



Submission by Free TV Australia

News Measurement Framework

Australian Communications and Media Authority

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1. Introduction

Free TV Australia is the peak industry body for Australia's commercial television broadcasters. We advance the interests of our members in national policy debates, position the industry for the future in technology and innovation and highlight the important contribution commercial FTA television makes to Australia's culture and economy.



Australia's commercial broadcasters create jobs, provide trusted local news, tell Australian stories, give Australians a voice and nurture Australian talent. A 2020 report by Deloitte Access Economics, *Everybody Gets It: The economic and social benefits of commercial television in Australia*, highlighted that in 2019, the commercial TV industry supported 16,300 full-time equivalent jobs and contributed a total of \$2.3 billion into the local economy. Further, advertising on commercial TV provided an additional \$4.4 billion worth of economic benefit.

The industry's unique contribution to Australia's shared culture and civic life cannot and should not be understated. Collectively, our members spend around \$1.5 billion every year on Australian content and broadcast more than 25,000 hours of local programming. More than 13 million Australians tune into Free TV every day to watch sports, local news and Australian content.

Free TV members are vital to telling Australian stories to Australians, across news, information and entertainment. Free to air television broadcasters understand and appreciate the cultural and social dividend that is delivered through the portrayal of the breadth and depth of Australian culture on television, and Australians prefer local stories. The 2020 Deloitte Access Economics report found that 95 percent of people think that losing commercial television would have an impact on society and 89 percent think commercial television is a valuable service. The report also found that during peak times, half of all television viewers watch together with family or friends.

A strong commercial broadcasting industry delivers important public policy outcomes for all Australians and is key to a healthy local production ecosystem. This in turn sustains Australian storytelling and local voices and is critical to maintaining and developing our national identity.

2. Rationale for the development of a News Measurement Framework

The ACMA Consultation Paper notes that the rationale for measurement includes that:

- the ownership and control rules do not examine some of the important measurements that underpin a diverse media landscape
- these rules do not account for the impacts of the digital news environment; and that
- measurement is important for understanding and tracking what news services are available at different localities and geographic scales¹.

¹ Consultation Paper, page 2

2.1.1 Ownership and control rules

Indicator 3 of the proposed News Measurement Framework looks at ‘how many people exercise control over Australia’s most influential sources of news’. Should the ACMA wish to expand this beyond the current scope of regulated entities, this should be done through the existing mechanisms of:

The Register of Controlled Media Groups (RCMG) contains all registrable media groups in each radio licence area. The RCMG lists the media operations that form part of a group and the controllers of those operations.

The media control database has more information in an interactive form. It has information about ungrouped or independently owned media and a guide to the number of points in each radio licence area. It also identifies commercial TV services that pass the shared content test.²

Should further data be required, it would be appropriate for the media control database to hold this information, and for the same methodology to be used to collect information. In relation to Controlled Media Groups, no further data should be required beyond what is currently held in the register.

2.1.2 Review of the Broadcasting Services Act

The Minister for Communications, the Hon. Michelle Rowland MP, has made clear the Government’s intention to review the *Broadcasting Services Act 1992* (BSA). This is likely to be a wide-ranging review, and is expected to consider the application of the BSA to digital platforms and services.

The proposed scope and methodology of any BSA review should guide the collection of data under the News Measurement Framework. This would clarify the purpose of the data collection, and the planned use, as well as leading to a regulatory outcome for the industry.

2.2 Scope of the news market

The commercial television industry, which is considered in detail in the next section, makes up just one part of the wider Australian media industry. While traditional forms of media continue to provide an important service to Australian audiences, new services are also emerging and have become prominent in the market.

There are regularly new sources of news appearing on online and social media platforms. While some of these may meet the Consultation Paper’s proposed definition of ‘professional news source’, others have developed organically. For example, we see:

- community pages on social media sites such as Facebook, which take advertising and are beginning to resemble professional news sources.
- local councils sharing media releases directly to their social media pages.

These are additional sources of news for and about local communities, and the ACMA should consider widening the proposed scope of the news market to include these and similar services.

²ACMA, <https://www.acma.gov.au/media-control-rules#:~:text=Statutory%20control%20rules,-Limitations%20on%20control&text=No%20person%20can%20be%20in,in%20the%20same%20licence%20area>

2.2.1 The commercial television industry

While it is clear that online news has provided alternate sources of news for Australian production, the Media Content Consumption Surveys published in March 2023 found that '[t]he majority of respondents watched news and current affairs on commercial free-to-air TV (excluding on demand, 76%) or publicly owned free-to-air TV (excluding on demand, 79%).'³ This demonstrates that despite the increase in news providers, Australian audiences continue to turn to free, trustworthy and accessible news sources, as provided by commercial free-to-air television.

