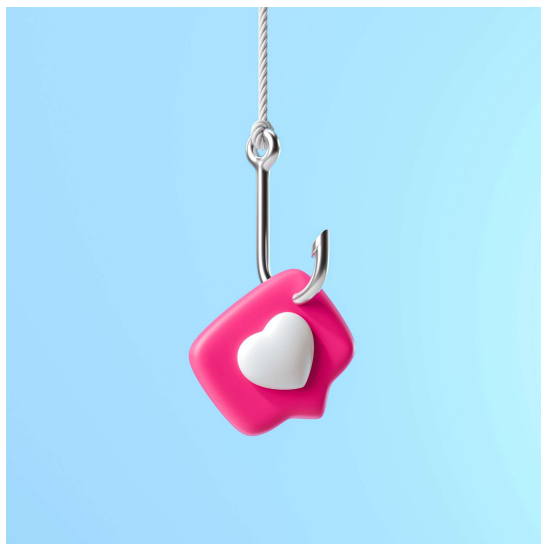


Hi there

## Picking up the bill



With the government's proposed misinformation legislation getting pushback from all directions, Meta's [suspension of RMIT's Factlab](#) from its outsourced factchecking service provides a useful case study of both why legislation is needed, and what's wrong with the draft bill.

Meta stated that the suspension of the factchecker on 29 August was due to both the lapse of the factchecker's accreditation with the International Fact-Checking Network (IFCN) and criticisms raised by

opponents of the Voice to Parliament. Meta requires its factcheckers to be members of IFCN, which in turn engages independent examiners to assess applicants' adherence to the IFCN's [code of principles](#). It's a thoroughgoing and robust process.

On that basis, the lapse of RMIT Factlab's IFCN accreditation seems like reasonable grounds for suspension. This couldn't be said for the concerns Meta expressed about the factchecker's impartiality. The purpose of requiring IFCN accreditation is to ensure the independence of factcheckers. This includes independence from both [platform decision-making](#) and government influence. That Meta's decision to suspend RMIT Factlab was in part a result of 'the allegations against RMIT and the upcoming referendum' should be cause for great concern.

It will be of even greater concern if Meta accedes to senator [James Paterson's request](#) to review all of RMIT FactLab's factchecks on the Voice. As we argued in our [submission on the bill](#), distributing responsibility and oversight to independent bodies is exactly what is needed to counter potential government overreach and make platforms accountable for their decisions. This includes responding to requests from opposition MPs as much as those from the government or a regulator.

Our newsletter this week kicks off with another worrying bill, as Ayesha looks at dangers for journalism in the government's proposal to criminalise accessing or possessing violent extremist material. Meanwhile, Sacha finds an uncanny familiarity in the circumstances surrounding Meta's blocking of news in Canada. Our UTS colleague Wanning Sun talks us through her recent research on the Australian media's relationship with the Chinese-Australian community, and Monica gives her take on the Walkley walkouts.

Finally, don't miss the latest episode of our podcast, where Monica talks with the editors of a new book on journalism during the pandemic.



**Michael Davis**  
CMT Research Fellow

## Criminalising journalism?



In December last year, Home Affairs Minister Clare O'Neil [flagged](#) that an overhaul of the country's counter-terrorism laws would better target the threat of right-wing extremism and neo-Nazism in Australia.

Last month, the review of the Counter-Terrorism Legislation Amendment (Prohibited Hate Symbols and Other Measures) Bill 2023 was commenced, after [Prime Minister Anthony Albanese said](#) there was a need to address a gap in

existing law. Currently, the law criminalises the accessing of violent extremist material only if it is done for or in connection with a planned terrorist act.

However, with the government seeking to broaden its powers through the [proposed amendment](#), new offences may be introduced for accessing or transmitting violent extremist material using a carriage service, or for possessing or controlling such material.

This is likely to significantly impact journalists reporting on far-right and other violent extremism in the country.

The news media play a crucial role in keeping the Australian public well informed when it comes to issues related to terrorism and violent extremism; and the possession of extremist material is sometimes unavoidable in, and even necessary for, news gathering and reporting on such matters.

