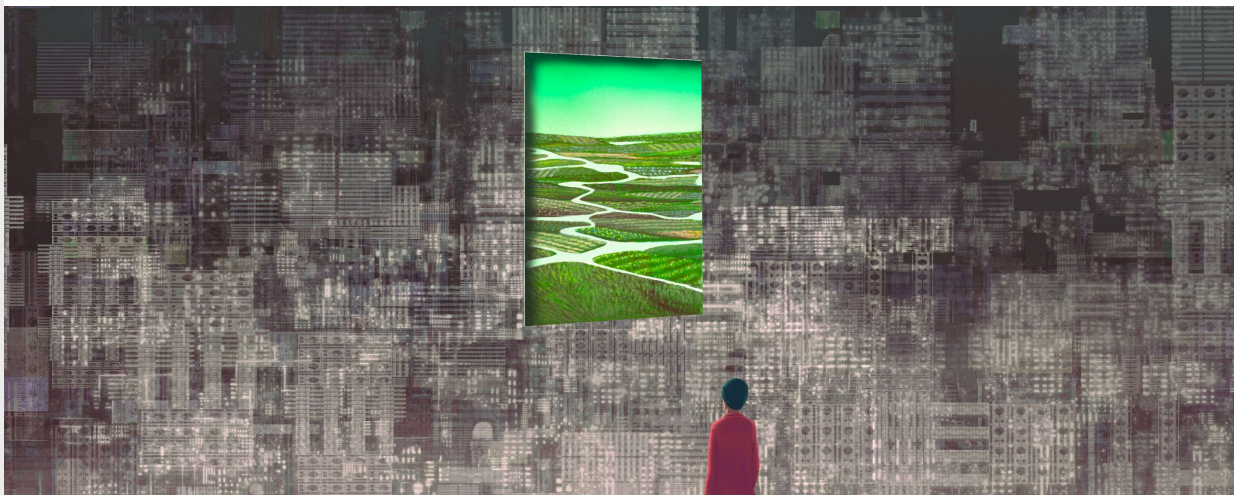**Centre for Media Transition**

Hi there

Going Regional

First up – an announcement! We are very happy to report that our second regional news media report is now published. CMT's aim is to eventually offer metro news media some options for greater coverage of regional news and issues given the current low levels of coverage. In this report we – unfortunately - find overall declining levels of coverage in metro media of the issues which regional Australians are facing, compared to the previous year, as published in our first report. Where there is heightened coverage, it tends to be reportage of crime and natural disaster.

REGIONAL NEWS MEDIA
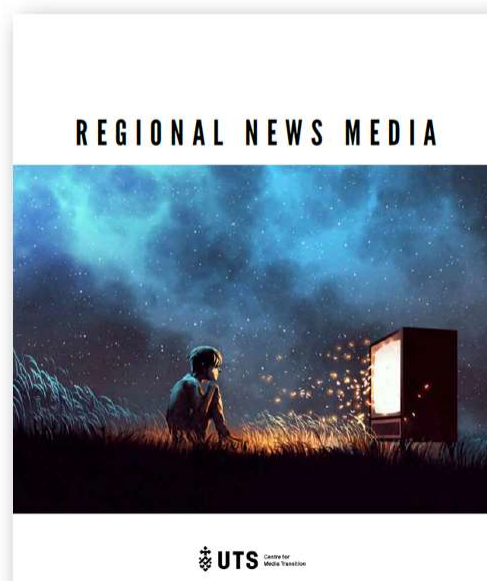
To find out if regional media is producing journalism on issues which also impact metro audiences, and being picked up by metro-based media, we delved into two case studies. The first is on water management and the second on bans on alcohol in Indigenous

communities in the Northern Territory. In neither did we find significant evidence of narrative movement from regional news ecosystems to metro news ecosystems. In fact, we found in coverage of the Murray Darling Basin Plan that local newspapers focus on local issues, responding to developments from local policy actors; metropolitan and national media tend to focus on state- and national-scale issues and relied on state and federal governments and business groups as sources. Nor did regional media produce journalism uncovering new facts about the Plan which might attract editors from outside the local ecosystem.

Our research of media coverage of successive legislated alcohol bans imposed on Indigenous communities in the Northern Territory found regional media played a significant role as an independent voice interrogating policy decisions and their impact on local populations. But this didn't carry over to metro media.

