

Creina Chapman

Deputy Chair and CEO, ACMA

Erin Mifsud, Lawyer for the eSafety Commissioner and CAMLA Young Lawyers Committee Secretary, catches up with **Creina Chapman**, Deputy Chair and CEO of the Australian Communications and Media Authority (ACMA), to celebrate International Women's Day. Creina was appointed Deputy Chair of the ACMA in 2018 having previously held a number of senior executive roles in commercial media companies and serving as a senior policy advisor to federal members of parliament.

ERIN MIFSUD: Creina, thank you so much for taking the time to discuss your career and International Women's Day 2023. You have had a great career in media and government. Tell us a bit about your job, what does a typical day look like for you?

CREINA CHAPMAN: Thank you for having me. I am Deputy Chair and CEO of the ACMA, the Australian Communication and Media Authority – so I have a dual role. I am on the Authority which is the decision-making body for the ACMA and I also share some management roles with the Chair who is the Agency Head. As everybody says, there is no such thing as a typical day. For me it is predominantly a combination of lots of reading and meetings. Stakeholder meetings, management meetings, Authority meetings and, as I am the Authority lead in relation to content, sub-committee meetings on content matters – and preparation for all of those meetings. The reality is this job is an enormous amount of reading as there is a vast amount of detail to get across, given we have a very wide remit including: telecommunications, spectrum, online gambling, misinformation, broadcasting and unsolicited communications. A typical day involves a lot of preparation for decision making. I oversee media as well, so I am responsible for clearance of our statements.

ERIN: You joined ACMA nearly five years ago, how did your career path lead you to the ACMA?

CREINA: I first qualified as a lawyer many years ago and then I moved into policy work, part of which related to media and communications – first with government and then in media companies operating across many aspects of communications, including television, radio, print, online and podcasting. My work at these companies was focused on regulatory and communications type roles and then it was a natural progression to come to the regulator. I am sort of "poacher turned gamekeeper" as they call it, from the regulated to the regulator.

ERIN: What is the best work-related advice you've received?

CREINA: This is a tricky question and I think I have two answers to this. Probably the best advice is to try and make sure that you are really across the detail so

you can't be caught by surprise and can have confidence in your views and in the position that you're putting forward. Try not to sit on the fence, but take a position – don't be too wishy washy. I think that's probably the best advice. The second piece of advice, which might be a little bit more topical because of the debate that's going on at the moment and is sort of work related, is on superannuation. The best advice I was given came from a CFO whom I worked with at Channel Nine. They told me really early on, contribute as much as you can to superannuation, as early as possible. It will give you more financial security so that you have confidence to take risks in your work. I can tell you it was fantastic advice!

And lastly, have confidence, and go with your gut. Having confidence in who you are, go for it and try not to be too timid is also really good advice I'm grateful to have received.

ERIN: That is such a great way to look at super and what a powerful position it can put you in to have confidence in those choices later on! If you could have dinner with any woman – living or passed, real or fictional – whom would she be?

CREINA: This one is actually quite easy. I would love to meet Katherine Graham whose autobiography is one of my favourite books. I think she is an inspiring woman, she broke all the norms her family and society set for her and then ran the Washington Post from 1963 to 1991. She stood up against some of the greatest attacks that journalism and newspapers have ever seen through both the Pentagon Papers and Watergate dramas and then she ended up being a Grand Dame of Washington who was consulted by Presidents. I think she was an amazing woman whom I'd love to just sit down and have a chat with.

ERIN: She was such an influential woman in the industry, so that would be such an interesting conversation. Speaking of women in the industry, who is one woman in the industry whom you really admire, and why?

CREINA: Now this is interesting because I was trying to first think of female leaders in the industry and realised that there are not



enough of them to choose from, which is a statement in itself; but I have come up with two. The first one is Kate McClymont. I just think she's absolutely remarkable. In spite of the threats against her, she has shown so much courage, determination and attention to detail to root out corruption. My other is Anita Jacoby who has had a long history in the media and is an Associate Member on our Authority. She has had an amazing career in journalism and content making; but she is always and has always been one of the first people to be out there supporting other women in the industry. Anita really gets behind everybody and she is a mentor to so many people.

ERIN: What developments do you see on the horizon in 2023 for the communications and media landscape?

CREINA: I think this year, there is increasing focus on matching our legal and regulatory framework with what our community really wants. So much of this now sits around the online environment and safety in that broader sense. Scams are an enormous policy issue and the other area I've been predicting as a big issue for years and has not really come about yet in a policy sense is privacy. Privacy, data and children's privacy. And there will increasingly be a policy focus on tackling misinformation and social platforms. So I would say safety in the broadest sense.

I would also add the Voice to Parliament. It impacts issues from how we handle freedom of speech and how we have a courteous, kind, and respectful debate through the media and on the streets. It will be a big test of our society.

