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About the Australian Press Council

The Australian Press Council Incorporated is the self-regulatory body of the print media. It was established in 1976 by the print media industry, with no government involvement, and has two main aims:

to ensure that the free press acts responsibly and ethically and

to help preserve the traditional freedom of the press within Australia.

To carry out its former function, it serves as a forum to which anyone may take a complaint concerning questions of editorial ethics (but not about advertising or the commercial operations) in the press. It settles over half of all such complaints by conciliation.

In its attempts to preserve the freedom of the press, which is in essence the freedom of the people to be informed, it keeps a watching brief on developments that might impinge on such freedoms and makes representations to governments, parliaments, the courts and other relevant bodies.

The Council is funded by the newspaper and magazine industries, although it is independent from interference from its constituent bodies, and its authority rests on the willingness of publishers and editors to respect the Council's views, to adhere voluntarily to ethical standards and to admit mistakes publicly.

The Council consists of 22 members, representing the publishers, journalists and members of the public, and is chaired by an independent Chairman. It meets every six weeks, usually in Sydney, where it maintains a small office, headed by the Executive Secretary. One of the main items on the agenda at each meeting is the consideration and adjudication of any complaints referred to it.

The Council is an incorporated association that has the power to amend its own Constitution, with the approval of the constituent bodies. It has wide powers to determine and vary its internal structures and procedures.

Further information on the Council can be found at <http://www.presscouncil.org.au>

Trends

by **Ken McKinnon**
Australian Press Council

While there is clearly evidence of a speedy response from media companies to the unprecedented collapse of world financial markets of late 2008, and to continuing rapid technological developments, those forces do not fully account for all of the trends that we report in this edition of the State of the News Print Media in Australia.

There have certainly been evolutionary changes in newsrooms and in reporters' roles, but the frequent prophecies of the imminent end of newspapers from the doomsayers have not been accurate for Australia, at least not yet. Discussion of trends in the print media, as a consequence, raises as many questions as answers.

The key trends that emerge from the material discussed in this edition include:

- 1 Convergence of media platforms has transformed newsrooms, requiring multi-skilled staff and reformed training practices, both in tertiary institutions and media organisations, and has led to substantial job losses.
- 2 Weekday circulation in broadsheets is generally holding steady, while there has been decline in tabloid circulation; the decline being more apparent in Sunday newspapers.
- 3 There have been continuing sharp increases in the number of readers accessing newspapers via the internet.
- 4 There have been steep falls in circulation in the magazine market, in individual titles, balanced somewhat by the publication of more titles in particular niche markets.
- 5 Traditional news values persist within established media organisations despite changed newsrooms and new media, even in the face of persistent official spin. Newspapers alone provide the sort of detailed background to, and analysis of, major stories that enable readers to place the matter within a relevant context.
- 6 There has been increased concentration of ownership into three main companies, News Ltd, Fairfax and APN News and Media.

7. Debates over increased use of outside contributions to newspapers continue. There appears to be greater reliance on press release material, news agency feeds from affiliated overseas newspapers, blogging and other sources including readers and paid (chequebook) contributions but data are scarce. Blogging on newspaper sites, by external contributors as well as employed journalists, has increased rapidly.
8. The vigorous efforts of the Press Council, and latterly the publishers' Right to Know campaign, have arrested the trend of several years toward erosion of free speech. Announcements of intention to legislate for more political openness, better Freedom of Information laws and practices, whistleblower protection and journalist shield laws have been encouraging.

All of the metropolitan, and some regional and rural newspapers, now have online editions which are enjoying spectacular traffic growth (doubling, or more, in a year) and growing advertising revenue. Online news publishing was supposed to cannibalise the circulation of the daily newspapers, but puzzling figures have emerged. Between 2006 and 2008 the Monday to Saturday circulation figures show that the "quality press", The Australian, The Financial Review, The Age, and The Sydney Morning Herald are holding their own. On the other hand, pretty well all the metropolitan tabloids are suffering Monday to Saturday circulation declines of about 3 per cent. What should we make of that? Is it really a flight to quality? The trend is contrary to the rationale that some newspapers made when changing from broadsheet to tabloid: that reader preferences are for more easily managed newspapers with shorter more easily digestible articles.

Sunday newspapers generally are suffering worryingly large circulation declines close to 6 per cent for the higher circulation papers and around 4 per cent for the others. What can be the reason? Is it a reflection, like the claims made for the decline in tabloid sales, the product's quality?

In aggregate, regional and country newspapers are holding circulation levels pretty well, with the usual startling exceptions, often as a clear consequence of changes of editors.

The really big dip is occurring in the magazine circulation figures. In the last year some old favourites like The Australian Women's Weekly, Woman's Day, New Idea, Cleo and Cosmopolitan have suffered year-on-year circulation declines of between 10 and 20 per cent, with most of the others suffering declines of between 5 and 9 per cent. Titles are being withdrawn and new ones, thought to be more attuned to the changing tastes of readers, introduced. Australians have long bought more periodicals relative to its population than the US and the UK, but the circulation declines of the last year, whether signalling a real change of taste or simply a reflection of less money in readers' pockets must be causing much worry among the publishers.

The disconnect between changes in audited circulation figures and those measuring readership underline how rubbery readership figures are. They are not always plausible. It's a pity because publishers need better figures, not only about how many people have even fleeting contact with a paper, but how thoroughly they read it. Nobody seems to know whether readers are essentially segmented groups, that is, whether there are some who only read the sports, the fashion or the news sections only, as opposed

to others who read the whole paper. There does not seem to be any agency that can authoritatively quantify how long individuals spend reading particular issues, nor what engages readers' attention and for how long. This report has not been able to find any work in progress on this topic.

The ownership trend is quite clear. Following the 2006 legislative changes, ownership of newspapers has become even more concentrated than in previous years, certainly more than in comparable countries. The merger of Fairfax and Rural Press in a \$9 billion deal, the purchase of Federal Publishing Company by News Limited, and the purchase of individual titles by the Fairfax and Australian Provincial Newspapers have resulted in these three owning all but one metro (The West Australian) and two regional dailies (Shepparton News and The Sunraysia Daily) and a declining number of independently owned regional and rural papers. Moreover, abolition of the separation of newspaper and television ownership has resulted in Channel 7 buying up some 22 per cent of West Australian Newspapers, which could well be a forerunner of further convergence through cross-media ownership.

The growth of online readership has special urgency for newspapers since news delivery over the internet does not depend upon the availability of a lot of capital. New publishers can come in since website start-up costs are relatively low. Reporting and editing costs for each issue are still important considerations. Depending on the breadth of the ambitions of the publisher it is certainly possible to become a niche publisher at little cost. Newspaper owners are energetically countering the perceived fragmentation threat with their own online editions and with blogs written by their journalists.

The principal trends here are efforts to monetise the rapidly increasing popularity of their sites and the increasing array of multi-media skills required of their staff. As for the print editions there is clearly a need for better measurement of who is reading what online. And for a better exploration of the differing attitudes of established media companies to online material, including blogs, following the realisation among publishers that the usual editing (monitoring) to avoid defamation law suits is essential in Australia. To what extent are newspaper websites less adventurous than those of individuals publishing niche blog sites, or the offerings of the maverick, online only, publishers?

Following the recently announced 550 staff redundancies at Fairfax Media, debate about whether Australian newspapers are 'dumbing-down' has surfaced again. News Ltd too has made recent international announcements that suggest there will be some reduction in the size of its newsroom staff to meet difficult economic times. No reliable data are available as newsroom staffing figures are not made public year-on-year. Owners claim that such information has to remain commercial-in-confidence. One consequence of the absence of good data is that there are divergent claims about work force trends: that the redundancies in one company will lead to its newspapers losing their best and brightest; and, alternately, that technology has enabled the production of newspapers of equal or better quality than in the past to be achieved with fewer personnel.

The way in which newspapers report public events (and, in some cases, greatly influence the course of public events) is often the subject of criticism on questions of fairness and balance. In the case of Dr Mohamed Haneef diligent and persevering investigatory work,

led by one outstanding journalist, raised many doubts about the original trajectory of the story. Leads were pursued and the police work questioned in such a way that the prosecution appeared to be unjustified, doing the accused a real injustice. The analysis in this report provides a compelling picture of newspapers determined to devote enough resources to get to the bottom of a major security event and properly analyse it. The newspapers' efforts showed journalism at its best. Newspapers and good journalists in these types of stories perform a service to the nation.

In the light of that it is a pity that two outstanding investigating reporters, Hedley Thomas, who led the Haneef story, and Chris Masters, have recently retired both citing the pressures on them and their families arising from their efforts. The public benefits from the willingness of such journalists to get to the bottom of murky events that otherwise would go unchallenged.

Not all material in newspapers is developed by their own editorial staff. Content sources such as press agencies like AAP have long provided many stories for Australia's newspapers. The needs of a twenty-four hour newsroom have led to a greater reliance on such sources. Increasingly in a globalised world, newspapers develop relationships with overseas publications with which they share articles on a reciprocal basis. In contrast to the maintenance of overseas bureaux, such stories can lack the context that an Australian journalist working in a foreign country can provide. The current claim is that the greater reliance on outside sources has led to a diminution in quality. No particular data trend could be established. In this connection, there are a number of trends but no real conclusion as to where they will lead in the long-term.

The formidable growth over the last few years of media management teams (aka "spin doctors" or PR departments or Corporate Communications) within all organisations of any size, teams devoted to protection of senior executives and organisations and to getting the company's story published raises the bar for journalists and editors. Access to the principals involved in a news story, including CEOs and elected officials, is often well-nigh impossible. All of which leads to an unfortunate trend, as yet anecdotal and unquantified, in which the pressures of the newsroom (or according to some, laziness, or inadequately trained journalists) result in everyday reuse of press releases without re-writing, checking or analysis. Checking the reliability of press release information, or of unattributable "spin", lies at the heart of good journalism.

At the same time, the ability of the public to contribute to online blogs, to be sources for stories when no journalist was present or even to establish their own online publications constitutes a new element in journalism, "citizen journalism". A combination of the ubiquity of internet phone/cameras and the ease of transmission is now likely to result in non-journalists getting the first photos to newspapers, before even the police arrive, certainly before they can "manage" reporting in any way. We can now get the news as it happens, but this raises similar questions to those related to PR: the need to check the accuracy, fairness and balance of the material. Newspapers have increased difficulty in preventing publication of inaccurate material and can allow themselves to be used for reputation destruction.

Another aspect of this need for proper use of source material is the use of part-timers and what is sometimes pejoratively referred to as 'chequebook journalism', which has a long history in newspapers. Contributors reporting a significantly newsworthy event or an accident as news that would otherwise have gone unreported are normally paid without anyone considering it chequebook journalism. In short, the meaning of the term depends on the event reported, the degree of accuracy and reliability, and its placement in the paper. The debate on the ethics of the use of paid-for sources is one that will continue.

The foregoing trends increase the need properly to train journalists, both before starting on their careers and in-house. The trend toward an expectation by newspapers that new staff will be all-purpose, multi-skilled, ethically sensitive and infinitely adaptable work-horses, ready for whatever comes over thirty-year careers, is a big ask. Training institutions, and newspapers themselves, would be wise to devote resources to as much staff development as needed to ensure the industry can cope. While this report has three case studies of current trends and reactions within the industry to training, no analysis of any overall trend is attempted.

The press's freedom to report remains a significant public issue. The establishment by the major publishers and broadcasters of the Right to Know campaign, with an initial report prepared by Irene Moss and her team, is worthy of particular note. Their audit highlights a long list of matters, mostly discussed in previous Press Council Annual Reports and earlier editions of the State of the News Print Media in Australia, where action to lessen threats to press freedom remain. Subsequently the publishers, particularly News Ltd, have kept information-reform needs before governments and the public. At this time, responsive action by governments is more incipient than well advanced.

Access to information is the primary requirement for the media and, in the light of that, action by several states and territories, as well as the federal government, to clean up their act in providing access to documents and reports is welcome. The Council particularly welcomes the Queensland The Right to Information report, from a group chaired by David Solomon, which advocates major changes in public service culture as well as Freedom of Information legislation and procedures. It is a report that is influencing moves towards more open government nationally. Changes to FoI culture, and increased protection for public-interest whistleblowers, will complement a change in government culture that sees its responsibility to release, rather than restrict, information it holds.

Not so beneficial to openness of public debate is the advocacy of expanded personal privacy while there remains no legal protection of free speech. This threatens the balance between legitimate individual privacy and the dissemination of information that is, or should be, in the public domain. Similarly the courts are still not sympathetic to a better flow of information. Contrary to their mantra of justice being seen to be done, judges are not yet at all positive about reforming court processes to achieve greater openness. Since courts and judges depend upon openness for maintenance of public

confidence in the justice system, the present unwillingness to contemplate reform can only diminish that confidence.

The already tough times for newspapers are about to get tougher as a direct consequence of world-wide economic hardships. Fortunately Australia is distinguished by newspaper management that is inventive and responsive to reader needs. Some see the necessary actions as a survival challenge, whereas others, more confident, see new opportunities. Most of the trends reported in this edition, particularly those that highlight the continuing importance to readers of the quality of journalism, are capable of exploitation in positive ways.

Who's Reading What?

2.1 Themes

In the *State of the News Print Media in Australia 2006* and in the *2007 Supplement*, there were detailed chapters on historical and current circulation and readership. In this report Inez Ryan has updated these data.

The most recent data underline particularly increased use of online news sites and astonishingly increased rates of access.

The data indicate that newspaper circulation in Australia, when compared to the US and the UK, for example, is reasonably stable. In fact, “quality” press (broadsheet) circulations have risen slightly, while tabloids have generally suffered a slight decline. There has been a greater decline in the circulation of Sunday newspapers, for reasons yet to be adequately explored.

Care must be taken when comparing current figures with 2006 and earlier as there were significant changes in 2007 in the methods used by the Audit Bureau of Circulation in assessing the number of newspapers sold, in the interest of greater accuracy.

Questions about the adequacy of readership figures were raised in the two earlier editions of this report and they remain valid. Nonetheless the readership figures are presented here as a guide on the trends in this area. Even if there are methodological concerns, the methods for gathering the data remain the same year-to-year and the comparisons should be valid.

In a crikey.com.au article on May 26 Margaret Simons questioned, “Are Nielsen Net Ratings bunkum?” Again, there are good reasons to question the methodology used for these figures – assessing the popularity of online news sites by means of “unique browsers” visiting the sites – but we have very few other data that can claim to be any more accurate as reflections of internet usage.

One question that remains unanswered is: do visits to newspaper websites indicate additional readers, so that the total is taken to indicate a greater level of “circulation”? Or are those accessing newspaper websites supplementing their print experience by following stories through the day? The Audit Bureau of Circulations is looking at ways of including website visits as a part of its circulation audit. If it were to do so, and it was able to separate repeat visits from those accessing the online version only, we might have better data for future reports.

2.2 Overview of Circulation and Readership

by **Inez Ryan**
Australian Press Council

Before devoting space to an analysis of readership, circulation and online readership data it is important to acknowledge that there is an ongoing debate about the accuracy and reliability of available statistics. Margaret Simons, among others, has referred to anomalies in the data which raise questions about the degree to which it gives a true representation of audience participation by Australian readers.^[1] In particular, she notes that circulation and readership figures tend to diverge where one would expect them to correlate more closely:

“Steve Allen of Fusion says the overall trend is circulation down by about one per cent and readership up. Circulation and readership moved more or less together in 2005 but since then the anomalies have been increasing.”^[2]

Commentators have speculated about the reasons for the anomalous data but the true reason for the disparity is not entirely clear. Whatever the reason, there is no viable alternative but to focus on the available statistics in order to identify trends in the behaviour of Australian audiences.

It should also be noted that the Audit Bureau of Circulations altered its methodology in 2006. Consequently, caution should be exercised in making any conclusions about the trends between circulation up to 2006 and from 2007 on.

2.3 Metropolitan and National Dailies

2.3.1 Circulation of Metropolitan and National Dailies

Circulation for Australia’s major metropolitan dailies, when considered in total, has dropped in the last two years. However, the total drop in circulation between June 2006 and June 2008 was only 0.7 per cent. The circulation for many publications is relatively stable, and some newspapers have actually enjoyed an increase in circulation in the same period. The factor that seems to have had the most profound impact on the decline in total circulation is the significant drops suffered by tabloid newspapers. Brisbane’s The Courier-Mail, Melbourne’s Herald Sun, Sydney’s The Daily Telegraph, Adelaide’s The Advertiser and The West Australian have all suffered marked reductions in sales in recent years. When the total

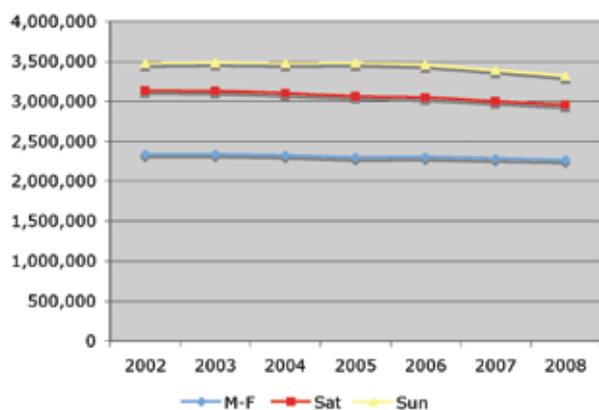
circulation for tabloids is considered separately from broadsheets the decline has been 3.26 per cent for weekday editions and 4.65 per cent for Saturdays. By contrast, broadsheets have enjoyed an increase of 1.96 per cent for weekday editions. While Saturday broadsheets have suffered a dip in circulation since 2006, it was only 0.37 per cent.

The data reveal a divergence between the trends for Monday to Friday editions and those for weekend editions. Overall circulation of Saturday editions of metropolitan dailies dropped by approximately 46,500 (1.55 per cent) across the board between June 2007 and June 2008, compared with a drop of less than 20,000 (0.88 per cent) for Monday

to Friday editions in the same period. While there may be other factors contributing to this discrepancy, it seems likely that the causal element is the traditional significance of classified advertising as a motivator for purchasing a Saturday paper, together with the ever-increasing shift of classified advertising to the Web. Sunday editions, which have the highest circulation of the metropolitans, have also continued to suffer the most significant declines in recent years, losing four per cent in sales between June 2006 and June 2008.

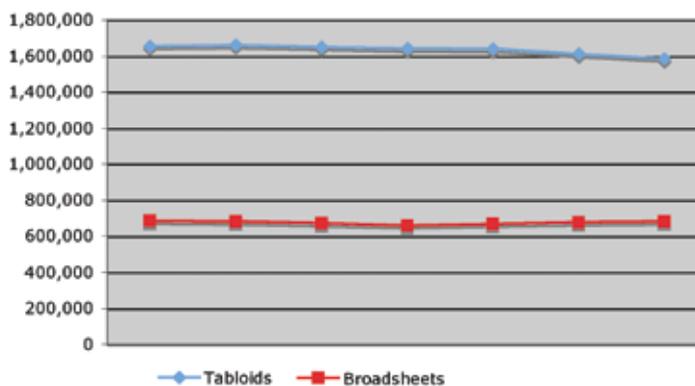
By way of comparison, circulation of US dailies has dropped by 2.5 per cent and circulation of US Sunday editions has dropped by about 3.5 per cent every year for the last three years. [3]

Circulation Metropolitan Dailies 2002-2008



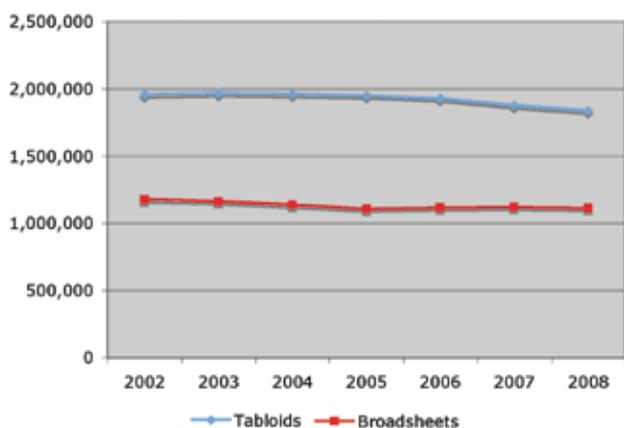
Graph 2.1 Circulation: Metropolitan Dailies 2002-2008

Tabloids v Broadsheets Circulation M-F 2002-2008



Graph 2.2 Circulation: Tabloids versus Broadsheets, Monday to Friday 2002-2008

Circulation: Tabloids v Broadsheets, Saturdays



Graph 2.3 Circulation: Tabloids v Broadsheets, Saturdays 2002-2008

Table 2.1 Circulation: Metropolitan/national dailies Monday–Friday

Title	2008	2007	2006	2005	2004	2003	2002
The Australian	136,000	133,000	131,538	133,841	133,711	132,213	130,378
The Financial Review	89,329	88,264	86,182	85,373	85,366	85,120	88,674
The Canberra Times	34,068	33,935	36,027	36,695	38,155	38,813	38,694
The Daily Telegraph	385,000	392,000	396,497	397,915	403,127	407,498	406,200
The Sydney Morning Herald	212,500	212,700	212,078	210,085	216,827	225,737	228,800
The Age	208,000	207,000	201,000	193,000	198,500	197,700	197,700
The Herald Sun	530,000	535,000	554,700	551,500	551,100	550,032	548,764
The Courier-Mail	217,575	221,049	216,075	211,279	214,814	219,451	215,371
The Advertiser	189,668	191,325	195,903	201,323	202,135	204,502	203,582
The West Australian	195,033	203,328	205,610	207,914	205,362	205,266	207,793
The Mercury	46,758	46,985	48,886	49,601	50,382	50,368	49,895
The N.T. News	21,319	20,880	21,172	22,090	22,367	22,409	22,151
TOTAL	2,267,258	2,287,473	2,307,674	2,302,621	2,323,850	2,341,112	2,340,004

Source: Audit Bureau of Circulations

Table 2.2 Circulation: Metropolitan/National Dailies Saturday

Title	2008	2007	2006	2005	2004	2003	2002
The Australian	301,000	299,500	293,966	291,752	300,360	295,168	297,158
The Financial Review	92,415	92,194	90,998	89,360	87,680	86,679	90,320
The Canberra Times	59,939	63,115	67,371	68,743	71,049	72,835	72,080
The Daily Telegraph	327,000	340,000	342,724	342,657	341,240	341,062	335,388
The Sydney Morning Herald	358,224	364,000	363,901	360,323	373,750	391,678	399,455
The Age	301,500	301,000	301,000	297,500	304,200	315,250	318,900
The Herald Sun	510,500	513,000	522,400	523,500	521,000	517,650	515,598
The Courier-Mail	309,602	316,662	326,825	333,910	342,253	346,445	343,323
The Advertiser	256,063	259,807	269,695	274,364	278,385	281,117	280,490
The West Australian	342,787	356,844	372,608	380,417	381,079	384,976	385,871
The Mercury	61,813	61,985	63,554	64,297	64,905	65,194	65,308
The N.T. News	31,860	31,150	31,511	32,442	31,932	31,777	31,773
Total	2,954,711	3,001,264	3,048,559	3,061,270	3,099,837	3,131,834	3,137,666

Source: Audit Bureau of Circulations

Table 2.3 Circulation: Metropolitan/national Sundays

Title	2008	2007	2006	2005	2004	2003	2002
The Canberra Times	34,316	34,674	36,892	37,844	38,877	39,161	39,075
The Sun-Herald	483,220	505,000	516,394	514,542	524,777	542,735	559,725
The Sunday Telegraph	663,000	671,500	702,125	720,030	726,153	734,021	726,906
The Sunday Age	227,500	225,000	210,000	200,000	194,500	194,500	199,350
Sunday Herald Sun	622,000	620,000	623,000	620,000	603,000	582,630	570,647
The Sunday Mail (Qld)	565,173	592,440	607,975	615,920	615,328	611,298	601,851
The Sunday Mail (SA)	313,469	318,179	324,973	330,998	334,872	340,667	345,407
The Sunday Times	328,000	336,500	347,500	354,000	354,000	352,000	346,037
The Sunday Tasmanian	59,930	60,134	61,391	61,110	59,720	59,227	58,245
The Sunday Territorian	22,658	22,340	23,386	24,811	24,535	25,422	27,083
Total	3,321,274	3,387,774	3,455,642	3,481,260	3,481,260	3,481,260	3,481,260

Source: Audit Bureau of Circulations

2.3.2 Readership of Metropolitan and National Dailies

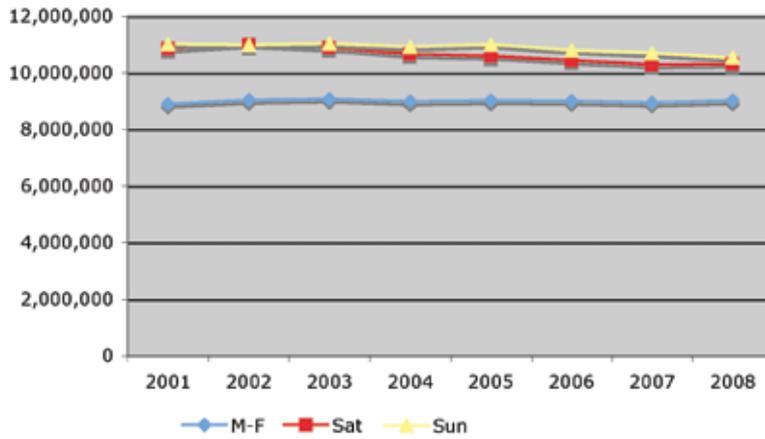
As noted above, readership figures do not necessarily correlate with patterns of data for circulation. In spite of any anomalies, overall readership results in recent years have tended to show similar patterns in audience participation that can be observed in circulation data. However, there are some curious differences. Between 2007 and 2008 circulation as reported by the ABC declined while readership, as reported by Roy Morgan, increased. This difference was particularly noticeable in the data for Saturday editions. In spite of the sharp declines in circulations of Saturday editions noted above, readership is reported to have increased by approximately 19,000 or 0.18 per cent between 2007 and 2008.

While the data for Saturday editions may be somewhat anomalous, the data for weekday readership indicate continuing,

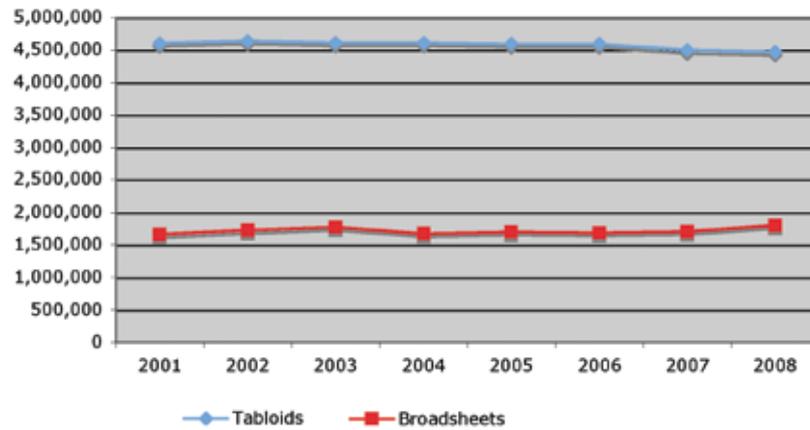
overall stability over the last eight years, with the total dropping by 0.56 per cent in 2007 and then recovering in 2008. As with circulation, the readership of broadsheet newspapers has been lower in total than that of tabloids. However, weekday readership of broadsheets has been more stable over the last four years than tabloids and both Saturday and weekday broadsheets have enjoyed increases in readership between 2007 and 2008. Readership gains for broadsheets account for almost all increases in total readership in the 2007-2008 period.

Between June 2006 and June 2008 readership for Sunday papers dropped by 2.4 per cent, continuing the ongoing decline that has persisted since 2003. The continuing drop in readership is consistent with the decline in Sunday circulations.

