier?

**WOMAN:** Good, lots of ideas. Lots of positive stuff happening.

**CHRISTINE MILNE:** Are the loggings going on at a horrific rate, still?

**WOMAN:** They're not on the tier at the moment because of the weather.

**REPORTER:** Since the late 1980s, Christine Milne has gone from the centre of Tasmanian politics to obscurity. Once a senior member of a Green-Labor coalition government, she lost her seat five years ago. Now she's on the way back. Her story reflects the way the environment has re-emerged as a defining issue here.

**REPORTER:** Dr Brown, how do you feel?

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**REPORTER:** In 1989, the Tasmanian Greens, led by Bob Brown and Christine Milne, signed an historic accord with the Labor Party to form government. The Greens had five seats and their numbers were crucial.

**MICHAEL FIELD, FORMER TASMANIAN PREMIER:** This represents a bold, unique experiment in Tasmania's history. I'm positive that we can translate the mandate of the people into a new direction for the State and I'm sure, after working so hard to make it happen, we'll make sure that it will work.

**REPORTER:** It didn't work. Labor and the Greens argued over a range of issues, especially forest policy, and the Government collapsed. Labor vowed never to work with the Greens again, and it never has. The number of seats in the Tasmanian Parliament was reduced, specifically to destroy the power of the Greens. By the mid-'90s, the Greens were down to just one MP and it seemed their influence was gone forever. But all of that changed at the last State election a year ago.

**PEG PUTT, GREENS LEADER:** We Greens have crossed a threshold, throwing off for good the "single issue" tag, recognised for hard work and perseverance and making strides towards becoming a major political player.

**REPORTER:** The Greens picked up over 18% of the vote - their best result ever. They now have four seats in Parliament and Christine Milne is planning to capitalise on that by running for the Senate in the next Federal election.

**CHRISTINE MILNE:** The people are trying to take back control of the future direction of Tasmania. They're trying to take back the people's forests.

**REPORTER:** According to the Greens, their resurgence is largely because of a new campaign to save Tasmania's forests, a campaign that is pushing support for Green issues back to centre stage.

**REPORTER:** We're on our way into the 'Valley of the Styx', one of Tasmania's old growth forest areas, with Christine Milne and the Wilderness Society's Virginia Young.

**VIRGINIA YOUNG, WILDERNESS SOCIETY:** This is the gateway to one of the most special places on earth. Only 113 natural world heritage sites on the planet and this is the gateway to one of them.

**REPORTER:** The 'Valley of the Styx' is native old growth forest on the edge of a world heritage area. Conservationists want to save it, but Tasmania's biggest company, a timber firm, Gunns, has been given permission to log it. Gunns is a traditional family company that in recent years has transformed itself into a billion-dollar enterprise on the back of huge woodchip exports and a virtual monopoly on the logging of Tasmanian forests. The battle over its current logging plans has been dubbed by the locals - "Styx versus Gunns".

**VIRGINIA YOUNG:** The reason there's a locked gate on the road and we had to get a key is because they are logging immediately past the area that we're showing you.

**CHRISTINE MILNE:** Oh, my goodness! That's a myrtle.

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**VIRGINIA YOUNG:** That is all old growth forest being taken out. We thought of naming it the 'Lord of the Rings' because it just has that... It's so primeval and it is an ancient rainforest understorey with the myrtles and sassafras.

**CHRISTINE MILNE:** And the dixonia, look at this. Fantastic.

**VIRGINIA YOUNG:** Which are all Gondwanan forest relics. Fantastic.

**REPORTER:** The section of forest they take me to is listed for clear-fell logging next year.

**CHRISTINE MILNE:** You can't really see it can you, through the lens.

**REPORTER:** It's very hard to get a feeling of just how big it is.

**CHRISTINE MILNE:** Of what the perspective is. At least if we do that...

People in other states would be horrified to think that ancient forests like this are being clear-felled. The animals are being poisoned. They're then coming in and putting in plantations, destroying the whole ecosystem, and you have to ask why.

