



**Australian
Broadcasting
Authority**

How News Is Made In Australia

Presentation by Professor David Flint, ABA Chairman, launching the
ABA research report, *Sources of News and Current Affairs*,
3 May 2001

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I stand before you as a toffee-nosed, toffee-voiced cockalorum.

And how do I know that I am a toffee-nosed, toffee-voiced cockalorum?

I read it in the newspapers. The quality newspapers.

And like most of you I, I did not know what a cockalorum is. I do now.

Perhaps more importantly is this fact? Or is just an opinion or comment? A subject I shall come back to later.

This genesis of this project is in the *Broadcasting Services Act*. Traditionally courts have ignored the intention of legislators, and looked at the plain words of a statute.

Now the *Broadcasting Services Act, 1992* actually spells out the intention of Parliament. Or at least what it says was the intention of Parliament. It says nothing about the purpose frequently attributed to cross-media laws, to punish Fairfax and the Herald and Weekly Times, and to look after the 'mates'.

In any event the Act proclaims that the intention of Parliament is in effect this: the more influential media the greater the regulation. The words are not as crisp as this, but the meaning is clear. The Act says:

The Parliament intends that different levels of regulatory control be applied across the range of broadcasting services according to the degree of influence that different types of broadcasting services are able to exert in shaping community views in Australia. (Sub-section 4(1).

As it is the most regulated, Parliament must have thought commercial television was the most influential in shaping community views. Parliament seems also to believe newspapers are influential, hence the cross-media laws. Print is not directly included for good reasons. These include the historical role of the press, and the absence of any issue of scarcity. Almost everyone accepts this. Except Mr Stuart Littlemore QC.

This project raises several issues. In particular, which medium is the most influential? Can we even assume that one medium is more influential than another? And of course, if one medium is the more influential, we must ask ourselves what form of regulation should be imposed.

We had of necessity to restrict the project to news and current affairs. Not that other *genres* cannot be influential, for they clearly are. They do invite different regulatory responses. (Note for example, those sporadic, unwarranted intrusions into privacy in ostensibly entertainment programmes.)

To try to understand what is influential, we decided first to survey the literature. After all, who wants to reinvent the wheel? And then we needed to survey both the producers and the consumers of news. This we thought should involve random surveys to achieve a certain geographic balance and for the journalists, a balance across different media. We also decided to add interviews and focus groups to give depth to the project.

What we wanted to know is the answer to the riddle which Professor Pearson attributes to me, how 'to crack the nut of how news is made in Australia'

This response goes some way in answering that. Therefore, I must congratulate and thank Professor Pearson and Professor Brand - and their team for their work - as well as the ABA's Phyllis Fong and her team for her very considerable role in ensuring the professional relationship between the ABA and Bond University.

The project report speaks for itself. I will today restrict myself to making a few observations - my own, not Professor Pearson's nor Professor Brand's - and certainly not the Authority's - on certain aspects of the report.

These are the news cycle, influences on journalists, and on distinguishing fact from comment. Then I shall offer some conclusions.

2. The News Cycle

In an editorial replying to Lord Palmerston, *The Times* asserted:-

'The first duty of the press is to obtain the earliest and most correct intelligence of the events of the time, and instantly, by disclosing them, to make them the common property of the nation.'

And in whom is this great duty invested? I am reminded of Jeffrey Barnard, the English journalist who wrote his own obituary. (*Daily Telegraph*, London 8 September 1999.

In it we find a description of his early life:-

'His drinking began to escalate to such an extent that he was unable to hold down the most ordinary job and he was consequently advised to take up....journalism'.

So this project is very much into the habits and practices of journalists.

The project confirms that there are two daily cycles, two wheels as it were going in different directions. The first relates to journalists, and the second to the public. They overlap in one particular area.

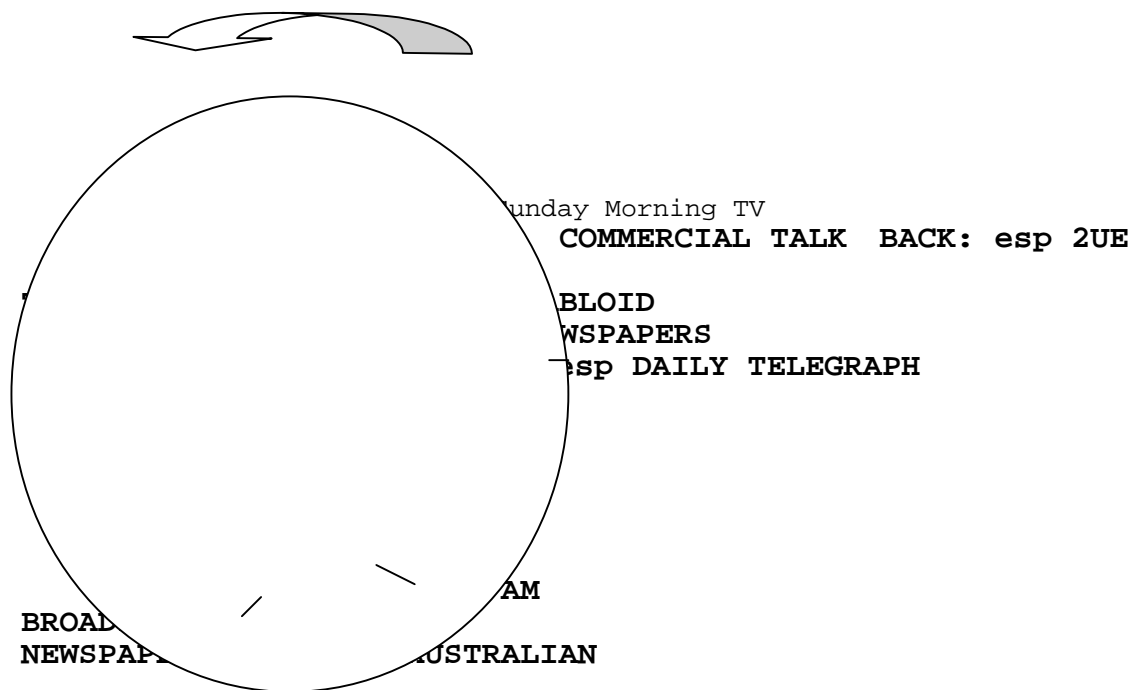
What is interesting is not so much the obvious, that journalists use AAP, SKY, BBC and CNN for example, as sources. Or that they are also heavy users of PR (public relations) materials, mostly from government sources. It is fair to say journalists are generally sceptical users of PR materials.

What is most interesting is what journalists themselves rely on to set the agenda, that is determine what is news and how it should be presented.

The project confirms that such an agenda setting influence does exist. It is not about the way they process news about great disasters - a terrible earthquake, a plane crash, or a new war - these are obviously newsworthy. It is about how the press chooses and presents news about the great issues of the day in for example the political and economic life of the nation.

Let us look at our journalist's day. What are the principal sources from which the day's agenda is settled?