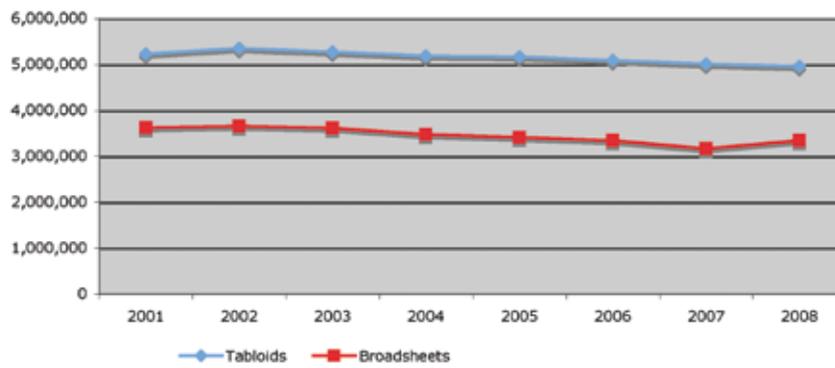
Readership Metropolitan Dailies 2002-2008



Tabloids v Broadsheets Readership M-F



Tabloids v Broadsheets: Readership, Saturdays



Tabloids v Broadsheets, Readership: Sundays

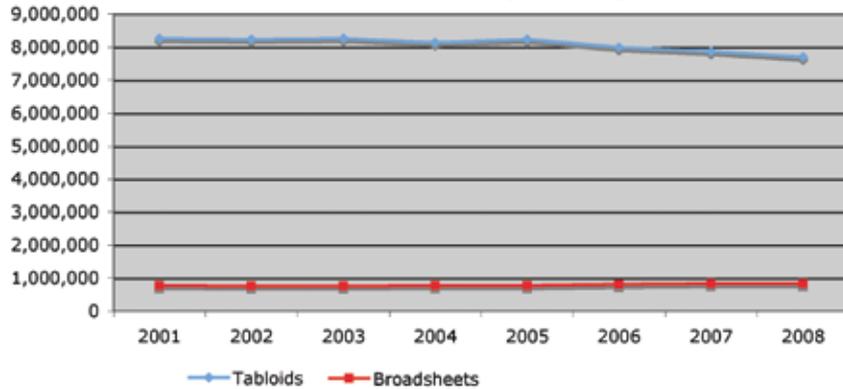


Table 2.4 Readership of metropolitan and national dailies June 2001 to June 2008, Mondays to Fridays (in thousands)

Title	2008	2007	2006	2005	2004	2003	2002	2001
The Australian	471	449	416	416	420	459	428	430
The Financial Review	262	258	268	270	275	296	287	291
The Daily Telegraph	1,140	1,158	1,183	1,194	1,132	1,224	1,211	1,151
The Sydney Morning Herald	954	893	876	883	856	895	897	817
The Canberra Times	110	103	122	129	119	121	111	118
The Herald Sun	1,480	1,467	1,523	1,484	1,553	1,487	1,508	1,522
The Age	752	749	724	721	706	700	676	649
The Courier-Mail	646	614	596	616	626	606	585	594
The Advertiser	503	542	573	564	569	584	580	576
The West Australian	589	583	584	606	599	576	621	627
The Mercury	108	128	131	124	131	130	131	132
TOTAL	9,023	8,951	9,002	9,012	8,990	9,081	9,037	8,908

Source: Roy Morgan Research

Table 2.5 Readership: Metropolitan/national dailies Saturdays (in thousands)

Title	2008	2007	2006	2005	2004	2003	2002	2001
The Australian	872	824	843	870	874	917	911	901
The Financial Review	164	154	181	162	176	178	188	192
The Daily Telegraph	931	964	981	982	895	982	996	937
The Sydney Morning Herald	1,185	1,176	1,176	1,206	1,255	1,331	1307	1279
The Canberra Times	165	160	178	190	174	180	179	188
The Herald Sun	1,448	1,404	1,384	1,409	1,445	1,404	1464	1424
The Age	959	954	960	988	992	1009	1070	1059
The Courier-Mail	888	874	870	891	941	941	940	935
The Advertiser	638	691	734	732	725	752	741	731
The West Australian	904	925	969	998	1022	1035	1045	1044
The Mercury	143	153	154	151	155	156	161	160
TOTAL	10,305	10,286	10,436	10,584	10,658	10,888	11,004	10,851

Source: Roy Morgan Research

Table 2.6 Readership: Metropolitan/national Sundays (in thousands)

Title	2008	2007	2006	2005	2004	2003	2002	2001
The Sunday Telegraph	1,723	1,785	1,818	1,891	1796	1949	1924	1914
The Sun Herald	1,326	1,362	1,354	1,421	1429	1492	1519	1530
The Canberra Times	98	94	103	112	105	109	103	108
The Sunday Herald Sun	1,546	1,523	1,531	1,583	1589	1508	1530	1478
The Sunday Age	729	732	699	652	665	654	659	660
The Sunday Mail (Qld)	1,419	1,473	1,493	1,492	1487	1494	1418	1465
The Sunday Mail (SA)	739	739	790	790	785	783	807	804
The Sunday Times (WA)	817	840	854	916	912	897	890	922
The Sunday Tasmanian	129	142	148	142	139	136	137	141
TOTAL	10,534	10,697	10,796	11,004	10,911	11,025	10,989	11,023

Source Roy Morgan Research

2.4 Readership of Online News

In dramatic contrast to the relative stability observed in readership for the hard copy versions of newspapers, online news websites have enjoyed a veritable explosion in readership since online data were first published. Fairfax has recently launched two new websites, **brisbanetimes.com.au** and **WAtoday.com.au**. These sites are significant in that they provide readers in Brisbane and Perth with an alternative to The Courier-Mail and The West Australian respectively, both of those publications being the only metropolitan dailies available to their target audiences. It will be interesting to observe how the introduction of **brisbanetimes.com.au** and **WAtoday.com.au** will impact upon the readership figures for Brisbane and Perth. Many community newspapers have also established websites in recent years.

In the last two years the number of unique browsers who access websites associated with Australia's metropolitan daily newspapers has doubled. On its face, this implies that the declines in circulation and readership of newspapers may be being offset by the expansion in online audiences. However, Margaret Simons has expressed scepticism about the veracity of online readership of news sites as reported by Nielsen Net Ratings. Further, many of the readers who access news websites also read the corresponding newspapers, so that the same reader is counted in both data sets. But the extent of overlap between the two audiences is not clear.

Commentators on the phenomenon of internet publishing have suggested that online audiences are more likely to include younger readers, particularly those who do not read newspapers in traditional format. If this is true it would be of particular significance for publishers developing new business models to adapt to the new media environment. Some critics of publicly available online readership data have suggested that the number of page impressions might provide more useful information than the number of unique browsers, particularly in relation to the level of interest in particular content. Unfortunately, the amount of data publicly available in relation to online readership is limited and many questions remain unanswered by researchers.

What we can report is that publishers are increasingly utilising sophisticated mechanisms aimed at driving traffic to their websites and to specific pages, thus increasing the number of unique browsers who are exposed to advertisements displayed on those pages. One of the devices which has been much discussed and debated recently is the increasing use of "search engine optimisation", a practice which involves the inclusion of certain keywords in either the text or the coding of a page to increase its ranking in search results. Such practices have the potential to attract new audiences to newspapers who might otherwise rely on television or radio news bulletins.

Table 2.7 Readership of major online news sites

News website	Unique browsers June 2008	Unique browsers June 2007	Unique browsers June 2006
smh.com.au	4,231,304	3,194,207	2,138,154
theage.com.au	2,991,479	2,338,443	1,544,457
news.com.au	3,066,292	2,066,696	1,343,336
heraldsun.com.au	1,875,016	1,006,229	695,030
theaustralian.com.au	1,256,888	928,985	550,947
dailytelegraph.com.au	1,518,237	672,640	366,113
couriermail.com.au	880,408	432,156	264,878
ninemsn news	3,825,126	3,578,676	2,947,233
TOTAL	19,644,750	14,218,032	9,850,148

Source: Nielsen Online Market Intelligence

Table 2.8 New Fairfax news sites

	Sept 2008	June 2007	June 2006
brisbanetimes.com.au	610,727	405,146	N/A
WAtoday.com.au	354,486	N/A	N/A

Table 2.9 Aggregate figures for all news sites published by Fairfax and News Ltd

	Sept 2008	June 2008	June 2007	June 2006
FD News and Weather	7,259,111	7,063,425	5,038,982	3,267,366
News Digital Media	7,213,636	Not provided	Not provided	Not provided

Source: Nielsen Online Market Intelligence

2.5 Readership of Regional and Community Newspapers

The total readership of regional dailies dropped by four per cent between 2006 and 2008. However, the readership of individual mastheads varies to some extent from the total. The Illawarra Mercury, for example, has suffered dramatic declines every year since 2005, whereas The Geelong Advertiser, after having lost readers in 2006, increased its readership in both 2007 and 2008.

The reasons for the decline in regional readership may be due to demographic factors, such as population movements. However, the same factors which influence readership of metropolitan dailies, such as the shift of classified advertising to the Web, are undoubtedly having an impact on regional newspapers.

Table 2.10 Readership of largest regional dailies

Title	June 2008	June 2007	June 2006	June 2005
Newcastle Herald (M-F)	137,000	143,000	136,000	148,000
Newcastle Herald (Sat)	200,000	213,000	212,000	219,000
Illawarra Mercury (M-F)	73,000	83,000	95,000	90,000
Illawarra Mercury (Sat)	99,000	101,000	125,000	112,000
Geelong Advertiser (M-F)	81,000	77,000	74,000	91,000
Geelong Advertiser (Sat)	126,000	117,000	112,000	132,000
Cairns Post (M-F)	86,000	75,000	87,000	81,000
Cairns Post (Sat)	109,000	107,000	109,000	107,000
Gold Coast Bulletin (M-F)	105,000	96,000	103,000	94,000
Gold Coast Bulletin (Sat)	149,000	154,000	172,000	167,000
Townsville Bulletin (M-F)	77,000	77,000	84,000	73,000
Townsville Bulletin (Sat)	101,000	98,000	104,000	102,000
Launceston Examiner (M-F)	86,000	82,000	85,000	82,000
Launceston Examiner (Sat)	99,000	96,000	99,000	97,000
Burnie Advocate (M-F)	57,000	60,000	61,000	62,000
Burnie Advocate (Sat)	64,000	61,000	67,000	70,000
TOTAL	1,649,000	1,640,000	1,725,000	1,727,000

Source: Roy Morgan Research

Analysis of circulation for community newspapers is of limited usefulness, since most community newspapers are distributed free of charge to households in the target area. As such, circulation is an indicator of the number of individual dwellings in a particular area rather than any interest in the publication. Readership gives a more reliable indicator of audience for local or suburban papers. The pattern that is demonstrated in those newspapers published by the Leader group suggests that readership has declined by approximately 1.3 per cent over the last three years, after several years of growth.

Table 2.11 Audience trends in the suburban Leader newspaper group 2001-2008

Year	Circulation (m.)	Readership (m.)
2001	1.313	1.688
2002	1.328	1.762
2003	1.349	1.793
2004	1.381	1.838
2005	1.403	1.889
2008	1.595	1.865

Source: The Leader Group

2.6 Circulation and Readership of Magazines

While newspaper circulation and readership has remained generally stable over the last two years, and online readership has continued to increase, many magazines have suffered significant drops in both circulation and readership. The 2007-2008 period was punctuated by the closure of *The Bulletin*, and the overall trends have done nothing to promote optimism in the sector.

Even a cursory analysis of circulation and readership data for magazines reveals dramatic declines in audiences in recent years. Certain categories of publication have suffered more significant drops than others. Women's magazines have recorded the most profound contractions in audience, with *Cosmopolitan* recording an 18 per cent decline in circulation between June 2007 and June 2008, *The Australian Women's Weekly* and *Cleo* both reporting twelve per cent drops in circulation, while *NW*, *New Idea* and *Woman's Day* all reported declines of ten per cent.

However, the dramatic drops in circulation are not reflected in the relatively modest declines in readership reported by Roy Morgan, which are in the range of 0.4 and 1.7 per cent for the publications cited above. The size of the discrepancy underscores the debates that have arisen in recent years about the reliability of audience data. It has been suggested that readers may be cutting back on discretionary spending by sharing copies. Even taking this possibility into account, the drop in circulation and readership suffered by women's magazines is significant, and it implies that the audience targeted by traditional women's magazines has lost interest in that content and may be shifting to other categories of publication. One publication that has enjoyed a 13.5 per cent increase in circulation in 2007-2008 is *Better Homes and Gardens*. Some commentators have speculated that this reflects an increased interest in design and homemaking. However, it should also be noted that this publication is closely affiliated with a prime-time television program that engages in heavy cross-promotion of the magazine.

Table 2.12 Circulation of a Selection of Australian Magazines, June 2007 – June 2008

Title	Jan to June 2008	Jan to June 2007	percentage change
The Australian Women's Weekly	530,143	605,039	-12.
Woman's Day	430,235	480,564	-10.47
New Idea	351,018	391,388	-10.3
Reader's Digest	350,000	352,000	-0.568
That's Life	307,015	328,824	-6.63
TV Week	238,517	262,062	-0.089
Better Homes and Garden	335,000	295,000	13.5
Cleo	149,256	170,123	-12.265
Who	138,508	142,250	-2.63
Cosmopolitan	165,301	203,269	-18.68
NW	155,150	176,139	-11.9
Dolly	120,222	131,199	-8.36
Picture	68,671	74,246	-7.5
Time	72,242	72,136	+0.15

Girlfriend	115,049	121,080	-4.98
Marie Claire	115,500	115,500	0.0
Australian House & Garden	95,213	99,854	-4.65
The Bulletin	N/A		
BRW	43,004	45,011	-4.46
Australian Good Taste	160,511	162,200	-1.04

Source: Audit Bureau of Circulations

Table 10.13 Readership of a selection of popular Australian magazines

Title	2007	2008	Percentage change
The Australian Women's Weekly	2,537,000	2,577,000	-0.5
Woman 's Day	2,591,000	2,345,000	-1.7
New Idea	2,165,000	1,955,000	-1.5
Reader's Digest	891,000	927,000	+0.1
That's Life	1,152,000	1,106,000	-0.4
TV Week	1,002,000	856,000	-0.9
Better Homes and Garden	1,453,000	1,698,000	1.3
Cleo	635,000	495,000	-0.8
Who	763,000	786,000	0.1
Cosmopolitan	751,000	688,000	-0.4
NW	606,000	529,000	-0.9
Dolly	428,000	366,000	-0.4
Picture	211,000	196,000	-0.1
Time	1,152,000	1,106,000	-0.4
Girlfriend	377,000	318,000	-0.4
Marie Claire	497,000	513,000	0.1
House & Garden	658,000	615,000	-0.3
Bulletin	275,000	N/A	
BRW	190,000	167,000	-0.1
Australian Good Taste	365,000	704,000	0.4

Source: Roy Morgan Research

Endnotes

1. See, for example, "Readership v Circulation: Curious Newspaper Mathematics", crikey.com.au, 14 March 2008.
2. Ibid.
3. Pew Research Centre, The Project for Excellence in Journalism, State of the News Media 2008, http://www.stateofthenewsmedia.org/2008/narrative_overview_audience.php?cat=3&media=1

Ownership

3.1 Ownership Themes

This is the one chapter of the report where there needs to be reference to the electronic media as well as the publishing media, the print media and online. The 2006 legislative changes to cross-media ownership rules have led to a number of mergers, both within the print media, and with print and electronic media coming together. Private equity has played an important role in providing funds for this expansion.

Of primary concern to the Press Council, and explored in Tim Dwyer's paper, is the question of whether these developments have had, or will have, an impact on print media quality, particularly in the light of some of the recent moves towards 'rationalisation' of staff numbers, particularly the number of newsroom journalists, and the continued apparent downgrading of the role of sub-editors within newsrooms.

In the light of those changes, it is interesting to note the public comments made in the last quarter of 2008 by the proprietors of the two largest newspaper companies. These comments are the subject of a brief analysis at the end of this chapter, which again raises the question of how much impact the changes in newspaper ownership, management and production will have on the quality of journalism.

3.2 Ownership Changes

by **Tim Dwyer**
University of Sydney

The new media ownership laws, the *Broadcasting Services Amendment (Media Ownership) Act 2006*, took effect from 4 April 2007.

The first impacts in the wake of the changes to the cross and foreign media reforms in Australia were not the awaited media merger and acquisition feeding frenzy. Instead the key moves were characterised by opportunistic debt refinancing based on the share price bubble, courtesy of the government's 'telegraphed' legislative package. Predictably, when the share prices rose in the wake of the passage of the new laws, Australia's largest media corporations were able to take advantage of the situation, and go ahead with their business strategies based on cash windfalls, allowing them to make new acquisitions – for both media and non-media assets.

In fact there have been a number of other developments which all amount to a significant reduction in the diversity in Australia's media ownership, and that signal important implications as test-beds for cross-owned, digital media corporations.

With the 20-year-old cross-media limits now lifted Australia is in a context of contracting media diversity. It is part of an international trend to relax these ownership rules, and Australia now has gone further than other comparable nations.

The Rudd Government, in coming to power after the new rules were introduced, has indicated that it will not repeal these new laws. However the Communications Minister, Senator Conroy, has said that the government, which was opposed to the changes, would work on 'additional media ownership safeguards' during its first term. ^[1]

The new laws removed the main cross-media ownership restrictions, now allowing TV/newspaper/radio mergers with a '2 out of 3' media sector limit, and introducing metro and rural/regional voice limits – under the so-called '5/4 voices test'.

There has been some commentary in the broadsheet press that the dismantling of cross and foreign ownership rules will undoubtedly, over time, lead to industry consolidation through mergers and acquisitions, and that this does not augur well for media diversity in Australia. But media ownership is yet to strike the kind of popular chord in Australian that it did in the US in 2004/2005 (when the repeal of cross-media rules was attempted by the FCC). The strong support by civil society groups at the 2008 National Conference for Media Reform in Minneapolis, organised by the Free Press, is testament to the vitality of grassroots media ownership debate in the US.

Merger events triggered by the changes

So what have been the impacts to date? In short, the coming into force of amendments to media ownership laws triggered a major private equity refinancing of free-to-air television, effectively taking much of the network ownership offshore into private institutional ownership. This was the dramatic and largely unanticipated impact of removing foreign ownership restrictions. At the same time, liberalisation of the cross-

media rules has allowed consolidation by existing traditional media players, further concentrating media ownership into fewer hands, with implications for both audiences and employment practices. Overall there's been significant consolidation in print, radio and television.

Television

The national commercial free-to-air TV networks, Seven and Nine both sold 50 per cent of their media assets into US private equity arrangements (first Nine with CVC Asia Pacific and then Seven with Kravis Kohlberg Roberts), using the cash from the sales to position themselves for expansion into other media and non-media assets. The Packer family controlled media interests have since sold down a further 25 per cent of PBL Media (Nine Network) to the CVC Asia Pacific, taking that private equity group's stake to 75 per cent of PBL Media.

Kerry Stokes' Seven Network bought a strategic 5 per cent in Consolidated Media Holdings worth about \$100 million in July 2008. Remaining TV sector limits prevent Seven Network from controlling the Nine Network stations in markets where they already run television stations. The purchase by Stokes of this stake comes several months after parties led by James Packer and Lachlan Murdoch attempted to privatise CMH in a \$3.3 billion deal. That deal collapsed after a US private equity investor withdrew its support.

Australia's other commercial network, Network Ten, was already over 50 per cent foreign-owned by the Canadian CanWest group. (This was allowed under the previous laws through the use of creative corporate structuring using economic instruments that were distinguishable from direct voting control interests in the licensee company). After the changes the group moved into a more formalised position of control of the network. There has been speculation that the CanWest group itself is about to be 'taken private', through private equity financing.

Private equity investors are notoriously conservative and they aim to make savings through cost cutting (usually interpreted to mean laying-off journalist or production staff) and by not paying for more expensive, or innovative content, or for research intensive, investigative content. Financial commentators tend to make the observation that the main agenda of private equity investors is usually short to medium-term 'value extraction', focused on the search for expanded cash flows to meet debt payments, and positioning the company for resale.

Given the extent of its involvement, regulators will need to monitor the role and effects of private equity capital on television, and on other media sectors, over the next few years.

Newspapers

The cashed-up Seven Network initially bought up 14.9 per cent of West Australian Newspapers (WAN) and this has since moved to about 22 per cent, (well over the defined controlling position of 15 per cent under the broadcasting laws). But it's permissible to have broadcast/newspaper combinations like this under the new laws. This means that the highest rating, most watched free-to-air TV network has indirect

control of the highest circulation daily newspaper and the second most popular online news site associated with that paper (**thewest.com.au**). News Corporation's *PerthNow* (<http://www.news.com.au/perthnow/>) is the frontrunner in this online news market, and Fairfax Media have now launched **WAtoday.com.au**. Fairfax Media say their move is about creating a national news and advertising footprint. Some commentators predict that Kerry Stokes' Seven Media Group will use the 'creep provisions' of the Corporations Law to increase Seven's stake in WAN in small increments (possible up to almost 30 per cent) by June 2009. This is a significant cross-media development.

In a climate of buoyant share prices Fairfax made a pre-emptive defensive move and initiated a merger with the Rural Press group creating Australia's largest (in net value terms) media group. The total deal was valued at around \$9 billion (including \$2.3 billion in debt). At the time of the merger the group held more than 240 regional, rural and community publications, 9 radio stations and the leading NZ internet site **TradeMe**, as well as 20 agricultural titles in the US. Fairfax Media claimed it would have 'over 5 million visitors each month to websites including **smh.com.au**, **theage.com.au**, **farmonline.com.au**, **canberratimes.com.au** and **yourguide.com.au**'.

"This merger positions the group tremendously for internet expansion. Combining the local content and connections of the Rural Press titles with the national reach of Fairfax Media's online brands and technology will accelerate growth in online classified revenue, and enable the development of local news and information sites and a world-class rural services online business".[2]

The business case was that the merger would accelerate internet revenue growth and new online business development for national classifieds, regional news and information services, regional and rural trade and services, cross-promotion through regional print and radio. In addition, for the traditional print operations there would be 'printing optimisation and expansion'.

Overall, the pitch to the market was that the combined companies would be converting to a digital media company that would continue to integrate 'news gathering and story management for multiple media' that would further develop the 'capacity to distribute across multiple platforms'.

In the event that News Corporation (or Seven Media for that matter) were ever permitted to acquire this group the consequences would be quite stark in terms of market dominance.

Also in the newspaper sector following the changes, News Corporation finalised their acquisition of the Federal Publishing Company's magazine and community newspapers interests (13 community newspapers, 2 commuter papers, 25 magazines and 6 online properties). The deal was approved by the competition policy regulator, the ACCC. Added to their existing dominance of the metropolitan, regional and community newspaper markets (around 70 per cent of newspapers in Australia), this represents unprecedented concentration of print media ownership.

Radio

The largest radio network, owned by the Macquarie Media Group (owned by the investment bank that specialises in Infrastructure projects) took a strategic 14.9 per cent \$170 million positioning stake in Southern Cross Broadcasting (a networked radio and TV operation).

Shortly after the Fairfax/Rural Press merger, a three-way deal involving Fairfax Media/Macquarie Media/Southern Cross Broadcasting was launched. This merger was the first major cross-media implementation under the new rules.

The Fairfax/Macquarie Media Group/Southern Cross deal was a complex deal requiring both ACMA (Australian Communications and Media Authority) and ACCC (Australian Competition and Consumer Commission) oversight. MMG agreed to pay \$1.35 billion for SCB, which adds regional TV interests (approx. 14 stations) to its 87 regional radio stations in 45 markets. The trouble was that 'By combining radio and TV assets, MMG has breached diversity levels in 13 markets and has been forced to offer 15 stations for sale in a process now under way. It also on-sold SCB's metropolitan radio stations – 4BC and 4BH Brisbane, 2UE Sydney, 3AW and Magic Melbourne and 6PR and 96FM Perth – to Fairfax Media for \$520 million in a deal completed in November 2007. In turn, MMG agreed to buy nine regional stations acquired by Fairfax when it merged with Rural Press earlier in 2007'.^[3] The deal also delivered to Fairfax Media the nation's biggest independent television and video production company Southern Star, co-producer (with Endemol) of the TV show *Big Brother*. There's speculation that Fairfax Media is now looking for a buyer for Southern Star, with the apparent attractiveness of being a convergent media 'value-add' perhaps not enough incentive to stem general losses, including from the waning *Big Brother* franchise.

Media ownership limits are still working to the extent that Macquarie Media Group (MMG) has now divested 12 regional radio licences in accordance with an enforceable undertaking accepted by the ACMA in July 2007.^[4]

International developments in media ownership and regulation

MMG has been busying buying offshore media assets too. It is reported that the group spent \$182 million expanding its US community newspaper business. They have added American Consolidated Media to the group by picking up 22 local publications owned by Chesapeake Publishing in Northeast Maryland, and 11 owned by the Brown Publishing Company operating in Southern Ohio.^[5]

And in the UK, the parent company of the MMG, Macquarie Bank, has now acquired ownership of much of the backbone of the country's broadcast media. Through its ownership of Arquiva, Macquarie controls half Britain's 1154 television towers for country's main commercial channels, including ITV, Channels 4 and 5, transmitting to nearly 25 million homes. A Macquarie fund also owns Red Bee Media, which manages channel production for the BBC, UKTV, Virgin Media and other clients and therefore Macquarie are well-positioned to 'capitalise on the changing landscape as Arquiva and Red Bee have key roles in the switchover to digital TV, and may also benefit from the emergence of new media such as IPTV and mobile TV.'^[6]

The international regulatory context of media ownership laws is in a very dynamic phase.

In the US, the FCC's new broadcast/newspaper rule liberalisation (in the 20 biggest markets and subject to certain conditions) is under ongoing scrutiny by Congress. The Senate voted to repeal the FCC's loosening of the ban on newspaper-broadcast cross-ownership and the pressure is on the House of Representatives to do the same. Then-Senator Barack Obama urged the House to follow the Senate's lead and pass a resolution of disapproval, an unusual legislative step that would invalidate the FCC's 18 December vote.^[7]

In the UK, The House of Lords Select Committee on Communications has reported on an inquiry into media ownership and the news.

The Committee examined evidence on changes in news agendas, how people access the news, changes in the way news is gathered and provided, and how concentrated media ownership affects the balance and diversity of news in a democracy. In relation to the public interest dimensions of their investigation, the Committee sifted through evidence focusing on the concentration of media ownership, on cross-media ownership and on the regulation of media ownership.

The Committee has published commissioned evidence on long-term trends in newspaper readership:

The overall number of adults reading at least one of the top ten national daily newspapers on an average day reduced by 19 per cent between 1992 and 2006 (from 26.7 million to 21.7 million);

The decline in national daily readership has been most marked amongst younger adults.

Commenting on the data, the Chairman of the Communications Committee, Lord Fowler, noted 'with 45 per cent of the population reading one of the top ten national newspapers on an average day it is clear that ownership of the press remains an important issue'.^[8]

Yet their report, released in late June, notes significant change in the newspaper sector:

Both here and abroad the newspaper industry is facing severe problems as readership levels fall; young people turn to other sources of news; and advertising moves to the internet. The newspaper industry is responding to these challenges in a variety of ways including establishing a high profile web presence. However, even when newspapers run successful internet sites the value of the advertising they sell on these sites does not make up for the value lost. The result of these pressures is that newspaper companies are having to make savings and this is having a particular impact on investment in news gathering and investigative journalism.^[9]

Key findings/recommendations in the Select Committee's report include:

We do not accept that the increase of news sources invalidates the case for special treatment of the media through ownership regulation.

