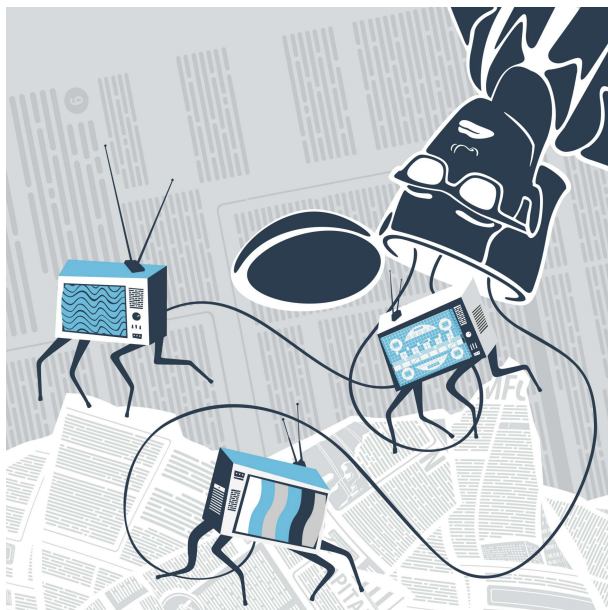


Centre for Media Transition



Hi there

The frightly news



It was certainly unpleasant viewing last week, when reporters were rounded on by anti-vacc protesters in Melbourne. On Tuesday, with a huge contingent of riot police waiting, the protesters descended on the headquarters of the CFMEU. As they lit flares, some chanted, 'Fuck the media,' and, 'What fake channel are you from?' It looked, and sounded, very Trumpian.

Just doing [his job](#), 7NEWS reporter Paul Dowsley was pushed and grabbed by the neck. After Dowsley and his camera-operator had what they believed to be urine poured on them, a protester threw a can. It hit Dowsley on the head, drawing blood. Nine reporter Christine Ahern also copped the ugly emotion when protesters attempted a grab-and-run of her microphone during a live cross. It was all deeply worrying, not least because the protesters were cheering on a few bloggers whose anti-vacc message they like.

There was Avi Yemini, who writes for a far-right media publication in Canada called Rebel News, which is vehemently opposed to mandated vaccines (not legislated in either Canada or Australia) and vaccine passports. Rebel News boasts on its front page that Yemini and other 'journalists' bring you the best news from across Australia, so he's a big

deal to them. And there was Rukshan Fernando, who calls himself an independent journalist despite having no website which evidences actual journalism. His Facebook page, with its 212,000 followers, links to a maintenance site with a note that it will soon be available. Fernando also has 68,000 Instagram followers and 24,000 Twitter followers. Understandably, his platform of choice on the day of the Melbourne protest was Facebook, where he livestreamed the chaos. That caught the eye of the right-wing Fox News in the US, which gave him a run. YouTube has been controversially active in the misinformation space of late; its [now banned](#) all misinformation on vaccines, not just the covid vaccine.

It's interesting that the 2021 [Digital News Report](#) from the University of Canberra found general trust in news stands at 43% in Australia, which is up on the 2020 figure of 38%. That's an improvement, but it's still disturbingly low. What's more, nearly two-thirds of news consumers are worried about misinformation, and trust levels are falling among those with lower levels of education. The report thus identified, 'an ongoing need to boost media and information literacy among socio-economically disadvantaged groups in Australia.'

This week, Sacha takes a look at the fallout from the recent High Court decision in the Dylan Voller case, which makes media organisations responsible for comments the publishers may (or may not) have seen posted to their Facebook accounts. By the way, if this is a topic that interests you, [listen in to this week's Fourth Estate](#) on 2SER, where I speak to Michael Roddan from the AFR and Kishor Napier-Raman from Crikey about the problem of Twitter and the Facebook ruling. And Derek looks at a proposal for the NSW Law Reform Commission to accredit journalists for the purpose of accessing and publishing information from courts and tribunals.



Monica Attard
CMT Co-Director

A Newsfeeding frenzy

You know that feeling when there are so many posts, updates and notifications that you don't know where to look? That's how it's been with all the news about Facebook lately.

Over the past fortnight, News Corp's *Wall Street Journal* has been exposing Facebook in a series of investigative reports called 'the Facebook files'. The headlines were shocking. 'Facebook says its rules apply to all. Company documents reveal a secret elite that's exempt.' 'Facebook's bid to attract preteens goes beyond Instagram kids, documents show.' 'Facebook "knows Instagram is toxic for teen girls".' In the last one, the *WSJ* revealed research circulated within Facebook: 'Among teens who reported suicidal thoughts, 13 per cent of British users and 6 per cent of American users traced the desire to kill themselves to Instagram, one presentation showed.'



Facebook's [Nick Clegg responded](#) on September 18 by writing, 'these stories have contained deliberate mischaracterizations of what we are trying to do, and conferred egregiously false motives to Facebook's leadership and employees.' Facebook also responded by pausing the development of 'Instagram Kids', its product for preteens.

Separately, there's the ongoing fallout from the Voller defamation case. On Wednesday, [CNN announced](#) it had restricted access to its Facebook pages in Australia, following last month's High Court ruling making news organisations (and anyone else) legally liable for comments on their Facebook posts. This meant Australian Facebook users would no longer have access to CNN's primary Facebook page, its CNN International page and pages dedicated to its shows. (Which is somewhat odd, given that in March, [Facebook announced](#) it was giving users greater control over comments; and on Monday, high profile figures said they might follow Tasmanian Premier [Peter Gutwein's lead](#) and disable their comments.)