THE DAY IN THE LIFE OF A JOURNALIST



The project confirms the widely held view that newspapers are the first major influence in the journalist's day. Among the newspapers *The Australian* clearly dominates; obviously for local news the journalists will look to the relevant capital city or local newspaper. (I would think that the *Australian Financial Review* would also be a significant source for finance and government). ABC AM is another influence, but I suspect not as important as in the early days, probably because of the greater coverage in the newspapers today, and the advent of other new sources. Then there are two new developments.

Sydney's *Daily Telegraph* - already influential in Sydney - seems to have come up as another national agenda setter. Then there is commercial radio talkback. Both have been long derided by many journalists in the 'quality' media. There are a curious mix of emotions here. Some - Philip Adams for example - are totally dismissive of what he calls 'popular journalism'. Thus Mr Adams thinks that any increase in crime exists only in the mind of 'popular' journalists. Among others there is sometimes just a twinge of jealousy about talkback and the tabloids.

Commercial radio talkback is emerging as significant for several reasons. First, and much to the chagrin of the Gallery (Australia's political journalists), it is a first preference for political leaders to expose themselves. Then the medium itself is a litmus test of public opinion, at least of those attached to the format, a significant number. Talkback has liberated the public from almost total passivity in the face of the media, apart of course from occasional glimpses let in by the all powerful letters editor. In addition there is the

opinion of the presenter, often derided by the listening journalist. They may dislike the opinion, but they make an error in dismissing it. Similar reasons can be given for the emergence of the *Telegraph*. (Some years ago I chaired a seminar in Sydney on international trade law, Paul Kelly, a speaker, told a surprised audience that there was one particular journalist who campaigned against free trade who was well researched and who had a significant influence - Alan Jones.)

This point of course is that talkback, led by 2UE and 3AW, with Alan Jones, John Laws and Neil Mitchell, and the other states following, seems almost to have the Prime Minister, Premiers, Leaders of Oppositions, to say nothing of other ministers and the opposition front bench, virtually on call. The presenter has an audience for up to four hours. A theme can be developed, massaged, put to these leaders, and then matured in a dialogue with listeners for periods much longer than anyone normally spends reading and opinion piece. (Unless of course you are prone to linger over, say, Philip Adam's column for four hours.)

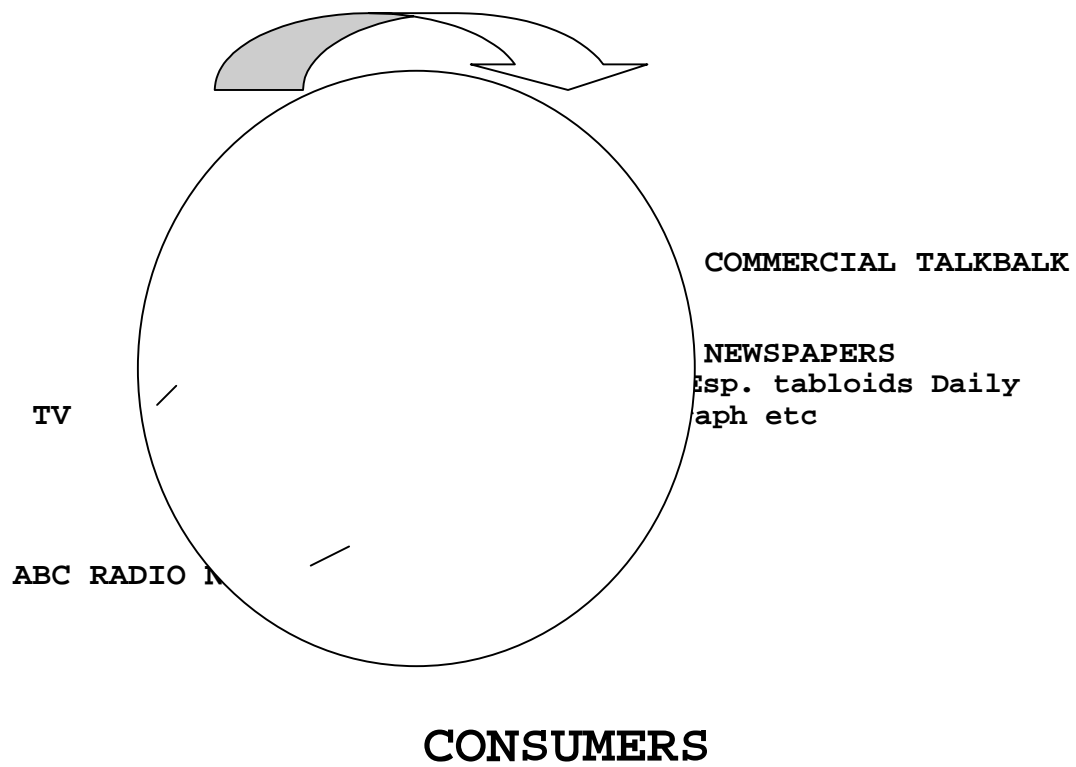
Our journalist has a long and no doubt exhausting day. Watching Sky, reading AAP on the internet, in the evening he or she watches the news, certainly on NINE and probably all the others. This seems to be more to know what the consumers are seeing. Then there's the 7.30 Report and once upon a time, in those masochistic days, Media Watch. On Sundays the journalist probably will not go near a church. Unlike other Australians who may be merely indifferent,

Professor Henningham has told us the journalist is more likely to be hostile to religion, especially the traditional religion of say, Archbishop Pell or the Reverend Fred Nile. The journalist would rather lie in bed with Laurie Oakes. This is not for pleasure or leisure. Its work. After all, Mr Oakes (who is on Channel 9) may well set the next day's or even the next week's agenda!

So what of the public? The survey produced a sample in which university graduates and those in part time employment were over-represented, and those in full time employment substantially underrepresented. (This is no criticism of our researchers; the ANU 1999 Australian Constitutional Referendum Study relied on a substantial sample (3431 returns) in which graduates were also over-represented). I suspect the sample tended to be less conservative than the general public, and explains an apparent divergence from the ratings. Such a sample may favour, say, public broadcasting over commercial broadcasting.

In any event, the survey suggests that well more than 1 in 2 Australians spend an hour or more in watching, reading or listening to the news and current affairs. Free to air television is the most used source for news and current affairs (88%), followed by radio (76%) and newspapers, including those who read only Sunday newspapers (76%). It seems 49.5% use newspapers daily, compared with 66% using television and 79.5% using radio on a daily basis.

THE PUBLIC



National Nine News was the most used source for TV news and the most used source for news and current affairs overall.

Nearly all Australians believe that their preferred source of news and current affairs has at least some influence on public opinion. About half attributed their preferred source with a moderate to high level of influence.

Australians use their preferred source of news and current affairs because of the quality of coverage it provides, although many admit that timing and convenience are the main reasons why they read, listen or watch.

Among the most preferred journalists were Kerry O'Brien, Mike Munro, Jennifer Byrne, Alan Jones and Brian Henderson. Twenty-seven percent gave the journalist's attitude, manner and character as the reason for their choice. Which reminds me of a speech years ago given by the Tasmanian Leader of the Opposition, Michael Field. One day, after appearing on television the night before, he was walking down a street in Hobart. A constituent came up to him and said 'Saw you on television last night Mike.' Mr Field was suitably impressed, but not for long. The constituent continued: 'Don't know what you were talking about, but your tie was crooked.'