**REPORTER:** Further up the hill is an old growth area that has just been clear-felled.

**VIRGINIA YOUNG:** This was all old growth. What you see, the remains they've just pushed into windrows and burned after they've encouraged all the animals out to feed, then they lay poisoned carrots and then there's a massive death toll, and that's to help the seedlings that are planted out.

**REPORTER:** It doesn't take much of a search to find the evidence still here, carrots poisoned with 1080. Nearby, a dead possum and a dead wallaby. This area is destined to become a eucalypt plantation, almost certainly for wood chipping.

**CHRISTINE MILNE:** The forest industry as it currently stands, is dominated by the woodchip companies. We're not really talking about a forest industry we're talking predominantly about Gunns. We're talking about the people's forests being converted to woodchips with about a 1% rate of return to Forestry Tasmania, and a massive profit to Gunns, the main woodchipper. That's what we're talking about.

**REPORTER:** Later in the afternoon, I travelled a few kilometres further into the Styx with a couple of local guides to where the logging is going on right now. Despite repeated requests, 'Insight' couldn't get permission to film any logging operations, so we had to move discreetly into the edges of the newly cut coupe. Not far up the hill was a cable logging operation. The area was being clear-felled, the best logs removed and the rest left behind.

**REPORTER:** Environmentalists say most of this wood will end up as woodchips and the official statistics seem to support that. Last year, according to Forestry Tasmania, the State's native forests produced just over 400,000 tonnes of saw logs for various uses, 86,000 tonnes of peeler logs, for timber veneer and plywood, and 2.4 million tonnes of pulpwood for woodchips. That's over 80% of the total volume ending up like this - a mountain of woodchips sitting on the wharf at Burnie awaiting export.

**REPORTER:** 'Insight' approached Gunns, the company that dominates Tasmania's

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timber industry, but they refused an interview, and they refused to let us film any of their operations. We approached the Tasmanian Government and asked for an interview with the Premier, Jim Bacon, or any other minister. Again, they refused. Gunns and the Government both argue that current logging policies are sensible and sustainable. But it seems that growing numbers of Tasmanians disagree and that's at least partly the Premier's own fault.

**TV ADVERTISEMENT:** What is your vision for Tasmania?

**REPORTER:** Not long after he was elected, Jim Bacon launched an ambitious project called Tasmania Together. It was two years of exhaustive community consultation designed to produce a series of benchmarks and milestones in all policy areas. Back then, Jim Bacon promised to listen to what the community told him it wanted.

**JIM BACON, TASMANIAN PREMIER:** We will adapt our legislation, our budgets, our day-to-day decision-making to ensure that we not being an obstacle to achieving the milestones, that we are contributing to achieving them. And of course, a lot of that is leaving the rest of the community to collectively achieve them.

**REPORTER:** But Tasmania Together went off the rails when the benchmarks were finally released. One of them called on the Government to end clear felling in areas of high conservation value old growth forest by January 1 2003. It was a simple request and it would have stopped clear felling in the 'Valley of the Styx'.

**REPORTER:** But, after promising to help achieve the benchmarks the Bacon Government back flipped. It ignored its own community consultation and refused to stop the clear felling, saying - it will not pursue a policy that results in any further jobs being lost in the forest industry in Tasmania.

**PETER ADAMS:** It seems like we had a wonderful opportunity to demonstrate not only to Tasmanians, but to the world, that we are working together as a whole and then all of a sudden, the benchmark is set, it's just - not even closely acknowledged. It's like, you go, "OK, what's next?"

**REPORTER:** It's that decision, more than any other, that drove the middle ground of the Tasmanian community back into the arms of the Greens and prompted the vigil outside Parliament in Hobart.

**REPORTER:** The Greens have always campaigned against logging old growth, but now the broader community has begun expressing concern other voices are speaking out - voices that aren't normally heard in this debate, people like our wooden boat builder, Ian Johnston.

**REPORTER:** Ian Johnston doesn't normally go to anti-logging protests or rallies. He doesn't even think of himself as a greenie. He believes the State does need a logging industry, but not the one it has now. For him, it's all about the waste involved in cutting down trees that end up as woodchips, or rubbish on the forest floor.

