

The media: why the critics are wrong

Chris Anderson examines some of the barriers to better reporting
and suggests the media's critics are too severe

I would like to outline what I see as barriers to the conduct of our craft and a defence against the more strident and more public of our critics.

Without in any way presuming what we do is always right, noble or above complaint, let me also outline why I feel our media broadly is worthy of defence.

Defamation

Defamation is certainly one of the barriers we face.

At present in Sydney, Fairfax has 146 actions before the courts - the Sydney Morning Herald has 99; the Sun-Herald 24 and the Australian Financial Review has 23.

Premiers from Eric Willis on have been promising me that they will undertake defamation law reform. We are still waiting.

Last year, at an Australian Press Council seminar at Bond University, the NSW Attorney-General, John Dowd, said:

"There is no doubt in my mind that the very high awards of recent times cannot be justified in the absence of evidence establishing either a malevolent and calculated campaign for boosting the profits of the media organisation concerned, or proof by the plaintiff of a sizeable economic loss."

If Mr Dowd supports this proposition, we would urge Mr Dowd to consider:

- Introducing a United States "public figure" defence, where a person who is a public figure cannot be defamed unless the publisher has published with actual malice and a desire to harm.
- The abolition of the requirement that as well as having to prove that an article is true, the publisher has to show that it was published in the public interest. This is not a requirement in Victoria, South Australia or in the United Kingdom.
- If we publish an apology promptly and prominently, then the plaintiff cannot be awarded damages without proving actual financial loss.

We also agree with Mr Dowd that such reforms as increasing juries from 4 to 6 (to stop one juror unduly influencing the others) and taking away the assessment of damages from the jury and giving the power to the judge, would also help. This would engender predictability, spur out-of-court settlements, and lead to fewer appeals.

Such reforms may stop lawyers, politi-

cians, media people - sadly the main plaintiffs in actions and hardly the afflicted or oppressed - resorting to the court as the first, rather than the final, course of action.

Clearly like the overhang of debt - the crippling impact of the defamation laws casts a shadow over our craft.

Training

Another barrier - which is probably not a barrier as much as challenge - is training.

Firstly let me pay tribute to the people in the Australian Journalists Association (AJA) who have been pushing (sometimes against employer resistance) for improvements in training and media education. Through the structural efficiency process, the AJA and the newspaper employers have agreed upon a procedure which provides training modules to improve basic journalistic skills.

In the earlier grades, progression will be based on both skills obtained from successful completion of these modules and their performance as working journalists.

By-and-large, our reporters are now better educated, more rounded and equipped people than ever before when entering our craft. In my view, our new recruits are also better calibre people - with a better idea of what's right and what's wrong - than when I entered the craft nearly 25 years ago.

But despite that 75 per cent of our errors are due to our own sloppiness. One has to ask about the contradiction. Of the 300 to 400 young people entering the media each year in this country (about 3 to 4 per cent of the nation's total journalistic workforce) the bulk would be tertiary-educated and often now have second or post-graduate degrees. Of 193 new cadets taken into Fairfax in the past three years, 176 had first or second degrees.

Is it because of our training, our lack of supervision, or is it endemic with the new technology that better, more educated people are still producing those errors? We must continue to work to improve standards.

The siege mentality

Another barrier is the very conservatism of our society and, frankly, despite our outward bravado, the fear of criticism. We are a thin skinned society. A siege mentality still

afflicts many of our politicians, business and union leaders in their dealings with the media.

Politicians, from the PM down, fall like ninepins to the press and talkback hosts during an election campaign, but they are hardly as forthcoming when secured in the fortress of a new Parliament House in Canberra, once a majority is tucked away. Business and unions are much the same. For example, when under threat from takeover, BHP made constant personal calls to newspaper offices, radio and TV stations. Now the company is a little less forthcoming. The same goes for our major banks. Under attack from foreign competition some years ago NAB, Westpac and ANZ plagued media offices. Now, apart from sanitised releases or managed appearances (or indeed, stopwrits over some recent debt stories or press conferences when a merger has fallen through), they are often as difficult to secure as a new mortgage.

In our defence

If those are some of the barriers, what about the media's role, and how do we defend ourselves to our media critics?

Of course it is true that reporters are humanly fallible, our reports are too often inaccurate; too instantaneous - much too much news is written from the cuts and served up again, often inaccurately, from the archives.

But, Joh Bjelke-Petersen has been ousted and Qld. Inc. exposed, initially by the activities of the ABC and the Courier-Mail, and then monitored by constant media attention. While we may abhor the consequences of it, Mr Goss, whatever his failings, was largely put there by the Queensland media.

Mr Bond's, Mr Skase's and Mr Connell's tangles have been brought to light by the work (again) of the ABC, and also the writings in the Sydney Morning Herald, the Australian Financial Review and the Australian.

The NSW Police corruption stench was originally brought home by the work of Marian Wilkinson, Bob Bottom and Evan Whitton.

The bottom-of-the-harbour tax scams were unearthed and detailed largely by the Sydney Morning Herald.

We realise - perhaps not enough - just

how fragile our economy is following the "banana republic" statements of Treasurer Keating to John Laws. And if we do go over the economic edge, you couldn't say Max Walsh hadn't warned us.