The report lists the surveys choice of the most and least credible journalists. Eight out of the ten least credible also appear on the most credible list. Each journalist on either list appears on television or radio.

Some journalists appear in more than one medium. (The theory behind cross-media laws should question whether, for example, Philip Adams should appear both on the radio and write a column in *The Australian*. But I am not suggesting a *cross journalist law*!)

According to the survey, most Australians believe the news and current affairs media are credible. However many feel they are not as credible as they should be. This seems a milder criticism than the surveys on integrity and honesty of selected professions undertaken by Morgan Gallop.

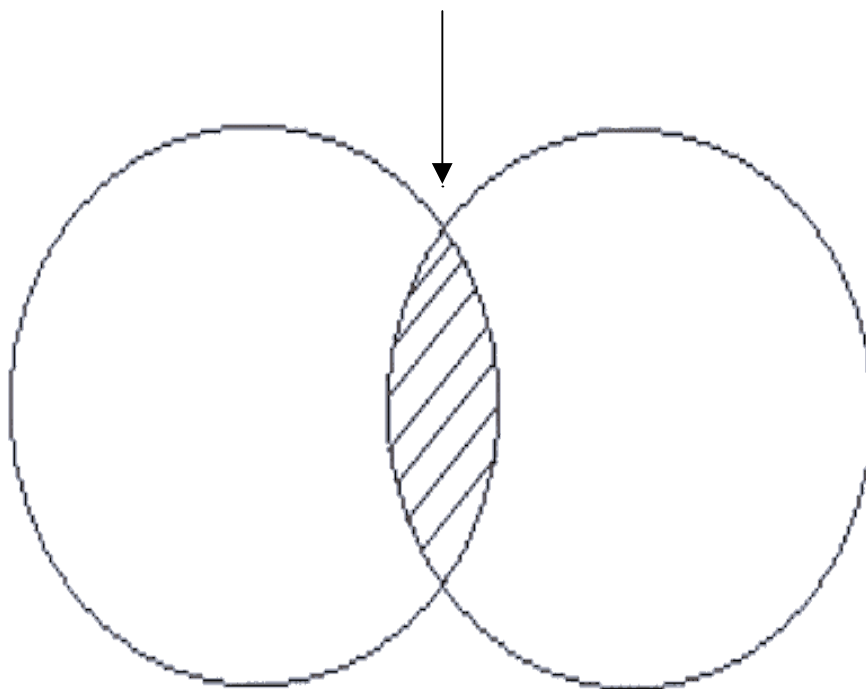
Public TV and radio were thought most credible. The most credible programme, column or internet site being ABC TV News, A Current Affair, the 7.30 Report, National Nine News and SBS TV News - in that order. (One of these also appears in the top five least credible sources.)

There is an interesting overlap where the journalists identify agenda setters, and the public record good ratings or circulation, this will no doubt at least irritate, if not infuriate, Philip Adams and Stuart Littlemore Q.C.

INTERSECTION OF INFLUENCE

TALK BACK esp. 2UE

TABLOID NEWSPAPER esp. DAILY TELEGRAPH



JOURNALISTS:
AGENDA
SETTERS

PUBLIC:
RATING/CIRCULATION

This *intersection of influence* occurs with commercial radio talkback, especially 2UE with I suspect the rest of Southern Cross network following, and with the tabloid newspapers (I am referring to size not necessarily quality), especially the *Daily Telegraph*, with the News stable and Western Australian newspapers following.

3. INFLUENCES ON JOURNALISTS

OWNERS

According to the survey, the public thinks the biggest influence on the media - in the sense of deciding what is newsworthy and how the news should be presented - are the media owners, then big business, and then commercial sponsors. Ratings circulation come a lowly fourth, ahead of politicians, then regulatory bodies, lobby groups, religious groups and small business.

Journalists put audience ratings and circulation first. Then come media owners, big business, lobby groups, other journalists (the public didn't consider them), regulators, sponsors, religious groups and small business.

What seems to emerge from the interviews with journalists is that media owners' influence relates more to their perceived commercial interests rather than their attempting to control, in any systemic way, the selection or presentation of news.

Of course, if a media owner were prone to intervention, you would expect that a foreign based media owner would be preferred because he or she would obviously be less able to intervene. Yet Conrad Black's arrival several years ago attracted an extraordinary alliance against him, one uniting those old adversaries Gough Whitlam and Malcolm Fraser! Recent evidence of Mr Black's tendency to intervene seems to be limited to writing robust letters for publication in his own journal *The Spectator*. Perhaps Gough and Malcolm should now say 'Sorry'!

The media 'mogul' - at least in Australia - may well be becoming endangered species. Once most newspapers were run as monarchies - not our sort, constitutional monarchies. They were more like that of Louis XIV. And of course, the hereditary principle prevailed. Today there is no media 'mogul', that is an identifiable single dominant proprietor, at Fairfax, West Australian Newspapers, Channel 10, most major commercial radio and of course the ABC and the SBS.

Where there remains an identifiable dominant proprietor, I suspect the influence is more in style and values rather than detailed intervention, with a touchiness about other business interests which have turned into a problem, although this touchiness may be reflected more by the staff being cautious than the proprietor intervening.

There is of course no ideal form of media ownership. Moreover the intervention of a proprietor should not be automatically condemned. I recall on one occasion the Chairman of the British Press Complaints Commission, Lord Wakeham, obtaining Rupert Murdoch's intervention to ensure a recalcitrant editor observed proper ethical principles.

Certainly proprietors, in the past have had a considerable influence on the way their properties operate. They probably still have an influence, but their power has receded. Magnus Linklater says that staff at the London *Daily Herald* used to say of their proprietor, Julius Elias:-

'We have no party creed or bias -
We (just) want a peerage for Elias.'

Which, Linklater points out, Elias eventually received.

Lord Beaverbrook was quite open about media influence. He told the Royal Commission in 1947: 'I own my newspapers for propaganda.' Northcliffe was almost as open. But as Gordon Greenslade says, they ran strange campaigns.

Beaverbrook thought Britain ought to retain the empire.... just as she was losing it. And Northcliffe thought people ought to eat more white bread... just as at the time it was becoming much more difficult to market.

Perhaps the most extraordinary exercise of proprietorial power in a democracy was the agreement between the UK press proprietors and the BBC not to mention Edward VIII's liaison with Mrs Simpson, while it filled the US and French newspapers. It is just not possible today to quarantine a country as they did in 1936, even if a proprietor wanted to do this. Technologies too easily span frontiers.

Moreover media culture today has changed, and changed irreversibly. Newspapers no longer restrict comment to the editorial, and make most journalists anonymous. Everywhere in the media the personality of a journalist is not only revealed - it is emphasised. It is manifested in the press in bylines and photographs. On television, we find it not only with an introduction, an appearance and a voiceover, even when, say, the President of the United States may be speaking. Then there is also the usual signing off, and sometimes the journalist's name is repeated by the presenter. So we are told the journalist's name three or even four times. I suppose this is in case we have forgotten. Indeed television news sometimes seems more about journalists and their views than the news itself. All this in a thirty-minute news bulletin, from which we must take out the fanfare, the advertisements, the sports sections, finance, the programme promotions and the weather to find the general news.

