

Centre for Media Transition



Hi there

When a code looks like a bouncer



Normally, the passage of three months isn't commemorated. 'Quarter-versaries' aren't really a thing. This week, however, marks three months since two very significant developments in media regulation in Australia. On February 22, the [Disinformation Code was published](#) (more on that below). The very same week, the [News Media Bargaining Code was passed into law](#).

Three months on, where are we? Well, so far the effects of the News Media Bargaining

Code can be described as monumental. But they can also be described as minimal.

Quick recap: the Code sprang out of the ACCC's Digital Platforms Inquiry, which found an unfair value exchange between news media businesses and digital platforms. To redress this imbalance, the ACCC recommended the introduction of a voluntary code of conduct; but in April 2020 Treasurer Josh Frydenberg decided to make it mandatory. In response, Google and Facebook [went dark](#), leading the government to make some concessions. And with that, the [Treasury Laws Amendment \(News Media and Digital Platforms Mandatory Bargaining Code\) Bill 2021](#) was passed into law on February 25.

Three months on, the Code has had zero direct effect. For the Code to be activated, a digital

platform (such as Facebook or Google) or a digital service (such as Facebook Newsfeed or Google Search) needs to be designated. So far, none has been designated. Meanwhile, news media businesses need to register with the ACMA. This has [proved challenging](#).

Earlier this month, the ACMA finally announced that four (small) news businesses had been registered under the Code. As at this morning, [the ACMA website reveals](#) there are nine registered news businesses.

At this point, the Code looks like a boofy bouncer seated in the corner while digital platforms and news media businesses go out on first dates. If digital platforms play nice by making reasonable deals, the bouncer won't spring into action. And deals are happening. This week, [ABC managing director David Anderson said](#) the ABC had signed letters of intent with Facebook and Google; this money 'will provide a huge boost to the regions'. Details of the deals are secret, but one estimate is that the total annual amount flowing from Facebook and Google to news media businesses will be [as high as \\$250 million](#).

Is the News Media Bargaining Code perfect? No! Small news businesses look especially vulnerable. Is it good? Probably! Time will tell. But at least it's not the absurd attempt at digital platform regulation [being tried in Florida](#).



Sacha Molitorisz
UTS FASS/Law Lecturer

Discovering diasporic knowledge

In a confusing world of global, local and 'glocal' media flows, it's vital that we tap into the expertise of diasporic communities.

The new Jakarta correspondent for the Australian Financial Review recently trialled my Frame Reflection Interview (FRI) technique with Indonesian-Australians. The results, published in [Journalism Practice](#) this week, showed that the Indonesian diaspora shared the concerns raised by scholars that Australian reporting of Indonesia misses important topics and is too focused on the 'three



Bs' of beef, boats and Bali.

As Chris Hall and I write in the *Journalism Practice* paper, 'The FRI allows correspondents, in a short period of time, to gain an in-depth understanding of social contexts of the target country ... This article reports on the results of a pilot trial of this method where a correspondent, about to be posted to Jakarta, accessed members of the Indonesian diaspora in Sydney before her departure.'

The correspondent reported increased knowledge, increased determination to report complex issues, and an expanded sense of responsibility to audiences in Australia and in Indonesia. Read our paper [here](#).



Chrisanthi Giotis
CMT Postdoctoral Fellow

Misinformation code milestone



Monday saw the release of the first [transparency reports](#) due under the new [Australian Code of Practice on Disinformation and Misinformation](#), which was launched in February.

The code is considered a world-first in its approach to regulating platform responses to combating *both* mis- and disinformation. It expanded upon the EU's disinformation code, which had been used as an [initial reference point](#). The Australian code's eight initial signatories are Adobe, Facebook,

Google, Microsoft, Redbubble, TikTok, Twitter and Apple News.

Many of the transparency reports released country-specific data for the first time for Australia. Unsurprisingly, much of that related to Covid-19:

- Facebook [reported](#) it removed more than 110,000 pieces of Covid-related misinformation generated by Australian accounts between March and December 2020.

- Twitter [reported](#) Australia-specific approximate data for July to December 2020, with 37,000 Australian accounts actioned for violations of the [Twitter Rules](#).
- TikTok noted the [platform removed](#) 651 videos mentioning Covid-19 or coronavirus between October 2020 and March 2021 for violating the company's misinformation policy.
- In March 2021, Google blocked or removed over 11,000 coronavirus-related ads from Australia-based advertisers for policy violations.

Adobe has opted in to sections of the code that deal with signaling provenance related to [content authenticity](#) in images and videos. And one of the smaller signatories, Redbubble - a marketplace where users can make their own merchandise - [reported](#) a spike in sales for merchandise with anti-vaccination tags.

My initial observations from the transparency reports are that they form a baseline of data specific for Australia, which could be used to outline consistent 'measurables' for platforms in the future. The code encourages the digital industry to work with researchers to develop better transparency around complex issues. At the government's request, the ACMA will provide a report by next month on the code's process.



Anne Kruger
[First Draft](#) APAC Director

Three's the magic number

The Walkley Foundation has just announced the finalists in a raft of its mid-year awards. For the Student Journalist of the Year award, there are three finalists, and three of those are UTS Journalism students. Our maths isn't too good, but we think UTS Journalism has a pretty good shot.

