

News Media Assistance Program Consultation

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Founded in Melbourne in 2011, The Conversation has expanded to operate in the UK, US, France, Spain, Africa, Canada, Indonesia, Brazil and New Zealand. In Australia and New Zealand it attracts 3.3 million pageviews a month, and more than 10 million when you include republication. Articles from The Conversation are republished by large and small media outlets around the world including CNN, ABC, The Guardian, Channel News Asia, IFL Science and The Washington Post.

In Australia, editors collaborate with more than 4000 academic authors each year. A unique Australian start-up, The Conversation has had a global impact by providing trusted information that is evidence-based, academically rigorous, and easily distinguished from fake news. The Conversation has strict editorial standards around fact-checking and requires all authors to complete a disclosure of funding and interests.

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Framework & Objectives: What is public interest journalism?

If the Australian Government wants to create policy to foster “public interest journalism” for the good of the nation and its citizens, it needs to be clear about what public interest journalism is, what it does and why it matters.

Although well-intentioned, the definition of journalism adopted by the ACCC in the final report of the Digital Platforms Inquiry is a product of the particular process from which it emerged. As a result it is too narrow and imprecise. It states (p285, Digital Platforms Inquiry):

Public interest journalism – ACCC definition

Journalism with the primary purpose of recording, investigating and explaining issues of public significance in order to engage citizens in a public debate and inform democratic decision making at all levels of government.

The problems with this definition are:

- 1) It defines three necessary primary purposes as “recording, investigating or explaining issues of public significance”. But public interest journalism does much more than just “record” or “investigate” or even “explain”. And it doesn’t only deal with issues of “public significance”.
- 2) In the ACCC definition the concept of “public significance” provides a link between the work of “recording, investigating and explaining” and the imagined public interest purpose of that work, which is defined as to “engage citizens in a public debate and inform democratic decision making at all levels of government.”
- 3) Thus public interest journalism is reduced in this definition to its democratic function. It functions in the ACCC definition almost exclusively as a facilitator of freedom of political communication that

the High Court identified as implied in the Australian Constitution in *Lange* (1997) 145 ALR 96.

- 4) The narrowness of this definition is that it only sees the audience for public interest journalism as citizens/voters who need quality information to ensure that our democracy functions. While this is vital, it obscures many of the essential ways in which public interest journalism serves citizens and the nation. To pluck one example, it is blind to how public health information can help people make better decisions for their benefit.
- 5) The broader ways in which public interest journalism informs decision-making by individuals are listed in the News Media Assistance Program Consultation Paper (Point 6, Page 10) but completely missed in the ACCC definition.

A better definition of journalism

Within the media industry, discussion of public interest journalism tends to focus on the role of journalists in holding power to account. Big investigations like *Moonlight State*, or the Nine revelations of war crimes in Afghanistan spring to mind. This high-profile work is essential, but there is another role for quality journalism that is even more fundamental: journalists provide quality information that helps people understand the world around them and make informed decisions.

Reliable information is essential for a healthy democracy but it does so much more than merely help us take part in public debate or decide how to vote. It also helps Australians decide what to eat to stay healthy, or how to keep their children safe online, or how to avoid the risks of problem gambling.

Public interest journalism can provide essential context to help people make sense of a complex and confusing barrage of information. Quality information makes markets more efficient. It provides essential insights that help us

understand our environment, our culture, and our history. It underpins the health and wellbeing of society.

For example, when it first became clear tobacco was a lethal product, it was public interest media that reported the dangers. Simultaneously, tobacco companies redirected massive budgets to spread doubt so people would keep smoking. Vested interests set out to present the clear science as subject to debate. They were able to delay policy responses and stop people quitting.

We need to define public interest journalism in a way that reflects the breadth of what it is: the independent dissemination of trustworthy information that has been filtered and assessed by journalism professionals.

In my submission the biggest challenge we now face relates to the context in which journalism is disseminated and consumed. Once the signals of quality were conveyed to an audience by a broadcaster logo or a newspaper masthead – *The Australian*, *The Financial Review*, *The Sydney Morning Herald*. Now quality journalism is often presented on digital platforms alongside a confusing array of different types of content, often infected by misinformation, disinformation, fake news and increasingly AI.

There has been a lot of discussion about fact-checking and digital literacy in recent years because audiences are unable to readily distinguish what is user-generated content, what is propaganda, what is created by vested interests and what is the product of a genuine process that is aimed at providing the public service with factually accurate and carefully researched information.