**IAN JOHNSTON:** Now there is a group of people who are in the middle who understand much better the situation. We are saying, "Stop clear-felling. Selectively

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harvest - you can do it." And we've got plenty of areas in reserve, but just those areas which are in timber production areas, manage them in a way that is sustainable.

**REPORTER:** But is that voice being listened to?

**IAN JOHNSTON:** No. Basically what we're fighting is we are fighting Gunns, Forestry Tasmania and the Government, and you've got a bipartisan political system where the Liberal and the Labor have got the same policies and they all support Gunns.

We created the house to blend in as much as we possibly could with the environment we've got here - just the low rolling hills all the way around. The grey colours suit the eucalypt environment which we're in.

**REPORTER:** When Ian settled back in Tasmania to build his boat building business, he built his own home using timber salvaged from the forest floor.

**REPORTER:** A lot of timber.

**IAN JOHNSTON:** A lot of timber. We laminated the beams up ourselves out of Tasmanian hardwoods. They're just beautiful 12m spans of timber, and the floor is just myrtle. This is pink myrtle, which we recovered from one of the clear-fell burns.

**REPORTER:** Ian was so proud of his pink myrtle floor boards, he decided to take a sample overseas to see if he could export it to the construction industry there.

**IAN JOHNSTON:** I took samples of this over to England and I said, "What do you think of this?" They said, "Fantastic. How much can you supply? How many container loads can you give me?" I said, "Well, the problem is that the stuff is getting burnt at the moment." And they fell off their chairs. And I said, "It's not certified." And they got up off their chairs and said, "When you've got your problem sorted out, we'll be most interested in buying it."

**REPORTER:** Ian Johnston has salvaged tonnes of timber from Tasmania's clear-felled forests, but he can't get it certified as coming from an ecologically sustainable logging process, and without that, he can't sell it overseas.

**IAN JOHNSTON:** So, you know, quite possibly, we could have set up a business, employed 100 people in Tasmania to sell timber. But because we've got such poorly managed forests - no way, can't do it. Forget it.

**REPORTER:** It's not just small-scale users like Ian Johnston that feel frozen out of the current logging industry. French's Sawmill at Scottsdale, in Tasmania's north-east, has been operating for 75 years. It employs 180 people processing exclusively pine plantation logs.

**SCOTT ANTHONY, GENERAL MANAGER, FRENCHPINE:** The softwoods processing industry is very much a vital part of not only the north-eastern Tasmanian community, but the Tasmanian community as a whole. Our value-added process employs a lot of people and, alternatively, generates a lot of revenue for the local community.

**REPORTER:** The management of French's Sawmill have no desire to get into any political controversy. They don't criticise the way Gunns runs its logging business and they don't criticise government forest policy. But the fact is, in a State where the most

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common criticism is that there's too much logging, French's biggest problem is that it's running out of wood.

**SCOTT ANTHONY:** We have reasonable resources through until about 2009, 2010, then there will be a drop in available resources in Tasmania at that point in time.

**REPORTER:** The problem is a simple one. In an industry dominated by a company like Gunns, the push for woodchips is squeezing out all the other competing demands for timber. There is more money to be made and it can be made quicker if native forests and hardwood plantations are cut down and exported as woodchips or whole logs.

**REPORTER:** By comparison, the sort of pine plantations French's need take 25 years to mature. So even though the pine sawmills do all their processing in Tasmania, creating hundreds of jobs, no one is bothering to plant enough pine for them to keep growing, expanding and employing.

**SCOTT ANTHONY:** It is obviously a looming problem, and, you know, our business will have to be prepared for that reduction in resource, as will our competitor, I would imagine, at that point in time.

**REPORTER:** The town of Scottsdale has two pine sawmills, one in three local jobs is in saw-milling, then there's the flow-on as well. The local council can see what's happening, and it's worried.

**GREG PREECE, DORSET COUNCIL MANAGER:** I guess it's deeply in council's mind, if we can't get the raw product and we get another major industry like them closing, or reducing, their work force, it will leave a major hole in our economy.

**REPORTER:** The looming shortage in pine logs will come to a head in about six years, but council is already furiously lobbying the Government to change the focus of its forest policy if it really wants to create jobs.