All in all, there's clearly much work to be done to find the pathways for regional representation and coverage in metro media.

Also in this newsletter, Derek takes a look at how media standards schemes work in Germany – as part of CMT's broader work on how well or otherwise, our own many media standards schemes are working. And he's happened upon a curiosity in the German system that defines journalism and news media rather more expansively than we do. It's an interesting read!

Tim interviewed Genevieve Jacob, from the Canberra based start-up Region Media for our Double Take podcast. They talked about Australia's infamous lack of media plurality and what that means for regional audiences and the businesses trying to fill the gap.

In the meantime, Michael has been listening in on Senate Estimates hearings and the concerns of some MP's about the proposed new ACMA powers to combat misinformation on digital platforms. As he argues the responses show us a lot about what is wrong with how the government is thinking about the legislation.

Monica Attard
CMT Co-Director

Defining journalism in Germany

In our work on media standards schemes, we're looking at how industry-based regulation interacts with legislation in several other countries. The most perplexing of these jurisdictions is Germany, so a recent trip for the IIC annual conference in Cologne gave me the opportunity to learn something about the country's network of intersecting regulators and regulations.

Any discussion of German media regulation needs to start with the acknowledgement that it's state-based, not the kind of federal arrangement we have in Australia. So there are 14

state media authorities, rather than one national version of ACMA. That said, there are some national umbrella organisations for specific purposes and there are interstate treaties, the most significant of which is the Interstate Media Treaty (Medienstaatsvertrag, or 'MStV').

It's the MStV that produces one of the most interesting aspects of regulation in Germany: the recognition of non-traditional sources of journalism under the category of 'telemedia'.

Telemedia covers newsletters, podcasts, YouTube channels and other sources of content that regularly contain news or political information. They must be 'commercial' but this doesn't mean they must be profit-driven; it just means that the content is intended for other than private use. The main requirement, though, is that it must be 'journalistically and editorially designed'. This involves a journalistic mode of working that is independent of its subjects. It must be targeted at a large audience, related to current debates or topics, and aimed at contributing to the formation of public opinion.

There are consequences of qualifying as telemedia. Most significantly, these independent telemedia sources are treated like the online versions of traditional news media and, since November 2020, have been subject to a requirement to observe 'journalistic due diligence'. This is where industry-based regulation intersects with statutory regulation. The German Press Code ('Pressekodex'), promulgated by the German Press Council ('Deutscher Presserat'), is the key standards instrument in this whole scheme: compliance with the Press Code is taken as fulfilling the requirement for journalistic due diligence under the MStV. Accordingly, telemedia providers have been joining the Press Council.

We're not suggesting there is a case for translating these arrangements to the Australian environment but our research looks at how the Australian arrangements could be adapted for the contemporary media scene, and the curious category of 'telemedia' does give a very interesting example of a more expansive approach to defining journalism and news media – whether that's for the purpose of imposing obligations for news standards, or providing benefits in recognition of the broader, democratic functions of journalism.

We're planning on publishing our preliminary set of tables on overseas standards schemes – including the arrangements in Germany – on our website before the end of 2023.

Derek Wilding
CMT Co-Director

Freedom and accountability

At estimates hearings in the Senate last week, Department of Communications officials were questioned on the proposed bill to give ACMA powers to combat misinformation on digital platforms. Their responses revealed critical problems in the government's thinking on the legislation.

Senator David Pocock's questioning focused on whether it is appropriate to exclude government communications from the scope of the bill, Senator Hughes quizzed the government on the practicalities of the legislation's operation, given the complexity in its scope, while Senator Payman sought a comparison with the EU code. Previously, the Department of Home Affairs was grilled on the reports that it had made to digital platforms about Covid-related misinformation, the identification of which it outsourced to M&C Saatchi.

The government maintains the bill is focused on increasing transparency of the systems and processes digital platforms put in place to combat misinformation. Despite the noise, there is no reason to doubt this, given how the voluntary code currently operates. Yet the bill itself does not define ACMA's powers in terms of systems and processes but in terms of the type of content to which its regulatory powers apply. This anchoring of ACMA enforcement power to a scope defined by false and misleading content is the main reason the bill is attracting heat for potential government intrusion on freedom of expression. It also fails to recognise the complexities in the nature of misinformation.