The CMT's Tim Koskie, currently writing a PhD about news comments, doesn't regard CNN's withdrawal as concerning in terms of diversity of voices. 'CNN has never been chummy with participatory media and have had a pretty solid stance against on-site commentary,' Tim says. 'They didn't interact with their comments when they did have them on Facebook.' If the Voller decision sees news outlets withdraw from Facebook to cultivate comments on their own sites, Koskie thinks it might be a positive development. 'I see this as potentially good news honestly - but only if fringe media is held to standard as well ... If this decision impacts journalism organisations but not hyper-partisan bloggers and emerging content producers, then the only news on Facebook will be one variation or

another of misinformation or paid-for propaganda.’

With everything that’s going on, it’s been hard to know where to look. Which reminds me: soon we’ll be able to do all our looking through [Facebook’s smart glasses](#). Given all the upheaval, perhaps rose-tinted lenses should be an option.



Sacha Molitorisz
UTS Law/FASS Lecturer

Who is a journalist? Definitions and Accreditation



In their comments on issues this week, both Monica and Sacha touch on the fraught issue of deciding who is recognised as a ‘journalist’. There has been an important contribution to the topic from the New South Wales Law Reform Commission.

In June, as part of its open justice review ([Court and Tribunal Information: Access, Disclosure and Publication](#)), the Commission proposed a scheme for accreditation of journalists. The idea is that

courts would have access to a list of accredited journalists maintained by the Department of Communities and Justice and that journalists would be issued with identification to demonstrate their accreditation (recommendation 3.8). ‘Journalist’ would, in turn, be the subject of a new definition: ‘a person engaged in the profession or occupation of journalism in connection with the publication of information in a news medium’ (recommendation 3.7).

In a neat connection with the question posed by Monica about the recognition of ‘journalists’ such as Rukshan Fernando, the Law Reform Commission explained that its definition ‘is meant to be flexible enough to cover a range of journalistic practices, but distinct enough to exclude practices that do not constitute journalism (for example, individual members of the public posting about a case on social media).

Defining 'journalist' is a topic in itself, but the narrower aspect of the accreditation scheme is also the subject of debate. In a [submission](#) to the review, the media coalition, Australia's Right to Know, strongly opposed this recommendation saying, 'It is unnecessarily heavy-handed and tantamount to licensing journalists which we do not condone.'

This is not the approach taken by the Alliance for Journalists' Freedom who, with the Ethics Centre, have raised the idea of a voluntary accreditation scheme, not limited to court access. In an [op ed](#) in May, Peter Greste and Simon Longstaff wrote:

'Our aim is not to restrict who can work as a journalist. The internet has lowered the barriers to entry to the point where anyone with a keyboard and an attitude can launch their own publication. We merely want to recognise those who voluntarily adopt the highest standards of ethics, competence and leadership within their profession. Beyond that, we hope that the public will look for their work.'

It's a tricky issue. In the context of court reporting, as the Law Reform Commission points out, there are important entitlements given to journalists in their interactions with the courts. These include legal standing to appear and be heard in applications for suppression orders and non-publication orders, as well as access to certain court records. For our part, at CMT we've placed more importance on publishers being members of independent standards and complaints schemes, rather than journalists being personally accredited – and soon we'll be releasing our report on the future of media standards schemes. That's not to say we oppose an accreditation scheme such as the one proposed by AJF but we think there's a quid pro quo here: the 'entitlements' are important and needed, but it's reasonable to require that they are given to those who participate in an independent media accountability scheme.

Given the rise in freelancers and 'independent journalists', and given the dangers of misinformation, an accreditation scheme, combined with acknowledgement by media organisations of their responsibilities via standards and complaints schemes, might help ensure the entitlements continue to be made available to those who should have them.



Derek Wilding
CMT Co-Director

Final Words



This week we said farewell to our colleague Dr Chrisanthi Giotis who finished up her postdoctoral fellowship and starts soon at the University of South Australia. While our loss is UniSA's gain, we'll soon announce details of our recruitment for a new postdoctoral fellow.

And briefly in other CMT news on September 17, in partnership with the International Committee of the Red Cross, we held an online symposium, [Conflicting Ethics in Conflict Reporting](#). After a keynote

from Sophie McNeill, we then held two panel sessions: all of which was eye-opening and provocative, and we'll share more details soon. But for now, the graphic illustrations done by [Rebecca Lazenby](#) give an excellent overview of the key themes, as you'll see from the two-minute time lapse recordings of [panel one](#) and [panel two](#).

We really wanted to share this from Stevie Zhang, a research reporter with our UTS First Draft APAC team, who [tweeted a brilliant thread](#) offering helpful advice to journalists on how not to accidentally amplify and publish unverified information. They used the Melbourne protests as a case study.

And the last word to Derek who's been watching [The Bowraville Murders](#), a new documentary from SBS, which he says gives a powerful account of injustice and how the disappearance of three children from the New South Wales town over 30 years ago has affected their families and community.



Monica Attard
CMT Co-Director

[#ICYMI](#) You can read more of our publications and the reports below on our [website](#).



Please visit our [website](#) or [facebook](#) and [twitter](#) for more information about us.

Copyright © 2021 Centre For Media Transition, All rights reserved.

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