Nowhere is this more true than in regional Australia with Deloitte Access Economics analysis revealing that 41 percent of regional Australians prefer television over any other medium.⁴ The Australian Competition and Consumer Commission (ACCC) highlighted Australian Communications and Media Authority research which found that regional Australians exhibit distinct preferences in their consumption of local news, favouring traditional media formats. This study found that the most trusted source of local news in regional areas was commercial television.⁵ For example, Free TV members were vital to sharing public health messaging during COVID, including at times, broadcasting up to eight press conferences a day. The coverage of the development of COVID-19 provided health updates and advice across the country helping Australians keep themselves safe during the pandemic. The second edition of *Everybody Gets It*, published in 2022, found that in 2021, news and current affairs programs made up 16% of total broadcast minutes or 19.5 million minutes (including re-runs) in regional areas.

For regional members of Free TV, their local news services are the main content that they produce or commission, and they have quotas for local content, including news⁶. Commercial television broadcasters are often first on the ground covering local issues and are able to prioritise broadcasting local information, making it more relevant to local audiences.

Collectively, regional television broadcasters provide a free-to-air (FTA) television service to close to 9 million people or approximately 36% of Australia's population each week. This makes the regional audience as large as Sydney and Melbourne combined, and larger than Brisbane, Adelaide and Perth combined. As noted by Deloitte Access Economics, '[p]oor internet connectivity can prohibit regional viewers from accessing alternative streaming or pay TV services online...[commercial television] is especially important given the age profile of these communities. Older individuals may struggle to access entertainment or news programs online, if they are unfamiliar with online platforms or the internet'⁷

3. Complexity and administration of the proposed model

The news media in Australia is a complex sector. Editorial decisions are made daily by editorial teams in the public interest. The news media industry is also highly-regulated, through Codes, legislation;

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<https://www.infrastructure.gov.au/sites/default/files/documents/Media%20Content%20Consumption%20Survey%202022%20-%20Final%20Report.pdf> Page 14

⁴ Deloitte Access Economics, *Everybody Gets It – The economic and social benefits of commercial television in Australia*, page 28

⁵ ACCC, *Digital Platforms Inquiry Final Report*, pg 291

⁶ <https://www.acma.gov.au/local-tv-content-regional-areas>

⁷ Deloitte Access Economics, *Everybody Gets It – The economic and social benefits of commercial television in Australia*, page 40

regulatory bodies and self-regulatory bodies.. Any model proposed should support the freedom of the media to choose the stories and sources which best support the public interest. There are already mechanisms which oversee the impartiality and accuracy of this content. Casting a microscope over these choices, by a regulator, could have the unintended consequence of a perception of unnecessary monitoring of a free press, and placing unnecessary and unwarranted pressure on newsrooms and editorial decisions.

Any model adopted has to:

- be simple to administer;
- be easily understood;
- be based on objective and robust data;
- not require any compliance and reporting obligations on already stretched newsrooms; and
- respect the tenants of a free press.

4. Collection and analysis of data

The Consultation Paper notes that,

PIJI's research provides a particularly valuable source of public data, and its various projects closely align with the outputs that we originally proposed in our news measurement paper, such as the development of a local news database and online map, and a local news assessment.

The Public Interest Journalism Institute (PIJI) research would need significant modifications to meet the research requirements of the proposed framework.

4.1 Data collection methodology

Much of the PIJI data is based on publicly-available data (media releases, news stories etc.) which has not given an accurate reflection of the media market. This data has not been verified by members of Free TV, which has led to significant inaccuracies. Additionally, the current research methodology does not take into account the multiple platforms on which regional news is delivered, including broadcasts available on social media.

It is vital that any information collected and held by the ACMA be accurate, and fairly represents the current availability of news services. As noted below, this should not incorporate any additional regulatory or reporting burden on broadcasters. Commercial broadcasters are already required to report on their programming output; meet news requirements; and adhere to the Commercial Television Industry Code of Practice, including any investigations relating to that Code.

4.1.1 Local government areas

The PIJI analysis methodology, as well as that proposed by the Consultation Paper, demonstrate a preference for measuring news by local government area (LGA) rather than by broadcast licence area. The Australian Local Government Association notes that '[t]here are 537 councils Australia-wide.

Around 55 per cent are located in regional, rural or remote councils, about 25 per cent urban and urban fringe and 20 per cent urban region’⁸.

The number of LGAs will create challenges in developing a clear picture of the coverage of news media. Most broadcast services will cover multiple LGAs, and any overlaps must be reflected in the data. The location of newsrooms, for example, does not give an accurate picture of the availability or coverage of news services, as a single newsroom may broadcast to, and report on, many LGAs. In some regional areas, for example, a news crew may spend up to four hours a day travelling by car to report on relevant stories for their audiences.