We believe that there is still a danger that if media ownership becomes too concentrated the diversity of voices available could be diminished.

We recommend that the public interest considerations for newspaper mergers and broadcasting and cross-media mergers be amended to refer specifically to a need to establish whether a merger will impact adversely on news gathering. [10]

Interestingly, the Committee also recommend that Ofcom's remit in relation to its Public Interest Test be amended so that newspaper mergers are assessed for their impact on the quality of news. They suggest that it would be 'essential to apply' the Public Interest Test 'if a major international internet company bought a stake in a UK news provider'.

Cross-media laws and convergence

Academic commentators have noted the irony of proponents of cross-media liberalisation asserting that the advent of new forms of media justified their repeal, when these platforms have not been included in the new diversity tests. In fact neither national newspapers, free local papers, the public broadcasters (ABC and SBS), nor narrowcasting, subscription, community broadcasting, nor online media, constitute a 'voice' in the new diversity tests. Nor do the new rules take into account the relative influence/market share of different outlets. ^[11]

As traditional media corporations expand their new digital media offerings, often on the back of talk of 'media convergence', the pressure for further liberalisation of rules created for traditional media can only increase. In my view continuing media consolidation will therefore require policy innovation in promoting democratic values of diversity and pluralism for converging media industries.

Endnotes

1. The Sydney Morning Herald, Business Day, Miriam Steffens, 24 March 2008.
2. Fairfax/Rural Press Media Release, 2006.
3. ACMA Media Release, 23/2008, 14 March 2008
4. ACMA Media Release, *ibid.*
5. The Australian, Media, 29 November 2007.
6. Peter Fitzsimmons, The Australian, Media, 6 December 2007.
7. see Bentons.org for detailed discussion of these developments.
8. UK Parliament, The Ownership of the News, House of Lords, Select Committee on Communications 2008.
9. *Ibid.*, p. 6.
10. *Ibid.*, Para 210, p. 63 and Para 243, p. 70.
11. Des Butler and Sharon Rodrick (2007), Australian Media Law, p. 642.

3.3 The future of newspapers – proprietors confident

by **Jack Herman**
Australian Press Council

Late in the year, even in the midst of unprecedented economic shocks and huge falls in their share prices, the proprietors of two of the main newspaper owning companies went public with confident predictions of the future of their companies and their products.

Of importance in conveying a picture of the state of the industry for this edition of the *State of the News Print Media in Australia* was their common view that the quality of journalism and commercial considerations have to be related and developed within a different business model. If that is done, they agree, the prospects for news companies are bright. Fairfax CEO David Kirk addressed the Sydney Institute on October 14 and, in November, News Corp Chairman Rupert Murdoch delivered the Boyer Lectures on ABC Radio.

Kirk argued that counting the number of journalists, or noting how many have accepted redundancy, is not the way to assess quality. He sees the future of his newspapers as not necessarily being first with the news, but delivering it best. He noted the income the company now derives from its online businesses, 15 per cent of its total income, and the diversity of the mastheads and platforms on which it delivers news. “There are many markets, and we are doing well in most of them,” he said. He argued that Fairfax newspapers set the news agenda for the electronic media, “there is no doubt about that. And we set the news agenda because we have the resources to do it”. He sees Fairfax’s only hope as being “very good”. But he notes: “We cannot pay for the quality journalism we aspire to if we are not profitable”. The current low price of Fairfax shares, however, suggests the market sees Fairfax as vulnerable

Rupert Murdoch, in his second Boyer Lecture, argued that the only way to deal with new technology is to get in front of it. He sees the technology as “destroying the business models we have relied on for decades”. By using the **Drudge Report** as an example of the use of technology, Murdoch illustrated that the new technology can assemble and distribute content without needing large capital content. Moreover, he said, “Matt Drudge doesn’t really create content. Instead he finds content he thinks is interesting ... And he is showing that good news judgment is something that can add value”. But he re-emphasised quality in his third lecture. He said, “But our real business isn’t printing on dead trees. It’s giving our readers great journalism and great judgment”. He phrased it as moving from “news papers to news brands”. He sees a primary challenge in the prevalent newsroom culture (“at the heart of some newsrooms”) of complacency and condescension. His vision is one of transforming his companies to gain customer loyalty to the brand while allowing readers to personalise both the access mode and the news itself as meets their need. He instances his purchase of the Wall Street Journal as part of realising this vision, because it is a very successful brand, with a loyal readership, and a “brand known for quality”. Quality will be the precondition of an enlarged audience, requiring that publishers invest in “human capital” in the form of journalists and

editors who can establish and maintain a bond with their readers. As part of this vision Murdoch is still optimistic about newspapers, saying “The newspaper, or a very close electronic cousin, will always be around”.

Ultimately both proprietors are arguing similar things: newspapers need to take into account the commercial and technological realities but, given those realities, newspapers need to trade on their brands. Fairfax sees its brand as already being one of “quality” while Murdoch interprets quality as bringing the news ever closer to its readership and more responsive to it, through whatever mode of access it takes. Each is in his own way optimistic about the future of newspapers, even if not solely distributed via newsprint.

Online Publishing

4.1 Themes

While the final impact of the online delivery of news on the printed versions of the news media is not apparent, some trends can be identified. In the *2007 State of the News Print Media in Australia*, the Council included reports from Fairfax and News Limited on their moves towards 24-hour newsrooms. These trends have accelerated during the most recent year, although an unanswered question is the extent to which there is a greater reliance, overnight, on the resources of the Australian news agency, AAP, for copy, and a lesser reliance on the publisher's own resources. This is of particular relevance to the Council when it has to deal with allegations of inaccuracy in agency-sourced material.

Fiona Martin's paper also looks at the effect on print media companies of the need to branch out into other media for their online site: including the use of streamed audio and video, and the use of supplemental material from journalists commenting on their own stories. Another obvious impact of the emergence of online news sites has been their impact on the revenue of newspapers that formerly relied on classified advertising to underwrite the costs of their journalism. Whether there will be some synergies between online and print classified remains to be determined. The latest figures from the Interactive Advertising Bureau Australia (<http://www.iabaustralia.com.au>) indicate that online classified revenues are "stagnating" in the most recent quarter. There are as yet no comparable data from the newspapers on whether their classified ads have increased. Whether any loss of revenue by newspapers from advertising will lead to a decline in the quality of journalism is a further issue for further exploration.

Another issue raised by convergence is the phenomenon of search engine optimisation – a more sophisticated version of the sales banner and screamer headline of old. Sites seeking to use search engines to maximise the number of visitors use a variety of techniques, some of which may be contrary to established journalistic practices regarding headlines and story openings. In order to maximise visits to their websites, headline writers of the new era will need to be much more literal and include more direct referents in headlines and lead paragraphs, because that's where the searchbots primarily go. What will disappear are the humorous, pun-ridden, and ironic headlines of the past.

A second paper, by Lindsay Simpson, follows her earlier papers on the same subject in the first two iterations of this report. She looks at the publication of weblogs (blogs) on newspaper websites. As the legal implications of publisher liability have become more apparent, blogs are now more stringently moderated (edited) and are becoming less distinguishable from opinion columns. Perhaps future explorations might compare newspaper site blogs with their more freewheeling unaffiliated siblings.

4

4.2 Convergence, Online and New Media News

by **Fiona Martin**
University of Sydney

If 2007 signalled the acceptance of online news as core newspaper business, within twelve months the Web has moved further centre stage, along with the potential for mobile services. Rupert Murdoch set the tone for the year when he declared, “as the digital revolution accelerates, newspapers should be seen as simply one delivery method for news organisations”.

A similar message came out of the MEAA’s *Future of Journalism* conference in February. There, a panel including *The Guardian*’s Roy Greenslade and News Ltd’s Campbell Reid proposed that diversification of investment and cross-funding publications might be the most effective approach to supporting quality journalism. That conference demonstrated that attentions had shifted from last year’s convergence strategising to a more pressing concern: ‘how can we make online news pay?’

US industry reports suggested ‘context’, rather than content, is now king. This means that rather than seeing business growth in basic news provision, media companies are now looking to make money from hosting social networking services like MySpace, which offers users a platform to create and distribute news and information, or from services which add value to pre-existing content, like data-mining, content licensing or news aggregation.

For example the popularity of the **Drudge Report**, which simply aggregates hyperlinks to news, seems to be changing mainstream editorial opinions about the value of journalists using embedded links to external content, which can add greater context to their stories. Linking to someone else’s content used to be seen as a no-no, as users might leave a publication’s site and not return. Now it’s recognised that those ‘eyeballs’ do return from their link explorations and are loyal to online publications, which extend their information consumption or socialising experience in useful ways.

Notably News Corp decided to keep *The Wall Street Journal*’s subscription model, and its online brand **www.wsj.com** expanded its paid subscriber base by 11 per cent on the previous year, from 931,000 to over one million users.

At home, publishers were busy defending their rights to digital content. Fairfax Media launched legal action against Reed Elsevier, claiming it had breached copyright by reproducing *Australian Financial Review* headlines and bylines verbatim in its ABIX abstract news aggregation service. Meanwhile AAP sought to reinforce its rights using new content tracking software that uses keyword parsing to track non-authorised uses of the agency’s material in online publications.

AAP Editor-in-chief Tony Gillies reports another trend over the past 12 months – increasing use of agency stories in online publishing, to support the expanding digital news hole. He notes print subscribers which are heavy users of AAP content (stories published in full) in newspaper format, may use three or four times that amount of content on their websites.

Competition is heating up, especially in the west, with Fairfax's June launch of **WAtoday.com.au**, an online-only newspaper counterpart to the **brisbanetimes.com.au**. **WAtoday** is an even tighter operation with editor Roy Fleming heading a team of nine multimedia reporters and producers, compared to the **brisbanetimes'** fourteen. The **WAtoday** team has been developing convergence strategies with Fairfax radio acquisitions 6PR and 96FM. Online journalists are doing mobile reporting to air, taking stories into the studio and doing lifestyle, business and sports commentary. Fleming reports the site has grown its unique browsers (UBs) to around 330,000 a month, with page impressions (PIs) at 2.8 million per month. Fairfax's chief executive, David Kirk, has estimated it will take about three years for the site to become profitable.

While News Ltd's **PerthNow** remains the most read online publication in that market in terms of unique browsers, West Australian Newspapers' **thewest.com.au** indicates it often does better on PIs. Online editor Lee-Anne Petchell said growth had been strong in 2008, with PIs for September at 13,008,537 more than double the 6.8 million from September 2007. UBs for September 2008 were 627,658, up from 412,770 the year before. Petchell heads a team of fifteen journalists, including two new full-time video journalists. Those videographers along with two or three casuals are working on **thewest's** newly launched WestTV feature. At present Petchell is also overseeing fifteen 'content providers' who are responsible for uploading material to the CMS, although she notes a new system on its way should allow a simpler handling process. WAN's first phase regional website rollout is complete, with four sites now being handed over to regional newsrooms after 12 months of steerage from **thewest's** Perth HQ.

In overall internet service usage Nielsen information puts News Corporation's overall year on year growth in reach to June 2008 at 48.4 per cent, just ahead of Fairfax Digital at 40.2 per cent. However **Fairfax Digital News and Weather** was well ahead on overall monthly UBs with 7,063,425 compared to **news.com.au's** 3,066,292.

See the internet usage statistics in the table on pages 2-13 to 2-14 in chapter two.

Australia's internet market has matured and stabilised. Significantly the total hours the media-using population spent online were, for the first time, greater than that those spent watching television. Accessing news, sport and weather updates was Australians' third most popular online activity, after email and banking. Nielsen/Netratings' annual technology report indicated that broadband uptake increased to 84 per cent by the end of 2007 and would reach 90 per cent by the end of 2008, suggesting slightly stronger markets for rich media content. NNR also predicted internet news consumption would rise marginally by 5 per cent in next year.

Fairfax's new youth website, **The Vine**, exemplified the industry's search to reach a younger market through greater integration of user-generated content and social networking. Fairfax claims **The Vine**, based in St Kilda and launched in April, exceeded its 3-month unique user target in the first 3 weeks online. Operating with an editorial team of eight, including one web designer and one developer, editor Annie Fox said **The Vine's** UBs have built to 230,000/mth. Its UB to PI ration was 8-11, indicating the relative stickiness of the site. While users have responded well to comment and forum features, Fox said it had been harder to attract bloggers due to the time investment blogging requires.

Meanwhile News Ltd's 2007 purchase of **MySpace** was validated with Nielsen Online indicating that it topped the list of social networking sites visited by Australians. The same survey indicated 44 per cent of Australian internet users had created their own online profile and over half had visited social networking sites, with female users driving the growth in service use.

Multimedia integration into websites moved apace, with the widespread incorporation of Google maps into stories and increasing use of video and audio. Fairfax group organisational development director Kerry Metcalfe-Smith noted trial of embedded video, where the player interface is contained within the story text, had demonstrated better uptake of video files. In June News Ltd integrated the Take 40 music chart and music player into the entertainment section of **news.com.au**, claiming to be the only Australian news and information service to offer such a service.

The mobile news market expanded when News Ltd launched its service at the end of 2007. Business research firm Frost and Sullivan had optimistically suggested mobile advertising spend would grow by up to 300 per cent in 2008, in response to the growth of 3G services. However demand for mobile news has been slower to develop in Australia than in the US or Europe due to the relatively higher cost of data plans here and the lack of 3G network provision in regional areas.

Spending on online advertising continued its upward trend (though slowing since June 2008), with the sixth consecutive year-on-year increase since 2002. According to the Interactive Advertising Bureau (IAB) spending to June 2008 increased 27 per cent over the last year, from \$1.2 billion to just over \$1.5 billion. Search and Directories had the strongest growth at 33.9 per cent and accounted for 46 per cent of ad spend. Although breakdowns by search service are not available, Nielsen/Netratings identified **Google** as the top internet parent company used by Australians, with Microsoft (**msn/live**) and then **Yahoo** its next closest competitors. This tallies with average Hitwise search engine rankings over the same period.

Advertising industry futures and economic trends are somewhat at odds. The World Advertising Research Centre's annual digital media report, which identified Australia as a leading market due to mobile and internet penetration, also predicted that over the next three years worldwide online advertising would enjoy growth rates three times higher than any other medium. However as the finance industry was the top ad spend industry category locally, it is expected that the global financial downturn could impact heavily on revenues for the year ahead. Further the IAB notes that local growth can be expected to slow as the market matures. There has already been a slowing in growth from last year across all expenditure types.

One of the long-awaited industry initiatives this year was the Australian Bureau of Circulation's introduction of digital versions auditing, after 18 months of industry consultation. Replica digital versions are generally *pdfs* of existing hard-copy publications and they will now be counted together in circulation audits. By the end of 2008 the ABC is also expected to start releasing quarterly audited website data for newspapers and weekly magazines and half yearly figures for other magazines, although that data were not available as this report goes to print.

Scepticism remains here and overseas about the validity of some forms of web metrics, following the US IAB's 2007 challenge to commission comparative tests on the

measurement regimes of companies such as Nielsen that used panel-based, rather than server traffic, metrics models. This year IABs have continued working with industry partners towards standardising names and definitions for each metric.

Locally the Audit Bureau of Verification Services, which measures traffic to a website, composed of a defined set of web addresses, has been analysing raw server log data to produce four standard measurements:

- The number of unique site **users**,
- The number of **page impressions** they requested,
- The length of a user **session** (unbroken series of page requests ended by movement to another site), and
- The length of a **visit** (a series of requests, which may be broken by movement to other sites, but which is ended by a 30 minute gap in access to the original site).

This schema has not resolved industry concerns about capturing accurate data in at least two respects. The ABVS acknowledges that traffic from internet service providers with dynamically altered IP addresses may not accurately reflect unique user activity. Similarly figures may be distorted by companies that cache website material on their own proxy servers, reducing the number of unique users directly accessing websites for commonly requested pages. The ABVS response has simply been to declare that as such problems are experienced by all websites, the “impact is deemed to be equally shared across all sites”.

One form of stacking the odds in user metrics – search engine optimisation (SEO) – became a topic of hot debate in 2008. SEO involves modifying sites and site content to make them rate more highly in searches. Lifting a page’s search ranking involves strategies such as link-building, where inbound links to content are created through external blog posts and comments pages, and crafting headlines, leads or write offs so more popular keywords are included.

News organisations have already been implementing SEO-led changes to site programming, structure and design, but journalists have raised concerns about the push to alter writing and story structures for better search results. Some fear that news stories will become banal and keyword driven and that news agendas will increasingly be set in response to search measures. Industry commentator Trevor Cook wrote a widely quoted column where he said SEO strategies could put journalists under pressure to shoulder more of an advertising role. At News Ltd initial newsroom reactions have led to a staged introduction of SEO training

Yet in SEO briefings for News Ltd’s Victorian Leader group, online editor Julian Burton said the most compelling argument for SEO style is demonstrating how a news story that has been optimised gains attention and feedback, and one that hasn’t can disappear. He tells journalists Google searches can comprise 20 per cent of their web traffic and regards SEO as another set of writing conventions. “Most of the time the way you write a good SEO news story is largely how you’d write it for print,” he said. “You just add a few words that explain more context”.

In terms of the broader online integration path of his group papers Burton said increased online use had caused a marked change in newsroom attitudes towards web producers.

It's gone, he said, from a print perception that:

"...these vultures come into their paper and take their staff, take their money, [compromise] their budget, take space in their books and annoy people about video and web stuff...to the situation where I think a lot of people are seeing the absolute benefit not only in using **Facebook** to find pictures of the model who started a football riot...but also in how to use the web to build their own papers' agendas."

His observation also reflects a correction this year to the country/city imbalance in online news, as Fairfax, News Ltd and WAN have rolled out website templates for their regional publications.

Meanwhile metropolitan newsroom integration is evolving, with News Ltd's 'News Solutions' and Fairfax's 'Newsroom of the Future' projects bedding down. Online Editor-in-chief for Fairfax Media, Mike Van Niekerk, said that while the exchange between paper and Web is not yet seamless, the online team is now playing a dual role across the day with stories written by online reporters now appearing more often in the paper. At News Ltd *The Daily Telegraph's* Managing Editor, Online, Glenn Shanaway, estimated about 85-90 per cent of their online readers did not read the *Daily Telegraph* or *The Sunday Telegraph* and so there were two separate audiences for the different media. Nevertheless he said an integrated newsroom was imminent and was adamant it would avoid divisiveness – even though he acknowledged "not everyone's comfortable" yet with the prospect of working to online:

"We're working on developing an integrated newsroom where everyone will end up working online as well as the paper. Obviously some people will be working mainly for online to make sure the site is properly produced but we're not trying to have separate bureaucracy where 70 or so people work for online."

At AAP, the newsroom integration project is only now being formalised with the planned appointment of a news flow/multimedia editor and the establishment of a central news monitoring desk, which will allocate production tasks across the day.

Part of the integrated newsroom push is the search to better allocate resources across the daily news cycle. Back at News Ltd Campbell Reid, Editorial Operations Director, believes there's room to improve our understanding of the types of content users expect during the day:

"Are we giving the website user a reason to visit several times a day? If I'm a different reader in the morning than I am at lunchtime and at 4 o'clock in the afternoon, how does the newspaper manage its content to meet both desires?"

Reid has been monitoring overseas trends and indicated that cross-linking to a range of publications, as the **Drudge Report** does in the US, may be a boundary pushing way to ensure return readers to your own site:

"It's gathering momentum now. If there's another fab story on another website, our traditional instinct is to do our version of that story on our website. Whereas you are actually doing a better service to the reader if you say to him or her I can take you to a better story about this because that rewards that user for using your site in the first place so the following day they're more likely to come to that same jumping off point."

According to Reid online usage is also highlighting the challenge of giving online publications a distinctive identity.

“I was at a conference recently when someone showed a whole string of news websites without the website [banners] and challenged us, ‘Who’s website is this? And we couldn’t do it. A harsh critic would say news websites are pretty vanilla-flavoured. We all now know the online user is only going to go to where great stuff is. The lesson that newspapers are learning is that the world’s best and most famous websites – while they offer an enormous amount of stuff – they actually only really do a one or two things really, really well. If you want to see **YouTube**, you go on **YouTube** to see great video, you want to go on **Google**, you only go on **Google** to find stuff whereas if you’re going to go on a newspaper, there’s everything there from recipes to breaking news stories, to who won the sporting match to travel stories to lifestyle stories as there is in the print version. But knowing that the audience has the access to the best information on anything, why is your travel story on a small medium sized newspaper going to engage anybody?”

Newspaperworks’ *Newspapers Today* report indicates that the newspaper-website relationship deserves much further study. In its survey analysis newspapers with an online presence had a significant advantage over hard copy newspapers in several respects. Users of publications with an online brand said they were more focussed on, and mentally engaged with the content than newspaper readers. Online newspaper users felt more up to date than newspaper only readers (40 per cent v 21 per cent) and said they were more likely to act on information about products or services (39 per cent v 32 per cent). However the report failed to explain in detail the range of newspaper publications surveyed readers consumed or the reasons for the differences between the figures.

4

4.3 Blogs and newspapers

by **Lindsay Simpson**
James Cook University

Within the past year, blogs have established themselves as an intrinsic form of online media on newspaper sites as the industry increasingly realises their commercial potential to attract new audiences, as well as their ability to entice readers to stay longer on newspaper sites. Offering instant interactive capabilities with audiences, blogs have developed a loyal community of readership who interact both with the newspaper and other readers. Blogs have also offered newspapers an opportunity to explore more personal topics in the form of niche blogs, which, for the traditional broadsheets, has meant publishing stories outside of the traditional subject matter resulting in a diversification of readership.

The US *State of the News Media Project for Excellence in Journalism* report on blogging (2008)[1] found that traditional media are increasingly trying to connect with those readers who gravitated to blogs for personal pleasure to and encourage them to connect to news. It found that 95 per cent of the top 100 newspapers surveyed for the 2008 report included blogs from reporters in March 2007, up from 80 per cent in 2006. Traffic to blog pages on the top newspaper websites has surged. According to data from Nielsen Net Ratings, the number of unique visitors to blog pages on the 10 most popular newspaper sites grew 210 per cent from December 2005 to December 2006. Collectively, those visitors made up 13 per cent of total traffic to these Web sites. It also found that user-news sites like **Digg** have turned the tables on traditional media by allowing visitors to choose and share what they define as news. Fans of these sites show a taste in news often quite different from what traditional media offer. A snapshot study by the Project in the summer of 2007 found the top stories on popular user-driven news sites – **Digg**, **Reddit** and **Del.icio.us** – were very different than those of the mainstream media.

Three key players in the blogging-newspaper nexus, interviewed for the *State of the Print Media Report (2008)* – Campbell Reid, Editorial Operations Director for News Limited, Glen Stanaway, Managing Editor, Online for *The Daily Telegraph*, and Mike Niekerk, Online Editor-in-chief for Fairfax Media – all emphasise the vitality of the medium as a way of reaching readers.

Mike Van Niekerk said that although blogs only represent between five and ten per cent of the traffic on Fairfax sites, (with **www.theage.com.au** and **www.smh.com.au** having 25 blogs per site) they are a “key part of what newspapers do”.

“They create a sense of community around online sites. The fact that people can react immediately around a subject. That form of instant response develops community, loyalty and brand,” he said.

Glen Shanaway believes blogs give readers “something more than straight-up news”.

Campbell Reid states: “It wasn’t that long ago for the reader to engage with the newspaper you had to write a letter to the editor, you had to get married or you had to die or get involved in something nefarious. We are again just beginning to understand how we can do something that in real time the audience can help us publish our

newspaper and our online so the newspaper is a genuine participant in life rather than an observer or someone who is remotely sitting in judgement on it.”

Blogs are a recently new phenomenon for newspapers, with papers like *The Daily Telegraph* only adopting the medium since 2006. Two others, responding to a last year’s survey conducted for the 2007 *State of the News Print Media in Australia*, *The Courier-Mail* and *The Herald Sun*, stated their blogs began in 2005 and 2006 respectively. Fairfax hosted one of the first newspaper blogs in Australia with, Margot Kingston’s *Web Diary*, as far back as July 2000, which was the first blog to actively engage readers.

Newspapers have approached the blogging phenomenon differently. *The Sydney Morning Herald*, for example, has employed predominantly freelancers to write often ‘niche’ blogs on topics that might have been considered taboo for the traditional print counterpart. Staff members write around a third of its blogs. Whereas *The Daily Telegraph*, which has only offered blogs for the past two years, uses staff journalists – often former newspaper columnists – to champion the blogging cause with occasional guest bloggers, such as the Federal Treasurer, Wayne Swan. Lifestyle blogs have been slow in developing. Staff journalists often blog on particular news topics of the day encouraging readers to stay on online sites for longer by engaging them in debates. The blogs then link to a news story increasing traffic to the online news site.

“That probably makes us different to other sites,” Shanaway says. “If there’s a breaking story that is different to the other site, if we feel it’s worthy of a good blog, we’ll get one of our bloggers to come in and blog. It might be a breaking political story so you might have Malcolm Farr blog on his view on Kevin Rudd’s latest policy decision. Not a long piece, but it might be 7-8 pars, just to get the debate going.”

Entertainment and sport, long-time traditional topics of attraction for *Telegraph* readers, have also proved to be an important topic for *The Daily Telegraph* blogs.

“All of these so called reality-TV shows have their own issues which emerge which you can turn into social issues, even though on the face of it you might assume it’s trash TV, which sometimes it might be, but there are always social issues which can sit comfortably on a page in any newspaper. With reality-TV, it’s the internet generation that watches lots of these programs in large numbers. They love them discussing the details, and characters, whether some episode was appropriate, or should be allowed on TV or not.”

The more successful blogs are not necessarily those that focus on the ‘most-read’ stories, he said.

“For example, the Garuda plane crash (in March 2007) rated extremely highly for us, (online) as a big story which you’d expect as Australians, some well known, were either injured or killed and it was a national tragedy. Hardly anyone commented on it (on blogs) because what do you say? But some stories, sometimes political stories get a considerable number of comments because people will have an opinion to express.”

Unlike *The Daily Telegraph*, *The Sydney Morning Herald* solicits freelancers to write on particular topics. Mike Van Niekerk said that blogs were used to ‘push boundaries’ and that there had been a deliberate attempt “to go outside the traditional newspaper subject material”.

“People are aghast I think. People are fascinated by the conversations that take place on the blog. A one-night-stand, for instance. The thing is that you might say that’s not a good topic. You say well the subject matter may seem over the top or provocative, but readers deal with these things in real life and that’s relevant. By getting closer to the community, one way of doing that is to address issues that are from actual life. On the one hand you might run into a story on Zimbabwe at the top of the website and you look to the right it might be about toilet etiquette. One’s about the world we live in and the other’s about how we live in the world.”

The biggest strength of blogs in newspapers is how they actively engage a community of readers who participate with each other as well as commenting on stories covered by the newspapers. This is a marked change from the traditional role of the newspaper where the reader writing a letter to the editor had to navigate through mainstream media gatekeepers before seeing their name in print. Newspaper journalists ultimately worked in a vacuum from their readers and, following the lead from Kingston’s *Web Diary*, often shape their blogs through their response to readers.

“Blogs are a form of letters to the editor,” says Van Niekerk. “They’re a form of column writing. They’re a form of escapism by readers. They’re a form of probing, telling us issues in the news, but they’re not newsmaking.”

The Daily Telegraph prints its letters to the editor from a mixture of online posts, email and mail sources increasingly focusing on the immediacy of the issue.

Shanaway explains: “The Letters’ Editor starts the day going to feedback on news stories online as the first step to printing the day’s letters. Letters in the mail are horribly out of date. We’ve integrated the position so the letters you see in the newspapers are a mixture of letters sent in with the original purpose of being in the newspaper and comments and feedback that have come to the website from web readers about stories that have obviously been in the paper too.”