The fact is that to a greater or lesser extent media power and influence has now devolved to the journalists, subject of course to the relevant commercial

enterprise remaining profitable. (This latter factor does not of course apply to the public broadcasters.)

Obviously ratings and circulations are important, but they may not directly and immediately affect news production. For example people may buy newspapers just for the classified advertising, or for sport or even the crossword. The profitability of a broadcaster may depend on ratings for entertainment and sport, rather than the news and current affairs

As to other influences, I can only say that anyone who thinks that business or politicians or lobbies are generally treated deferentially has not had much to do with journalists. Of course these people are influential in the sense of being newsworthy - but that doesn't protect them from being treated as adversaries.

Who it is who each day selects what is the news? Who determines day by day, not only how the news is to be presented? Who decides how much comment is to be included in the statement of facts? Who writes that comment? The answer is the journalists. And whom do they look to for guidance in their decisions? Other journalists.

THE JOURNALISTS

We see from the daily cycle that our journalists are probably most influenced by..... other journalists! We have a picture then of a corps of journalists - I stress journalists broadly defined - who determine what is the news, how it is to be prioritised and presented, the degree of comment, and what that comment is to be. And during the day they are reading, hearing and watching other journalists.

So what do we know about our Australian journalists? The project confirms Professor Henningham's revelation in 1996, that 'your average journalist is not your average Australian'. This is particularly so with regard to political and social views. They have, he found a 'curious mix of values' while in favour of capitalism and free enterprise, journalists were 'bleeding heart liberals on social issues, libertines in moral areas and hostile to organised religion.' Overall, they are far less conservative than Australians in general.

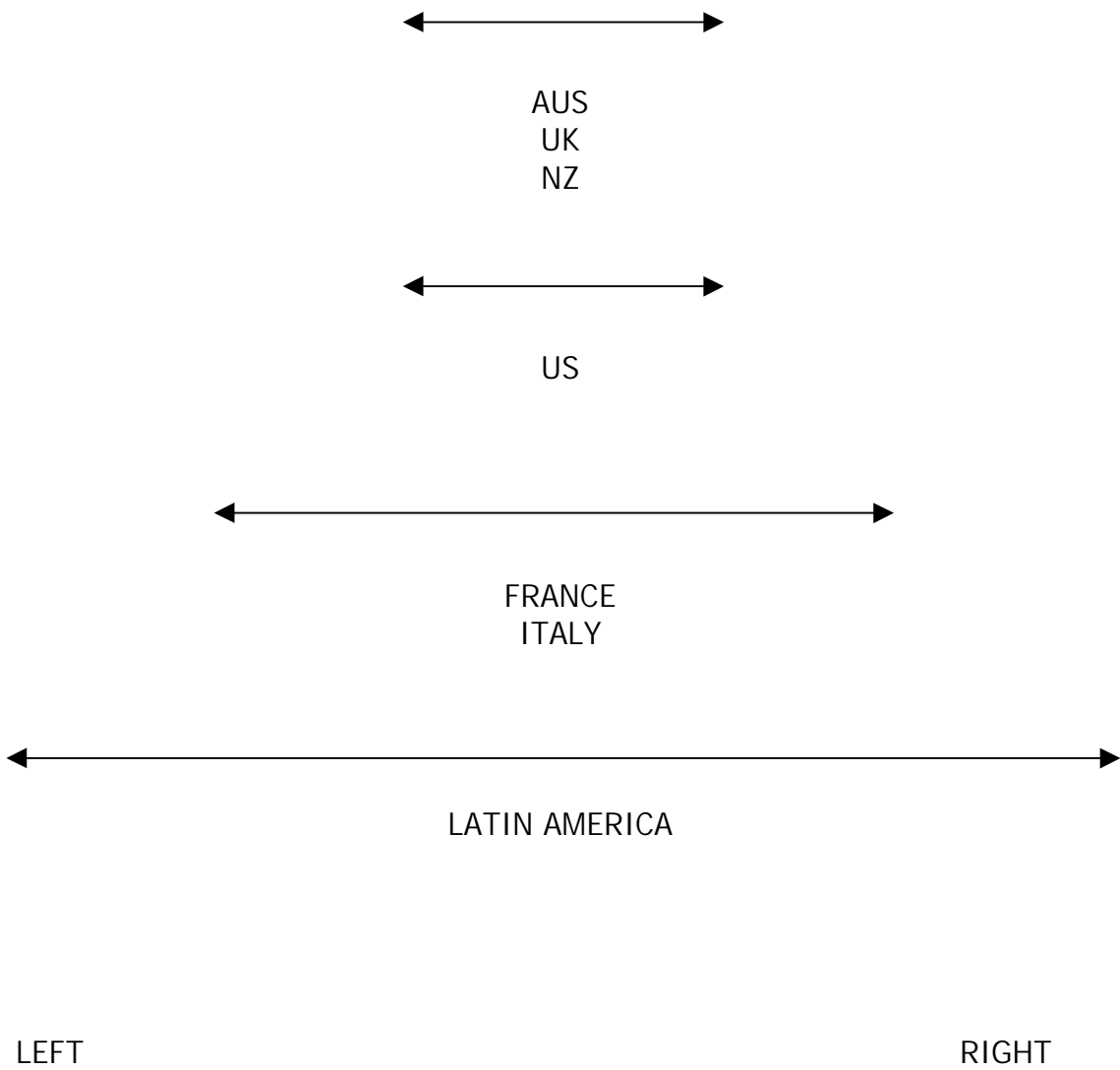
It is important to note that in any scale of conservatism the distances between the more conservative and the less conservative is not so great in this country. (Of course I am referring to positions held by significant numbers of the population - enough say to elect an MP.) We are closer to one another than in the United States, even more so than in the larger continental powers and considerably closer than in Latin America. Although it may worry them, One Nation, the Greens and the Democrats are much closer than say

Le Pen and the French Communist Party, both of which are in the French Parliament.

In general, the more sophisticated and stable a country is constitutionally, politically and historically, the closer the nation is on significant issues.

CONSERVATISM

COUNTRY COMPARISON



Of course trying to determine whether people are more or less conservative involves, to some degree, the making of subjective judgements. But no one, to my knowledge, has seriously challenged Professor Henningham's approach. So we have adopted this approach, choosing 'litmus' subjects more relevant to today's debates.

It is fair to say that while Australia has long been a conservative nation, she is one prepared to experiment but within the limits set by or representative democracy under the Westminster system and under the rule of law.

Of course issues can change over time. 'White Australia' for example, was opposed by the British, but most enthusiastically promoted by the Labor Party at Federation and to a lesser extent by the conservative parties. Similarly, Aboriginal disenfranchisement attracted Labor support because they feared station workers would vote under the influence of the graziers.