The bill includes a defence for professional journalists who access or possess violent extremist material if the material relates to a news or current affairs report that is in the

public interest. However, [Australia's Right to Know](#) (ARTK), a coalition of leading media organisations, argue in their [submission](#) (no. 125) to the bill that the defence places the burden of proof on journalists, exposing them to prosecution and imprisonment for 5 years for doing their job. And since the defence applies only to journalists, it also exposes administrative staff to prosecution.

Instead, ARTK has proposed an exception to the offence where these extremist materials are used for journalism, particularly seeking changes to clauses 474.45B and 474.45C of schedule 2 to the bill. This would place the burden of proof on the prosecution, and make schedule 2 consistent with the wording of clause 80.2H, which relates to the display of prohibited symbols. ARTK also propose extending the exception to administrative staff and removing the need for the material to be connected to a news or current affairs report – instead requiring only that a person be engaged in journalism.

The committee is now reviewing the 150 submissions and the first public hearing is scheduled for 1 September 2023.



**Ayesha Jehangir**  
CMT Postdoctoral Fellow

## A Canadian Meta-code? Google it!



Bushfires raging out of control? Facebook banning news from its platform? Wait, haven't we seen all this before?

Last month, tens of thousands of people had to flee their homes as wildfires raged in northwestern Canada. As [Al Jazeera reported](#), the evacuation of Yellowknife had residents scrambling to find potentially life-saving information about emergency flights, road closures and temporary shelters. But when they turned to Facebook and Instagram, the residents found nothing, because Meta had blocked access to news in Canada in protest

against the Online News Act, which forces digital platforms to share revenue with news media outlets.

The déjà vu was uncanny. In 2020, with Australia still licking its wounds after deadly bushfires, the Morrison government announced it would introduce a mandatory bargaining code to level the playing field between digital platforms and news media businesses. Google and Facebook weren't happy. In January 2021, [Google released](#) a 2-minute video in which managing director Mel Silva said, 'Paying for links breaks the way search engines work, and it undermines the way the web works too.' And in February, [Facebook banned news](#), with information services such as the Bureau of Meteorology and emergency services caught up in the ban.

By late February, Facebook Australia had reinstated news and the new law passed, but only after major concessions to digital platforms. Primarily, the government agreed that it would not apply the new law (including its provision for final offer arbitration) to a digital service if the government was satisfied that the digital service had made significant contributions to news media. Despite the concessions, the law's effects have been dramatic, prompting an estimated \$200 million to flow annually from Meta and Google to news media businesses.

Is Australia's law good? Yes. Is it fair? Mostly. Is it a link tax? Not even close. Australia's law isn't a link tax, and it hasn't broken the web. It redistributes advertising revenue from digital platforms (who display news content) to news media (who create news content). There are flaws in Australia's law, led by its lack of transparency about the deals it's prompted, but it has given public interest journalism a warranted and much-needed boost. The Canadian law looks set to do the same, just as Google and Meta run precisely the same scare campaigns as they did in Australia. Once upon a time, Google and Meta described themselves as disruptors. Now they're the ones desperately trying to avoid disruption.



**Sacha Molitorisz**  
Senior Lecturer, UTS Law

## Issues of trust

Recent polls point to a stark contrast between the [general public](#) and [Chinese-Australians](#) in their assessments of the performance of our media, and that contrast became the point of departure for a new [study](#) from the Australia-China Relations Institute (ACRI) at UTS.

The ACRI study was undertaken in the hope of understanding why there is such a difference, and what this difference means in terms of trust, equitable representation of marginal voices, and social cohesion.

The study has outlined a diverse range of views, some of which make for sobering reading.





The good news is that people who participated in the survey and interviews show an overwhelming preference for and appreciation of our democratic system. They also think Australian media are trustworthy and professional in reporting on domestic issues and affairs.