Campbell Reid cites examples of soliciting interaction from readers as a competition on *The Cairns Post* site that produced a readers’ photo gallery of green tree frog pictures.

“It was a tiny little story, a filler about green tree frogs and collecting photos. Someone said: ‘Why not see if anyone has photos of green tree frogs and the response was extraordinary – hundreds and hundreds of green tree frog pictures and *The Daily Telegraph* has just done a readers’ photo competition for the *It’s Why We Love Sydney* campaign and the gallery has 250 pictures there.”

Generally, staff journalists are not remunerated for writing blogs. Instead media proprietors encourage the medium as a form of personal expression, emphasising the importance of personal rewards. Some reporters, interviewed while researching this report, declined an invitation to host their own blog because of the increased workload and the lack of remuneration. One reporter bemoaned the fact that writing a blog became addictive, confessing to communicating with readers up to 1 a.m., much to her partner’s annoyance. Van Niekerk, however, is enthusiastic about nurturing journalists’ skills in blogging:

“What I find most exciting about it is what it gives people who are writers already, they are journalists with a mindset, they have curious mind that allows them to put words

together for readers. It allows them to be freer and less constrained and able to engage with the audience. It's been an absolute revelation for traditional journalists that work for us."

One such journalist is Rocco Fazzari who authored the first artist's blog in an Australian newspaper. He uses his blog to communicate with his audience and to explain the intricacies of his artistic creations.

"I've pioneered a way of bringing people to my drawing using a new medium," he said.

In some cases, readers have actively contributed to how he draws certain figures. Fazzari, who has 'tens of thousands' of visitors to his blog each month, has recently animated his blog so readers are able to clearly see his work in progress.

"I invite the readers to walk through the process to go through and comment on the drawing. They want to comment on the scene and the process," he said.

"I think you have to be honest in what you do if you want to blog. If you draw an older woman and she doesn't have wrinkles, people will come on to your blog and ask why she doesn't have wrinkles. Sometimes you might go easier on someone who's a famous older person."

His readers have sometimes affected how he draws particular characters.

"I might change the way I draw someone, for example, drawing Malcolm Turnbull with Julius Marlow shoes," he said. "Cos that's what I always assumed he wore – bankers and lawyers wore them – but someone pointed out to me that he wears nothing but R.W. Williams' boots which makes him even more of a wanker. I grew up in Adelaide where everyone wore R.W. Williams boots because they were really cheap."

"I also drew Alexander Downer once – when people go to the airport people have luggage they pull along behind them – I had no idea that being as anal as he is, he would have a yellow one. I assumed he had an ordinary one ... I suspect it was a staffer who told me that."

He said the blog had become "something else that you add to your working day. It's a normal part of your working day. It spills into the evening and I continue to explore different ways of presenting the blog. I experiment at home with technical things, IT stuff."

Newspapers have become more wary of litigation involving blogs following successful legal action against News Limited following an online article relating to referees in the case in May 2007 against disgraced former NSW deputy crown prosecutor, Patrick Power.

Shanaway said the case had led to the *Telegraph* avoiding publishing blogs on any running court case. It also resulted in legal training for staff involved in interactive comments from reading.

"All staff now who handle readers' comments have to go through compulsory courses in defamation and contempt and discrimination so they have to do those courses. That's the main thing – to have lawyers run courses to see what staff should look out for. It's easy to make mistakes, because if it's a robust conversation online, it's easy not to see some pitfalls where people might be commenting – you have everyone at a BBQ and they say this is what I believe. Equally it might not be a publishable view."

Moderation is now an accepted practice in newspapers dealing with blogs and one of the functions of online sub-editors on major newspapers has been to combat the likelihood of litigation. Staffers are less likely to be moderated, which is, of course, more cost efficient, whereas freelance bloggers are more likely to be moderated. Van Niekerk said that Fairfax had never been litigated against, although one award winning blogger, Jack Marx, was sacked in August 2007 following a satirical article about what the then Opposition member, Kevin Rudd, got up to in a New York strip club. Marx now works for News Limited.

“Why? I think some of it was luck in the early days before we got our act together. Nothing’s foolproof. Newspapers themselves with print – they go through so many filters and eyes, double-checking and checking, someone can still press libel charges. We are quite careful. We’ve got sub editors on the website and it’s amongst the things that they do,” he said.

Endnote

1. [http:// www.stateofthenewsmedia.org/2008/narrative_online_citizen_media.php?cat=6&media=5](http://www.stateofthenewsmedia.org/2008/narrative_online_citizen_media.php?cat=6&media=5)

Journalistic practices and the quality of journalism

5.1 Themes

If there is a unifying theme covering three very different phenomena in this section, it is that journalism is now much less of an 'elite' practice and much more a democratising one. The studies raise very real issues for the quality of journalism, a practice that has been bound by strict ethical guidelines. The increased use of bloggers, many of whom are not drawn from the ranks of publication's full-time journalists, the increasing blurring between journalism and public relations, with practitioners of both arts now being educated within the same tertiary courses, and the increasing use of outside commentators to complement opinion pages are all aspects of these developments.

The three articles are brief introductions to what are seen by some as adverse trends within the industry. As such they need to be seen not as final research, but as a series of questions raising further issues for debate.

Alana Mann explains that "churnalism" is the uncritical use of press releases and other pre-packaged material as news stories, usually without acknowledgment of the material's provenance. The use of such material by journalists, without seeking alternate viewpoints, and without making their own inquiries, is a direct challenge to the quality of journalism. Claims of an increased incidence of the uncritical use of such source material are as yet unquantifiable and anecdotal. The Council is aware of at least one study currently underway in which academic researchers are seeking data on the use of press releases, and whether they are published verbatim, with or without alternate viewpoints being sought.

The rise of the citizen journalist, an adjunct to the use of bloggers, has seen more 'ordinary readers' become reporters as well. The electronic media are increasingly reliant on citizen journalists to provide news footage for their broadcasts, and much of this footage is also to be found on print media websites. Nicola Goc examines the rise of the citizen journalist and its impact on quality and on making newspapers and magazines more immediately responsive to their readers.

In the third paper, Chris McLeod wrestles with another way by which the media gain access to stories: by paying sources for the exclusive rights to their information. This practice is not new to journalism but the discussion of its ethics is a perennial one, and one that needs re-examination in the light of the use of PR material and of unattributable leaks as other sources for news.

5.2 Churnalism

by **Alana Mann**
University of Sydney

In 1922 Walter Lippmann described the benefits of “the publicity man” who “saves the reporter much trouble by presenting him a clear picture of a situation out of which he might otherwise make neither head nor tail” (1922, p. 218) Nick Davies takes a much more critical view of the public relations trade and its influence on the media agenda in *Flat Earth News* 2008 however his focus is not new. The impact of PR on journalistic discourse dates back to the 1970s when researchers in both Europe and the United States found that over half of selected daily newspapers’ content originated from PR sources. These findings have since been supported by numerous other studies including McManus’s *Market-Driven Journalism: Let the Citizen Beware?* (1994) and Underwood’s *When MBA’s Rule the Newsroom: How the Marketers and Managers Are Reshaping Today’s Media* (1988).

In common with the United States and Britain there has been massive growth in the Australian public relations industry that coincides neatly with proprietor belt-tightening. “Restructuring initiatives” are widely perceived as reducing costly news production and investigative journalism. As an issue, the crisis of public communication has clearly shifted from radical observations to mainstream debate here as it has overseas. However media-source relations, with respect to PR, do not appear to have been investigated on a micro-level in Australia, especially not on the scale of the Cardiff School of Journalism project described by Nick Davies in *Flat Earth News*.

Many academics share the concerns of editors, journalists, professional bodies, unions and readers that disinvesting in newspapers is leading to what Rosenstiel and Mitchell (2004) call the “suicide spiral”, where cost-cutting follows declining advertising revenues, leading to a poorer product which alienates readers, compounding circulation woes. Their analysis of Inland Press Association data suggested that investing in the newsroom increases revenue, circulation and profit, a view shared by the International Federation of Journalists and the Media, Entertainment and Arts Alliance. “All indications are that cost-cutting has been a disaster for mainstream news media companies around the world, forcing them into a vicious downward spiral” according to MEAA’s Christopher Warren (asiapacific.ifj.org). It is worth noting that press subsidies in Scandinavia and other European countries were introduced to ensure diversity and plurality in domestic media industries, enabling newspapers to survive concentration of ownership, competition from new media and increasing commercialisation.

Contrary to industry concerns and attempts by academics to establish a link between investment in newsrooms, newspaper quality and profits, media managers world-wide defend their cost-cutting on the grounds of adaptation to changing markets. Fairfax Media CEO David Kirk has assured readers that the latest wave of redundancies imposed by management will not impact negatively on the quality of publications including *The Age* and *The Sydney Morning Herald* and will in fact “accelerate our building of a strong and dynamic integrated media business”.

For decades academics including Robert McChesney (1999), Gene Roberts et al (2001), Robert Picard (1999), Benjamin Bagdikian (1997), Stephen Lacy (1991; 1993) and Philip

Meyer (1992) have studied the changing business model of the newspaper industry, and frequently observe that while the nexus between the number of journalists employed and the quality of a newspaper is not exact “it is not possible to produce a good paper with too small a staff” (Bagdikian 1990: 84). High quality media are costly (Fink 1998). Here in Australia, scholarly research linking quality and newspaper performance is scarce – exceptions include explorations of issues including staff ratios, the role of editors and the pressure of corporate interests (Turner 1995; Young 2006). The influence of market pressures on the daily work of journalists has been covered in the press by commentators including Paul Kelly and Michelle Grattan, while Eric Beecher has most recently lamented Fairfax’s “public declaration that profits come ahead of journalism”.

As in the UK, the range of organisations engaging the services of public relations practitioners in Australia now extends far beyond the corporate and government spheres. The Australian context has been explored by Bob Burton in *Inside Spin: The Dark Underbelly of the Public Relations Industry* (2008) while reporting includes Jennifer Hewett’s spotlight on corporate spin doctoring for *The Australian Financial Review* (“The Manipulators: How the PR Industry is taking on Journalism”, August 2005). International research outside the UK, US and Western Europe reinforces a degree of reliance on public relations sources. Reporters identified “source-initiated discovery material” as predominantly originating from public bodies including army, police and government in Zvi Reich’s 2006 study of the roles of journalists in the Israel daily press. When queried over the perceived “lack of initiative” this implied a reporter asked, “What is the alternative? To perform investigative journalism? To decide all of a sudden ‘let’s check the relation with Columbia because I watched a movie about Che Guevara?’” (Reich 2006: 506). Post-socialist countries in Central and Eastern Europe are “catching-up” with regard to the spread of professional PR practitioners. Kermen Erjavec’s Slovenian study “Hybrid Public Relations News Discourse” (2005) found many journalists not only relied on PR sources almost exclusively but also shared positive relationships with PR sources and believed their work was interdependent.

In light of the limited resources now available to editorial departments, is the growing availability of public relations material genuinely useful to journalists rather than undermining the quality of their work? Obviously, the benefit of public relations press releases to a news-gathering routine relies on their quality. Sheer quantity remains a major problem – the news desk of any major metropolitan daily receives a constant stream of public relations telephone calls, emails and faxes. Bearing in mind that the most effective public relations activity operates invisibly, collating these releases and carrying out content analysis would be of questionable benefit. The complexity of the relationship between journalists and their sources can only be studied through participant-observation and extensive interviewing of journalists about their news gathering practices, particular in the discovery phase.

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Unless the primary purpose of our newspapers is in fact to be “commercialised news and features designed to appeal to broad audiences, to entertain, to be cost effective and to maintain readers whose attention can be sold to advertisers” (Picard 2004), this is research that needs to be done. Meanwhile the issue of reliance on PR sources is a symptom of a much greater problem – the challenge posed to newspaper quality by the focus on profits.

5.3 The Citizen Journalist and news images

by **Nicola Goc**
University of Tasmania

The decline in the readership of newspapers (particularly in America and Europe) and the even greater decline in advertising revenue were canvassed at a summit on the future of journalism hosted by the MEAA and Walkley Foundation on 1-2 May this year at the ABC's Eugene Goossens Hall in Ultimo, New South Wales. The migration of readers and advertisers to the internet was suggested as the major reason for both of these declines with Mike van Niekerk from Fairfax arguing that it is only through diversification (i.e. working across different media platforms) that print media companies can survive; newspapers alone will no longer be enough to sustain them.

The decline in print-based advertising is of particular concern for without classified advertising newspapers might not be able to afford to pay for journalist's salaries. It also raises a larger problem for diversification, as identified in the 5 May 2008 edition of ABC 1's *Media Watch*, how to get money from news websites to fund quality journalism. As *Media Watch*'s host Jonathan Holmes noted: "there's no obvious substitute for the newspaper business model when it comes to funding quality journalism."

The flow-on effects of this economic change are two-fold. First, there are already indications that the most popular news stories online are soft rather than hard news, moving the media sphere ever closer to the dissemination of entertainment and identity-based stories rather than information. Secondly, the lack of advertising means that news organisations will only retain a small core group of 'professional journalists' and have to rely more on 'amateur journalists' from citizen journalists to bloggers.

An example of this already occurring was in relation to the fire that gutted the historic Liverpool Street Myer store in Hobart, Tasmania, on 22 September last year. *The Mercury* newspaper, ABC Online and *Tasmanian Times* (an online paper) all encouraged their readers to submit photos and stories of the fire to be included as part of their reportage. *The Mercury*, for example, provided an email address for readers to send in photos and offered to put together "a gallery of the best [shots]" that is still accessible online. Many smaller online sites such as **LiveLeak.com** (with their slogan "redefining the media") and **blogonthespot.com** similarly hosted reports and vision from the fire. On the night of the fire itself it was interesting to see the number of people actively recording the blaze or taking photos on their mobile phones, which were then sent on to friends and family. No longer, it seems, are the public just passive witnesses to media events, they are active participants, serving as witnesses for those who cannot be present, capturing, archiving and reporting on the story – the very essence of the citizen journalist in action.

It almost goes without saying that for a long time now, the print media have played a subordinate role to broadcast media in terms of breaking news. Audiences tend to go to broadcast media for immediacy – the latest scoop, the most up-to-date information – and then turn to print media for more background detail, as Margaret Simons puts it, "looking to papers for *depth* rather than *news*". While some defenders of print media

have argued that newspapers still set the agenda for news, the steady proliferation of *media events* over the last few years, those news stories that receive blanket coverage across all media platforms, suggest that more than ever it is television that establishes the direction of reporting for each day.

This displacement of print media from its (formerly) central role in news reportage has only increased with online news sources. What were originally devised as web-based adjuncts to newspapers have all but replaced their print counterparts – be they newspapers or news magazines. In January this year after 127 years of publication, *The Bulletin*, Australia’s oldest and perhaps most familiar weekly news magazine was shut down as it was no longer considered to be financially viable, its sales dropping from more than 100,000 in the mid 1990s to 57,039 by September 2007. ACP magazines chief executive Scott Lorson described the closure as being “somewhat symptomatic of the impact of the internet on this particular genre.”

5.4 Chequebook Journalism

by **Chris McLeod**

Chequebook journalism has continued to thrive in the media. The arguments for and against its use also continue.

People are still being paid for their stories, agents continue to reap their share of exclusive deals and media outlets which miss out on interviews with newsmakers continue to cry “foul”. Legislators have acted to prevent criminals from profiting from their crimes by way of such activity as paid interviews. But still people with a story to tell are profiting.

Online site **Crikey.com.au** has detailed more than 50 instances of paid interviews in the media over the past decade. Most of those interviews have appeared on current affairs television programs. But it is also noted that the glossy magazine section of the print media engages in the practice, either jointly with associated TV networks or on their own. Paying people to tell their story raises ethical questions and leads to debate about just what constitutes journalism and what is simply an entertainment deal.

The “Iguanagate” furore in NSW brought the payment for interview question firmly into focus yet again this year – a former staffer of federal Labor MP Belinda Neal was paid for an interview on the Nine Network in which she asserted her view that the MP intimidated and pressured her into changing her version of events at the Central Coast nightspot, Iguanas restaurant. Why would someone be paid to tell what they see as the truth about such an event?

Nine and the former staffer were adamant that all she did was repeat on air what she had already told police. So, no problem. Payment was irrelevant. But was it?

Generally those who wish to blow the whistle do so for the best of motives. But why should they be paid for it, after they have already given their version through official channels?

There are a couple of arguments as to why payment would be made in such circumstances. One is that the Nine network wanted the former staffer’s story first, exclusively. It could have been a ratings winner. Secondly, the former staffer would probably be hounded by a media pack when what she had told police was eventually revealed. Making an exclusive deal with one network would isolate her from such a bunfight – even though her evidence probably would have become public sometime.

For all that, we don’t know what the agreement for the interview involved. As with almost all agreements for exclusive interviews the public isn’t told whether there were conditions on what questions could be asked or what the subject would say.

The former staffer’s version of events was an important part of continuing news story. Signing up for money and exclusivity however restricted the rest of the news media (and the public) from timely access to some of the developments and answers that they may have wanted.

Most instances of paid interviews – the term ‘chequebook journalism’ isn’t really appropriate because the practice often has little to do with journalism at all – come in the highly competitive world of 6.30pm TV programs. That’s peak viewing time.

The cut-throat magazine industry is also active with the chequebook. Why else would Greg Norman and Christ Evert go to such lengths as having a newspaper crew removed from an island in the Bahamas where they were to wed? Some might say the newspapers crews were after something for nothing. Others would say they had a legitimate interest in covering a news event – the wedding of two sporting icons.

Clearly a deal had been done that guaranteed exclusive coverage and that didn’t allow a role for the traditional news media.

TV current affairs programs and glossy gossipy magazines include themselves in the press or news media when more properly they are engaged in the entertainment business.

And what of newspapers? As the traditional printed press embraces the internet, are they, too, not tending more towards entertainment than news, with their webcasts, downloads and “personalities”?

A number of factors are involved in a decision to pay people for their stories. One of course is competition – if there’s a good story media outlets will want to secure it for themselves. Also, there will be cases where interview subjects are in dire straits and some form of payment would be of significant benefit to them.

That doesn’t explain why disgraced footballer Wayne Carey and his girlfriend would accept payment to be interviewed on television while a number of police investigations and charges were pending. Did the words of NSW Director of Public Prosecutions, Nicholas Cowdery QC, fall on deaf ears in 2004 when he warned that chequebook journalism was interfering with justice?

Nobody seemed to have a problem about the Beaconsfield miners benefiting from telling their story about being trapped underground for 5 days after a mine collapse that killed their workmate.

And the public relations consultants seem to make a bit of sense when they argue that someone like trapped Thredbo landslide victim Stuart Diver makes an exclusive deal so that the collective media will give him some degree of peace after his ordeal.

But being in the news it seems has become a ticket to fame for many who have fringe connections to criminal activity, though they themselves have not been found guilty of anything.

In the first half of 2008 we saw gangland lawyer Zara Garde-Wilson paid for an interview and gangland figure wife Roberta Williams paid for a number of media “appearances”. Melbourne’s *Herald Sun* reported that TV current affairs programs in one week shelled out around \$100,000 for interviews with Ms Zarah Garde-Wilson and Ms Williams. Also in that week, the newspaper said, the former Neal staffer was paid around \$30,000 for her story.

Why shouldn't they profit from their associations? They wouldn't have benefited had they been the girlfriend of a medical student or the wife of an accountant who hadn't made a dubious name for themselves.

Celebrity agent Max Markson told *The Herald Sun* there was nothing wrong with current affairs shows paying for interviews in a bid to win ratings. He was quoted thus: "The public want to hear people's stories. What makes a good story is ordinary people doing extraordinary things, or extraordinary people doing ordinary things."

That probably explains the celebrity status afforded to Corey Worthington, now famous as a party organiser, but who came to prominence when police had to step into his suburban street after a party got out of hand. He became a hero from nowhere.

The competition and entertainment factors mean chequebook journalism will be a permanent feature of the media landscape.

This of course can impact adversely on the public's perception of journalists and journalism. Journalists often conduct some of the paid interviews. Why?

First, they are at the beck and call of their employer. Secondly, they may see conducting the interview as a significant career move. And thirdly they may not see it harmful to the overall profession of journalism.

But what matters most is how the public perceives payment for interviews.

These questions arise:

- If the subject was paid for the interview, what conditions were imposed by the subject and by the payer?
- Do subjects feel obliged to embellish their stories to justify receiving the payment?
- If there is any legitimate news value, were other news outlets denied access to the subject under the terms of the payment, thus creating an impediment to journalists being able to perform their function of reporting the news and denying members of the public access to newsworthy material?

And of course there is the flow-on effect:

- If a future news subject knows that they could be paid for their story will they approach outlets for payments/exclusivity etc? Even dictate by whom they want to be interviewed?

Public perception obviously can have a detrimental effect on the credibility of journalism. Eyebrows were raised when a Logie award (for most outstanding public affairs report) was presented to the Nine Network for an interview with Terri Irwin against the background of Nine making a donation to her late husband Steve's foundation to secure exclusivity.

Ironically, it is the very competition that's advocated by media ownership critics that drives chequebook journalism and ultimately restricts the ability of those without an exclusive agreement to be able to report the full story. While there is little evidence that newspapers engage in direct payments to secure interviews, they do engage in forms of 'chequebook journalism'.

It can be argued that the effect of a journalist buying lunch and drinks for an interview subject can have the same affect as a direct payment, albeit on a lower scale of cost. And a reader who provides a photograph of a news event often will be paid. The amounts are not great and in fact it can be said that payment is warranted for use of the reader's copyright in the photograph.

Similarly a newspaper may pay a photographic agency for the use of a photograph of a celebrity, justified as a copyright licence payment. A newspaper in Australia might not have access to pictorial coverage of an overseas event and buying a photo could be the only means available to obtain coverage.

But there has been a more disturbing trend in the photo trade. Many national and international sporting organisations see the sale of coverage to the traditional news press in the same way they see the sale of rights to television broadcasters and the electronic media as a potential cash cow.

The world's press have joined to beat off demands for payment for news coverage. But the emergence of the Web has created opportunities for sporting organisations to raise further revenue by treating web coverage as they would TV coverage.

It is in the web environment where the traditional news media – particularly newspapers – are anxious to have a presence that the lines of distinction between news coverage and entertainment are increasingly blurred.

The challenge now is just how will the traditional print media evolve in the web-based environment where it will compete directly with parts of the electronic media that have made payment for interviews an integral part of their business.

Undoubtedly, the integrity of journalism will come under more challenges. Journalists and publishers alike will have to ensure that legitimate news coverage survives, free of chequebook controls, so that the public continues to have timely access to legitimate news coverage.

In sections of the media where payment for stories occurs, there needs to be a genuine approach to disclosure. The first steps: declare what payments have been made and what conditions have been laid down. Secondly, make sure the paid interview is described as entertainment, not journalism. Journalism involves journalists using their initiative, knowledge and contacts to gather the news – not simply turning up to an interview that has been arranged for them by someone with a chequebook.

Disclosure of payment may raise doubts in the minds of members of the public but at least they will be able to form their own views about the authenticity of the interview.

If the payment is kept secret then members of the public would feel they could have been misled if a payment is later revealed.

The public, after all, is entitled to the truth. And to honest journalism.

Content Analysis

6.1 Themes

In each iteration of *The State of the News Print Media in Australia*, the Council has commissioned research that analyses the content of the Australian print media. In the 2006 *Report*, researchers at two universities analysed the content of, and number of sources for, articles in the first five pages of Australian newspapers. This answered important questions about the sort of material that was covered in metropolitan, regional and country newspaper. In the 2007 *Supplement*, there were detailed analyses of the coverage of two state elections, seeking to answer the often-raised question of whether such coverage is biased. Each analysis reached the same conclusion: no political bias could be found.

In this report there is a different sort of analysis: how do quality newspapers cover an issue of major national importance that runs over several weeks of coverage? Jacqui Ewart and Julie Posetti of Griffith University have analysed the coverage of the arrest and putative charging of the Indian-born doctor Mohamed Haneef, who was accused of complicity in terror attacks in London and Glasgow, before the case against him collapsed and he was released. Using the coverage in a national and a metropolitan daily, the researchers analyse the way in which themes were explored in the coverage and how headlines, in particular, framed the story.

Their choice of a national daily and the Sydney-based metropolitan is interesting. You would expect a greater interest in a Queensland-based story in that state's main daily, but not perhaps in the Sydney daily. Because a greater proportion of its readers would live near where the events were occurring, *The Australian* had a greater impetus to keep digging into the story. Its use of good investigative journalism, led by Hedley Thomas, exemplified a simple fact about the contemporary media: only newspapers now allocate the resources, and have access to the resources, to carry through the in-depth investigative journalism needed to get at the nub of such a complex yarn, and provide a sensible analysis of it.

The Haneef story was one where the newspaper reporting changed from initial reliance on official sources, often 'on background' and unattributable, to journalists using a variety of other sources, including material supplied by representatives of Dr Haneef, and their own investigations. The press's handling of the story is interesting in the way that the tone changed from one that started by concentrating on the dangers of

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terrorism to one that raised significant questions of fairness before the law and the nature of the society in which we live.

A second, briefer, analysis by Antonio Castillo explores how international events are covered in Australian newspapers, and the extent to which the concentration on events in an Anglophone country was at the expense of stories from other cultures. The writer notes the emphasis on news of the American election to the detriment, in his eyes, of news of major natural disasters in Asia and elsewhere in the Third World. Readers are likely to have different takes on this analysis: given the importance and timing of the American election to Australia, and the array of precedent-breaking candidates, including an African-American and a woman in a fight for pre-selection, a different set of news values applied at the time than might have applied in a year when such a transformative event as the 2008 Presidential election was not dominating the news. Nevertheless the analysis does illustrate how different newspapers assess what is newsworthy for their readers at a particular time.

6.2 The reporting of the Mohamed Haneef story

by **Jacqui Ewart**
Griffith University

Julie Posetti
University of Canberra

The story of the arrest of Dr Mohamed Haneef, his incarceration without charge for 12 days and the resultant media, political and human rights furore is certainly one of the most enduring stories of 2007 and possibly the decade. It was a story that attracted significant interest from Australian and international media. More than a year after the story broke it continues to unfold, with the results of the inquiry into the Australian Federal Police and government's handling of the matter due in the middle of November 2008. There have been recent media reports that Dr Haneef may take civil action.

The media interest in the Dr Haneef case and the thousands of column centimetres of coverage it gained raise questions about how the Australian media covered the case. An analysis of the coverage of the story by two of Australia's major newspapers, *The Australian* and *The Sydney Morning Herald*, provides some insights into the strengths and weaknesses of the coverage and its implications. Questions underpinning this analysis include: What were the major themes and topics associated with the coverage? How was the story positioned and framed? What were the differences, if any, in the way these newspapers covered the story? And, what tools did journalists use in gathering information about Australia's biggest and, to date, most costly terrorism investigation?

Because of the enormous size and scope of the story and its ongoing nature, the data collated for this analysis are limited to the first month of coverage from July 3, 2007 to August 3, 2007. This was also the period of the most intense media coverage of the story.

Background and Methodology

Dr. Mohammad Haneef was arrested late on July 2, 2007 at the Brisbane International Airport as he waited to board a plane to Bangalore, India. He was held without charge for 12 days under provisions introduced to the Crimes Act in 2004 and 2005 by the then Howard Government which enable police to detain suspects indefinitely, as long as they continue to obtain extensions to the detention time from an officer of the judiciary. Dr Haneef was eventually charged. The charge was that: "On or about the July 25, 2006 in the United Kingdom, Mohammad Haneef, did, contrary to section 102.7(2) of the Criminal Code Commonwealth intentionally provide resources, namely a subscriber information module (SIM) card to a terrorist organisation consisting of a group of persons including Sabeel AHMED and Kafeel AHMED, being reckless as to whether the organisation was a terrorist organisation". Shortly after Dr Haneef was granted bail his visa was cancelled. Eventually the charges were withdrawn and he elected to return to India while the investigation continued.