ERIN: And finally, the 2023 International Women's Day campaign theme is #EmbraceEquity. What does this mean to you and how would you suggest this is implemented in our readers' work and personal lives?

CREINA: To me this theme is talking about moving beyond equality to equity, which as we know is a very different concept.

The embrace word is interesting, it doesn't just mean appreciating and understanding that women come from a different starting point, a different background or different circumstances. It's actually a shift to appreciate that different needs must be addressed by either applying different resources to assist women or different opportunities being found. What is interesting about it is that the root of equity is diversity and inclusion. I think as a society we have a long way to go to understand the difference between

equity and equality and where that leads. Diversity and inclusion are important in policy making and in our workplaces.

From our point of view at the ACMA, our graduates have recently done an impressive project on diversity and inclusion. These issues have been within our policies and we are now expanding and building on it. We are also in the middle of a project at the ACMA on measurement of plurality of news. It is about more than just diversity but one

aspect is diversity of voices. We will be looking closer at measurements in relation to gender, racial background, political views etc.

I think in essence we should focus more on diversity and inclusion in our workplace and personal lives.

ERIN: That is so true and very insightful. Thank you so much for your time today Creina, and Happy International Women's Day!

Tasha Smithies

Senior Litigation Counsel, Paramount

Isabella Barrett, Lawyer at Corrs Chambers Westgarth sits down with **Tasha Smithies**, Senior Litigation Counsel at Paramount to discuss International Women's Day. Tasha manages both the prepublication process and litigation matters including injunctions, defamation, copyright, contract and general commercial disputes. She has over 20 years' experience in the media law industry and has previously held roles at Australian Associated Press, Nine and Gilbert + Tobin. In 2020, Tasha was named the Lawyers Weekly Technology, Media & Telecommunications Lawyer of the Year.

ISABELLA BARRETT: Tasha, thanks for agreeing to be interviewed as part of this CLB special edition! Could you tell us, what does a typical day look like for you?

TASHA SMITHIES: There is no typical day for me, each day is different, as are the hours worked given the job is based around the rhythms of TV which is not necessarily a 9-5 office set up. Sometimes that's good, as you can get pockets of time to yourself and sometimes it's a tricky juggle as it can require weekend and evening work. My day consists of clearing content for Paramount on its various platforms - broadcast (10) on demand (10 Play) streaming (P+) and social media, overseeing a training program for our journalists and managing Paramount's litigation.

ISABELLA: Did you always want this job? If so, what did you do to position yourself to get it? If not, how did your career path lead you here?

TASHA: I always wanted to be a litigation lawyer as I like the court process and the strategy that sits behind any piece of litigation. However, I kind of fell into media law when I moved from Holman Webb Solicitors to Gilbert + Tobin, which led to a secondment and then a role at Nine, followed by Australian Associated Press and now nine years at Paramount.

ISABELLA: What energises you about work?

TASHA: It's never boring! It is constantly changing from day to day which keeps things interesting and challenging.

ISABELLA: What recent events in the Australian media law landscape most affect your organisation and role?

TASHA: The most obvious one would be the commencement from 1 July 2021 of the changes to defamation laws, in particular the requirement for a serious harm threshold and the single publication rule. I am also keen to see how the public interest defence and modified qualified privilege defences will operate, hopefully with a better understanding by the courts around the concept of reasonableness in the context of a tight timeframes in a busy news room. It will also be interesting to see how the Stage 2 defamation reforms in relation to internet intermediary liability unfold.

A further area of law reform to keep an eye is the Privacy Act Review, in particular the proposed introduction of a statutory tort for serious invasions of privacy (in the form recommended by the ALRC in 2014) as well as a statutory direct cause of action for individuals in the Federal Court, Federal Circuit and Family Court of Australia and the operation of a journalism exemption - acknowledging that this has been tossed around for as long as I have worked in media law...

ISABELLA: Who is one woman in the industry whom you really admire, and why?

TASHA: This is a little old school and I am showing my age but Jana Wendt. I had the opportunity to meet her when I was younger and I admire her style of interviewing, as she was always firm but fair.



ISABELLA: The 2023 International Women's Day campaign theme is #EmbraceEquity. What does this mean to you and how would you suggest this is implemented in our readers' work and personal lives?

TASHA: Most of the time, this looks like being treated equally but occasionally there are circumstances where treating people differently ends up leading to a more equitable workplace - yes... it's complicated! To me equity at its heart is treating people in the workplace and in your personal interactions fairly and treating others as you would like to be treated.

ISABELLA: What advice would you give to the next generation of female leaders in the industry?

TASHA: Don't expect equity if you are not prepared to put in the hard work and be valuable to the organisation where you work. Nothing comes to any of us served on a silver platter and there is no substitute for a positive attitude and a calm demeanour. Most of the time if you work hard, respect people, listen and don't get ahead of yourself, good things will happen. Voicing your opinion on everything all of the time wears people down. Be selective in your criticism - save it for the things that really matter and the times when it will make a difference.