Thus the influence of journalism has waned. It has been rendered just another source of content among a dizzying array on our mobile phone screens. Even people who have a good understanding of the different quality of the sources of information they read find it difficult to distinguish journalism from other forms of content in a meaningful way in their daily lives.

But irrespective of whether people are aware of the sources of information they consume, the diet of information matters, and it directly impacts health. For example, the Facebook Whistleblower [Frances Haugen revealed](#) the company's shocking indifference when it discovered that its producers were hurting teenager's mental health.

For the past 16 years the Scanlon Foundation has published a report on social cohesion in Australia. Last year's result was the worst on record. This result is likely to have been influenced by the sharp practices of digital media companies that often deliberately fuel division so that they can make money from the attention they attract.

When public interest journalism is done well it can contribute to better mental health and social cohesion by building communities rather than tearing them apart for profit. Public interest journalism can help people make better decisions in their lives.

Thus a working definition of public interest journalism should reflect:

- 1) A systemic publishing activity within an institutional framework in which serving the public good through the provision of trustworthy information is a stated priority.
- 2) An organisation that is committed to factual accuracy, backed up by documented processes to ensure truth, accuracy, fact-checking and reliability.
- 3) A code of ethics and public commitment to accuracy.
- 4) Systems of accountability and accreditation for contributors and journalists.
- 5) Policies and procedures around correction of misinformation.
- 6) Systems to ensure transparency of any conflicts of interest or vested interests.
- 7) Systems for audience feedback.

A preferable working definition might be:

“Public interest journalism is the gathering and sharing of trustworthy information that can inform democracy and enhance the wellbeing of the Australian community. Organisations that produce public interest journalism will have stated public interest objectives and policies and procedures to ensure that information is gathered in an ethical way and is not misleading.”

The Conversation is one example of this type of journalism: a not-for-profit project that shares academic expertise to inform the public, rebuild trust in experts and provide free and reliable information.

Many other media outlets likewise contribute to quality journalism yet are not built around traditional reporting or investigative work. We need to define public interest journalism in a way that acknowledges and supports all this work.

Discussion Questions

Q1.1: Is access to news the right objective?

No, this is too narrow. For example, it might not be considered “news” to publish an article on the benefits of wearing a face mask to prevent COVID, but it is valuable information that should be supplied to the community by an organisation that complies with ethical standards in gathering and disseminating trustworthy information.

A better objective might be “Access to reliable and trustworthy information that can be readily identified as such by consumers.”

Q1.2: How should the access objective be understood, and to what extent should this include access to, or availability of, news and journalism

relevant to each level of government, including national, state/territory, and local? What do citizens require at each level of government?

There is a need for particular communities to be able to access independent information about local government, state governments etc. This is an important subset of public interest journalism.

But where might something like reliable information about climate change fit in? Information on this topic “supports democratic participation” in myriad ways at different levels of government as well as individual decision-making.

In terms of a policy framework, it might be reasonable to look at particular communities that are poorly served, but a focus on levels of government is too narrow.

What about particular language communities that might be poorly served? Indigenous communities? LGBTQI+ Communities are often not defined by geography and they are rarely structured around levels of government.

The problem here is that the objective is seen too narrowly in terms of the role of public interest journalism in democratic participation.

Q1.3: What are the appropriate roles for government and industry in pursuing this objective?

The role of industry here is to be a provider of public interest journalism and as a partner with the Australian Government in a constructive dialogue about how best to achieve this.

The role of government in this inquiry and also in the ACCC's Digital Platforms Inquiry appears to have been conceived somewhat as a safety net to correct market failure in the provision of Public Interest Journalism. I think this is a slightly too narrow role for the government given the importance of journalism to Australian society.

Public interest journalism has to be independent of the government but it is vital for democracy and citizens. It is more like an essential service, much like health or education. That doesn't mean, necessarily, seeing the role of government as a core service provider, but it does mean having a proactive policy framework in place to guarantee the provision of this essential service and avoid the pitfalls and disruption of corrupted systems of public information dissemination.

Q2.1: Is quality the right objective?

Quality is vital but hard to measure and often in the eye of the beholder. (And these subjective assessments often end up being partisan.)

Rather than spending too much time creating a measure of quality, it would be better to use the definition of public interest journalism proposed above as the guarantor of quality.

That is, if the organisation has editorial policies and procedures directed at the provision of trustworthy content, and it employs professional journalists, then it's within the purview of quality journalism. The rest of the quality equation should be a matter for the organisation, the journalists who work there and their audiences.