The analysis of the two newspapers' coverage of the story highlights the ways in which the story was framed and positioned. It also identifies the key themes that emerged

during a period in which the Australian media gave extremely intense attention to the story.

Articles were identified for analysis by keyword searches undertaken through the news database, *Factiva*. Stories that were about Dr Haneef and the events associated with his case were identified for inclusion in the study. Stories that only briefly mentioned Dr Haneef were not included in the analysis because those brief mentions were often within stories about other terrorism suspects not associated with the UK events that led to Haneef's arrest, for example the Izhar ul-Haque case or the David Hicks case. And, while these connections indicate something about the way the Haneef case was covered in connection with terrorism generally, there is not space available here to analyse such coverage.

A total of 211 news, feature and opinion pieces from the two newspapers were analysed. It should be noted that this was only a small portion of the coverage as the case continued for the rest of 2007 and into 2008.

A researcher read each of the stories identified for analysis and themes, frames and tones within each story were identified. A list of all themes and frames from the sample was drawn up and the twelve most frequently occurring of these were used as key coding categories. Each story was then read again and categorised using these key themes and frames. Every story was also examined to identify any mention of journalistic tools used to gather the information contained within each article and the stories were categorised in terms of output type – such as feature, news and opinion. It was decided that a simple categorisation of articles into positive or negative coverage would be avoided, because that would be too simplistic an approach to assist in understanding how the complex Dr Haneef story was positioned and framed to audiences of major print news media outlets.

The newspapers examined

The Australian was chosen for the study because it is the national daily newspaper and the newspaper's staff broke several key stories during the case. *The Sydney Morning Herald* was selected for analysis because it is generally thought to provide different perspectives on issues and approaches to reporting than those provided by *The Australian*.

The first month of coverage, from Dr Haneef's arrest at Brisbane International Airport on July 2, 2007 to August 3, 2007 was selected for analysis because of the intensity of the media coverage of the case during that time. This 32-day period included major events such as his arrest, ongoing detention without charge, charging, withdrawal of the charges, withdrawal of his visa, and his departure from Australia. The rapid trajectory of the story's development in this period was accompanied by significant shifts in the media's approach to the story, thus making it an excellent case study.

Analysis

There were 120 and 91 articles published by *The Australian* and *The Sydney Morning Herald* respectively in the first month of coverage of the story (see Table 6.1). *The Australian's* first month of coverage of the story included 82 news stories, six feature

stories, 27 stories categorised as opinion/editorial and five analytical pieces. Stories included in the analysis category were those that involved in-depth discussions about the implications of the case and analysis of associated events by journalists and commentators, whereas those categorised as features were lengthy articles published in the features section presented in typical feature style. *The Sydney Morning Herald's* coverage in the same period included 65 news stories, 23 opinion/editorial items and 3 analytical pieces.

Table 6.1: Number and type of Articles published July 3, 2007 to August 3, 2007

Article type	The Australian	The Sydney Morning Herald
News	82 (68.3 per cent)	65 (71.4 per cent)
Feature	6 (5 per cent)	0
Opinion/Editorial	27 (22.5 per cent)	23 (25.3 per cent)
Analysis	5 (4.2 per cent)	3 (3.3 per cent)
Total	120	91

During the first month of coverage of the story, *The Australian* published more articles across all categories than *The Sydney Morning Herald*. This may have been because *The Australian* took 'ownership' of the story when one of its reporters gained several exclusives and broke key stories associated with the case. This sort of approach is critical for generating follow-up stories. Another factor in the amount of coverage *The Australian* gave to the story might have been that it has a bureau in Brisbane staffed by several senior reporters, whereas *The Sydney Morning Herald* has only a single correspondent in Brisbane. It is also relevant that *The Australian* sees itself as a national newspaper of record, meaning it prioritises national stories, while *The Sydney Morning Herald* takes a more Sydney-centric view of the world which de-emphasises content emanating from other cities, such as Brisbane.

The prominence of the Dr Haneef Story

The Dr Haneef story was given significant prominence during the first month of coverage, both in terms of the number of stories published and the positioning of the stories within the newspapers. This is not surprising given the nature of the story – Australia's link to an international terrorism conspiracy investigation. Stories most frequently appeared on page 1, with 22.3 per cent (or 47 stories) of the total story count across both papers being published on the lead page of the newspapers. The next most common pages of publication were pages 4 and 6 with 16.1 per cent (34 stories) and 14.2 per cent (30 stories) respectively. A more detailed analysis of the story's location within the newspapers highlights its prominence within the news agendas of the papers examined.

Table 6.2: Story prominence: Location by page

Newspaper name	Page location	No: of stories appearing	Number of stories as a percentage of all stories
The Australian	1-6	81	67.5
	7-13	12	10
	14 on	27	22.5
Total		120	100
The Sydney Morning Herald	1-6	54	59.3
	7-13	27	29.7
	14 on	10	11
Total		91	100

As the table above illustrates, *The Australian* generally gave more prominence to the Dr Haneef story than its rival, *The Sydney Morning Herald*. The Australian not only published more stories about the Dr Haneef case (producing 120 stories compared to *The Sydney Morning Herald's* 91) but it cast the news stories more prominently. Sixty-eight per cent of the news stories carried by the Australian appeared on pages 1-6, while 59 per cent of the correlating *The Sydney Morning Herald* stories were given the same prominence. *The Australian* also published more page one stories on the Dr Haneef case than *The Sydney Morning Herald* with 26 front-page news stories compared to 21. Further, *The Australian* published more articles in the features, opinion/editorial and analysis categories, which explains why slightly more than one-fifth of the stories it carried appeared further back in the newspaper – page 14 or after – whereas this category represented just over one tenth of the stories published by *The Sydney Morning Herald*. This is significant as it is indicative of the depth of coverage offered by each newspaper – with features providing scope for more broad-ranging investigative journalism and analysis/opinion creating opportunities for critique and more nuanced coverage.

Length of stories

More than 150,000 words were published on the Dr Haneef case between July 3, 2007 and August 3, 2007, consisting of 90,526 words published by *The Australian* and 59,619 in *The Sydney Morning Herald*. An analysis of the average word length of stories revealed that stories at *The Australian* averaged 754 words, while at *The Sydney Morning Herald* they averaged 655 words – *The Australian's* stories on this issue were approximately 13.2 per cent longer than those in *The Sydney Morning Herald*. Many of the stories published in the hard news category by both newspapers were considerably lengthier than the norm. The analysis revealed hard news stories averaged 698 words at *The Australian* and 655 words at *The Sydney Morning Herald*. In 2006 the content analysis chapter in *The State of the News Print Media in Australia* revealed that news stories appearing in major Australian metropolitan newspapers were mostly between 100 and 500 words in length. The extended length of news stories about the Dr Haneef issue may have been related to the nature of the story and associated events. In particular both newspapers' interest in the Australian connection to a major international terrorism investigation would have prompted longer news stories than usual. *The Sydney*

Morning Herald gave more space to the story within its hard news pages publishing more words in the hard news category (59,619) than *The Australian* (57,233).

Popular themes/topics associated with the Dr Haneef story

In order to identify the most common themes associated with the month's coverage, individual stories were read and categorised according to their most dominant theme. Twelve key themes were identified in the coverage of the Dr Haneef matter. They were: the event (the attempted bombings in London/Glasgow); celebrity/personalities (of key people involved in the story); court (proceedings and appearances); crime (in relation to the police operation associated with the events); security (national security issues); threat (posed by terrorism to society); rights (human and civil rights); health (impacts on the health system); domestic politics; international politics; religion; and social issues and policies. Where stories did not fit these categories they were coded as 'other'. Less than 10 per cent of the total story count across both newspapers was coded as 'other'.

There were several key themes identified in the stories analysed. Further analysis of this data revealed some interesting trends in the themes of stories in the first ten days and the last 22 days of the coverage. In the first ten days of coverage of the story there were 48 Dr Haneef stories published across the two newspapers and in the remaining 22 days of coverage 163 stories were published on the issue. In the first ten days *The Australian* published 27 articles while *The Sydney Morning Herald* published 21. In the last 22 days *The Australian* published 93 stories and *The Sydney Morning Herald* published 70. The coverage was divided up in this manner because a reading of the articles indicated it was only after the first ten days of coverage that the media started to question the facts and evidence in the case.

In the first ten days of the story's development the most common theme of stories was that of crime. In this area the most common focus of stories was on the arrest of a suspected terrorist in Australia and the links to the attempted bombings in London. During this period there was also a significant focus on the police operation associated with the London events. Issues of security and the threat terrorism posed to Australia were also highly featured in stories published in this period. Human and civil rights issues attracted relatively little coverage in the first ten days of the story. This indicates a willingness on the part of reporters and editors to follow and react in line with government/dominant political discourses on the story and, potentially, a reluctance to challenge those discourses in the initial development of such a story.

Table 6.3: Four most common themes both newspapers first ten days

Theme	Number of stories	As a percentage of total stories
Crime	16	7.58
National security issues	12	5.68
Celebrity	11	5.21
Human/civil rights	5	2.37
Court proceedings	5	2.37

* The categories of 'human/civil rights' and 'court proceedings' contained the same number of articles, hence their inclusion in the same cell in these tables.

Table 6.4: The most common themes per individual newspaper first ten days

The Australian	No: of stories [N=37]	The Sydney Morning Herald	No: of stories [N=29]
Crime	8	Crime	8
		National security	8
Celebrity/ Personality	6	Celebrity/personality	5
Court	4		
National security	4	Human/civil rights	3
Domestic Politics	3		
		Health system	2

* At *The Sydney Morning Herald* the categories of 'crime' and 'national security' and at *The Australian* the categories of 'court' and 'national security' contained the same number of articles, hence their inclusion in the same cell in these tables.

After ten days, the trajectory of the story changed; as key documents were provided to the media and reporters became more critical in their approach to the story. The provision of a police affidavit to *The Australian* which showed the evidence police were relying on to extend Dr Haneef's detention without charge was 'weak' and the release of the transcript of Dr Haneef's first interview with police changed the course of the story. As a result, there was a marked shift in the theme of articles appearing in relation to the case. For example, there was a significant focus on the court proceedings associated with the story, as most court appearances had been held in camera prior to this time. Domestic politics also featured heavily as various politicians became involved in the disputes around the case and reporters began to analyse the politics underpinning the case. The man at the centre of the case – Dr Haneef – and his lawyers also attracted a lot of media attention and many of these stories were personality based. For example Dr Haneef's solicitor was the subject of personality profiles and other similar articles. As the story continued to develop, the attention both newspapers devoted to human and civil rights issues increased. This can be interpreted as a direct consequence of a more questioning approach adopted by reporters in dealing with government representatives and policing agencies. It may also have been that human and civil rights organisations became more vocal about the issue, and attracted more media attention, the longer Dr Haneef spent in detention.

Table 6.5: Four most common themes both newspapers after ten days

Theme	No: of stories	As a percentage of total stories
Court proceedings	31	14.69
Domestic politics	26	12.32
Celebrity personality	18	8.53
Human and civil rights	17	8.05

An examination of each newspaper's coverage of the story over the month unearths some differences in the most common themes. In *The Sydney Morning Herald* the most common frame through which stories were viewed/interpreted was that of

national security, whereas at *The Australian*, national politics and court proceedings were the most dominant themes. Both newspapers used the same five themes in their stories during this period, although the emphasis on these themes was different at each newspaper. It is noteworthy that both newspapers had a significant focus on stories within the celebrity/personality theme. This may indicate a shift towards a more emotive, humanising approach to story telling in line with voyeuristic media consumption habits under the influence of reality TV or simply reflect the power of character-driven story telling.

Table 6.6: Top Five themes used in each newspaper

The Australian	No: of stories	The Sydney Morning Herald	No: of stories
1. Australian politics	20	1. National security	15
1. Court proceedings	20		
2. Celebrity/personality	15	2. Court proceedings	14
3. Crime	14	3. Celebrity/personality	13
4. National security	13	4. Crime	12
5. Human/civil rights	11	5. Human/civil Rights	10

*Note: The Australian carried the same number of stories in which the key theme was 'Australian Politics' as it did stories in which they key theme was 'court proceedings'.

Tone of articles appearing

Each story was examined to identify its overall tone. The most common tone of stories published in both newspapers was critical of the government. This reveals that the newspapers are to some extent performing their fourth estate role, as a check on the government and authorities.

When the combined treatment of stories by both newspapers and the tone of articles were examined, analytical items made up the next most common category, followed by stories that questioned the government's actions. Stories that focused on the conflict associated with the issue and the disputes between various parties involved in the story and, finally, stories that were critical of the actions of authorities such as the AFP and DPP were also identified among the frequently occurring tones. However when individual newspapers were analysed in respect of the most common tone of stories there were some differences as highlighted by the following table:

Table 6.7: Five most common tones of stories

The Australian			The Sydney Morning Herald		
Most Common Stories	%	No: of Stories	Most Common Stories	%	No: of Stories
Critical of the Government	15.8	19	Critical of the Government	15.4	14
Questioning the Government's actions	12.5	15	Analytical	13.2	12
Critical of Authorities i.e. Department of Public Prosecutions, Australian Federal Police	7.5	9	Conflict between various parties involved	12.1	11
Analytical	10.8	13	Questioning of Authorities actions	6.6	6
Supportive of Anti-Terror Laws	5.8	5.8	Critical of Authorities	5.5	5

Although the analysis clearly shows that the most common tone associated with stories in both newspapers was 'critical of the government', it is important to acknowledge that both newspapers only adopted a critical approach more than a week into the story's coverage.

Headline Key Words – Framing

The headlines on each story were examined and key words used in them identified. This was useful in determining how the story was framed by the headline for readers' consumption. The most commonly occurring words in headlines in both newspapers were words relating to Dr Haneef the man and/or his family. These stories were framed through the news value of human interest. At *The Australian* 15 per cent of headlines published on stories about the case in the first month contained references to Dr Haneef or his family members. At *The Sydney Morning Herald* this was significantly more with almost 29 per cent of headlines containing such references. *The Sydney Morning Herald* may have elected to focus on the human interest side of the story as an alternative news frame and as a way of presenting a different perspective on the story than its rival *The Australian* which took a more investigative approach to the story, largely prompted by sources providing material which other media did not have access to.

The next most common focus of headlines in *The Australian* was on international and national government along with laws (12 per cent of headlines) and legal appearances (also 12 per cent of headlines). At *The Sydney Morning Herald* it was terrorism and terrorism suspects that was the next most common focus of headlines (9 per cent).

Journalistic tools

The types of tools journalists used to collect stories were identified to show how journalists gathered information on this story. Stories were examined to determine what tools had been used, but in a lot of cases journalists did not directly identify where information had been sourced i.e. press conference, press release, interview and so on. In 65 of the 211 stories (30 per cent) published it was not possible to identify which tool was used. The desire to avoid surmising what tools were used in stories that did not explicitly state this led to the elimination of those stories from the process of analysis. Of the articles available for analysis, which did identify story-gathering tools, interviews

were the main tool used by journalists to gather information at both newspapers (103 stories or 49 per cent of stories), followed by press conferences (15 stories or 7 per cent). Stories where the main tools were investigative approaches, such as leaked documents and provision of information from unnamed sources, accounted for only a small percentage of total stories published (13 stories or 6.2 per cent). Interestingly other media were identified as a source of information in 10 stories or 4.7 per cent of coverage. This last statistic is significant in that both newspapers at times relied on other media as a source of information. A closer look at this reveals that *The Australian* relied on other media as its main source of information in almost 6 per cent (or 7 articles) of the stories it published on the matter and *The Sydney Morning Herald* relied on other media for 3.3 per cent (or 3 of the articles) of stories it published on the issue.

Discussion

Prominence

The Dr Haneef story was one that attracted significant media interest. In relation to story length, both newspapers gave considerable space and attention to the story as it unfolded, and both newspapers treated the story prominently – both in terms of the number of stories published and the positioning of the stories – within their respective publications. Indeed, the story was most frequently front-page news when it appeared (22 per cent of all stories were front page leads).

This is not surprising given the nature of the story – Australia’s link to an international terrorism conspiracy investigation in the context of the ‘War on Terror’ and Howard Government discourses on ‘border security’ and ‘national security’.

The Australian generally gave more prominence to the Dr Haneef story than *The Sydney Morning Herald*, producing 120 stories compared to *The Sydney Morning Herald*’s 91 and it also placed the news stories more prominently in the first six pages of the newspaper. *The Australian* also published more page 1 stories on the Dr Haneef case than *The Sydney Morning Herald* and carried more articles in the features, opinion/editorial and analysis categories. This is significant as it is indicative of the depth of coverage offered by each newspaper – with features providing scope for more broad-ranging investigative journalism and analysis/opinion creating opportunities for critique and more nuanced coverage.

Human Rights Suffer When You Bury the Lead

This analysis provides a salient lesson: a narrow focus on angles of crime and conflict can stifle attention on human rights abuses and can effectively help ‘bury the lead’.

In the first ten days of coverage the focus was firmly on the crime and security aspects of the story while human and civil rights issues attracted little attention. The initial lack of interrogation on these issues was surprising given that this was the first time the then government had been able to test changes to the Commonwealth *Crimes Act* surrounding alleged terrorism and terrorism activities. This indicates a willingness on the part of reporters and editors to follow and react in line with government/dominant political discourses on the story and, potentially, a reluctance to challenge those discourses in the initial development of such a story.

It was the with breaking of several key stories including the publication of details of a police affidavit which revealed that the evidence police were relying on to extend Dr Haneef's detention was 'weak' and the publication of the transcript of Dr Haneef's first interview with police, that the story began to change course. The media grew frustrated with the spin being peddled by government and investigating authorities and began asking tougher questions of such sources, additional themes – such as potential breaches of Dr Haneef's human rights and civil liberties – emerged in line with the more critical approach.

As the story continued to develop, the attention both newspapers devoted to human and civil rights issues increased. This can be interpreted as a direct consequence of a more questioning approach adopted by reporters in dealing with government representatives and policing agencies.

Tone

The most common tone of stories published in both newspapers was critical of the government. This reveals that the newspapers are to some extent performing their fourth estate role, as a check on the government and authorities. But it is important to acknowledge that both newspapers only adopted a critical approach more than a week into the story's coverage.

Source Selection

As noted above (*Journalistic Tools*), interviewing was identified as the main story-gathering tool, followed by press conferences. Stories where the main tools were investigative approaches accounted for only a small percentage of total stories published. Given the link between investigative journalism and ensuring the accountability of government and authorities on the one hand and the connection between such stories and exclusivity/agenda-setting power on the other, this point of analysis warrants further investigation. The high cost to newsrooms of such investigations in terms of time and resources coupled with the understandable reluctance of sources to provide such evidence are no doubt contributing factors but this was the sort of story that demanded methodical and critical investigation. Interestingly other media were identified as a source of information in 10 stories. Such reliance on other news media as a source of information poses a potential threat to accuracy through reliance on the other outlet's research and fact-checking. It also may indicate an unwillingness independently to set the agenda or run in a different direction to the 'pack'. Alternatively, it may indicate the influence of the agenda-setting investigative reporting being undertaken on the story, which generated exclusives justifying re-reporting in alternative publications with attribution.

Conclusion

While the coverage tended to fall in line with messages being pushed by government and investigating authorities in the first 10 days of coverage, the overall tone of the reporting was critical of officialdom.

There are significant lessons to be drawn from this case study about reporting processes:

- investigative journalism can change the course of a story as it did in the Haneef case;
- an over-emphasis on crime and security can overshadow significant human/civil rights issues and effectively bury the lead;
- when journalists rely on other media as a source they need to fact check.

This study also poses the following questions: How much of an impact have increased workloads and online output demands had on the freedom of newspaper journalists at these publications to undertake investigative journalism? How significant were the outcomes of these investigations in the Dr Haneef case in terms of civil society objectives, good journalism and public consumption of copy?

Perhaps the most salient lesson from the Dr Haneef case is that investigative journalism, powered by the willingness of sources to provide documents and information, can have a significant impact on the trajectory of a story and can help to ensure the media perform their fourth estate role, despite the increasing commercial pressures on journalism which at times are blamed for contributing to the media's inability to fulfill its democratic functions.

6.3 Four weeks in the World of The Sydney Morning Herald

by **Antonio Castillo**
The University of Sydney

Any reputed global city needs a global newspaper. New York has *The New York Times* and Sydney, the only truly global Australian city, has *The Sydney Morning Herald*. While a good indicator of a global city is the “representation of the world” in its population, the global characteristic of a newspaper can be found in its international news coverage.

During four weeks, June 28 to July 28, 2008, we analysed *The Sydney Morning Herald*'s world section with one objective in mind, to gain a snapshot of its world news coverage. But before we examine these four weeks, let's look at the May 8 and September 2, 2008 editions. Despite these two editions falling outside of the period assessed they deserve a special mention.

On Thursday, May 8, 2008, *The Sydney Morning Herald* published the following page 1 story: “It looks over for Clinton.” Under the byline of Anne Davis, the newspaper correspondent in the US, the story reported Hillary Clinton's narrow win in Indiana and loss in North Carolina, meaning her bid for the White House was over. The story was accompanied by a sizeable headshot of Hillary Clinton. It was a comprehensive coverage. On the same page 1 and just below Clinton's story, the newspaper ran a less compressive and far shorter story about Burma's Cyclone Nargis. The headline reads: “Scrabbling desperately to survive in a city without roof” and the stand first mentioned a death toll of 30,000 people. A small photo was published showing the debris clogging the streets of Rangoon.

This is the issue. While that day the Burma disaster rated a mention on page 1, the prominence given to it was far less than that given to Clinton's failed bid. Page 1 showed that a famous American politician defeated in a primary election rated far more prominently than 30,000 Burmese deaths in a major natural disaster.

Natural disaster was one of the major international stories in *The Sydney Morning Herald*'s September 2 edition. The newspaper allocated a full page (page 9) to a comprehensive coverage of Hurricane Gustav. Ian Munro, the newspaper US correspondent, reported, “two million people fled New Orleans and other coastal communities across the country's south to escape Hurricane Gustav.” The coverage was complemented by background, analysis and pictorial representation. In the same edition in page 11, the Indian flooding deserved a less prominent and far less-comprehensive coverage. In approximately 500 words the story filed by Matt Wade, *The Sydney Morning Herald* correspondent in India, reported of “about three million people affected by a torrent of water that has devastated the impoverished state of Bihar in north India.”

Hillary Clinton versus 30,000 Burmese deaths and the lack of symmetry in the coverage of the US Hurricane Gustav versus the Indian flooding reminds us of columnist Emma Tom's comment made in 2005. Then she wrote: “The big problem with living in the Democratic Republic of the Congo is that you've got to die really grossly before you rate a mention in the international press. Particularly if you're competing against a single comatose American [Terri Schiavo].” Spot on.

A global and comprehensive coverage of world events is a must for any quality global newspaper. As Pamela Constable, a *Washington Post* staff writer who has reported from more than 35 countries, said: “Knowing about the world is not a luxury; it is an urgent necessity.”

A number of academic researches say that foreign news helps citizens to form a public opinion about events happening in the international context. They refer to the impact that international news stories have on how we perceive the world. And yet world news coverage in major publications, such as *The Sydney Morning Herald*, appears to have declined and it is less comprehensive when it comes to the coverage of third world countries and regions.

During June 28 to July 28, 2008 *The Sydney Morning Herald* published approximately 376 international stories in its main body. Approximately 88 out of them referred to the United States. The UK, traditionally a major source of stories in the Australian media, appeared in 28 stories, well behind the United States. They were followed by Zimbabwe with 22 stories, Indonesia 21 and China 18. It is interesting that Iraq fell from the radar during these four weeks. It accounted for just 6 stories. It is not *the* story any longer. Similar omissions were experienced by Japan, with 3 stories, a country that is a major Australian financial partner.

The four-week assessment also looked at news story sources per region. As Putnis said the analysis of stories per region is “regarded as particularly important given the potential use of the international news map as a gauge of Australia’s position in the world given its cultural ties to Europe and geographical proximity to Asia”

During the four weeks, we counted 89 stories coming from Asia, 87 from Europe and 86 from North America, mainly from the United States. Canada was conspicuously absent. Africa followed behind with 32 stories, the Middle East with 17 and Latin America with 7.

News frame is a key tool used to construct news stories and therefore the way we perceive places and people. During these four weeks Asia was framed as a region of political repression, human rights violations, natural disasters, terrorism and drug-traffic. In the period 23 stories were framed as “political crisis” and 19 as violations to human rights. Asia was the source of 13 stories of political violence against citizens, opposition parties or politicians. They were followed by 8 stories on natural disasters and environmental problems and general issues.

North America – mainly the United States – was mainly covered in the context of the domestic politics. Approximately 20 stories covered the presidential election. This was to be expected.

Expected was also the news frame of Africa. *The Sydney Morning Herald* framed the region as a place of endless political, economic crisis and corruption. During this period 28 stories were about political crisis. The only “human” story involved a photograph of Prince Harry doing a “finger” salute. Zimbabwe was the largest contributor to the “political crisis” frame.

If you happened to read *The Sydney Morning Herald* world pages in these four weeks you would discover that Europe is all about crime. In Europe crime was covered in 16 stories and while immigration is a major issue in Europe, this topic was covered in just 3

stories. Human rights framed stories came mainly from Serbia following the arrest of the former dictator Radovan Karadzic.

Latin America was the source of a small number of stories about rebel insurgency and crime. This region shrank in *The Sydney Morning Herald* world pages to only three countries, Mexico, Colombia and Brazil. Mexico supplied the crime stories.

Terrorism and war defined the news coverage of the Middle East. Approximately 10 stories from this region were about terrorism. War was also prominent with 15. The South Pacific was mentioned in 11 stories and 6 of them were framed as political crisis.

We are well aware that an international news story on page 1 will deter customers. It was not always like this. The Australian Press Council's Sydney office adorns its walls with vintage newspapers front pages.

One of them is page 1 of *The Sunday Telegraph*, November 19, 1939. The leading story headline reads: "Open revolt flares up in Czechoslovakia." Down the same page, the same newspaper ran a story about an alleged lover affair between Hitler and the "Honorable Unity Freeman Mitford." Two international news stories in page 1, a rarity in the today's Australian press.

During the four weeks *The Sydney Morning Herald* published only 4 international stories on page 1. They were: "Indonesia to blame for Timor mayhem," on July 1; "Plane Garuda Pilot Indonesia," on July 24; "Billion lost in US fallout," on July 16; and "Mosley wins damages claim" on July 25. One comment about the latter. While the UK sex scandal involving Max Mosley was published in front page, the July 2 rescue in Colombia of Ingrid Betancourt and other 11 hostages – a major international news story – was not considered newsworthy enough to be published in *The Sydney Morning Herald* page 1.

Looking at the four-week period we could make lots of speculations. However the most concrete aspects that emerges is that the world coverage seems to be patchy with little background and no context. The majority of the stories are "topical" and lack analysis. There is also a process of exclusion and inclusion of whole regions and people. As the late Ryszard Kapuscinski said about coverage of international events – and this applies not only to *The Sydney Morning Herald* – this is "very superficial and fragmented."

Press Freedom and Access to information

7.1 Themes

There has been an almost universally glass-half-empty rhetoric in the commentaries on the deterioration in the press's freedom to report on matters of public interest that have featured in the first two iterations of this report. It is worthy of note, therefore, that there is enough good news in this year's report to suggest that the press freedom glass might now be half-full. We are in the midst of the transition process from the previous masters to the new masters at the federal level and it is too early to judge how much impact on press freedom such a change of government might have, but the trends are generally in the right direction – as the international bench-marking agencies suggest. Changes in the leadership of many of the state governments, with the retirement of a number of Premiers, and an election defeat, have brought in new state leaders who appear to be more intent on law reform to free up information – at least in their early days in office.