Abe Saffron, Murray Farquhar, Roger Rogerson - and others - went behind bars because of the work of the Sydney press.

As I mentioned recently, a distinguished friend of mine, Peter Robinson, Editor-in-Chief of the Australian Financial Review, put it rather neatly thus:

"There is no blanket, all-embracing defence of the (Australian) media to be made... except to the extent that seen in their totality they provide what a free press should provide - a wide diversity of approaches to the concerns of the community, an alert interest in humbuggery, hypocrisy and demagoguery and a certain scepticism.

"We are not perfect - more than that: we are an industry that almost by definition is incapable of being perfect. At the simplest level that arises from the obvious fact that one person's truth is another person's distortion ...

"We turn out a product by the tens of thousands every night, yet every night it is inherently different.

"Our inputs other than paper and ink are completely unpredictable. Our ingredients are produced by staffs who are not assembly-line workers performing the same task every day, but are part artist, part lawyer, part intelligence agent, part writer and part detective. They work to inherently difficult deadlines imposed not merely by the production process and the distribution commitments, but also by the unfolding of events themselves."

How to improve

This leads us to what can be done about improving the community's faith in its media.

Clearly, training - and better media performance - are both obvious and crucial, but safety gauges such as the Press Council and, indeed, the AJA Ethics Committee should figure more prominently. Professor Flint, I feel, is now beginning to make genuine efforts to enhance the role of the Council and clearly, it is up to people like myself to aid that cause. The AJA also has a responsibility in the area of public perception. The Ethics Committee of the AJA has, I am told, about 10 cases before it at any one time and about 30 cases a year - but its deliberations are held in secret and we usually fail to find out its results publicly.

Finally, I believe that the public has a role. It is a free society and ultimately it is also up to the consumers of the media - our readers, listeners, viewers and advertisers - to use the market to encourage standards. I think it is self-evident that newspapers that

deceive or constantly exaggerate the truth will be boycotted. Looking at the market fall-off in the consumption of the more extreme afternoon newspapers around the world, that is happening already. The famous London Sun is now in steady decline and newspapers of that ilk will find it hard to prosper in the decades ahead. Radio hosts who manipulate, or TV shows that constantly mislead, will also eventually fail.

The Australian media has to face difficult times ahead; not least in rationalising its

daunting debts, improving its training standards and combating constraining laws. An enhancement of our performance and an honest appraisal and scrutiny of our failings, can only aid that.

Chris Anderson is the former Editorial Chief and Chairman of the Board of the Fairfax Group. This article is an edited text of an address given earlier this year at The Journalists Club, Sydney.

Holes in the net

Dr Perry Morrison examines issues surrounding the USENet

Recently, the education debate took an interesting twist with the blocking of access through Australian Academic Research Network (AARNet) to USENet. USENet has carried discussions on sex and drug related topics and has sometimes provided risqué or sexually explicit images. USENet has been sensationalised in the U.S. media as a porn ring.

What is USENet?

USENet began in 1979 when two U.S. computer gurus wrote software that allowed their sites to exchange data on a regular basis. Demand quickly grew to the stage where thousands of sites throughout the world are now interlinked by various forms of modem, landline, satellite and microwave connection. Users at these sites can send electronic mail to each other and can contribute items of interest to the USENet newsgroups that circulate around the world.

The variety and quality of information on USENet is enormous, ranging from newsgroups that discuss technical aspects of computer programming and software engineering, to conference notices, job advertisements, the impact of computers on society and a vast array of other topics. In addition, there are a huge variety of "unofficial" newsgroups that are carried on USENet, making it something of a global, anarchic bulletin board. In these newsgroups one can find something for every taste; such as how to repair your bicycle, prepare vegetarian meals, discussions on any political topic or ideology, on any style of music.

AARNet operates as the Australian branch of the Internet - a global collection of mainly government supported networks. AARNet provides a backbone through which many Australians can gain informal access to USENet.

Herein lies the problem. AARNet isn't

really free. The principal communications links are (indirectly) paid for by the Australian taxpayer through funding to universities and CSIRO. Some are asking why taxpayers' money should be wasted in transmitting sexually explicit images or in supporting discussions of the "is there really a G-spot" type.

On the other hand, the communications lines are leased and costs are constant regardless of how much you use them. Therefore, the unproductive traffic isn't really costing anything at all and, it is argued, suppressing it is merely a veiled suppression of academic freedom. However, a great deal of traffic in the more "respectable" newsgroups is widely considered to be garbage. Should these groups be censored too?

No net effect with censoring?

Shutting down offending USENet newsgroups will not stop the flow of sexually explicit material. This material is publicly accessible at sites all over the world, quite outside of the newsgroups, such as through privately owned bulletins or by subscribing to a mailing list which would use electronic mail (e-mail) as the medium of transmission. Even if every e-mail message into and out of Australia were inspected (ethically, legally and practically dubious) the contents could easily be encrypted to prevent it.

While AARNet itself could be shutdown by removing funding for its communications links, distribution of USENet newsgroups would be impossible to eliminate because sites store what they receive and feed the next one, thereby providing an enormous amount of redundancy. If one's feed machine is disabled, then all one has to do is to seek a feed "upstream" of the site. Indeed, even if the major arterial communications

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