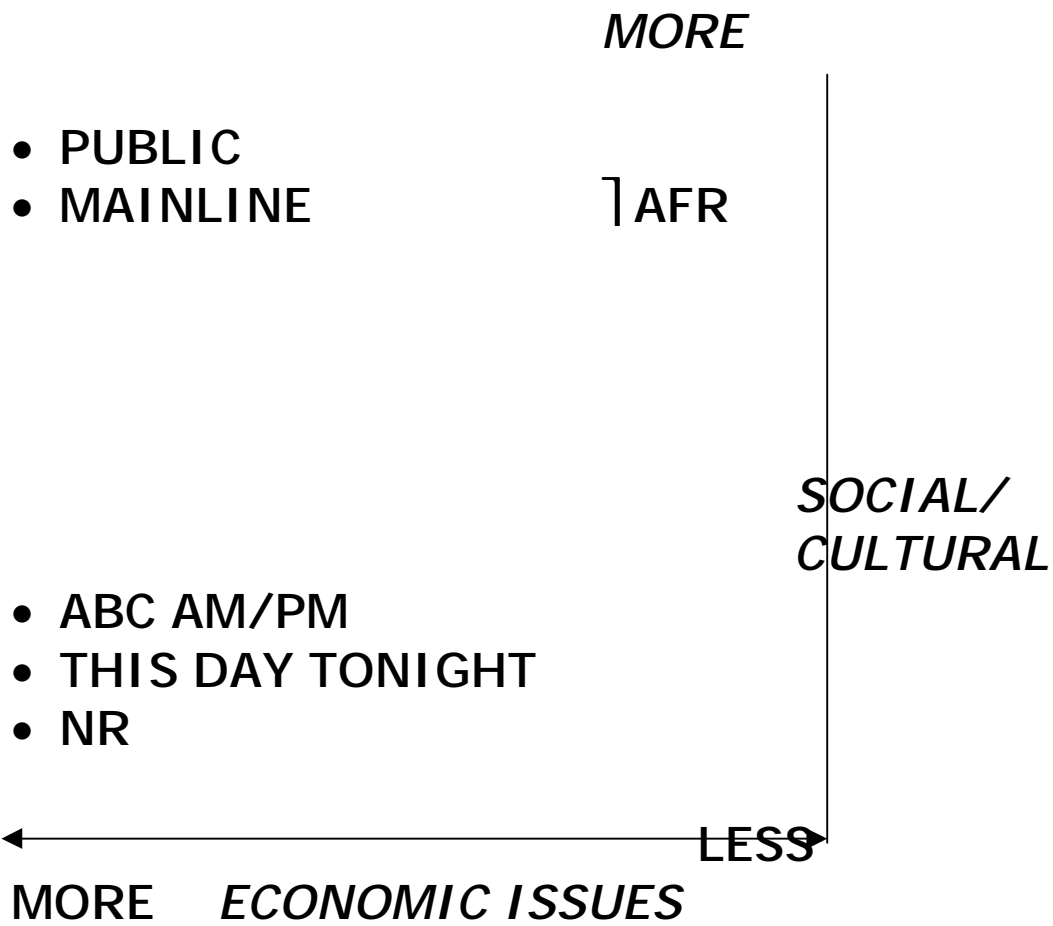
We can see in our history a mild conservatism, but one in which the people are prepared to change - provided change is considered necessary. So in the post war period the people rejected changing to a financial system with only one government bank. They also rejected the dissolution of the Communist Party. But at the same time the nation readily endorsed the 1967 referendum on Aboriginal matters, and absorbed a vast number of people from different cultures and races with remarkable ease.

It should be understood that measuring conservatism does not indicate how people will vote. The Labor and Liberal Parties contain within their ranks both the more and the less conservative. Thus the Hawke and Keating governments were conservative in matters of the economy, having rejected nationalisation and then engaging in the biggest sale of public assets hitherto seen in Australia, even selling off the Commonwealth Bank. Yet the Keating government was radical on some issues, e.g. on a republic and Asia, but less so on Aboriginal matters, at least until led into this by a more radical High Court.

It is particularly interesting to record a significant change over the last few decades in how the public and the media fall on a range of social (that is, socio-cultural issues) and economic issues.

1970's

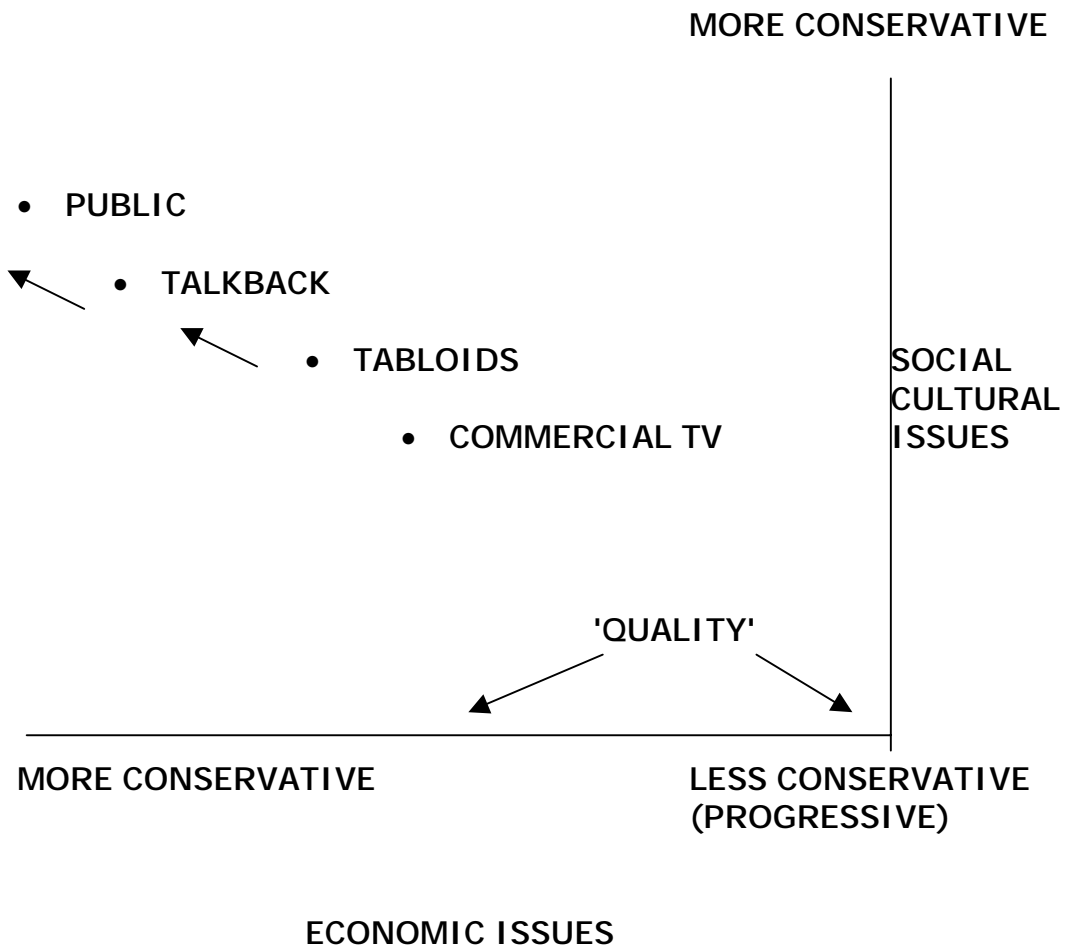
CONSERVATISM



In the 1970's the public held more conservative positions on social and cultural issues, and conservative positions on economic issues. But so did the mainline media. The *Nation Review* (and later and to a lesser extent, the *National Times*), and close behind ABC's AM and PM, and This Day Tonight espoused progressive positions on social and cultural matters. *The Financial Review* took a pioneering role in espousing free trade, and an enhanced role for the market.