In the main report, Jack R Herman notes a number of areas where the situation has been ameliorated and where there is hope for further improvement. Nonetheless, pending a series of reviews, law reform commission reports, and other action by federal and state governments, many of the problems remain. Protection of personal privacy is one area where the threat of further deterioration is apparent – with the formalisation of proposals for a tort of invasion of privacy being proposed by the Australian Law Reform Commission. In the absence of any constitutional or legislated protection of free speech, such a law would be a clear threat to the ability of the press to report on matters of public concern. The courts also remain behind the times, with a number of rules that limit the press's ability properly to report what should be open courts.

The report welcomes the publishers and broadcasters' *Right to Know* campaign and its attempts to counter the worst barriers against the freedom to communicate on matters of public interest.

There are a few notes of caution: in a separate paper, Rick Snell, Peter Timmins and Johan Lidberg note that proposed changes to Freedom of Information law have not as yet been introduced at the federal level, but *The Right to Information* in Queensland provides a blueprint for reform that should influence most jurisdictions. They sound a cautionary note on the wider questions of the availability of information, contrasting Australia's position on FOI, whistleblowers and journalists' shield laws with more liberal comparable democracies.

7.2 Press Freedom 2007-2008

by **Jack Herman**
Australian Press Council

The erosion of free speech commented on in the 2006 *State of the News Print Media in Australia* and the 2007 *Supplement* appears to have been halted – if not reversed – in the past year. According to Freedom House, in its 2008 report, Australia is ranked 35th among the nations of the world in so far as press freedom is concerned (from 39 in 2007). *Reporters sans Frontieres* (in its 2007 list) ranks Australia in 28th place (up from 35, after a number of years in which its ranking has consistently fallen).

The major publishers and broadcasters, alarmed at the culture of secrecy in contemporary Australia, initiated the *Right to Know* campaign in 2007. The first step was an audit of conditions impacting on the Australian media. The audit was headed by former NSW Ombudsman Irene Moss. In early November 2007, the audit team presented its *Report of the Independent Audit of Free Speech in Australia* to the *Right to Know* campaign. It noted about 500 pieces of legislation, at the territory, state or federal level, which restricted media access to information, and the growing trend towards suppression of information by the courts. In particular it found that Freedom of Information laws were ineffective, due to costs, time delays and the imposition of ministerial certificates.

The audit report will be used as the basis of further action by the *Right to Know* campaign, which is now in the hands of the CEOs of the publishers and broadcasters. Possible priorities for the campaign include the reform of FoI law and practice, and the opening up to public scrutiny of government information generally; the enactment of effective shield laws that will enable journalists to protect their confidential sources; and changes to court procedures to ensure that information from open courts are available to the public through the media.

Anti-terrorism and related legislation

Anti-terror laws were still being strengthened in the last months of the Howard Government. For the Press Council, the concern is that these laws have also had the effect of shielding governments from public scrutiny. Even if anti-terrorism measures could be shown to be necessary for the protection of Australia's security, there is a widespread belief that they go much further than is necessary and intrude excessively into freedom of expression.

One of the former government's final acts was to move to censor material classed as "advocating terrorism". The *Classification (Publications, Films and Computer Games) Amendment (Terrorist Material) Bill 2007* provides for the refusal of classification of material that directly or indirectly counsels a terrorist act. The legislation retains its potential to facilitate the banning of material intended to contribute to public discussion or debate, in particular, material that is in the nature of opinion or commentary.

Counter-terrorism legislation could be subject to regular, independent review. In September it was reported that Attorney-General Robert McClelland was considering recommending that the Inspector-General of Intelligence and Security, Ian Carnell,

be given the power to regularly examine the suite of laws and review the way they are implemented. This is in line with recommendations made by the 2006 Sheller inquiry into security and counter-terrorism and a parliamentary joint committee on intelligence and security. At the same time the Senate is considering a Private Members' Bill, the *Independent Reviewer of Terrorism Laws Bill* 2008, which would achieve the same objectives.

The Clarke inquiry into the Haneef case (see Chapter 6) is due to report in late November. Mr Clarke's terms of reference include a review of the relevant security laws and it may be that his report will also make recommendations on changes to the current laws.

Meanwhile, the Attorney-General has instructed the Australian Law Reform Commission to review all legislation related to secrecy and report by October 31, 2009. The inquiry is to consider:

- a. relevant laws and practices relating to the protection of Commonwealth information, including the scope and appropriateness of legislative provisions regarding secrecy and confidentiality;
- b. whether there is a need to consolidate and modernise relevant provisions currently in the *Crimes Act* 1914 and other Commonwealth legislation for inclusion in the *Criminal Code*;
- c. the way in which secrecy laws in the *Crimes Act* interact with other laws and practices, including those relating to secrecy, privacy, freedom of information, archiving, whistleblowing, and data-matching;
- d. whether there should be different considerations for secrecy laws relating to the protection of national security and other sensitive Commonwealth information; and
- e. any related matter.

No timetable for the inquiry has yet been set.

The Press Council was represented at a meeting of the media and security personnel, convened by the Australian Strategic Policy Institute (ASPI). The intention was to formulate 'protocols' for the conduct of the media in any terrorism event in Australia. Arising from that discussion ASPI issued a discussion paper that demonstrated that ASPI had listened to the comments made by the media at the consultation. The Council responded with comments to the ASPI draft. It noted that the media would have the primary responsibility for communicating important information to the public and the predominant source for that information will be government officials. As is already the case in other emergencies, the media would be keen to cooperate in informing the public.

The Council expressed concern that governments may seek to constrain media organisations through the centralisation of information and by imposing restrictions on what could be published, either by way of 'voluntary' codes of conduct, protocols or by legislative mechanisms. Noting that the public has a right to information on matters of public concern and to have the facts communicated to them in a timely, responsible fashion, the Council expressed the view that the best way to ensure that

important information is disseminated to the public in a crisis situation is to establish relationships between media professionals and government officials and to provide media organisations with open and timely access to information so that they are not forced to rely on informal sources in order to establish the facts. It also noted that the codes of conduct already in place in the industry would be sufficient guides for editors making decisions on what material to publish in the aftermath of a terrorist incident.

The Council encouraged ASPI to continue along the lines indicated by the draft discussion paper and looked forward to the development of cooperative mechanisms to ensure that the public is well informed through the media in the event of any terrorist incident.

Rules mandating that evidence be taken *in camera* have been a feature of the anti-terrorism legislation. In 2007-8, evidence was taken *in camera* in the “Benbrika” trial of a dozen terrorism suspects in Melbourne, but the judge generally succeeded in keeping the court open. A second major trial commenced in Parramatta, NSW, in late 2008. Six men are charged with terrorism offences. It will be interesting to see how frequently that trial moves *in camera*. It is impossible to quantify the number of *in camera* sessions since the existence of such sessions is often itself the subject of a suppression order.

Access to government information

Freedom of Information

During the year, there has been movement on FoI reform in several states and at the federal level. These developments are detailed in a paper by Rick Snell, Peter Timmins and Johan Lidberg, elsewhere in this section.

Whistleblowers and shield laws

The role of whistleblowers in maintaining government accountability has become a significant issue. The basic problem of the vulnerability of government and corporate employees who disclose misconduct and mismanagement will remain until there is statutory protection for genuine public interest whistleblowers. A substantial deterrent to legislation is the fact that a clear distinction between those in that category and those addicted to unjustified leaks for less admirable reasons is very hard to draw legislatively.

There are separate inquiries in the Australian and NSW jurisdictions on changes to whistleblower legislation. The Australian House of Representatives Standing Committee on Legal and Constitutional Affairs and the NSW Parliamentary Committee on the Independent Commission Against Corruption were conducting these separate inquiries. In NSW there is some limited protection for the disclosure of information to the media, although the time restrictions within the legislation mean that such protections are largely meaningless. The federal legislation has no protection for whistleblowers, like the one who provided *The Australian* with details of the Kessing report into the lax state of Customs at Sydney Airport, who believe that revelations to the media are justified in the face of official inaction. The outcomes of these inquiries will be reported in next year’s report.

Meanwhile, governments, state and federal, continue to harass journalists in the hope of tracking down whistleblowers. While the federal legislation, referred to in the 2007

Supplement, which amended the federal *Evidence Act* to include a provision, based on the existing (and inadequate) NSW legislation, protecting journalists from revealing sources, has been passed, adequate shield law protection for journalists, promised by the state and territory Attorney-Generals, has not as yet been introduced in any jurisdiction.

In May 2008, police raised the Perth *Sunday Times* seeking material related to a story published in February – a story that may have embarrassed a senior Minister of the then government but was otherwise unrelated to any serious breach of the law. In September, federal police raided the home of a *Canberra Times* journalist, seeking material related to a story he wrote in June about defence intelligence.

Also in Western Australia, the Crime and Corruption Commission has been conducting secret hearings in which journalists are being interrogated with the aim of identifying the sources of leaks. It was noted that journalists subject to these hearings are threatened with prosecution and hefty fines if they disclose to anybody (including their employer) the fact of their interrogation.

In September 2008, the Queensland Government proposed amendments to the *Crime and Misconduct Commission Act*, which would narrow the scope of the public interest immunity currently available to witnesses who appear before the Commission. The public interest immunity provides the Commissioner with discretion to exempt witnesses from answering questions in certain circumstances. The proposed rewording meant the legislation would preclude the right for journalists to refuse to disclose confidential sources.

Other potential government restrictions

Occasionally threats emerge from governments or parliaments (state and federal) that would impinge on the ability of the press freely to report matters of public concern. The 2006 *State of the News Print Media in Australia* noted a number of these. Attempts to extend tobacco-advertising bans into the use of news images did not proceed. On the other hand, a number of states have racial and religious vilification laws that have the potential to restrict free speech and the accurate reporting of comments made by public figures.

In the current year, another such issue emerged in the Senate Standing Committee on Environment, Communications and the Arts' Inquiry into *The Sexualisation of Children in the Contemporary Media Environment*. The Australia Institute's 2006 report, *Corporate Pædophilia*, which claimed that large retailers were sexualising children in their advertising, prompted heated debate about the issue and ultimately led to the inquiry. While the main focus of the inquiry was the use of images of children in advertising, particularly in the fashion industry, the inquiry also looked at the use of images in magazines aimed at children and young people.

In its June report the committee said it believed the inappropriate sexualisation of children in the media was of increasing concern. It recommended broadcasters review their classification of sexual music videos, and magazine publishers consider introducing an age classification system similar to the one applied to film and television. Other recommendations include vetting of advertisements, for advertisers worried they are pushing the limits or for repeat offenders. The committee also recommended the development of a complaints clearing house to facilitate the lodging of complaints to the

appropriate regulatory or self-regulatory body, but did not recommend any changes in the way in which the agencies dealt with complaints.

The Advertising Standards Bureau and the Press Council have discussed the issue subsequently and will seek to forward the recommendation together with Free TV, the Australian Communications and Media Authority, the MEAA and Commercial Radio Australia, amongst other bodies.

Constitutional Law

Unlike in the United States, the United Kingdom, the European Union, and in most democratic countries, there is neither a national Bill of Rights in Australia nor any constitutional guarantee of freedoms in the federal or state constitutions nor in any over-riding law. The Australian Capital Territory enacted the nation's first Bill of Rights in the form of the *Human Rights Act 2004*. In 2006, Victoria passed into law the *Charter of Human Rights and Responsibilities Bill*. There has still been no equivalent action by other states or territories, nor by the federal government.

During the period leading up to the 2007 federal election, neither the ALP nor the Coalition made a commitment to a Bill of Rights. The issue continues to be the subject of debate.

Court action to inhibit the free flow of information

In the 2006 *State of the News Print Media in Australia*, the Council noted the rejection by the Conference of Chief Justices of its proposal for a uniform method of reporting suppression orders. Nonetheless, the Council continues to observe the use of suppression orders by judges in most jurisdictions. News Limited now has nearly 1000 separate matters on its database of suppression orders

In mid-2007, the federal Attorney-Generals' department sought advice from the Council whether there was inadvertent non-compliance with suppression orders by the media due to a lack of knowledge of their existence. The department was investigating the possibility of a national register of suppression orders, something very close to the Council's original proposal to the chief justices. It asked for information on the following:

1. Is there a problem in the media of inadvertent non-compliance with suppression orders due to lack of knowledge about their existence and duration?
2. Does the Press Council have any views on the establishment of a national register of suppression orders to aid compliance?

In response, the Council noted its view that a password-moderated website, either national or drawing together the input from each jurisdiction, summarising the extant orders, notifying variations to orders, and updating information when orders are withdrawn, would be the best way of ensuring media compliance with suppression orders. The Council also forwarded its considered view on suppression orders and copies of draft templates for the notification of orders in any uniform scheme. The department has at the time of writing this report made no recommendation public.

The publishers' *Right to Know* campaign has appointed a former journalist Prue Innes, who served for many years as the Public Information Officer for the Victorian courts, to

lead an inquiry into judicial suppression orders. The report is to be completed by late November 2008.

Access to courts and court documents

Naming and shaming

In late 2007, the NSW Legislative Council Standing Committee Law and Justice held an Inquiry into the prohibition on the publication of names of children involved in criminal proceedings. The media's main concern was with the 2004 and 2007 amendments to the *Children (Criminal Proceedings) Act*, which make it more difficult for the media to report on matters of public interest.

The committee's report included recommendations that, if implemented, would further severely restrict the ability of the press freely to report. In particular, recommendation 4, which suggests that the government amend section 11 of the *Children (Criminal Proceedings) Act 1987* to extend the prohibition on the naming of juveniles involved in criminal proceedings to cover the period prior to charges being laid and to include juveniles who are reasonably likely to become involved in criminal proceedings. Such a system would make it much less likely that stories related to matters of public concern, including the activities of the Department of Community Services (DoCS), will be reported. Self-censorship is the likely result of any attempt to enact this recommendation.

Additionally there is no recommendation to ameliorate the negative impact on reporting of matters of public interest and concern of the 2004 and 2007 amendments. It is the 2004 amendments, and the 2007 changes to them, that have caused difficulties. The 2004 amendments effectively prohibit the identification of deceased child victims in order to minimise the trauma to the family of the deceased, especially surviving child siblings. Problems with the amendments, which were passed without adequate consultation, led to the 2007 changes. These allow for the senior available next of kin (SANO K) to give permission for the deceased child to be named.

A number of these cases have involved matters of significant public policy, especially related to the performance of the DoCS. The effect of the amendments is that the press can report these matters, with names, up to the time that charges are made, and then has to cease reporting them, unless permission is obtained from the SANO K.

The SANO K mechanism does not address the concerns with the 2004 amendments, and creates some problems of its own. In cases where one or both of the parents of the deceased child is charged with the crime, or is already incarcerated, there may be no SANO K available. In cases where there may be a SANO K who may not be a member of the immediate nuclear family of the deceased child, attempts by the media to discover the identity of such a person may involve a greater invasion into the privacy of grief than would have occurred if the prohibition did not exist.

In November 2008, the NSW Attorney-General said that he would not introduce any of the changes that would extend the period of non-reporting to before anyone was charged, when juveniles were only reasonably likely to be involved. However, he has also said that he will be taking the more restrictive NSW laws on naming juveniles involved in court proceedings to the Standing Committee of Attorneys-General to convince other

states and territories to adopt the restrictions. He made no comments about whether he intended to alter the anomalous 2004 and 2007 provisions.

Access to court documents

In late July 2008, NSW Attorney-General John Hatzistergos undertook to overhaul laws governing media and public access to court information and said he will push the other states to do the same. The recommendations in an August 2008 departmental report would improve access to transcripts, affidavits and other information.

The report proposes a simple regime with just two categories of document – open access and restricted. Documents classified open access will be available to journalists and the public and may include police fact sheets, evidence transcripts, affidavits and pleadings. (Some reports have described this as “... better for NSW, but is still way behind the Victorian Supreme Court and the Federal Court”.) Those classified restricted, such as medical and psychiatric reports, will only be available if the court grants leave or the statutory provision confers a right of access. Currently, these types of documents are not normally released. The report says information should only be restricted when there are compelling reasons, for example to protect national or personal security interests, commercial trade secrets or vulnerable people in contact with the court. However, all documents not specifically listed as Open Access default into a Restricted Access category.

On the negative side, the report recommends blanket suppression of “sensitive information”, documents including “criminal and traffic antecedents” or details of prior offences. Then there’s the restricted access proposal for physical exhibits, which can include video and audio recordings, photographs, weapons, and other materials of critical public interest in big trials. The report offers the “potentially dangerous nature” of exhibits as one reason for restricting media access.

The courts can also impose conditions on the release of any documents in the restricted category. It also recommends facilitating protocols between the Director of Public Prosecutions and the media for access to physical exhibits, along the lines of the model in place in Britain.

The report arose from the government’s 2006 *Review of Access to Court Documents*, which received submissions from victims groups, media organisations, legal associations and privacy bodies.

The UK model

A speech given by Federal Police Commissioner, Mick Keelty, to the Sydney Institute in late January 2008, argued there should be a blackout on reporting of trials involving terrorism suspects “until the full gamut of judicial processes has been exhausted”. In part, his argument was based on a misinterpretation of the current state of the law on reporting trials in the UK, as he argued that there was a ban on such reporting. The Commissioner’s assertion that in the UK a media blackout on the reporting of such proceedings from the time a person is charged with the crime until “after the case is disposed of, abandoned, discontinued or withdrawn” would surprise the judicial officers, lawyers, defendants and press who were present at the trial of those accused of the bombings in London on 21 July 2005. The trial was widely covered in the media and the

daily reporting of the trial from a summary of week one posted on Friday 19 January 2007 through the verdict on 9 July 2007 can still be accessed on the BBC website.

Largely as a result of the efforts of the UK Crown Prosecution Service, a Protocol has been introduced into the courts of England and Wales that has greatly benefited the fair and accurate reporting of court proceedings and made courts more open to the public through media exposure. The August 2008 report to the NSW Attorney-General recommends facilitating protocols between the Director of Public Prosecutions and the media for access to physical exhibits along the lines of the UK model.

The Press Council has put together a proposal, communicated in a letter to the Directors of Public Prosecutions (DPPs) in the various Australian jurisdictions, urging the adoption of a protocol based on the UK practice aiming to facilitate media access to material tendered in open court. The general underlining principle as outlined in the UK Protocol adopted in 2005 is that if material has been shown in court it should be available for broadcast and publication to the general public as quickly as practicable, usually the same day on which it is presented in court.

In the UK the Protocol has led to greater coverage of the courts, and is seen to have made court reports more accurate and comprehensive. On television and online, news reports are visually led. The most welcome attribute has been that greater accuracy is obtained in reporting, as journalists do not have to rely on muffled recordings that are played in court. They are given transcripts of what is said.

The DPPs at a national meeting held in October 2008 discussed the matter. The outcome is not as yet certain.

Contempt by Publication

In a case in Western Australia, Paul Armstrong, the editor of *The West Australian*, had been charged with contempt after the publication of a letter to the editor. He was exonerated and judgment now stands as an incontrovertible declaration of the right of the press to publish material critical of judicial processes and, moreover, of the public benefit in the exercise of that right.

The letter appeared in *The West Australian* on 11 December 2006, while the relevant trial was in its closing stages. On the same day the trial judge discharged the jury on the grounds that the letter had caused such a significant degree of prejudice to the accused that the prejudice could not be cured by any directions to the jury.

In finding that *The West Australian's* publication of the letter had not prejudiced the administration of justice, WA Chief Justice Wayne Martin made a definitive statement of the importance of the public right to criticise judicial processes:

The efficient administration of justice depends heavily upon public confidence in the fairness and integrity of the processes employed. Public confidence in the integrity of the judicial process requires that conduct which, as a matter of practical reality, has a real or clear and definite tendency to cause jurors to take extraneous matters into account when considering their verdict, be constrained and where necessary, punished. However, public confidence in the administration of justice also depends upon the freedom of the printed and electronic media to provide the public with full and complete information as to legal proceedings.

It also depends upon full and open public debate about events which occur in the courts. Subject to the limited constraint imposed by the law of contempt to which I have referred, every member of our society must be free to express his or her view in relation to the adequacy and propriety of the systems and processes used in the administration of justice. It is the function of the courts to protect the freedom of that debate, irrespective of the stridency of the criticisms that may be directed to the courts in its course. Public confidence in the courts and in the administration of justice requires nothing less.

Justices Wheeler and Miller joined with Martin in dismissing the motion for contempt on the basis that the jurors would have been capable of reading the letter without being consequently prejudiced against the accused. However, Miller JA expressed a degree of caution, commenting that it was 'unwise' to publish the letter during the final days of the trial, the publisher having been aware that the letter related to a trial in progress at the time of publication.

However, this view was rejected by the Chief Justice who responded with an unequivocal expression of support for the press's right to publish without interference from the judiciary:

Reporting of, and commentary upon, legal proceedings serves a vital public interest, by providing information to the public about what is occurring in our courts. Such publications should only be constrained when it is established, beyond reasonable doubt, that they have the proscribed effect upon the administration of justice to which I have referred. That is why, with respect, I do not share the view expressed by Miller JA that it is highly undesirable for a newspaper to publish letters to the editor which contain material relating to a criminal trial which is being conducted at the same time. In my respectful opinion, it is no part of this Court's function to advise editors of newspapers what is desirable or wise.

The press, notwithstanding these comments, will always have a moral responsibility to be mindful of the impact of published material on the course of legal proceedings. However, Chief Justice Martin's judgment, in particular, stands as a significant recognition of the validity of the media's role in scrutinising the legal system and of the right of the media to publish material critical of the judiciary.

Defamation

Litigation in relation to defamation has been a major issue for publishers for decades, not only because of the "chilling effect" that is often referred to, but also because of the significant cost to publishers of defending actions, even where such actions are futile and vexatious.

The number of new defamation actions has apparently decreased significantly since the commencement of the harmonised *Defamation Acts*.

The first cases before the courts under the revised and harmonised defamation laws have been finalised. Judy Davis won her case against Nationwide News and was awarded substantial damages. Mercedes Corby won a case against *Today Tonight*, which settled before the hearing on damages. In *Brett Holmes v Andrew Fraser*, damages were awarded against a state MP in a NSW case heard before a judge alone.

Generally, the harmonised laws appear to be working well with a number of cases settling before litigation is commenced.

Privacy

In Australia, there is a federal *Privacy Law*, which largely deals with protection of the confidentiality of information on individuals held by government and by the private sector. There are also a myriad of federal, state and territory laws that regulate privacy protection, in areas such as telecommunications, surveillance, listening devices, health records, data matching, trespass, matters affecting children, adoption, sexual offences, juries, prisoners, security, and family law. But there is no common law or statutory cause of action for breach of privacy. Throughout the year there were judicial, legal and political activity in the area of privacy, apparently moving towards the development of such an action. Three separate Law Reform Commissions (Australia, NSW and Victoria) have been conducting inquiries into aspects of privacy and two have discussed the possible introduction of a cause of action for breach of privacy. In Western Australia, the former ALP Government floated the idea of a privacy law but did not introduce any such legislation prior to its electoral loss.

ALRC Inquiry

The Australian Law Reform Commission's final report, *Australian Privacy Law and Practice*, dated May 2008, was released in August 2008. The report is extensive, detailed and somewhat prolix, at 2,694 pages over three volumes. There are two aspects of the report that concern the media. The first is the media exemption to the existing privacy legislation and the second is the proposed introduction of a statutory cause of action for breach of privacy.

Chapter 42 of the report deals with the media exemption. The current legislation states that an act that is performed by a media organisation, in the course of journalism, is exempt, provided that the organisation is publicly committed to a set of privacy standards. At present, the legislation does not attempt to define "journalism", while "media organisation" is defined as an organisation whose activities include the collection, preparation for dissemination, or dissemination, of material having the character of news, current affairs, information or a documentary, or material consisting of commentary or opinion on, or analysis of, news, current affairs, information or a documentary.

In response to concerns that the scope of the media exemption is too broad, the ALRC has recommended that a definition of journalism be inserted into the Act and that the privacy standards to which media organisations must be committed in order to claim the exemption must be "adequate". The ALRC has also adopted the Privacy Commissioner's suggestion that the "media exemption" be renamed the "journalism exemption". Were these changes to be enacted in legislation, they would have only a minimal impact on the way the Act operates in practice.

While the changes to the journalism exemption to the *Privacy Act* will be of concern to many media professionals, far more significant is the threat of a tort of privacy. Chapter 74 of the ALRC report deals with the need to protect personal privacy and recommends that federal legislation provide for a statutory cause of action for serious invasion of privacy. The test preferred by the ALRC is that there must have been "a reasonable

expectation of privacy” and the conduct complained of must be “highly offensive to a reasonable person of ordinary sensibilities”. The ALRC also recommends the public interest in maintaining the claimant’s privacy be weighed against other notions of the public interest, including the public interest in freedom of expression.

The report favours a formulation that includes a non-exhaustive list of the categories of conduct that would be actionable. The test favoured by the ALRC on first reading sets the threshold for actions at a workable level but nevertheless rests on the vagueness of ‘reasonable,’ a test always dependent on individual judicial prejudice. The requirement that the conduct complained of be highly offensive should exclude actions for trivial breaches of privacy. Even so, the introduction of the cause of action has the potential to act as an impediment to some journalistic activities. The use of covert surveillance can be expected to provide the basis for a cause of action, as would the publication of images of individuals involved in intimate acts, but the limits on other journalistic activities may not be so clear. Photographing private individuals in public places is one area where doubt can be expected to arise.

The ALRC has recommended that the journalism exemption should not extend to actions brought for breach of privacy, i.e. acts done in the course of journalism would still be subject to civil action, even if such acts are exempt from other obligations under the Act.

The unavailability of the journalism exemption will be compounded by the narrow defences recommended by the ALRC. Of the three potential defences recommended, the only one that can be considered to be of any utility to the media is that the publication is privileged under defamation law. When considering whether the particular conduct of a journalist in pursuit of a specific story can be defended on the basis of privilege, or whether such conduct can be considered to be outside the scope of the cause of action, the public interest will be of paramount importance. But where there is no obvious public interest in publishing material, the two primary arguments which defendants would be expected to pursue are that any expectation of privacy on the part of plaintiffs was not reasonable, or that a reasonable person would not have found the journalist’s conduct to have been highly offensive.

It remains unclear when, or even if, the recommendations will be implemented or the extent to which the government will adhere to the ALRC’s recommendations. The Special Minister of State, John Faulkner, has simply stated that reforms to privacy will be considered by the government in stages, and that those reforms impacting upon the media – exemptions and the statutory cause of action – will not be considered until the “second stage” of privacy reform. When quizzed by journalists about the likely impact on media reporting, Faulkner emphasised that these reforms were “not a priority”, as far as he was concerned.

Protection of free speech

The right to privacy is one of the rights enumerated in the International Convention on Civil and Political Rights (ICCPR), in Article 17 of the convention:

1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.

2. Everyone has the right to the protection of the law against such interference or attacks)

This fact is referred to on more than one occasion by the ALRC in its report. The commission is less forthcoming about Article 19 of the ICCPR:

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others;
 - (b) For the protection of national security or of public order (*ordre public*), or of public health or morals.)

Any attempt to guarantee the rights under Article 17 in the absence of guarantees of the rights under Article 19 would result in a very unbalanced situation, one not replicated in the jurisprudence of any comparable democracy, where the rights under Article 19 are guaranteed either in the Constitution or in legislation.

NSW privacy inquiry

The New South Wales Law Reform Commission is also conducting an inquiry on the *Invasion of Privacy*. In July 2008, the commission released its Consultation Paper 3 (2008), *Privacy Legislation in New South Wales*, which in proposal number three states that “New South Wales legislation should only apply to the handling of personal information by public sector agencies” and that privacy in private sector organisations should be regulated by the Commonwealth *Privacy Act*, in accordance with the ALRC’s recommendation. In this case any reforms to existing NSW legislation will not adversely impact the media.