Q2.2: How should the quality objective be understood? Is it the same for all forms of journalism?

No, definitions of quality vary across different forms and delivery mechanisms and topics. The discussion paper definition is good on this: "News content should generally be of sufficient accuracy, impartiality and quality so that it properly informs Australians."

A few caveats though. "News content" is too narrow a synonym for the sort of journalism we need to cover here. "Impartiality" is in the editorial code of

some media organisations but not others, and that's as it should be. Not all quality journalism is impartial or aims to be so.

It would be dangerous and counter-productive for the Australian Government to have any role in assessing impartiality.

Q2.3: What are the appropriate roles for government and industry in pursuing this objective?

The role of government is to support a healthy media ecosystem through direct funding of public broadcasters such as the ABC and SBS and through regulation and some dedicated arms-length funding for providers of public interest journalism in areas where there is a demonstrated need or clear market failure.

Assessments about the quality of news content raise concerns about the independence and freedom of the press. What approaches might government consider to measuring, safeguarding and promoting the quality of news content?

As discussed above, government should avoid being in the position of making assessments of quality and impartiality. It could set up an arms-length body, much like the Australia Council, to award targeted industry assistance where it feels such an investment can strengthen the Australian media ecosystem. But those decisions must remain outside the purview of politicians.

What content, procedural and organisational factors might be taken into consideration?

What is most important is that the media entity has in place policies and procedures for the ethical gathering and dissemination of quality journalism. And in awarding any financial resources, an arms-length decision-maker should look to specific areas of greatest need.

Q3.1: Is media diversity the right objective?

Yes, a healthy media ecosystem requires diversity across a range of measures. Diversity of voice, ethnicity, background, geography, age, gender, CALD, audience, journalism workers, political viewpoints. But diversity cannot be allowed to create too fractured a market. The most ambitious and important journalism often needs strong institutional backing. A healthy media ecosystem needs big players as well as those working in particular niches. Any funding body should have to foster strong and influential media brands as part of its brief.

Q3.2: How should the media diversity objective be understood? How might the media diversity objective be promoted in the contemporary media environment?

See above.

Q3.3: What are the appropriate roles for government and industry in pursuing various elements of this objective? For example, is it the role of government to monitor media diversity and regulate ownership and control?

Yes, the government has a role in regulating media diversity in terms of decisions about media ownership to avoid monopolies in particular media markets.

But it should be careful to make sure that the definition of a “market” doesn’t blind it to the creation of unintended monopolies. For example, if the Australian Government were to make sure there are two or three major media voices in each state, it might still end up unintentionally allowing a monopoly of media delivered by radio or on local TV, or a virtual monopoly of media that targets young people or some other important sector of society. There are still many who claim that the concentration of print newspaper ownership in Australia is too high. The influence of newspapers has waned in recent years

but critics of newspaper concentration argue that a newspaper can still drive a news agenda in unproductive ways.

A combination of regulation, public broadcasting and carefully targeted industry support is the only financially viable way for a government to ensure the health of the media ecosystem.

Q4.1: Is engagement the right objective?

Engagement is a measure of success, just as ratings are for TV and circulation is for a newspaper. But there are many circumstances in which rewarding engagement can create perverse outcomes. For example, Ben Smith, the former editor of BuzzFeed, writes in his 2023 book *Traffic* that editors on the BuzzFeed site would deliberately publish inflammatory and divisive content on social media because it would attract high engagement rates.

Q4.2: How should the engagement objective be understood? How might the engagement objective be promoted in the contemporary media environment?

This proposed “engagement” objective seems to be looking at the role of the media in equipping citizens with the tools and knowledge they need to make democratic decisions and be valuable contributors to society. It’s a worthy objective but I’m uncertain of the value of placing too much emphasis on it in this context.

Q4.3: What are the appropriate roles for government and industry in pursuing this objective? For example, does government have a responsibility to foster citizens’ critical engagement with news content?

There is value in education on media literacy that can arm citizens with the knowledge and insights they need to sort through a minefield of misinformation, disinformation, AI and deep fakes. But it also tends to let the

digital platforms that disseminate such poor information off the hook and place the burden on sorting the wheat from the chaff back onto citizens.

I'd support the Australian Government playing some role here as part of an overall package that includes tighter regulation of social media and other unethical content producers that pollute our public square and needlessly divide us for profit.