It would be politically unwise for the government to broaden the scope of the bill, and it is far more likely to narrow it. But this would undercut the objective of the bill by reducing the range of actions for which platforms are accountable to the regulator. Indeed, the actions which platforms already take with respect to misinformation are broader than those for which they will be held accountable under the bill (or the current voluntary code, for that matter). By coupling platform accountability and ACMA powers to the same scope, the bill ensures that increased accountability can only be achieved through an increase in the scope of ACMA powers.

The government appears unaware of this dilemma, arguing that the bill's exclusions and high threshold of serious harm help strike a balance with freedom of expression. But protecting freedom of expression means not only ensuring the exercise of government power is legitimate but also that platform measures are transparent and accountable. Limiting ACMA power will not prevent platforms from moderating content that falls outside the scope of the bill. Under the proposed scheme, for example, platforms will not be accountable if they choose to remove professional news content.

As we argue in our submission, in the first instance, the bill should make clear that ACMA

powers apply only to the assessment of systems and processes. But to achieve full industry accountability without increasing ACMA power, the bill needs to decouple the scope of that power from a defined range of content and include an independent mechanism for assessing platform content-moderation decisions.

Michael Davis
CMT Research Fellow

Double Take - on pluralism!

In this month's Double Take podcast, CMT Researcher Dr. Timothy Koskie talks media diversity and regional media with Genevieve Jacobs , whose Canberra based Region Media Group hosts a variety of regional online news sources that service local communities across NSW.

Genevieve has seen the bigger picture of media transition across a 30-year history in journalism. Now she's building a new regional media organisation with offerings that include RiotAct and AboutRegional. Region Media is expanding too – its most recent acquisition was the Cape York Weekly in far northern Queensland with coverage that extends to the Torres Strait Islands. Navigating the rough waters of rapid media transitions, she has first-hand exposure to Australia's sizable and underserved communities lying outside of its capital cities.

Our Double Take conversation touches on how an absence of media diversity is experienced by these groups, as well as how regional media organisations can tackle some of the challenges of the modern media environment – with a nod towards what can be done to make this media useful and present for the people that rely on it most. You can listen in on the conversation here.

Tim Koskie
CMT Researcher

News media and Palestine

Come join the Centre for Media Transition, UTS Journalism Central News and the School of Communications for an important online discussion on the responsibilities of the News Media on Palestine on 10 November 2023, from 3–5pm.

Chaired by CMT Co-Director Monica Attard, the panel will include:

- Rawan Damen, Arab Reporters for Investigative Journalism
- Zahera Harb, Dept Journalism, City University, London
- Karen Percy, Federal Media President, Media Entertainment and Arts Alliance
- Anthony Loewenstein, Journalist and Author
- Amy McQuire, School of Communication, QUT
- Martin Newman, Journalism UTS

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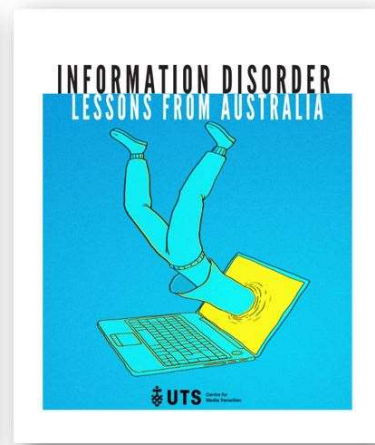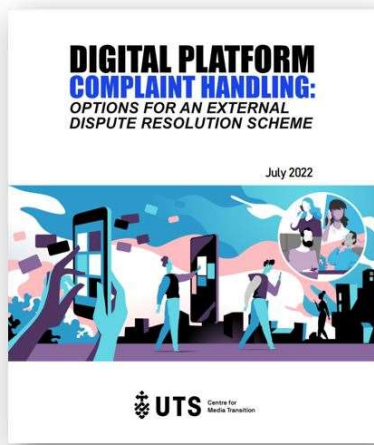
The Centre for Media Transition and UTS acknowledges the Gadigal and Guring-gai people of the Eora Nation upon whose ancestral lands our university now stands.
We pay respect to the Elders both past and present, acknowledging them as the traditional custodians of knowledge for these places.