Today there is an interesting change. Much of this has to do with the empowerment of the journalists, giving them their identity in lieu of anonymity, their evolution from an apprentice based trade into, if not a profession, certainly an elite corps, and above all, their freedom to publish their own opinions.

TODAY



Since the seventies, there is something of a rift between the 'quality' media and the public. Perhaps they are leading the public into adopting more progressive positions. On the other hand, it may well be that they are just out of touch.

This tendency is not universal. The tabloids and talkback opinion seem closer to the public's view, for example Alan Jones' almost one man campaign against free trade. Yet protectionism was once an article of faith. It is not so long ago that we saw the *Australian Financial Review*, almost alone in the media, leading the movement away from protectionism. Fortunately this coincided with the decline of socialism as the intelligentsia's solution to economic issues. Now the espousal of protectionism is a capital heresy, yet the principal object of the enormous US\$90 billion budget of the European Union is to achieve --- precisely that.

Commercial TV, especially Nine, hovers not so far away from the public. And some elements of the 'quality' media are more conservative on economic issues, for example in the ABC.

Herd Mentality

The report notes that there is a widespread view that the media responds as a single group to issues of importance, the so-called '*herd mentality*'. This relates to the 'gallery', Australia's political journalists, wherever they actually

are. Thus, sports journalists, finance journalists and other specialists are excluded from this observation. So are those journalists who restrict themselves to commentaries, usually on the clearly opinion pages, or on broadcasts which are mainly commentators. What is under examination are those journalists who hold out that they are informing us, reporting on the great events of the day in the world of politics. Here there is said to be a *herd mentality*, the media responding as a similar group. Even most of the news producers (86%) agreed with this, at least to some extent.

One issue on which the gallery has a strong majoritarian view is reconciliation. Another is the question of a republic.

Glenn Milne put it this way:-

'The gallery wants reconciliation. They want Howard to say sorry and Howard won't. And the gallery basically wants him gone for that...they ignore the fact that the latest poll - that most people don't want to say sorry. So my criticism is that the gallery ought to take note of what the electorate has expressed as its wish.... Who are the gallery to say...'That's not what you're going to get'? And if he doesn't deliver what we want him to deliver then he ought to go....

It's because Howard is culturally and socially out of tune with most members of the gallery....'

Glenn Milne had earlier written in *The Australian*, 22/5/00:-

YESTERDAY'S MAN WON'T WIN AGAIN

The PM's reactionary social agenda is sealing his fate.

'While the issue of reconciliation is the catalyst for such talk, the actual trigger is the growing fear among government MPs on wafer-thin margins, that the Australian media will not let Howard win the next election.'

To which Frank Devine, *The Australian*, 25/5/00 replied:-

MEDIA NO MATCH FOR A PHANTOM JUJU MAN

Like it or not, we can do nothing about John Howard

'What we of the media must keep prudently in mind that Howard has an almost uniquely ugly record of defying us and getting away with it.'

Both Glenn Milne and Frank Devine were writing in opinion pieces not about other opinion pieces, but news reporting.

What they are writing about is clearly *campaign journalism*. From being reporters of news, our political journalists in reporting news have become, for better or worse, unelected participants in the political arena. Once unknown habitues of the saloons of rather disreputable pubs, reporters on politics are now prominent in the salons of the nation's fast new establishment.

As an aside is it not fascinating to recall that if the gallery hates John Howard they seem to hold Paul Keating in awe. It is ironic then that Paul Keating does not reciprocate. Australian journalism, he says, 'consists of fourth rate minds feeding third rate newspapers - still spewing out bile!' *Weekend Australian*, 25-26 April 1998.

There is no evidence that our political journalists conspire to produce similar views. But is there a *herd mentality*?

This is of course a crucial question if we are to solve Parliament's riddle, and track down the most influential medium, and having found it regulate it.

It is clear that in their output, and in their background, there is a surprising degree of homogeneity among the gallery, Australia's political journalists, in their news reporting.

I suspect that Glenn Milne is correct when he says the proposition that the gallery hunts as a pack is wrong. Journalists are highly competitive. He refers rather to a common cultural mindset - a similar approach to and most importantly position on many important issues.

A similar phenomenon may have occurred in the US. A search of the use of the word 'bellicose' in American newspapers, in the period covering the

Afghan war, produced fascinating results. It was used 211 times, in relation to Reagan, 41 in relation to Thatcher, and 5 times about Brezhnev. (Robert Conquest, *Reflections on a Ravaged Century*, 2000).

It is true of course that there are alternative voices in the media. In the survey Philip Adams identifies himself as a 'nominal lefty' in the mainline press. In fact he is mainline now. The truth is the few conservative voices in the Australian media are the nominal ones. Most of these restrict themselves to opinion pieces. How many conservatives are there involved in the political reporting of the news? In principle, it should not matter.

But if there is a *herd mentality*, does it matter?

Are our political journalists so influential? The survey suggests the public thinks their preferred source of news and current affairs, while influential in shaping public opinion, does not *determine* public opinion. But this is after the journalists have determined what is newsworthy and how it will be presented - journalists are after all the gatekeepers of our information flows.

The 1999 referendum was a real life example of media influence. On this W.F. Deedes, the distinguished British journalist, wrote,

'I have rarely attended elections in any country, certainly not a democratic one, where the newspapers have displayed more

shameless bias' (*Weekly Telegraph*, London, No.433, 10-16 November 1999).

Now, I take it that Deedes is talking about the news, not opinion pieces.

(I imagine it is superfluous for me to declare my interests as more than an interested bystander in the referendum.)

With most politicians also in support, the Yes case should have won - if the media determines public opinion.

Perhaps the public's low estimation of the integrity and honesty of journalists assessed regularly by the Morgan Gallop poll and published in *The Bulletin*, explains a degree of scepticism on the part of the public. Perhaps many of them took the *Adelaide Review's* advice: 'Annoy the Media, Vote No!'

But the media must have persuaded some of the 43% to vote 'Yes', although this was concentrated in the inner metropolitan areas. As Malcolm Mackerras has demonstrated, on an electorate basis, only 0.01% of the nation's landmass voted 'Yes'.

Perhaps the better conclusion is that while *campaign journalism* may be enough to persuade more members of the public on some issue, or even swing an election, Australians are not yet ready to leave the redrafting of their constitution to Mike Carlton, Philip Adams, Leo Schofield and their peers.