The report also calls for uniformity of legislation across Australian jurisdictions. It is important that the NSW Government clarifies whether it proposes that there be a complete absence of state legislation dealing with private sector privacy issues, thus leaving the regulation of privacy as it pertains to private sector organisations to the Commonwealth alone, or whether it proposes to introduce mirror legislation that reflects amendments in accordance with the ALRC’s recommendations noted above.

The specific inclusion of photographs and images into the definition of personal information is likely to have unanticipated consequences that may impact significantly on the ability of the media to publish photographs of people. Even if the NSW legislation is confined in its scope to information held by NSW public sector agencies, the right to reproduce images for public consumption may be compromised if, for example, the images were held in photo libraries held by public agencies, such as the State Library. If the legislation were to make specific reference to images as a potential class of personal

information, any definition should be extremely narrow, referring to the context in which the images were created, the purpose for which they were created, the degree of intimacy or intrusion into personal privacy that is conveyed in the photograph and the extent to which the images clearly identify the subject individual.

Unsporting restrictions

Some people see their commercial “rights” as being as important as the protection of their privacy or their reputation. Given the amounts of money available to some sporting bodies and individuals through broadcast rights and commercial exploitation of their image, the protection of such “rights” is likely to become an increasing area of conflict between the press wanting to report the news and the organisations and individuals who want to maximise their incomes.

Attempts by sporting bodies to restrict or sanitise coverage of their sports have led to restrictions on a free press. Sports have banned or restricted media coverage of some events, partly because of exclusivity agreements. In particular they have used restrictive agreements or copyright claims to limit access of photographers.

The News Media Coalition has made representations to the organisers of the 2007 Rugby world cup and to Cricket Australia about accreditation for journalists to the Australia/Sri Lanka Cricket test series. The coalition was also dealing more generally with various sporting bodies on the question of issues relating to rights to reproduce sports images. These negotiations are on-going.

In Australia, a particular issue arose from the decision of the Australian Football League (AFL) not to accredit photographers from Australian Associated Press (AAP). In 2007 in response to concerns over its media policy, which saw it exclude photographers from overseas news agencies from its list of accredited journalists, the AFL asserted:

To assist rural newspapers who do not have the resources to provide their own photojournalists, the AFL accredits 12 AAP photographers. The photos provided by AAP are free of charge to rural newspapers, provided they are used for editorial purposes and are not for resale.

In April 2008, it became apparent that the AFL had decided not to accredit AAP photographers for the coming season. In the light of the league’s decision also to accredit photo-journalists from other publishers only on the basis of a continuance of their current arrangements for syndication of images, thereby not allowing for the supply of images to rural and regional publishers that previously relied on AAP, it appeared that the AFL was seeking to commercialise the reporting of the game by making the publications that previously relied on AAP use its own supplier, AFL Photos, for any pictorial coverage of the game. As major sporting events are legitimate news events, actions by sporting bodies that threaten the ability of the press freely to report news are inimical to the standards of press freedom to which Australian society subscribes.

In early June, the AFL responded to the concerns, arguing that “the AFL offered to accredit AAP photographers on identical terms to previous years, including the provision of photos to rural newspapers on a free of charge basis. However, AAP chose not to accept accreditation on this basis.”

In response to this assertion, AAP immediately approached the AFL to take up the implied offer of accreditation in the AFL's letter. When this proved fruitless, AAP Editor-in-chief Tony Gillies wrote to the AFL, noting that its letter "contains a number of incorrect and misleading assertions about AAP's treatment ..." He added:

First, the letter states that the AFL offered to accredit AAP photographers "on identical terms to previous years, including the provision of photos to rural newspapers on a free of charge basis". This statement is incorrect.

... AAP was advised that the only way it could supply its subscribers ... with photographs of AFL matches was to purchase images that had been captured by the AFL (through GSP) for a fee. In implementing these arrangements, the AFL denied AAP the ability to undertake impartial photographic news coverage of AFL matches. ...

AAP photographers have been accredited with the AFL for news and photographic coverage since 2003 ... However this arrangement changed with the most recent terms and conditions of accreditation which did not include rights for AAP to capture images of AFL matches. In light of this, it is implausible to assert that the "AFL would have preferred that AAP continue the existing arrangements and to thereby ensure continuity of the supply of images to rural newspapers ". ... it is unfortunately entirely true to say that the AFL has "decided not to accredit AAP photographers" and that the AFL have "disaccredited AAP".

Even recently, AAP again approached the AFL on the basis of the representations contained in the Letter [to the Press Council] and requested that it be accredited on the basis of the conditions that have applied in previous years ... This request was again denied.

As the national news wire agency, AAP has a fundamental mandate to preserve and protect its editorial integrity. ... AAP was not granted the photographic accreditation that it sought and it was not able to accept the AFL's proposed "alternative" (namely that AAP use AFL images sourced from GSP) as that alternative runs entirely against the principle of freedom of the press.

AAP remained unaccredited for its photographers through the AFL finals. The position for 2009 remains unclear but raises the question: who's next for disaccreditation as the AFL tries to commercial images of its game through its own supplier?

Conclusion

The climate of restriction and obstruction of information by government in Australia has ameliorated somewhat over the last year with proposals to make freedom of information more effective and to review whistleblower protections, anti-terrorism laws and secrecy provisions, but the threats apparent in moves towards an action for invasion of privacy, in the absence of any constitutional or legislative guarantee of free speech, mean that any optimistic note has to be tinged with some apprehension. Restrictions on reporting what were formerly open courts has led to a less well-informed public. There remains some hope that there will be improved reporting of the situation in regard to suppression and to a greater access to documents relied on it courts. But, until definitive action is taken in these areas, the restrictions remain.

7.3 Freedom of Information

by **Peter Timmins & Rick Snell**
University of Tasmania

and **Johan Lidberg**
Murdoch University

In the lead up to the November 2007 Federal election, Freedom of Information (FOI) and related issues enjoyed particular prominence. Developments since have kept reform on the agenda, but serve as a reminder that government, left to its own devices, will not approach change with speed or enthusiasm.

In September towards the end of the Howard Government's 12 years in office, the Attorney-General Phillip Ruddock asked the Australian Law Reform Commission to undertake a review of the *Freedom of Information Act*, the scope for possible harmonisation of Federal and state laws, and ways in which new technologies might be used to access government information.

In October the *Report of the Independent Audit of Free Speech in Australia* commissioned by Australia's *Right to Know*, a coalition of the major media organisations, highlighted problems in the operation of the FOI Act.

The *Audit* drew attention to over 100 recommendations for reform in a 1995 Australian Law Reform Commission report that had never been acted upon by the Howard Government, despite a commitment prior to the 1996 election to adopt the Commission's "appropriate and workable recommendations". While the *Audit* identified evidence of increasing use of FOI Acts by the media, and some successes, it listed examples of delay, high cost and an enduring culture of secrecy in some areas of government that resulted in obstruction of applications for documents relevant to the conduct of government functions. The *Audit* concluded "claims that FOI is achieving its intended purpose, including opening government activities to scrutiny and criticism, are not substantiated by the available evidence".

In the week of the election in November 2007, FOI became front page news when the Commonwealth Administrative Appeals Tribunal upheld a decision by the Department of Employment and Industrial Relations to refuse access to documents sought by Michael McKinnon, FOI Editor of the Seven Network, relating to WorkChoices, a central issue in the election campaign. The continued refusal of access, in response to an application made two years previously, gave rise to suggestions that the then government was seeking to hide plans for further changes to industrial relations laws, if re-elected.

The ALP, prior to and after its success in the election, reiterated its intention to undertake initiatives to ensure greater openness and transparency, including acting on the Law Reform Commission recommendations of 1995, the abolition of conclusive certificates that give broad, and largely unreviewable, powers to claim an exemption, and to appoint an Information Commissioner to provide advocacy, leadership and support for FOI, and review agency decisions on access.

The new government's decision to assign responsibility for integrity and accountability issues including Freedom of Information reform to Cabinet Secretary and Special Minister of State, Senator John Faulkner, and to relocate these functions to the Department of Prime Minister and Cabinet was widely welcomed as evidence of the government's good intentions. Early positive changes included the adoption of a ministerial code of conduct emphasising the importance of public accountability, the introduction of a register of lobbyists, more limited rules for unreported political donations, and the decision by the Reserve Bank of Australia to release minutes of board meetings several weeks after the event.

Some decisions by the Administrative Appeals Tribunal encouraged optimism about the interpretation of the law. For example in another unsuccessful challenge by Michael McKinnon of the Seven Network to a conclusive certificate issued by the Secretary of the Department of Prime Minister and Cabinet during the Howard Government time in office, Deputy President Forgie decided that the majority of the High Court in the landmark 2006 McKinnon case had held that exemptions in the Act should only be applied to protect "essential public interests." The decision suggested a narrowing of the scope of public interest considerations relevant to a decision to refuse access.

The Prime Minister's 2020 Summit in April 2008 cited FOI reform as a key element for improving governance, and democratic practices generally and through greater public participation in government decision-making.

However, there were few positive signs of change in the day-to-day decision-making on applications for documents under the FOI Act.

In April, Treasurer Wayne Swan responded to public criticism of a Treasury decision to refuse access to documents sought by the Australian Broadcasting Corporation concerning the inflationary impact of the government's planned industrial relations reforms, saying it was nothing to do with him. This conveniently overlooked the fact that government creates the environment and approves the policies that underpin the implementation of the law. Concern about public confusion and unnecessary debate featured strongly in the reasons given for refusal of access to these documents. A series of other decisions by Treasury, including a successful fight in the Administrative Appeals Tribunal to resist access to a four-year-old task force report on the criminalisation of cartel conduct also suggested an attachment to old habits of excessive secrecy.

In June the Commonwealth Ombudsman, Professor John McMillan, reported that the Department of Immigration and Citizenship, faced continually with a large number of applications, failed at senior management level to recognise and act on systemic problems in the way it made information available generally, and in processing FOI applications. Professor McMillan said the public service across the board was still to accept that FOI was core business that required cultural as well as managerial devotion from those responsible for managing government agencies.

Three weeks after the release of the Ombudsman's report, the Administrative Appeals Tribunal found that only one document concerning the decision to cancel his visa and detain him, sought from the Department of Immigration and Citizenship by Dr Mohamed Haneef (see *Chapter 6.2*), was exempt. In April 2008, the initial determination of his FOI application by the Department had claimed that over 280 documents were exempt for a variety of reasons.

In July Senator Faulkner told senior public servants that the government expected their co-operation in bringing about change in the direction of more open and transparent government. He announced his intention to introduce legislation to remove conclusive certificates from the Act, and that further reforms would be introduced in 2009, following public consultation later in the year. Senator Faulkner suspended the Australian Law Reform Commission review commissioned by the previous government.

A year after the election the reform agenda of the new government, while still intact, appears to be subject to a more drawn-out process than could have been anticipated at the time Labor made its pre-election commitments in 2007.

In the states, many of the problems associated with the Commonwealth FOI regime are replicated, resulting in patchy performance when the legislation is used in an attempt to hold government to account. Reform proposals also encountered mixed fortunes.

In February, the Victorian Government's FOI reform bill, including positive changes such as the abolition of application fees, together with widely criticised proposals to extend up to 75 days the time available for a response to an application, and for a process to declare an FOI applicant vexatious, failed to pass following a tied vote in the upper house.

In Western Australia a reform bill introduced in March 2007 passed the lower house, but has remained in the Legislative Council, awaiting debate, since December.

Neither bill included broad, comprehensive change of the kind needed to modernise and make FOI laws extend, as far as possible, the public right to know.

The Right to Information, the report by the FOI Independent Review Panel, chaired by David Solomon, reviewed the Queensland *Freedom of Information Act*. It illustrated the wide range of sweeping reforms available when faced with the task of developing a modern best-practice law to enshrine rights of access, and to make such a law work in practice.

Queensland Premier Anna Bligh has certainly set new benchmarks for FOI reform in Australia. Within a few weeks of Dr Solomon's report her cabinet, in August, accepted all but 2 of the 141 recommendations (23 with some qualification). The Queensland Government has endorsed a radical and comprehensive legislative reform package but has also signed onto a significant attitudinal change and the adoption of clear governance responsibilities.

For the first time in Australia a government has linked FOI to a whole-of-government information policy designed to increase the proactive release of information. The Solomon reforms have been crafted to favour disclosure at all critical decision-making points and to minimise the potential for 'exemption creep'.

The Premier will be required after each Cabinet meeting to decide which agenda items and papers can be immediately made public. This simple device will set into place a routine release of information previously treated as automatically secret.

Journalists should start to see an increasing availability of government information and a move away from, limited and uncertain access to fragments of information to access to substantial and informative packages of information.

The Solomon reform package represents the best opportunity in the last twenty-five years to rejuvenate Australian FOI practice.

In NSW, seventeen years after the Ombudsman first called on the Government to review the *Freedom of Information Act 1988*, and following many indications that the law and the policies and practices associated with its implementation required re-examination, the Ombudsman announced his own plans to undertake a review. The then Premier, Morris Iemma, welcomed the initiative, one that he and his predecessors had resisted since 1991, but gave no commitment to change.

In July the ACT Government released a discussion paper on improving governance in the Territory, suggesting the need to examine the possibility of changes to improve the use and reuse of government information, and examine Dr Solomon's report to identify possible changes applicable in the ACT.

In Tasmania, the new Premier David Bartlett announced in August a ten-point plan to strengthen trust in Tasmanian democracy and "clean up the mess" after years of political scandal and embarrassment. The reforms included a review of the *Freedom of Information Act* that would commence with the Solomon reforms.

International Benchmarking

One way of improving the FOI system in Australia is to benchmark it with international best practice. In a 2006 study comparing federal FOI in Australia with three other countries (USA, Sweden and South Africa), Australia came last in terms of FOI functionality.[1] The study mapped what the FOI laws promised, attitudes towards information access held by ministers and senior public servants, and how a number of FOI requests were processed in practice.

Based on the study best international practice can be summarised thus:

- no FOI application fee;
- no processing fees (apart from cost of copying/scanning large amounts of documents);
- an FOI Commissioner/Ombudsman federally and for all states and territories;
- penalties for agencies that do not comply with the processing times set out in the law; and
- making FOI part of the constitution (preferably as a section in a Bill of Rights)

However, legal change will not be effective unless it is connected to a change of culture campaign with the aim of altering the tradition of secrecy to openness among both politicians and public servants. The culture of secrecy is well illustrated by the replies to a survey question put to federal ministers and senior public servants in the study above. Close to all the Australian replies centred on the alternative: 'government owns information and it is not part of its task to facilitate information access to the public'. In the countries with better functioning FOI systems the replies focused on the 'government holds information on behalf of the people' alternative.

Unless the attitudes towards information access among agencies can be changed, amendments to the law will have little effect in practice.

Closely connected to FOI is the issue of protection of whistleblowers and shield laws for journalists. 2007 was not a good year. Former customs officer Allan Kessing was convicted to a nine-months suspended jail term after being found guilty of leaking a confidential report on airport security to a journalist.

The debate regarding whistleblower protection laws has gone on for years. However, such laws address the symptom, not the cause of the issue. At the core is Section 70 in the Federal *Crimes Act* (and similar state-based laws). This arcane and draconian piece of legislation forbids any public servant to give any government information to the public without the permission of a superior, regardless of what kind of information it is. This law should be reviewed and a public interest test should be added to the law to determine whether handing over information to the public (at times via journalists) is in the public interest. This would be a far more effective way of protecting whistleblowers and to increase openness and transparency in governance than whistleblower protection laws.

When the whistleblower has to remain anonymous effective shield laws for journalist should be implemented. The Harvey and McManus case, where leaked information from the Department of Veterans' Affairs exposed the government as prepared to cut back on war veterans' benefits, triggered the introduction of a federal shield law for journalists. But only after the two reporters were convicted of contempt of court for refusing to disclose their source/s (a public official was charged separately under Section 70) and fined \$7000. The federal shield law is modelled on NSW legislation. Both laws have been criticised for not being far-reaching enough and leaving it up to the judge to decide how and when it should apply.

Again, looking at international best practice (such as Sweden) is instructive:

- far-reaching limitations in what cases a journalist can be forced to reveal sources (eg. national security and treason);
- very strong protection of public servants' rights to disclose information;
- legally binding confidentiality on behalf of the journalist not to disclose the identity of the source if anonymity has been granted; and
- legally binding prohibition for government agencies to inquire into the identity of a source.

Corrupting the course of justice has been raised as an argument against far-reaching shield laws in Australia. It is worth noting that this does not seem to be an issue in countries that have such laws.

It could be argued that whistleblowing should be seen as one part of the FOI system. Under a well-functioning FOI regime, journalists can verify the information given to them by whistleblowers using FOI. Hence, it would make sense to look at reforming both areas at the same time.

During last year's federal election campaign the ALP made potent promises of FOI reform. Thus far we have seen one concrete change, the apparent scrapping of the conclusive certificates in federal FOI. The abolition of these restrictive tools that essentially gave federal Ministers *carte blanche* to interpret the law to their advantage

is a good sign. Although the power to do so still remains on the books, federal Ministers have been instructed not to use it. However, much more (as outlined above) is needed.

2008-2009 could be a very exciting year for information access in Australia. It could also be a great disappointment. We are eagerly waiting for federal Labor to deliver on its election FOI promises. Perhaps Australia will score more than 3.5 out of 10 on the FOI Index scale next time it is assessed.

Endnote

1. Functionality is here defined as FOI providing independent, timely access to quality 'un-spun', government-held information. It should be noted that the study assessed third-party information access only as first-party access functions well in most FOI systems. Australia scored 3.5 out of 10 (where 10 is very good functionality) on the FOI Index scale.

Education, Training & Management of Journalists

8.1 Themes

Just what is the future for the print media, based on the sort of journalist now coming into newsrooms? How will the attitudes and behaviours of younger journalists impact on their established colleagues? Are these reporters in a better position to help newspapers manage the technological and other changes? The papers in this section address these questions and provide food for thought. Like some papers in other sections they perhaps raise more questions than they answer, but they certainly indicate important areas for further fruitful research.

Bruce Morgan looks at how the employment of younger journalists has led to the need for a change of management practices, particularly in regional newspapers. City newsrooms are not the only place where changes are occurring and country newspapers can drive change as well. This is also shown in the paper by Jacqui Ewart and Brian L Massey, which looks at an innovative strategy adopted by APN, the largest publisher of regional and country newspapers in Queensland and northern New South Wales.

Fiona Martin's paper refers back to her other paper in the report, in the *Convergence* chapter. In this paper she looks at how education and training for journalists need to be changed to take into account the convergent newsroom. She looks not just at what the universities are doing, but the particular training being done by the larger newspaper companies, and by AAP.

8.1 Managing Generational Change in the Newsroom

by **Bruce Morgan**
the Ballarat Courier

The news print media in Australia face issues in quality journalism management caused by its inability to deal with generational change. Print journalism remains the traditional and best form of record and opinion, based on strict adherence to the laws of language, ethical behaviour and community accountability.

The Australian Press Council was formed as a self-regulatory body vigorously to encourage good practice in all those things and, of course, to help the community protect itself against poor governance in relation to basic freedoms and the right of citizens to know what is going on. These very pillars of journalism are under pressure from an unlikely source – the so-called Generations X and Y.

This comment is not meant to convey a negative in regard Generation X (1965-1981) and Generation Y (1982-2000). These Generations have and will continue to have a wonderfully positive influence on society in general. Indeed, if it were the “blame game”, it is the Baby Boomers (1946-1964) who are wearing the pointed finger over climate change and host of other questions of global leadership.

Of course, it is already being well-documented that the plethora of online publishing – blogs and the like – is a distinct threat to accurate, impartial and balanced journalism. However, it is more likely that it will be the Generations X and Y that ultimately will clean up the internet. It certainly has the Boomers stumped for now.

No, the pressures posed from Generations X and Y to the print media stem from their cultural variances compared with prior generations – differences made more distinct because of our sustained general economic well-being, which has translated into jobs and social mobility.

Generations X and Y today do not stand still. And while they are highly adaptable to change, it is the fundamental traditions of good journalism – the basics that should never change – that X and Y are less inclined to view as quite so sacrosanct.

Take the average cadet journalist today. She or he is about 23, intelligent, articulate, confident, ambitious, has a tertiary degree of some sort, has undertaken leadership education, has travelled, and is very information savvy. That is the upside and it is impressive.

The downside is this: they are impatient with their ambition, always wanting the next “thing”, and they will move from job to job, most likely leaving newspapers early in their career, perhaps never returning.

They are not “into” the pedantic nature of language as much as previous generations and less impressed by the rules and relevance of its construction. The education system has done its bit to help in this regard.

Newspapers are more likely – and this is increasingly obvious in regional publications – to suffer the same mistakes ad nauseam because of the above. And because of their

mobility, new recruits are often unfamiliar with their journalistic territory and, again, newspaper editors suffer the frustration of repeat offences.

This “groundhog day” affliction suffered by regional newspapers is less apparent in the metropolitan journals which have much more stable workforces through better salaries, the attraction of the “big smoke” and the desire of journalists to be at the pinnacle.

While Generation X and Y are adaptable and smart, they also present a training program problem, simply because they are on the move, have less time to understand the need for discipline and have less patience with post World War II generation standards.

Social researcher Mark McCrindle, of McCrindle Research Pty Ltd, adds weight to this in his 2005 paper “New Generations at Work: Bridging the Gap”. In it he notes that Generations X and Y “value input, feedback and mentoring but abhor micromanagement”. And he says it would be a mistake “to view generational change as merely a life stage, or fad that they will outgrow”.

Some comparisons, based on research by McCrindle’s company, show:

- Beliefs and values
For Boomers, it means “some absolutes, variety, freedom”
For X and Y, “few absolutes, lifestyle, fun”
- Marketing and communication
Boomers: “descriptive, direct, below the line”
X and Y: “participative, viral, through their friends”
- Management and leadership
Boomers: “cooperation, competency, doers”
X and Y: “consensus, creativity, feelers”

This does not mean the X and Y are poor workers, just that they want to enjoy work and value a balanced life. This is a work ethic that is about work-life balance and explains, in part, their tendency to peripatetic behaviour.

Today’s newspaper management must learn to adapt if they wish to maintain high journalistic standards.

It could be argued that newspapers are out of date, and maybe for many in Generations X, Y and Z (2001+) they are. But the print media are not old-fashioned: its continued success, including embracing online, not fighting it, shows how adaptable it has been. If any medium appears old-fashioned right now, it is free-to-air television.

However, this is not about relevance or marketing, or fashion. It is about standards, and journalistic standards are slipping. This is not to say that newspapers and language, and journalistic standards, cannot adapt to cultural change. It would be ridiculous to suggest this and, if anything, newspapers remain at the forefront of popular cultural expression in Australia while television continues to wallow in American soap opera and the new “reality”.

What is important here is that quality journalism must be a platform built on accuracy, balance and due respect for language.

It is now so common to see in copy – the 1990’s – with its incorrect possessive, that it

is almost a lost cause. And how often do you see someone “refute” another’s opinion? Asking a journalism graduate to describe a split infinitive likely will be met with a blank stare.

These, in isolation, may seem trivial and to that degree, balance, fairness, accuracy of fact and context of quote is much more important.

Language, after all, does evolve, otherwise we would still be talking along the lines of: “He draweth out the thread of his verbosity finer than the staple of his argument”, (courtesy Shakespeare’s *Love’s Labour’s Lost*). Or take the word “love”. Elizabeth Barrett Browning once wrote: “How do I love thee? Let me count the ways.”

Not so many years ago a well-known song-writing pair penned the words: “She loves you... yeah, yeah, yeah.” Today Love has become Luv and sells as dog food. (Advertising departments have a lot to answer for, too!)

Remember, though, that language is the basis of our democratic civilisation. Governments determine outcomes based on language and – much more importantly – the legal system must interpret, on behalf of the society that elects governments, those outcomes as law.

It is not trivial. So what is the solution?

For a start, it is not the fault of Generations X and Y; they simply are a product of our wonderfully evolving culture (and of the Boomers, of course).

It is really newspapers, and particularly their editors, that have to tackle this problem. Newspapers must commit more to training in the basics. For example, how many Australian dailies enforce regular (weekly) on-site cadet training, including shorthand?

Very few, it would seem. Apart from a disciplined program in place with APN, inquiries in all eastern states revealed that most Australian regional dailies have little in the way of regular on-site training and are hit and miss on shorthand, mainly miss.

Today, more than ever, workplace training is critical, where once you had five, 10, 15 years to hone your craft. The basics of good writing need to be reinforced not just in terms of accuracy, balance and fairness, but also in the construction of words that entice readers whose lives are inundated with media options. And it is up to editors to drive it, not company “boards”.

Mentoring is a much-banded panacea among leaders of this era, however it is important to assisting Generations X and Y to better see themselves and how to best reach their potential. And it should be about their career, not just the now. A colleague once questioned, out of frustration, the point of providing training to cadets when “they’re gone the moment a new opportunity comes along”. Well, what is better, a partially trained cadet or one without a clue?

According to Mark McCrindle, Generations X and Y value lifestyle and balance. Therefore, structure the workplace to better accommodate this: consistency, flexibility and feedback. And they don’t respond to rules. Therefore, communicating the priorities is a greater challenge for the Boomer leadership, many of whom grew up chanting “dib,

dib, dib; dob, dob, dob” at scouts (yes, the Boomer leadership is mainly blokes).

Workplace diversity is a key: gender, cultural, generational.

Generations X and Y need to understand the “why” in their work and, says McCrindle, we need to take the mystery from decision-making and empower more responsibility at a younger age than we expected a generation ago. Most importantly, today’s leaders – predominantly Boomers – need training in management and recruitment to engage better with new generations “rather than expecting them to conform”.

These matters, if acknowledged and acted upon, will help equip newspapers to better retain staff and to maintain levels of consistency in all that matters in the delivery of quality journalism.

8.3 Corporate change and Australian regional newspapers

by **Jacqui Ewart**
Griffith University

and **Brian L. Massey**
East Carolina University

News media corporations are no strangers to change. In the past decade many have been faced with the challenge of changing or perishing as they feel the impact of technological innovations and audience declines. In this environment, ongoing corporate change has become a necessity. However, few Australian media organisations have spoken publicly about how they are managing change in the workplace. One exception to this rule is APN News & Media, which has experienced a somewhat surprising level of success with the introduction of a corporate change program to its Australian newsrooms. Even more surprising is APN's willingness to expose its program to scrutiny by independent researchers.

APN embarked on its corporate change effort in 2004. The program, called *Readers First*, was introduced to its 14 regional daily newspapers in Queensland and New South Wales, and later expanded to its New Zealand titles. APN is one of Australia's largest regional media corporations. Its publishing interests include 23 daily and more than 100 non-daily titles in Australia and New Zealand. Its Australian newspapers are published in regional areas of Queensland and New South Wales. APN has interests in 12 radio stations in Australia and 120 in New Zealand. As well, it has significant interests in outdoor advertising. APN's *Readers First* initiative was a response to significant circulation declines among the company's 14 Australian daily titles in the decade or so prior to the program's implementation. An analysis of Australian Bureau of Circulation figures by Kirkpatrick (2005) shows that between 1990 and 2005, the circulation of APN Australian regional dailies collectively fell by 11.2 per cent, from 185,938 in 1990 to 165,112 in 2005.

Although addressing circulation declines was the driving force behind *Readers First*, the program was designed to rebuild the relationship between the corporation's regional daily newspapers and their readers, while changing the way APN journalists thought about and performed their jobs. *Readers First*, APN Editor-in-chief Terry Quinn said, is aimed at providing 'useful, relevant and compelling journalism attuned to readers' interests'. This was to be achieved by establishing a two-way, interactive relationship, in particular through the creation of an emotional bond, between newspapers and readers. This meant journalism that focussed on 'real people' or every day citizens in every story. Many of the APN titles also enacted the *Readers First* philosophy by taking a leadership position in their communities, championing the interests of their readers and reflecting the character, personality and idiosyncrasies of those communities.