Consideration should be given to measuring news services based on broadcast licence area, especially in the initial stages of the project, and until sufficient data is available to create a more granular picture of LGA services.

4.1.2 Assessments of local news

The local news assessments currently being undertaken by PIJI, in the news sampling project, currently only considers print media, though we understand that PIJI is interested in extending the project to other news sources, and that would align with the Framework proposed in the Consultation Paper. The PIJI website states that,

*Radio and television are not surveyed in this process. We can remotely audit print and digital news content, but it is much more difficult for us to reliably access radio or television news programming from outside of their broadcast areas. In almost all cases that we have found, there are no public digital archives of this broadcast news content available, meaning that assessments must also be done on live streams. This is a significant barrier to independent scrutiny, and not one that PIJI is resourced to overcome.*⁹

Should these assessments be extended to broadcast content, the methodology to access this information, and overcome the challenges highlighted by PIJI above, must be communicated and analysed, to ensure that an accurate capture of information can be achieved.

5. Indicators of news output

Indicators 4 and 5 ‘Range of viewpoints’ and ‘Range of topics’ focus on the output of news services. While more extensive comments on the methodology of measuring these indicators is outlined in the following section, the general approach to measuring output is considered here.

The News Measurement Framework, as its primary purpose, is about creating a picture of the structures of the news media industry. By measuring the content output of news services, the scope of the News Measurement Framework is significantly extended, and moves into a very subjective area, with content being measured based on the type of coverage and how it is covered (who is interviewed etc.). Subjective measurement of news stories is not an element of the Framework that is supported.

With no significant issues currently being raised in relation to the quality of news output, at least from regulated news services such as commercial television, there is no demonstrable reason for the ACMA to be measuring news output. Any concerns should be managed through the Code of Practice

⁸<https://alga.com.au/facts-and-figures/#:~:text=Local%20Government%20Key%20Facts%20and,20%20per%20cent%20urban%20region.>

⁹ <https://piji.com.au/australian-news-data-report/>

processes, which demonstrate very high compliance with the Code, and very low community and regulatory concerns.

While we note that the scope of this measurement would go beyond news services that have a Code registered or notified to the ACMA, it would not be appropriate to bring a second layer of measurement over the regulated services. It is therefore recommended that Indicators 4 and 5 be removed from the News Measurement Framework.

6. Comments on Appendix A – Detailed Framework

6.1 Availability of sources

Commercial television provides news services across multiple platforms, including: broadcast, BVOD, websites and social media. These platforms reach different Australian audiences, and not all can be tied to certain geographic areas.

For example, a regional news broadcast, which is provided terrestrially to a licence area, will also be posted on the regional broadcasters Facebook page and in some cases BVOD services. This makes it generally available and accessible to anyone with an internet connection. Additionally, broadcasters may post information about incidents within and around a community (eg. traffic incidents/weather) on social media, which may not be included in television broadcasts. This information provision should also be considered in the development of the tool.

A metropolitan news broadcast is made available on the BVOD service of that broadcaster, and again, is available to anyone in Australia with an internet connection. The diversity of reach of these news services should be reflected in the measurement tool.

The use of ‘crowd-sourcing’ and ‘leading consumer surveys’ as a methodology for this Indicator is unreliable, and is not supported.

6.2 Availability of journalists

Similarly to the challenges outlined in Indicator 1, journalists often work across multiple LGAs, and multiple news service platforms. While they may be based in a newsroom in a single locality, journalists will travel to ensure that the most important stories are covered across multiple areas. Commercial broadcasters are also unique in making available, in most cases, crews, camera operators and journalists, who are able to collect stories individually as well as together. Other broadcasters, such as the ABC, rely heavily on video-journalists, which restricts their coverage potential.

While this information may be available on a network level, it is very difficult to capture a definitive count of journalists in a locality or responsible for reporting on a single locality. Given the challenge in obtaining reliable data, it is recommended that this indicator be removed from the framework.

6.3 Number of owners

As noted above, this indicator is carefully managed through the media ownership and control rules in the *Broadcasting Services Act 1992* in relation to commercial television broadcasting. No further data gathering on this sector of the industry should be required.

The proposed Methodology outlined in the framework includes ‘Survey consumers about what news sources they consume and group by company’. This survey of consumers would appear to replicate information gathered in Indicator 7, ‘Consumption’, and should be removed from Indicator 3.