Now of course not all media campaigns get even this far. An interesting one was the *Sydney Morning Herald* campaign to change the flag, which even involved a full colour front page. In the absence of an obvious alternative flag, and with the overseas football victories, the troops returning from East Timor and above all, the Olympics, it seems that the present flag will fly over Australia for many years to come.

While a near unanimous media could not win the referendum, the media does influence public opinion.

A theory which attempts to explain media influence is the phenomenon of the *spiral of silence*, a concept referred to in the project (see especially the work of Professor E. Noelle Newman).

This theory postulates that as an individual suspects that his view on some important issues seems to be losing ground, the more uncertain he will become of himself and the less he will be inclined to express his opinion. This may be so even if what appears to be the dominant view is over estimated because it is more frequently heard. As Noelle Newman first assumes and then tests, the fear of isolation, and also doubt about one's own capacity for judgement, is an integral part of all processes of public opinion. This is the point where the individual is particularly vulnerable. Social groups can punish him or her for failing to toe the line, by ridicule, by isolation etc, creating an

environment in which the people must increasingly agree, or acquiesce, or just keep their views to themselves. The concept of public opinion, sanction, and punishment are closely linked with one another. The spiral of silence can inflict serious damage to the concept of the market place of ideas whose workings were described by American Supreme Court Justice Douglas:

'When ideas compete in the market place for acceptance, full and free discussion exposes the false and they gain few adherents'

(Dennis v US 341 US 494 [1957], per Douglas J:584).

Well before Noelle-Neuman, de Tocqueville (in *L'Ancien Regime et la Revolution*) described the working of the spiral, without giving it this name. He recounted how religion came to be treated with contempt in eighteenth century France. People still clinging to the old faith were afraid of being the only ones who did so. They were in fact more frightened of isolation than of being right or wrong - so they joined what they thought was the majority. Even if they did not agree with them.

Outside his or her personal circle, the citizen today is wholly dependent on the media for information about public opinion. What happens then the citizen is told that public opinion is overwhelming or even unanimous?. At one extreme, Lenin actually tried to ensure this. He envisioned all of Russia hearing a newspaper, a single 'newspaper', one without paper and without wires, radiating out from Moscow by shortwave. (He did not realise the

listeners would then be able to tune into the BBC and the Voice of America, whatever the jamming and whatever the penalties). The democracies are different. In the United Kingdom, the spectrum of opinion is considerable. But in Australia, we are confronted with an unusual degree of homogeneity in the apparent reporting, I stress the reporting, of political and related news. This extends not only to today's news, but to our own history and the media's recollection of this. Thus this year's *Barton Lectures*, widely relayed in the media, were presented by a group of distinguished lecturers. Not one of the lecturers was chosen from any of those who favour the retention of the core of the 1901 constitution! The public heard, read or saw little from them.

George Orwell's warned:-

'Who controls the past controls the future;

Who controls the present controls the past.'

This is a matter of some relevance, in responding to Parliaments mandate.

This is, it may be recalled, the greater the influence, the higher the regulation.

4. FACT OR COMMENT

The phenomenon of campaign journalism in the reporting of political news led obviously into the subject of the distinction and comment or opinion on the other.

'Comment is free, but facts are sacred', declared C.P. Scott, the editor of the *Manchester Guardian*. (Some would wonder whether the adage actually survived the move from Manchester).

The division between fact, news and comment was once rigorously observed. In the press, journalists were not named, editors saw to what at least appeared objective reporting, and comment was reserved to the editorial. On the ABC comment was limited to the prestigious weekly Guest of Honour, a few talks and invited commentaries. That was it.

All that has changed. This has been encouraged by changes in faculties of humanities. Universities, once communities of scholars, now have officially mandated missions, visions and policies to which teachers must subscribe. Teaching in the humanities seems dominated by postmodernist theory and cultural studies. (Some jaded scientists suggest this is akin to their teaching astrology and phrenology.) And now that journalism is no longer a craft learned from the master by an apprentice, journalism is taught in universities.

Accordingly the report on this project observes, almost reproachfully:

'A body of communication and cultural studies literature suggests that no-one, particularly journalists, can be objective, and that all news is laden with cultural baggage.' I repeat, journalists cannot be objective!

Keith Windschuttle (*Quadrant*, March 1998) says there are the three characteristics of journalism.

These are, first a commitment to reporting the truth about what occurs in the world.

Secondly, that the principal ethical obligations of journalists are to their readers, their listeners and their viewers.

And finally, that journalists should be committed to good writing.

He says that in most of the media and cultural theory that is taught within Australian communications and media degrees not only are these principles not upheld, they have been specifically denied, either by argument or by example, by the dominant intellectual field that has reigned in media theory for at least fifteen years.

Nevertheless regulators and the public expect a distinction between news and comment.

No one suggests of course that comment should not be allowed. Indeed comment, good robust comment, is to be encouraged.

But sometimes comment is indistinguishable from news reporting. The signals or branding that journalists say indicate what is comment and what is news are either not understood or they are just not there. Sometimes there are even no facts, just comment.

Some months ago a federal minister was suspended briefly from parliament. I wanted to read the facts, what was said, who did what, in Parliament and in chronological order. I could not find them. There was a lot of interpretation, comparisons. But what actually happened?

It seems many of our news producers also agree that this is a problem - you will find that in the report.

And it seems the public can make neither head nor tail of this. Accordingly to this survey - where the sample you will recall over - represents university graduates - only 30.5% find it somewhat easy to distinguish between fact and opinion, 8.1% very easy. So over 60% have difficulty distinguishing fact, news, from comment. Over 60%.

The NSW *Education Reform Act* of 1990 requires that syllabuses endorsed by the Board of Studies indicate 'the aims, objectives and desired outcomes in terms of knowledge and skills that should be acquired by the children at various levels of achievement...'

Accordingly the Board issued a document, *Curriculum Outcomes* in September 1991 which defined outcomes as 'intended results of teaching and learning' expressed as a set of broad, comprehensive, assessable and observable indicators or benchmarks of student achievement'.

Among the 'desired outcomes' suggested were 'distinguishes between fact and opinion in newspapers articles'; 'distinguishes between relevant and irrelevant information in historical source material'; and 'distinguishes fallacious reasoning in a speech'.

Yet our survey says over 60% cannot distinguish between fact and opinion in the media.

Now, comment is injected into news in a myriad of ways. Once upon a time, a byline, and especially a photograph of the journalist - at least on the opinion pages - indicated that the column was a comment. Now comment is spread throughout newspapers, and throughout news broadcasts. Sometimes it is not at all obvious.

For example, at the time of the negotiation of the *Kyoto Protocol*, successive news reports in at least one newspaper - picked up in other outlets - was that if Australia persisted in its negotiating position, it would become an 'international pariah'.

Now our negotiating position was that we were a special case, and needed different treatment. We weren't alone. Other participants argued their own special cases too. In fact, the European Union emerged triumphant - they had secured the most favourable base year for them, as well as the right for individual member states to perform differently.

When Australia's negotiating position actually prevailed, this was reported without any explanation as to how and why the previous news reports were wrong. Or were they just comment reflecting the personal environmental views of the journalist concerned? How many readers, listeners or viewers would have known this?