Emily Kowal is a finalist for her multimedia story ['The Haunting of Woodford Academy'](#).

Georgio Platias is a finalist for his video documentary ['Mohsen's Story'](#), which also won a NSW Premier's Multicultural media award.



And Stephanie Tran's [series of reports](#) for Michael West Media on political donations is also up for the top student journalist prize.

Congratulations to all three. Here at the CMT, we'll be hoping one of these extraordinary young journalists will be crowned the Walkley Young Journalist of the Year in mid-June. Their work is testimony to the journalism program we run at UTS, as well as their teachers and mentors. Please click on the links and read their stories. All of them are insightful and beautifully produced.



Monica Attard
CMT Co-Director

Very big News



Earlier this month, talk swirled about a deal between News Corp and Seven West Media, two of the biggest news sources in Australia. A merger or acquisition of one by the other would further concentrate Australia's already-concentrated news media market.

One concern here is plurality of views. There's always a question whether mergers lead to editorial consistency, and in some cases they don't. But in others they do. This combined entity would cover: the

News Corp daily newspaper in Melbourne, Sydney, Brisbane, Adelaide, Darwin and Hobart as well as Seven's The West Australian; leading websites including news.com.au and 7news; the Seven Network TV stations around the country; and Sky News, among others.

Another concern is the power and influence of the expanded media organisation. In the UK, the regulator [Ofcom](#) explicitly recognises this in its approach to media plurality. It says media plurality contributes to well-functioning democracies in two ways. The first is through 'informed citizens who are able to access and consume a wide range of viewpoints across TV, radio, online and print media from a variety of media organisations'. The second is through 'preventing too much influence over the political process being exercised by any

one media owner'. In my view, a combined News and Seven risks this kind of outcome.

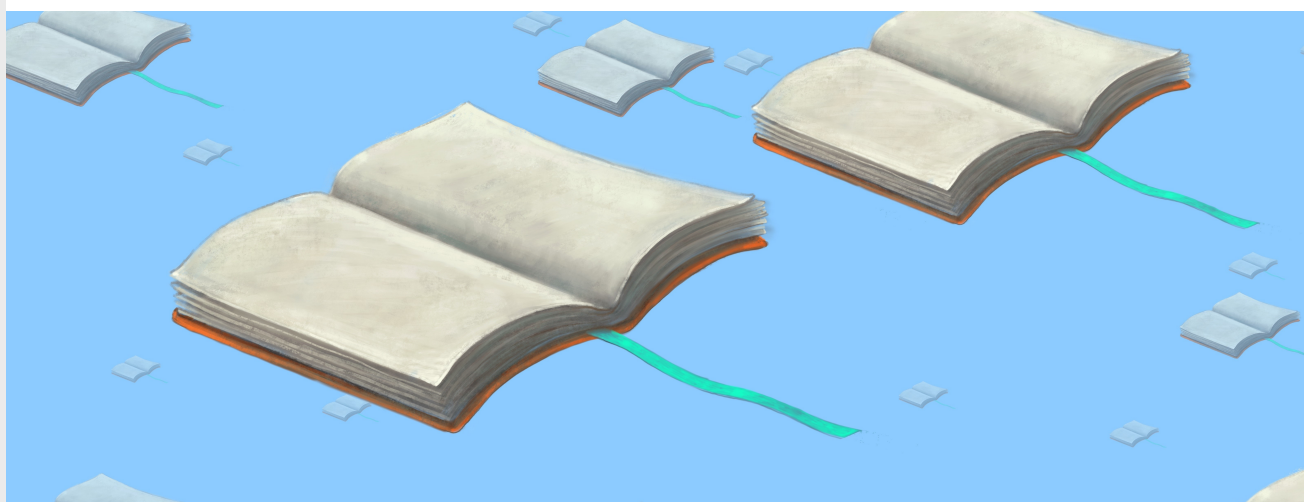
How would Australian law and regulation approach this? Our media regulator, the ACMA, would be powerless. Our remaining ownership and control rules only cover the number of broadcasting licences in a single area (which wouldn't apply here) and transactions that take the total number of media operations in any area below certain thresholds (unlikely to apply here). Competition law? The ACCC would need to look at the transaction. But the news products of the two groups are different and their markets may be too.

That doesn't mean a merger of this kind doesn't matter. It means we have our policy settings wrong. Our media regulator, charged with a concern for diversity and plurality, not just a potential reduction of competition, needs to be able to apply a discretionary test that takes account of the importance of these sources in the media landscape and, as in the UK, the history of how they operate in the market. Recently we've seen many people (as well as the ACCC) concerned about the impact of digital platforms on news production in Australia, recognising the role that news plays in democratic life. But there's little point in tackling digital platforms if all we're doing on the media side is protecting existing businesses at the expense of the underlying public policy objectives – a reasonably diverse media landscape addressing the needs of Australians.



Derek Wilding
CMT Co-Director

What we're reading



Three good reads by men whose names begin with J.

- 'Apple Rapid Hire-Fire: Antonio García Martínez', by Jean-Louis Gassée in *The Monday Note*.
- 'A "state hijacking" in Belarus shows how far its autocratic regime will go to stop dissident journalists', by Joshua Benton in *The Nieman Lab*.
- 'How Hacking Became a Professional Service in Russia', by Joshua Yaffa in *The New Yorker*.

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