The not-so-good news is that the people who participated in the survey and interviews do not trust our media to report on China and their own communities with

accuracy, fairness and balance. Many experience a profound sense of emotional anguish, even alienation, in response to such reporting. A significant percentage of people in the Mandarin-speaking community experience a low level of social acceptance. There's a low level of mutual trust between our mainstream media and this community, and most people in the latter cohort feel disempowered and voiceless when it comes to engaging with media.

This is not good news if our media are genuinely serious about where our multiculturalism is going, and about the question of social inclusion, equity, and multicultural harmony.

How should Australian media respond to such findings? This may depend on which media outlets. There is little point trying to persuade commercial media – either Nine or Murdoch media – that social cohesion is important. Commercial media are most likely to march to their own drums, and while some good journalists do their best to produce quality journalism under time and resource constraints, the main objective of the companies they work for is to retain readers and grow their subscriptions.

But our taxpayer-funded public broadcasters have a responsibility to lift their games. They need to do better than their commercial competitors, instead of being led by the nose by them. Chinese-Australians are rights-bearing citizens and permanent residents in Australia. They deserve better. The Australian public deserves better.

And journalists who are serious about genuine investigative work need to think about how their work impacts on real people. Careless, irresponsible reporting has directly led to increased racism and abuse of Chinese-Australians.

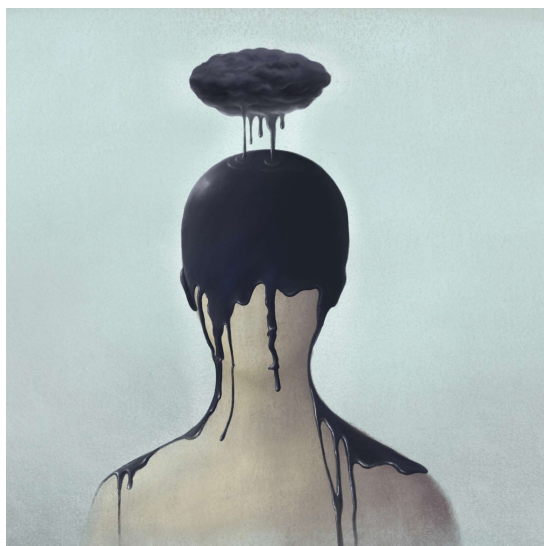
Chinese-Australians should not be considered first and foremost as subjects of suspicion and distrust. Nor should they be reported mostly as naive or unthinking individuals who are likely to be susceptible to state-media propaganda from the PRC. Media practitioners should also reflect on their roles vis-à-vis the government's national security policies – is it their job to question the political machinations behind this policy-making, or simply to function as the mouthpiece of our security and defence establishments?



**Wanning Sun**

Deputy Director, UTS Australian-Chinese Relations Institute

## What's the oil?



Australia's most prestigious awards for excellence in journalism have a problem. And it might be hard to solve. The Walkley Awards are sponsored by a number of organisations, amongst them Ampol. This, and a decision by the Walkley Foundation board not to recognise climate reporting in its [recent review](#) of award categories, has upset a few journalists and cartoonists.

The connection between Ampol (formerly Caltex) and the journalism awards go way back to 1956 when the company's

managing director, William Gaston Walkley, launched the journalism prizes – one thousand pounds in prize money split across 5 categories, with gongs presented by William Walkley himself until sometime in the 1970s. As the Walkley Foundation [notes](#) on its website, 1956 was a good year for big stories in Australia – Britain began nuclear weapons testing at Maralinga, Melbourne hosted the Olympics, and television dawned.

But as Belinda Noble, the founder of anti-fossil fuels lobbying group Comms Declare, [noted](#) in Mumbrella, it was more than wanting to show appreciation for good journalism that led William Walkley to kickstart the awards. The petroleum chief believed sponsoring journalism would deliver cultural power and buy political support for his company's oil exploits.

"What the Walkley Foundation needs to realise as it reviews its sponsorship policy this year is that its entanglement with big oil exposes it as a tool of the old power structures that are fuelling global warming and frustrating climate reporting," wrote Noble in May.

The Walkley Foundation [confirmed](#) last week it was indeed reviewing its sponsorship policy as part of a review of all its policies.