This doesn't seem to be consistent with the MEAA Code of Ethics which directs:-

'Do not allow any personal interest, or any belief, commitment, payment, gift or benefit, to undermine your accuracy, fairness or independence.'

Of course labeling is one way of achieving the distinction between news and comment. Some labelling is ambiguous. One of the news producers says in the report that the label 'From the Gallery' seems 'like a license to bile'.

Headlines are often a problem. Recently the first quarter of negative growth in many quarters attracted a front page headline in one of our newspapers '*Australia Hits the Wall*' (8 March 2001), a theme which rebounded around the media and in political debate. This could only be a comment. When the ANZ, March 2001 job advertisement survey showed a fall that attracted at least on page two, '*More bad news as jobs ads plummet*' (10 April 2001). On talkback, it was claimed this was offset by internet advertising, even in the non IR sector.

But then when the national unemployment rate actually fell, the story was presented as a relatively minor state story - '*NSW jobs surge gives economy boost*' (13 April 2001). If these headlines are campaign journalism, we should ask some questions. Who is the campaign for? Who is it against? Is it, for example, against the Australian economy?

The intermingling of news with comment is not restricted to print. In radio the inclusion in the news of journalists 'sound bites', with an introduction and a signing off allows for this. (Of course even the intonation of a presenters voice on radio could be comment. On one occasion years ago an ABC radio

presenter of parliament was punished for the way in which he announced the name of an MP who was speaking.)

Television news offers an even richer field for mixing comment with news than radio. Not only are journalists' pieces inserted into the news as in radio, the piece is often against an authoritative backdrop of, say, Parliament. The journalist will tell you what the, say, minister has said, is saying and will say, and what it means - all over a picture of the minister speaking most of which you cannot hear. Then there is the presenter interviewing the journalist. One of the journalists in the survey decries the practice of a journalist on the news talking to another journalist not about news but about... speculation.

And there is the use of file tape in television news, a practice researched by Dr Peter Putnis, as mentioned in the report.

For example, a report on indigenous matters could be affected either way by tape which show scenes of drunkenness and disorder. Or alternatively it could show an idyllic way of life. Either seems to be comment subtly inserted.

During the 1996 election, John Howard stumbled when getting off a podium - that was the setting of several stories on TV news about mistakes being made in the campaign.

One thing is clear. Both the public expects, and the regulators expect - indeed they demand - a clear distinction between news and comment. They are not

saying no comment. They just want to know when they are seeing, hearing or reading an opinion.

The news after all should be as far as possible an objective recital of facts. It should be consistent with *The Time's* observation in the 19th century:-

'The first duty of the Press is to obtain the earliest and most correct intelligence of the events of the time, and instantly, by disclosing them, to make them the common property of the nation.'

CONCLUSIONS

This project has been about 'cracking the nut about how news is made in Australia'.

The project confirms much of what we already know or suspect, but it also adds to the store of knowledge. I compliment Professor Pearson and Professor Brand, and their team, for that.

Now cracking the nut about how news is made was in the broader context of Parliament's intention that the greater the influence, the greater the regulation of the media.

What the project tells us is that in these days the greatest influence on the media is not the media owners. Nor do ratings or circulation seem to be the dominant influence in the actual making of the news. The biggest influence seems to be the journalists themselves, other journalists, and to use the words of the MEAA code, their own beliefs and commitments. (Or as one news producer said, their cultural mind set.)

My conclusion is that it is the journalists, themselves, who are the most influential factor in the making of news.

So the concept of regulating a discrete medium, say television, more than another seems to have little validity.

What is the point then of laws regulating ownership, domestic or foreign, if that is to limit influence when the greatest influence, on a daily basis, comes from much more from the corps of journalists than ever from the media owner - even if a dominant media proprietor can be identified? This leads to the conclusion that those aspects of the *Broadcasting Services Act* regulating ownership should be reviewed. Obviously this cannot be done dispassionately in an election year, but it would seem highly appropriate in the next parliament. (Needless to say until a change in the law the ABA will of course rigorously apply the law as it is).

If media owners, where they exist, do not have and cannot have the power they may once have enjoyed, the better course might be to leave media ownership to the anti-trust laws. The concept of limiting an owner to a certain *share of voice*, while initially attractive, suffers from the need to attribute arbitrary values to each medium, e.g. radio, print, TV, as well as how to include new technologies. If abolition were thought too extreme, proposals for acquisitions by media owners could be required to satisfy the regulation that the result must be in the public interest.

In conclusion, the report suggests four matters of concern:-

First, a surprising homogeneity in the culture mindsets of political journalists, and a tendency on their part to indulge in campaign journalism.

Secondly a failure to distinguish, to the satisfaction of the public and the regulators, between news and comment.

Third, a concern about sensationalism and intrusive reporting, and

Fourth, a concern about the adequacy of the coverage of local events and issues.

To comment on the last matter, it is appropriate to recall that Parliament in 1992 removed the individual commercial broadcaster's responsibility to

provide coverage of local news and current affairs. The ABA has identified one matter for immediate action, that is the provision of information in emergencies, even where a local station is broadcasting automatically. The ABA wants this included in the Code of Practice and discussions to achieve this are now underway. Other aspects are the subject of a submission to the current parliamentary inquiry.

As to the first matter, there can be no regulation to correct herd mentality, if that needs to be corrected. If the public does not approve of this, the public may well take its own action. Perhaps the public has already started this in its own assessment of the credibility, or rather the integrity and honesty, of the journalists. There is a right and a freedom to comment provided that fact and opinion are not blurred. Not to do this is contrary to the codes of ethics, including the principles of the Press Council, and the media should observe these.

The question of intrusive reporting is one not only for the regulators but also the media to address. The ABA has already expressed the view that the broadcasting codes were intended to apply to all unwarranted intrusions into privacy, whether or not in news or current affairs.

The achievement of the 1992 legislation was to move broadcasting regulation to a system of co-regulation, involving a great deal of self-regulation for the broadcasters. The only justification for the continuance of this in the longer

term must be the scarcity of the spectrum. This will be with us for the foreseeable future, until technology renders a position on the spectrum of little or no economic value. While this may happen one day, it certainly will not happen tomorrow.

In Ancient Rome, before the Caesars subverted it, the glue that held society together was not only the checks and balances of the constitution and the rule of law. It was also *civic virtue*, the expectation of high standards. And so it is with our Commonwealth.

Journalists insist, and correctly insist, on the application of civic virtue to others in public life. Surely it is time now that our political journalists should look to their own behaviour. They should apply to themselves the same principles which they would apply to others.

The concerns the project reveals are mainly ethical matters. Ethical principles transcend the technology for delivery, whether it be print or broadcast, analogue or digital. The solution for the proper application of ethical precepts lies not in further legislation, for that would be worse than the problem. The solution is with the individuals and organisations concerned.

As Mahatma Ghandi wrote:-

The sole aim of journalism should be service. The press is a great power but, just as an unchained torrent submerges the whole countryside and devastates crops, even so an uncontrolled pen serves but to destroy.

'If the control is from without, it proves more poisonous than want of control. It can be profitable only when exercised from within.'