Identifying and targeting readers

APN faced some hurdles in developing *Readers First*. There was a lack of data about who was reading its newspapers and this meant journalists also knew little about their

audiences. With little idea of the types of news stories or issues their readers wanted to see covered, journalists were having difficulty in reflecting or involving their readers in the news stories they wrote. To address the lack of reader data, APN commissioned a major market research company to gather statistical information about readers through surveys. These data not only incorporated the usual demographic information, but also focused on the values that characterised different types of readers – often called VALS (value and lifestyle market segments). As well, each newspaper ran its own in-paper survey to gather information about readers and identify their content preferences. Both sets of data were combined and each newspaper developed a series of reader profiles for four or five key groups of readers. These profiles guided journalists in relation to their readers' newspaper reading habits and content preferences. The reader profiles also provided journalists with information about each reader group's lifestyle, the leisure activities they participated in, and their social and cultural values. Journalists now had a guide they could refer to when writing their stories and when targeting specific sections of their communities, particularly those among which the newspapers felt they needed to build readership.

This process was part of getting journalists to focus on 'real' people in every story they wrote, and this formed a significant element in the program's approach to involving readers in the news. In moving away from 'traditional' newsworld routines that tend to privilege hard-news topics, *Readers First* sought to change journalists' reliance on 'elite' sources, or the community's political, business and civic leaders, by promoting a more reader-focused set of routines that put 'average citizens', or the community's 'non-elites', in the news. That way, the newspapers presumably would create, or perhaps recreate, an interactive relationship – an emotional bond – with their readers. Another name for that is 'brand loyalty'.

In addition, the newspapers took up leadership roles in their communities. In practical terms, that means championing the interests of citizen-readers, and delivering the kind of news that reflected the community's character, personality and idiosyncrasies. In a departure from journalism that emphasised detachment, APN encouraged journalists to join community groups, paying membership fees, so that staff could connect with community members and grassroots issues. Face-to-face interviews were encouraged and journalists were told to get out and meet their readers. Editors work with readers, bringing members of the public into their newsrooms to advise them on the types of issues and stories they want to see covered by the newspaper. Interaction between newspapers and readers was facilitated through reader panels, and the provision of reader feedback and ideas via e-mail. Website forums and reader e-mail panels were used as a direct feedback mechanism between readers and newspapers. Other sites held regular morning teas for readers and editors to discuss issues. Several newspapers actively solicited and published stories and photos by readers.

Training and implementation

APN News & Media implemented *Readers First* in two ways. It delivered a corporate-wide training program in the change initiative. And it developed projects and reporting tools designed to help newspapers put the philosophy of *Readers First* into practice. The training program started at the same time that APN rolled out the change initiative. First, newsroom staffs got an overview of *Readers First* from a workshop. Afterward, APN

provided an online training system with modules that covered such topics as 'writing for readers', photojournalism and news-page design. There also were regular face-to-face training sessions and they remain part of the program.

At the corporate level, marketing and editorial executives developed *Readers First* projects for the newspapers to aim at target-reader groups. APN identified those groups through market research and then focused on creating practical mechanisms for delivering *Readers First* content and projects to them. At the newspaper level, editors developed and now update a 'reader action plan' that details how the program has worked and how it continues to be implemented.

Tracking journalists' responses to the program

Our research tracked the responses of journalists working for APN's 14 regional Australian newspapers to the corporate change program over a three-year period, from 2005 to 2007. Our first survey was delivered to the newsrooms just over 17 months after the program began. During the 17 months prior to our first survey, APN was in the process of rolling out and fine-tuning the program. The final survey was implemented at the end of 2007. Data from the first survey in 2005 provided us with a baseline measure of the job satisfaction and performance of the APN journalists as a result of the *Readers First* program. Three hundred copies of the survey were distributed annually to the 14 newsrooms. Response rates were 29.3 per cent in 2005, 28.7 per cent in 2006, and 25.3 per cent in 2007. The 2005 survey questionnaire contained 53 questions. In 2006 and 2007 we included a question that asked respondents to identify whether they had participated in the previous year's survey.

The survey contained three separate themed sections. The first of these sought demographic information about respondents. The second was designed to probe attitudes towards *Readers First*, and the third sought information about participation in APN's *Readers First* training programs. At the end of the survey there were several open-ended questions and an opportunity for journalists to provide additional comment on the *Readers First* program. The format of questions was the same across the three surveys to ensure consistency in the methodology. The majority of questions were close-ended and the journalists indicated their response via a 7-point Likert scale. The scale ranged from '1', or 'strongly disagree', to '7' for 'strongly agree'. A response of '4' was considered 'neutral'. We decided to use a Likert scale because many other scholars investigating the issue of journalists' job satisfaction use this approach (Pollard, 1995; Weaver et al., 2007).

Demographics – Who responded?

Anecdotal information from APN employees and observations of one of the researchers involved with this project suggests APN's newsrooms are increasingly staffed by a young and female workforce. While the survey results are not statistically representative of the entire national journalism workforce, they are indicative of the type of employees working for the corporation. In each of the three years of the survey, the largest percentage of responses came from people aged 29 and younger. While just over half of respondents to the 2005 survey were male, this dropped in 2006 and 2007 to 38.9 per cent and 38.2 per cent respectively. That meant that more than 60 per cent of

those filling out the survey in the second two years of its implementation were female. Despite the increasing casualisation of the Australian work force, more than 85 per cent of employees who responded to the survey in each of the three years were employed by APN on a full-time, permanent basis. Those who responded to our survey were highly educated, with more than half completing a university degree or some form of postgraduate study. This is not surprising, with the majority of news media organisations having abandoned the traditional three-year to four-year cadet training system. Many news corporations now employ university graduates who undertake a one-year cadetship. It follows that the majority of people entering the journalism industry will have some form of university degree.

The data suggest APN has an increasingly inexperienced workforce in relation to the number of years its employees have worked as journalists. In 2006 and 2007, more than half of the survey respondents had fewer than five years experience as a journalist. In 2005, 40 of the 88 journalists responding reported having worked for fewer than five years as a journalist. In 2006, those with fewer than five years experience accounted for 50 of the 90 respondents, and in the final year of the survey, 40 of the 76 respondents were in this category. The data also appear to indicate that APN has a majority of new employees; that is, employees with five or fewer years working for one or more of APN's newspapers. The percentage of responding employees who belonged to that category was 49.4 per cent in 2005, 62.2 per cent in 2006, and 65.8 per cent in 2007. Across the three years, most of those who responded to the survey were either reporters or sub-editors, although more reporters than sub-editors responded each year. Photographers, section editors and editorial management also responded to the survey, although in small numbers. Most respondents indicated they were paid between \$40,000 and \$59,999 a year.

Journalists' responses to the program

In each of the three surveys, we asked a series of questions designed to track the responses of journalists to the corporate change program. We wanted to find out whether journalists liked the program when they were first exposed to it and what level of support there was for the program among journalists over the three years of the survey. In 2007, the survey showed the percentage of journalists who still liked *Readers First* had declined in the three years after its inception. The decrease in support for it was statistically significant between 2006 and 2007. However, over the course of the three years of our survey, the percentage of journalists who liked the program still remained relatively high when compared with research into similar programs. In those other cases, the findings indicated that support for change initiatives declines rapidly after the first year of operation of those programs.

Over the life of our APN *Readers First* survey, journalists consistently reported that they found it easy to understand and apply the concepts behind the program. We asked a series of questions designed to test how journalists conceptualised and responded to the program's aims. A key question in this area was whether the journalists thought the program aimed to increase the interaction between their newspaper and their communities. Responses to this question were statistically stable over the three years of the survey, and journalists indicated a high level of support for this statement. In

other words, they agreed that the program aimed to increase interaction between the newspaper and the community it served. The level of support for a number of other statements in this area remained stable over the life of the survey, as detailed in the table below.

Of significance was that between 2005 and 2006, the number of respondents who thought that the program aimed to increase advertising revenue declined markedly. Although the primary aim of the program was to increase circulation, the link between circulation and advertising revenue meant that an increase in circulation should lead to improvements in advertising revenue. Also, between 2005 and 2006 there was a significant decline in the percentage of respondents who thought the program aimed to change the content of the newspaper.

Table 1: Percentage of Journalists Agreeing with Statements about Readers First (n = number of journalists responding)

	2005 (n=88)	2006 (n=90)	2007 (n=76)
When I first heard of <i>Readers First</i> , I liked the idea	78.4	77.8	75.0
I still like <i>Readers First</i>	72.7	84.3	73.3 *
I find it easy to understand and apply the concepts behind <i>Readers First</i>	81.8	89.9	82.9
<i>Readers First</i> aims to increase the interaction between the newspaper and the community	89.8	87.8	94.7
It aims to ensure the survival of the newspaper	81.8	80.0	81.6
It aims to increase circulation	90.9	82.0	90.7
It aims to increase advertising revenue	68.2	54.4 *	48.7
It aims to change content	84.1	65.6 *	76.3
It aims to change the way readers think about their newspaper	87.5	83.3	86.8
It aims to increase the accuracy of stories	40.9	31.1	33.3
It aims to increase reader involvement in stories	93.2	83.3	89.5

* Statistically important changes in agreement in 2006 as compared to 2005, and in 2007 as compared to 2006. (Statistical significance determined through the chi-square statistic for a truncated Likert scale of 'disagree', 'neutral' and 'agree'.)

Implications for other news media considering change efforts

Research into change initiatives in Australian newsrooms is almost non-existent. This may be because news media do not disclose they are undertaking these types of programs or they may be reticent to allow them to be the focus of academic research. APN's cooperation with us marks a significant and important shift in the relationship between news media corporations and academics.

News media organisations in Australia considering embarking on corporate change programs or indeed already engaged in such efforts could learn much from APN's efforts. In particular, in at least its first two years, the success of the APN program appeared to be partly due to a group-wide communication and training program, which introduced newsroom staff to the philosophy and concepts of *Readers First*. International studies suggest poor communication of the goals, aims and daily operation of change programs

is a significant factor in the rejection of such efforts by staff. While at a corporate level APN appears to have successfully communicated the aims of *Readers First* to its staff, some survey respondents commented that poor communication between departments in their workplace had impacted negatively on the implementation of the change program. Another aspect of the program that staff commented on was that they found it difficult to get the balance right between reader-focused news and hard news. While many saw the benefit in placing readers at the centre of the story, they felt that hard news sometimes received less attention than it should under the program. In recent months APN has emphasised to newsroom staff that *Readers First* does not mean a reduced focus on hard news, rather the program provides a different way of reporting this type of news.

The corporate change program had both benefits and drawbacks in that it ensured that individual newspapers were able to apply the concepts of *Readers First* in ways that suited their own readership and communities. While editors and other newsroom staff met regularly to share ideas and develop resources and smaller projects within the corporate change model, there was not a one-size-fits-all approach to the program. In several instances this appeared to have significant benefits, with some newsrooms taking up the program and adapting it to successfully suit their readerships and their communities. However, staff at some sites suggested that the apparent inconsistency in application of the program's philosophy was problematic for them. Some had heard about successes of the program from their colleagues working in other newsrooms and were concerned that their newspaper was not implementing the program in a similar fashion.

Australia's news media will be increasingly faced with change in the coming decades and if that change is to be effectively managed, change programs will have to be designed to ensure the aims of these programs are communicated to staff and the minutiae of the programs implemented effectively at newsroom level. Declining circulation among significant portions of Australia's print news media provides a strong indication that change will be needed if they are to survive and prosper. APN's *Reader First* program provides one example of the type of change that newspapers might use to address some of the issues they face.

8.4 Education & Training For Convergent Media Production

by **Fiona Martin**
University of Sydney

Since the previous *State of the News Print Media in Australia* report, convergence training and education have become critical activities for two reasons. First, as concerns about the costs of newspaper publication intensify and digital news strategies expand, newsrooms are seeking more efficient ways to diffuse convergent and online production knowledge through the workforce. Convergence here means the ability to work across two or more platforms (eg. print and online). Online production refers to both web publication and the delivery of news to internetworked screen-based services, including mobile phones and personal digital assistants (PDAs).

Secondly, while news organisations are shedding editorial positions, they still face digital media skills shortages. John Butterworth, CEO of the Australian Interactive Media Association (AIMIA), indicates there is a strong demand for Flash and mobile-applications development people, as well as staff with senior business development and sales experience. He says on-going rapid technological change means no educational body – be it private college, training body or university – is able to turn out graduates with sufficient technical or business skills to meet industry demands. As the curriculum design and development process, and technical infrastructure, invariably lag behind industry change, Butterworth argues responsive, in-house training is fundamental to bridge immediate skills gaps.

This section examines training issues and trends at three organisations, Fairfax, News Ltd and AAP. It then reviews the delivery of digital journalism education at university level and indicates how internationalisation is impacting on education strategy.

At Fairfax “changing minds” has taken precedence over changing work practices. The 2007 Jasjam mobile journalism trial has been scaled back and the editorial staff is now doing a two-day change-management training program before moving on to technical up-skilling. As of March 2008 just over half of the company’s 400 Sydney-based newsroom people had completed the course. According to Kerry Metcalfe Smith, Group Organisational Development Director, it was designed to give staff the context and incentive to work on new platforms, including **smh.com.au**:

In order to get people to the point where they can perform you not only need to teach them the tin tacks of the technologies and the techniques for how you write, you need to help them gain an umbrella understanding of why they might need to write in a different way and why they might need to choose different things to write about.

In a participant survey, training was named as the biggest concern out of 56 change-related issues. However Metcalfe-Smith argued the impact of multi-skilling was the chief issue for those “who were struggling with the change process”.^[1]

The i-mate Jasjam experiment was based on the vision of all reporters carrying mobile phones capable of multimedia production. Yet it illustrated how cultural differences

within Fairfax have strong impacts on acceptance of new technologies, attitudes to technological change and learning approaches. The Jasjam was originally chosen by photographers and did not get broad-based newsroom acceptance. One-third of people on the change program said they found it difficult to use. Metcalfe-Smith said it was introduced prematurely: “people became focussed on finding fault with the device and arguing why they shouldn’t use it”. Program feedback also indicated reporters needed better visual narrative skills before they were expected to use other mobile journalism devices.

As Fairfax photographers have been digital innovators, a core strategy now involves training them to record audio and make sound-slides. Yet Metcalfe-Smith observed that not all staffers have been supportive of DIY new media experiments:

Our most innovative photo guy, who’s now a videographer...he’s forging new pathways and forms for rest of the newsroom, but many people see his pushing of envelope is to be derided. It’s uncomfortable [for them] and they’re worried that it may not be the right thing to do.

In Rural Press, she notes reporting staff is more accepting of multi-skilling and self-initiated take-up of cameras and video production. Regional staffers are “comfortable with trial and error and discovery learning” whereas in the metros people were used to having expert trainers explaining processes step-by-step.

Until now Fairfax has used face-to-face training in its convergence project. As its production base is now dispersed well beyond Sydney and Melbourne it will move within the year to using e-learning modules, complemented by small group training, field assignments and workshops.

At News Limited online training is well established for professional program delivery. By September 2008 News’s *Online Journalism* course had already superseded **Reporting for the Web** (RW), launched in February 2007. The new course, which takes around two hours to read, includes modules on the integrated newsroom, digital lingo, writing for the Web, digital storytelling, blogging, audiences and interests, and legal issues. The latter module is extensive with sections on international defamation, breaking news issues, copyright, the cost of comment and linking practices. News has also developed a DVD on video production to accompany face-to-face workshops and online delivery.

About 190 people have already done the introductory RW course, but Sharon Hill, Group Editorial Development Manager, indicates that at least the same number have developed a higher level of web production knowledge than the course encompasses through their online work. Hill indicated that *Online Journalism* would be updated every six months to respond to industry change and that, unlike other courses, which are only available to enrolled staff for the set time it takes to complete the material, this one would be permanently open with email notifications of updates.

Search engine optimisation (SEO) is one topic slated for the next update. Hill said there was basic explanation of the benefits of SEO in the new course to build awareness of the practice, but no directives because of journalistic sensitivities about writing to that format:

We're trying here to get people to understand why clickability is important to us. It has a direct bearing on the commercial viability of our publications. So nowhere do we say we want you to do it like this, but what we do say is, if you want to make this a factor, here are some of the things you can do. Here are some key ideas. In six months we'll greatly enhance the SEO content and by then I believe culturally the resistance to [it] from journalists will have been dissipated to some extent.

Hill noted that her biggest challenges were catering for different sites at widely different levels of engagement with the Web and with integration, and trying to meet demand for new media training. News has only two national trainers, so News sites have been partly reliant on local, in-house training expertise.

At the Leader Group, Julian Burton, a self-confessed geek, supplements online courses with face-to-face training in writing for web, video production, content management systems and online marketing. As the group papers don't have the resources for dedicated online journalists, Burton says the pressure has been greater for reporters to learn web skills and adapt to multimedia publishing. Long-term he sees these skills being normalised: "You can call your self a VJ or a convergent journalist or a web journalist but it's all missing the point really, it's all part of what a journalist does now."

While News's News Solutions and Fairfax's Newsroom of the Future programs are well underway, at AAP getting a complex content management system upgrade bedded down has taken precedence over integration and convergence training in the last 12 months. Now AAP Editor-in-chief Tony Gillies is ready to implement a convergent workflow model and to get his staff cross-media oriented. As a trial in building skills and confidence in convergent reporting, Gillies has called for forty volunteers across the organisation to work with a multimedia kit including a Nokia N95 phone, a Canon IXUS 980, a hard-disk audio recorder and point-and-shoot home-video camera. He argues his staff will be more inclined to adapt if their equipment is easy to use: "if they can see [me] take a photo on Sydney Harbour from 70 metres of a guy climbing scaling the wall of Government House ... which ended up on the front page of *The Daily Telegraph*, it ended up in *The New York Times*, then hey, why not?" Gillies wants reporters to 'own' the gear, "Take it home, play with it ... be comfortable with it – and once they are, they become your sales people for the technology."

Generally video and audio training is being extended across the board, although training for wireless reporting and mobile publication is yet to be delivered in a standardised manner in any of the locations. There is surprisingly little training available on building and supporting user generated content (UGC). Sharon Hill notes that current editorial interest in UGC training relates to risk management:

We talk about it in our training as being a benefit to our papers, but being fraught with danger from the legal perspective. I guess our training focus is around the legal web, when we talk about use comment in terms of presenting risks to us. I think it would be fair to say we've talked more about the risks of user generated content than the advantages."

Interviews conducted for this report indicate there is little industry consensus on what multimedia or internet competencies are required of editorial staff, as publishers are

attempting differing routes to convergence. Group directors from existing mastheads put emphasis on traditional reporting skills and some video and audio production knowledge, while editors in newer online publications, such as Fairfax's **WAtoday.com.au**, list a range of skills they are looking for in new staff, especially producers: *html* and Flash; search engine optimisation; social networking; user generated content management; ratings and reputation marketing.

In response to this divergence and the pace of technological change, university journalism educators are often second-guessing the skills and knowledge industry needs in 5-10 years time. Currently they have chosen four major paths to developing new professional orientations:

- specialist online or multimedia reporting units;
- first-year 'core' or compulsory units in digital media production, covering sound, video, imaging and online delivery, and new media theory;
- electives in interactive media and web design, visual design and layout, or electronic writing, which build on these cores and may be used to supplement existing print and broadcast journalism production strands; and
- final-year project and internship units, where students can pursue specialist production interests

A survey of Australian university undergraduate and postgraduate curricula, drawn from online enrolment information for 2008, shows that 63 per cent of university journalism courses contained dedicated online, web, multimedia or convergent journalism units. Another eleven institutions offered supplementary multimedia, web design or electronic writing units, and several indicated they integrated online production into their existing print news units. Only two institutions, Notre Dame University and Macleay College, did not offer any of these options.

The survey examined the offerings of 26 universities and three private colleges offering journalism as a named component of undergraduate or postgraduate degrees. This included Bachelor of Arts or Media degrees with a journalism major; Bachelor of Journalism degrees; postgraduate Certificate, Diploma and Masters journalism degrees; and those postgraduate degrees with a journalism major. It reveals a trend towards online production practice as the vehicle for delivering convergent media skills within a journalism degree structure, for example at La Trobe University, the University of Technology, Sydney, and the University of Wollongong. However it is impossible to evaluate student satisfaction with that approach due to the generic nature of the annual course experience survey conducted by Graduate Careers Australia.[2]

At the same time online journalism is yet to be given the same degree of curriculum focus as broadcast, print or radio. Only two universities, the Royal Melbourne Institute of Technology and UTS, offered consecutive units in online journalism, while the University of Wollongong favoured the convergent journalism label for similar two-step offerings. Similarly there is not a great deal of choice for full-time media workers seeking flexible delivery options to update their skills. Online journalism in full distance education mode – that is, as study online – is only available through Deakin and Southern Cross Universities. The University of Tasmania suggests it delivers flexibly, with some on-campus attendance required.

Finally while most online journalism units include *html* and web development components, there has been significant debate here and overseas about the need to train online journalists in coding when most will be using publishing templates within content management systems. Supporters of code-learning indicate that this delivers better conceptual understanding of the internet publishing environment, greater creative and trouble-shooting capacities.

Overall it is possible that the industry will witness an accelerated internationalisation of online journalism training and education strategies through higher education and member use of online education resources. These include web-based software tutorials and specialist blogs, such as those by educators Paul Bradshaw (UK), Andy Dickinson (UK), Mindy McAdams (USA) and Amy Gahrn (USA), along with journalists and industry commentators Julian Sher (Canada), Richard Koci Hernandez (USA), Jim Romenesko (USA), Mark Glaser (USA), Trevor Cook and Laurel Papworth (Australia).

Internationalisation of journalism education

Three other developments in the internationalisation of journalism education and research round-off this section on trends in journalism education: they concern higher education enrolments, the 2008 establishment of a World Journalism Education Council, and Australian participation in international journalism conferences.

Higher education

Although the overall count has never been high, the number of international student enrolments in journalism higher education programs in Australia has declined in recent years (since 2004). Australian Education International indicates there were 255 enrolments by international students studying journalism in Australia on a student visa in 2007, compared to 319 in 2005. Figures for the first six months of 2008 confirm the decline is continuing. The drop is largely explained by a fall-off in demand from Norway, which together with China, India and Singapore, account for almost half (44 per cent) of international student enrolments in journalism in Australia. The number of international students enrolled in media and communication degree programs mirrors this decline: there were 3,744 international student enrolments in media and communications generally in 2007 down from 4,558 in 2005.

World Journalism Education Council (see <http://wjec.ou.edu/>)

2008 saw the establishment of a new international professional association of journalism educators, called The World Journalism Education Council (WJEC). This follows a summit to discuss journalism education in Singapore in June 2007 that brought together 28 academic associations – including from Brazil, China, Japan, Russia, Saudi Arabia, South Africa and South Korea. The WJEC is working on two major projects: first, a three-year global census of journalism education programs (2,833 identified to date) and, secondly, promotion and adoption of a Declaration of Universal Principles of Journalism Education. Various Australian journalism academics have expressed their disquiet that the Declaration is bland, makes no reference to core concepts such as press freedom, democracy or human rights and therefore offers little as a teaching and learning resource. Others suggest it is a work-in-progress, a platform for developing dialogue between academics and practitioners from diverse political and cultural backgrounds.

Journalism scholarship and research

Important new conversations about journalism are also emerging in the two most important international professional associations for communication research – The International Association of Mass Communication Researchers (IAMCR) and The International Communication Association (ICA). The IAMCR’s newly formed Journalism Research and Education section met in Stockholm in July 2008, with papers from Australian journalism academics on world journalism cultures, Freedom of Information, multiculturalism in Australian television, talkback radio, journalism students and a history of academic writing about journalism and cultural diversity. There is less Australian involvement in the ICA’s Journalism Studies Division, set up in 2004, but nonetheless Australian academics made important contributions to the ICA’s 12 volume *The International Encyclopædia of Communication*, edited by Professor Wolfgang Donsbach in 2007 (see, for example, Penny O’Donnell’s entry, ‘Communication Professions and Academic Research’, vol. III, pp. 1-7).

Endnotes

1. There are no data on how Fairfax staff in other locations perceives these issues, as the training program has not yet been delivered outside Sydney.
2. Journalism league tables such as those compiled recently by Brisbane’s J-school are misleading because they conflate student satisfaction and job placement out of different types of courses (generalist Arts degrees with journalism majors, more focussed Media Studies degrees, and specialist Journalism degrees). They also fail to examine digital media innovation in offerings or teaching methods.

Notes

Development of the Study

The study was guided by a Steering Committee chaired by Professor Ken McKinnon, and including the Press Council secretariat, Inez Ryan, Policy Officer, Jack R Herman, Executive Secretary, and Deborah Kirkman, Office Manager. Industry survey organisations, particularly the Australian Bureau of Circulations and Roy Morgan Research have allowed the use of their data. Other data, such as the unique News Content Analysis, was generated and written up by academic affiliates, as noted below.

Persons responsible for researching and/ or drafting various chapters were:

Dr. Antonio Castillo, Lecturer in Journalism,
Department of Media and Communications, The University of Sydney
Four weeks in the world of The Sydney Morning Herald

Dr. Tim Dwyer, Lecturer,
Department of Media and Communications, The University of Sydney
Media ownership

Dr. Jacqui Ewart, Senior Lecturer,
Journalism and Media Studies, Griffith University
*The reporting of the Mohamed Haneef story (with **Julie Posetti**);
Corporate change in regional newspapers (with **Brian Massey**)*

Dr. Nicola Goc, Lecturer in Journalism,
University of Tasmania
The Citizen Journalist and news images

Jack R Herman, Executive Secretary,
Australian Press Council
*Themes
The future of newspapers – proprietors confident
Press freedom*

Dr. Johan Lidberg, Lecturer,
School of Media Communication and Culture, Murdoch University
*Freedom of Information (with **Peter Timmins** and **Rick Snell**)*

Alana Mann, Lecturer,
Department of Media and Communications,
University of Sydney
Churnalism

Dr. Fiona Martin, Lecturer in Convergent and Online Media,
Department of Media and Communications,
University of Sydney
*Convergence, online and new media news
Education and training for convergent media production*

Dr. Brian L. Massey, Assistant Professor,
School of Communication, East Carolina University
*Corporate change in regional newspapers (with **Jacqui Ewart**)*

Professor Ken McKinnon, Chairman,
Australian Press Council
Trends – Quo vadimus?

Chris McLeod, former Editorial Development Manager,
Herald and Weekly Times
Chequebook Journalism

Bruce Morgan, Group General Manager,
Ballarat Courier
Managing generational change

Julie Posetti, Lecturer in Journalism,
Division of Communication and Education, University of Canberra
*The reporting of the Mohamed Haneef story (with **Jacqui Ewart**);*

Inez Ryan, Policy Officer,
Australian Press Council
Audience

Dr. Lindsay Simpson, Head of Journalism,
School of Humanities, James Cook University
Blogs and newspapers

Rick Snell, Senior Lecturer,
Faculty of Law, University of Tasmania
*Freedom of Information (with **Peter Timmins** and **Johan Lidberg**)*

Peter Timmins,
consultant on privacy and freedom of information issues.
*Freedom of Information (with **Rick Snell** and **Johan Lidberg**).*

Collation and editing of the 2008 report was the responsibility of **Inez Ryan**.

Jacqui Ewart (Griffith University) and **Julie Posetti** (University of Canberra) with the assistance of colleagues and students from Griffith University, developed and conducted the original research on news content analysis reported in the Mohamed Haneef analysis.

Drafts of the document were subjected to subbing and detailed editorial scrutiny by members of the Steering Committee of the Council.

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The Press Council approves publication of the final document.

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Email: info@presscouncil.org.au

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