Questions relating to funding programs to support public interest journalism (5.1-5.3)

As stated above, a combination of active regulation of all forms of media and social media, public broadcasting and carefully targeted industry support (allocated by a body at arms-length from Government) is the only financially viable way for a government to ensure the health of the media ecosystem.

Editorial independence could be buttressed by a longer-term 5-year funding cycle and arms-length decision-making from an industry support body of suitably qualified professionals, perhaps somewhat similar to the Australia Council.

A matrix of funding considerations should be prepared by the body to ensure investments have a maximum impact and reach underserved markets however defined, e.g. geography, age group, CALD, science and health literacy, rural and regional, etc.

One unfashionable observation: good journalism needs a strong newsroom culture and a stable institutional setting. There has been a trend over recent years to support small innovative starts-ups. Many have done wonderful work for a time and then been unable to continue.

The investigative work that the Nine newspapers did on war crimes in Afghanistan led to a defamation trial with costs for the media defendant running upward of \$20 million. Smaller media companies can't take on those

sorts of stories, and a strong media ecosystem requires both small innovators and powerful big players with access to large audiences so they can make an impact by disseminating good information.

Questions on business models (Q6.1-6.3)

The media companies know their audiences and the markets in which they operate and are best placed to answer these specific questions around business models.

For this reason, any support for public interest media should avoid getting too granular about business models, and instead focus on supporting organisations that produce content that meets the definition of public interest journalism.

If the role of the Government is to create a healthy media ecosystem it should focus on the journalism output and impact, and the policies and procedures that are indicative of quality public interest journalism, rather than business models.

Tax-based incentives and government advertising (Q7.1 to 8.2)

Government advertising supports the industry but was traditionally based around print media and some broadcast advertising and therefore it is only useful to outlets that have a business model that allows advertising of this type. It should not be considered as a core part of news media policy and perhaps for clarity, it should be purchased by the government on a purely commercial basis, entirely separate from news media assistance.

Tax-based incentives might have a benefit. The Conversation via The Conversation Foundation has access to DGR advantages and we think it would be valuable to create a general category for not-for-profit media.

Media diversity (Q9.1 to 9.3)

How media is produced and consumed is changing and that will impact the regulation of media diversity. Newspaper circulations are continuing to slowly decline. According to the Reuters Digital News Report, young people are increasingly avoiding news altogether and are much less likely to be regular news consumers.

Audiences for free-to-air TV are also slowly declining as streaming services take over. The digital platforms are increasingly less interested in news in the wake of the Australian Government's News Media Bargaining Code. Laws that dictated the share of voice were formulated 30 years ago and are out of date.

Thus media diversity regulation needs to be updated.

One good place to start would be consideration of the role and responsibilities of digital platforms which operate under a very different set of rules and standards to news media publishers.

Social media platforms have virtually no standards, and take little responsibility for the accuracy of content that often purports to be true. They should be held to account. If we want to clean up our news media ecosystem, we need further regulation of digital platforms.

This is important because ethical publishers are playing in the same attention economy, looking for the same clicks, but under much more difficult and onerous rules. They can produce far less content and the cost of producing it is far greater due to the editorial standards that they adopt.

Digital platforms should either be required to play by the same rules or explicitly publish disclaimers warning their audiences about the unreliable information that they disseminate. If Facebook withdraws from publishing news (as it has done in Canada) to avoid triggering the NMBC, such a disclaimer may be useful for users.

Support for media literacy (Q10.1 to 10.5)

As stated above, support for media literacy should not become a substitute for the more urgent task of cleaning up the digital media ecosystem. Even professionals armed with a good understanding of reputable sourcing need help to know what is true and what is real.

A recent report by NewsGuard discovered 1,202 fake news outlets across the US, funded by partisan groups posing as local news providers. Some were funded by the right, some from the left wings of politics. All look exactly like proper local news websites and printed newspapers and they spend large amounts of money getting traffic via social media.

This type of fakery may emerge in Australia in coming years. Even if it does not, digital literacy education on its own is not going to be enough to help media consumers know what to trust.

Having said that, digital literacy programs in schools, libraries and universities are important and valuable, as would be some broader public education spending. This may go some way toward inoculating members of the Australian community from the worst effects of a polluted information ecosystem.

Conclusion

Thank you to the Department of Infrastructure, Transport, Regional Development Communication and the Arts for the well-researched discussion paper and the opportunity to make this submission.

The health of our information ecosystem is of vital public importance, in Australia and around the world, and it's encouraging to see this work pursued with such care and rigour.

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