**GREG PREECE:** We've held talks with the State Government. Council meets with various ministers and the Premier. It's certainly been raised at the Government level, with the Deputy Premier, who is the appropriate Minister and the Premier himself.

**REPORTER:** What the council wants is for the Government to intervene and push the industry towards planting more pine, to create more jobs and more value-adding industry in Tasmania. But there's no sign it's listening.

**GREG PREECE:** It's difficult to say. The Government sort of play their cards close to their chest. It's just a matter of continually reinforcing the issue.

**REPORTER:** But whilst that discussion goes on, the logging trucks keep leaving the forests around Scottsdale bound for the Burnie wharf. The pine sawmillers of Scottsdale may not want to turn their lack of wood into a political issue, but others do.

**REPORTER:** In the last few weeks, the battle over Tasmania's forests has shifted focus to the company itself, to Gunns, reputedly the biggest exporter of hardwood woodchips in the world.

**REPORTER:** In an attempt to bypass the Government and stop Gunns from clear-

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felling old growth forests, the Wilderness Society forced an extraordinary meeting of Gunns in Launceston, urging shareholders to vote against the practice.

**VIRGINIA YOUNG:** Because democracy in this State doesn't work. We know that the majority of Tasmanians want to see the forest that are before this company today, asking for protection.

**CROWD:** That's not true! Not true!

**VIRGINIA YOUNG:** They are your very forests that the Tasmanian people have asked to be protected.

**CROWD:** Go and have a look at it, Virginia. Go and have a look at it!

**REPORTER:** The scene outside the meeting quickly deteriorated into the usual propaganda struggle between pro and anti-logging supporters. Both sides struggled to get the best spots for their banners. There was minimal discussion and no common ground.

**MAN 1:** Selective logging is a good thing to do.

**MAN 2:** What happens if you have a wildfire?

**MAN 1:** If that happens, it's an accident.

**MAN 2:** Yeah, that's an accident. So it's better to have a wildfire burn more than usual?

**REPORTER:** The meeting, when it finally got under way, was closed to the media. It was over in 90 minutes and the motion to stop clear-felling old growth was overwhelmingly defeated by company proxies and institutional shareholders. The Greens put on a brave front.

**VIRGINIA YOUNG:** Well, I was actually quite pleased with the meeting. I was pleased that as much discussion was allowed. I think it was a good opportunity for many Tasmanians to have their concerns expressed.

**REPORTER:** Despite the media ban, I went into the meeting to observe, and one of the more notable things was the people who weren't from the traditional green movement who spoke out against the logging practises of Gunns, people like 88-year-old local Ruth Rowe.

**REPORTER:** Do you feel like had you a chance to have a good say today?

**RUTH ROWE:** Oh, yes, I did have a chance, yes. We sat in the front and that was - nobody seemed to want to sit at the front. They were all embarrassed.

**REPORTER:** Ruth stood up and told the meeting that clear-felling logging was destroying Tasmania's image for mainland visitors. It gained her a standing ovation.

**RUTH ROWE:** I have friends that live here. They came from the mainland but they bought into a heritage area, Longford, quite close to the township. They go down and get the bread and the milk. All that they see are constant log trucks, constant log trucks.

**REPORTER:** Another speaker was Tasmanian doctor Michael Vaughn who invests in Gunns through the super scheme he runs as an employer.

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**MICHAEL VAUGHAN:** I feel that I am not a traditional greenie, but I am a member of society and I think that I help to represent what society feels which is not being heard by our company and as a shareholder of Gunns, I think it's very important that the board can hear from all aspects, all members of society, and I'm lucky enough to be able to come here as a shareholder to express that to our board today.

**REPORTER:** Tasmania is the last Australian State to allow clear felling in old growth forest. While it protects almost 40% of its forests from logging, it's the way it logs the rest that's increasingly causing community debate. And in the current political climate here, that debate is not about to go away.

**IAN JOHNSTON:** You know, we can have a wonderful industry forever in Tasmania. But if we just turn ourselves into another pulpwood factory...it's crazy. You know, why not take advantage of what we do best down here? We've got high-quality craftspeople. We have got the world-class timber, and we're just burning the stuff. Argh! I get upset.

END OF TRANSCRIPT