6.4 Range of topics

The metric for this index includes ‘[c]ount of ‘hard’ articles, as a % of total news output’. In the Comments section, examples of ‘hard’ include ‘local government, health, education’ and ‘soft’ include ‘arts and culture, human interest, weather’. This definition and proposed analysis methodology is highly subjective, lacking in specificity, and is not related to any other way in which news is defined in Australia, it is also of concern as an Indicator. It is unclear how this Indicator would be used, and whether it may lead to new or amended regulatory requirements on news service providers.

Commercial broadcasters make daily editorial decisions on the type of content that is of the most interest and relevance to audiences.

As noted in the above section, it is therefore recommended that this Indicator be removed from the News Measurement Framework.

6.5 Range of viewpoints

The Consultation Paper suggests that,

For the purpose of measuring viewpoints, the number of sources referred to in news stories could be viewed as a proxy for the availability of multiple perspectives or viewpoints being examined by the news media environment.

This is an inaccurate reflection of how news is made. In order for the above to be true, it would need to be confirmed that the sources referred to in news stories came from different perspectives – it is quite possible that all sources could promote a single perspective in this scenario. This is, however, unlikely. The impartiality clause 3.4 of the Commercial Television Industry Code of Practice (Free TV Code) states that,

3.4.1 In broadcasting a news Program, a Licensee must:

(a) present news fairly and impartially;

(b) clearly distinguish the reporting of factual material from commentary and analysis

3.4.2 Nothing in this Section 3 requires a Licensee to allocate equal time to different points of view, or to include every aspect of a person’s viewpoint, nor does it preclude a critical examination of or comment on a controversial issue as part of a fair report on a matter of public interest.

Therefore, a measurement of viewpoints is neither reflective of news production, nor does it take into account the requirements under the Free TV Code. This measurement should not be included in a tool. The consultation paper does consider impartiality, noting that,

We consider that an examination of internal plurality, or the balance of viewpoints or political ideologies of individual news sources would not be included in a measurement framework. This is because the diversity component of this work would primarily be concerned with assessing the availability of a diverse range of viewpoint across the news media market, rather than examining diversity within particular outlets or journalistic content. Concerns about bias or impartiality in the Australian news market have already been examined separately through the first part of our news project.

As noted in the above section, it is recommended that this Indicator be removed from the News Measurement Framework.

6.6 Local relevance

This indicator looks at the extent to which local news covers matters of local significance. As noted above, the measure of 'local' to be tied to LGA's rather than broadcast licence areas is problematic, and very granular for a project in its early stages.

Commercial television is committed to meeting the needs of audiences within the available budget, and ensures that local news is available to all Australians.

The methodology proposed includes collecting samples of news sources and coding samples as to whether 'articles' relate to locality. While this appears to be print-media focused at this stage (demonstrated by the use of the term 'article'), should this be extended to broadcast media, the 'Comments' section should be taken into account. This section notes that the assessment of this Indicator should be based on '...existing legislative definitions under the BSA and related legislative instruments'. Given the local news requirements already placed on regional commercial television services, this should replace the methodology proposed for this Indicator.

6.7 Consumption

There are a number of tools and research that exist already in Australia to measure consumption of news sources. These should be carefully considered as to whether they could be used as a methodology for the Indicator, rather than creating new consumer surveys. For example:

- Deloitte, *Media Consumer Survey 2022*
- University of Canberra, *Digital News Report: Australia 2022*
- Department of Infrastructure, Transport, Regional Development, Communications and the Arts, *The 2022 Media Content Consumption Survey*

6.8 Impact

As with the 'Consumption' Indicator, there exist already a number of tools and research measuring trust of news in Australia. These should be considered prior to building new tools. However, commercial broadcasters should not be measured in this way. Free TV members are committed to providing trusted and valued news, and are co-regulated by the Commercial Television Industry Code of Practice. This Code of Practice includes obligations including accuracy and fairness, and impartiality. Recognition of this should not be replaced by subjective measurements of audience trust. Any future consideration of impact should not only be based around trust. It may also look at: amplification of regional stories to national or international audiences; policy change as a result of local stories; and community change as a result of local stories, which may include charity impacts. These remain subjective measures and should not be included in the Framework at this time.

7. Industry involvement

Free TV would be pleased to be involved in a reference group to guide a project of this type. This should include metropolitan and regional networks, and representatives of policy and news divisions

from each broadcaster including their publishing businesses, to ensure that the project best reflects the delivery of services to Australians.

The Consultation Paper questions whether

...Australian news media outlets would be willing to assist in the information-gathering component of this work, either through the completion of a survey that could help inform aspects of any news audits in the future, or to provide a sample of news content for analysis.

Free TV members do not support an increased regulatory or reporting obligations on their activities. Any research undertaken should be independently verified from reliable sources, however the introduction of a survey or reporting tool would increase the regulatory burden to an extent that would outweigh the benefits of research of this type.