It's a message some journalists and cartoonists like Greg Jericho, Rachel Withers, Cathy Wilcox, David Pope, Fiona Katauskas, First Dog On The Moon, Matt Golding, David Rowe, Jon Kudelka and Glen LeLievre have taken up and are trying to drive home to all others entering their work for a Walkley this year. They have either withdrawn their entries or declared they won't enter this year's awards. Others, like Joel Werner, a producer on a science podcast, have decided to withdraw their services as judges of the awards. Maybe more will follow.

It is odd that the board did not instate a climate reporting category when global warming is such a pressing problem, and one that, unlike many of the generalist award categories, requires a degree of specialised knowledge. A solution might be for the Walkley

Foundation to do an about-turn: it reinstated the international reporting category after years of criticism by many, including me. Walkley Foundation CEO, Shona Martyn, told CMT: “The Walkley Foundation has noted the concerns of some cartoonists and journalists about the sponsorship of the Walkley Awards. We respect the right of all media professionals to decide which awards they wish to enter.”

One thing is certain – journalists love winning Walkley Awards. Sitting this year out might prove painful – perhaps too painful – for some.



**Monica Attard**  
CMT Co-Director

## Journalism beyond Covid



This week, Monica speaks with Tracey Kirkland, the Continuous News Editor for the ABC News Channel, and Gavin Fang, Deputy Director at ABC News. Together, they edited a collection of essays that cover the logistical, ethical and existential challenges faced by the news industry during the pandemic and beyond. It's called *Pandemedia* and it asks, how did the pandemic change journalism?

Certain issues already underway deepened during the pandemic, issues such as the weaponisation of disinformation and growing mistrust of the media. But other problems – including lockdowns – meant journalists had to find enterprising ways of telling stories. And at the same time, politicians were deciding what we could and couldn't do, where we could and couldn't go, and journalists were facing criticism for demanding that those politicians tell us the reasoning behind their decisions. This was a moment of deep polarisation in Australian society – between those who thought our governments were making the right decisions and those who thought they weren't. Journalists were caught in the crossfire.

Listen to the full episode on [Spotify](#) and [Apple Podcasts](#).

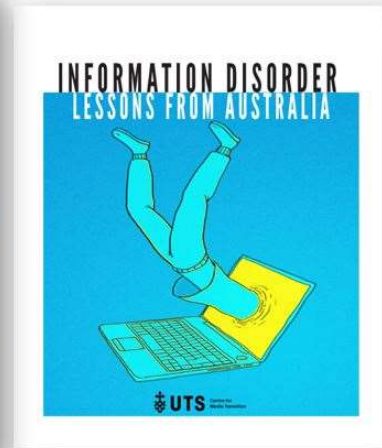
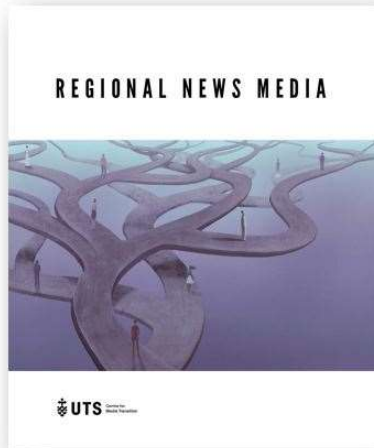


**Alexia Giacomazzi**  
CMT Events & Communications Officer

Please feel free to share our fortnightly newsletter with colleagues and friends!  
And if this was forwarded to you, please subscribe by clicking the button below:

Subscribe

Please visit our [website](#) for more information about the Centre .



The Centre for Media Transition and UTS acknowledges the Gadigal and Guring-gai people of the Eora Nation upon whose ancestral lands our university now stands. We pay respect to the Elders both past and present, acknowledging them as the traditional custodians of knowledge for these places.



[Privacy Statement](#) | [Disclaimer](#) | [Unsubscribe](#)

UTS CRICOS Provider Code: 00099F

This email was sent by University of Technology Sydney, PO Box 123 Broadway NSW 2007, Australia