

Hi there

The ABC of managerialism



Welcome to our newsletter. This week Michael is looking at the detention of Telegram founder Pavel Durov, and what the saga means for free speech. Sacha takes a look at the ever-diminishing deals available to news media from the platforms, in particular Google – as the government turns its mind to other ways to help journalism. In the meantime, I'm trying to make sense of why the public broadcaster's Managing Director David Anderson has resigned, four years before the end of his current contract.

What Anderson is stating publicly as the reason for his resignation is a version of "I'm tired".

He may well be tired of constantly defending the ABC against the attacks which have come thick and fast, particularly from News Corp. But it's also worth noting that when Kim Williams was appointed to the ABC Chair's position, there were very many commentators who put a time limit on how long the MD would remain in the top job. Kim Williams is high energy, driven, unafraid of tipping the apple cart, and certain that he understands what Australians expect of the ABC. He was barely one week in the job when he said on our [Double Take](#) podcast that ABC journalists who couldn't exercise impartiality in their reporting, ought not be there, implying that there were ABC journalists who fell into this category. He's since delivered a number of other criticisms of the broadcaster.

Williams came to the job at a time when the ABC's problems were publicly mounting. There have been relentless attacks from News Corp on the editorial integrity of the broadcasters' output and the policing of its social media policy, claims of bias, internal ructions over the coverage of the Hamas/Israel conflict and a plummeting number of listeners of ABC local radio and ABC Radio National. There's also been the highly visible and controversial decision to platform lifestyle news over hard news on the ABC's new website, presumably in order to attract the ever-elusive younger demographic.

It was Anderson who presided over all of this. Whilst Williams thinks the ABC should ignore the News Corp criticism, from the minute he stepped into the building, he has kept up the pressure to get ABC management thinking about its core mission which includes dumping the idea of sending the bulk of radio program to podcast platforms: Radio National was – and should again be – the jewel in the ABC crown, he thinks. It's hard not to also see Anderson as a victim of Williams' crusade to restore the ABC to its former glory (as noted by Paul Barry on ABC TV [Media Watch](#)) where the ABC is the "[last broadcaster standing](#)", Radio National is a treasure trove of informed conversation and programming, impartiality is important, and the corporation has a strong sense of its mission to intelligently inform and entertain with home grown drama.

Perhaps Anderson's decision can be put down to personality. The mild-mannered Anderson ascended to the top office when the ABC was in crisis over the disastrous era of sacked MD Michelle Guthrie, and her Chair Justin Milne who left the role amid claims he was way too eager to please the government of the day. Anderson calmed the organisation with the steady hand of someone who knew the organisation well after 30 years of service to it. Williams is the outspoken new-boy disruptor who after a shortish stint at the ABC, had detoured to the rough and tumble of News Corp.

The relationship between the MD and the Chair is a critical one, and though they don't need to be of the same personality type – it helps if they are.

And so now the speculation begins about who will take over. Despite ruling himself out, speculation continues that Williams will "do a David Hill" – and perform both roles or side step into the MD role, one he has coveted since he was 28 years old. For those, including me, who'd like to see the ABC return to its "former glory", that might not be a bad move.



Monica Attard
CMT Co-Director

Pavel Palaver



The arrest of Pavel Durov, founder of messaging platform Telegram, in France on Saturday has sparked great interest. He faces 6 charges alleging complicity in running an online platform that allows illicit transactions, images of child sex abuse, drug trafficking and fraud, as well as refusing to communicate information to authorities, money laundering and providing cryptographic services to criminals.

His arrest has raised many questions, not least why he would voluntarily land in a country which he knew to be pursuing charges against him (although he is a [French citizen](#)). Some have suggested the arrest is driven by strategic concerns to counter Russian influence. On the legal side, many are curious about the implications of his arrest for the liability of platforms as well as the personal liability of company executives. Libertarians are incensed. Elon Musk has made a call to [#FreePavel](#) while Nick Gillespie, editor at large at the libertarian outlet Reason Magazine, lambasts Durov's arrest as an outrageous attack on free speech and suggests he may be [the next Julian Assange](#).

Free speech is a noble principle, the purpose of which is to promote discussion and debate in the pursuit of truth and to protect political opinion even when it is at odds with the views of the powerful. It is critical to democracy and human progress that we protect it; this includes protecting forums where discussion and debate are pursued. But in no sense does this require us to allow such spaces to facilitate unlawful transactions. The need to protect children from online exploitation has driven stronger platform regulation in many jurisdictions, and even prompted moves in the US [to limit the immunity](#) granted under section 230 of the Communications Decency Act.

That doesn't stop the free-speech absolutists from performing a rhetorical sleight of hand that signals either ignorance or bad faith. This can be seen in the words of Reason's former managing editor, JD Tuccille: "The qualities that make communications systems useful to those battling authoritarianism are also helpful to those with less benign intentions. There's no way to offer security to one group without offering it to everybody." It is true that encrypted messaging is a crucial tool for political resistance in authoritarian regimes. While Telegram is in any case not fully encrypted, we should be wary of any laws that seek to impose general monitoring obligations. Indeed, the UN Special Rapporteur on Freedom of Expression and Opinion [has argued against](#) the imposition of such laws.

But protecting political speech does not require platforms or their executives to be immune

from criminal liability, as if we could not have the former without the latter. Instead, it requires the balancing of free speech with other rights and obligations, including the protection of children. The libertarian view that to protect speech we must give platforms immunity for knowingly hosting illegal content embodies an expansion of the concept of speech to encompass not only civil discourse and debate but the transmission of any electronic data. Nonsense upon stilts.



Michael Davis
CMT Research Fellow

Deciphering the code's future



What happens when you Google search 'news media bargaining code google'? When I typed in that phrase this week, the first result returned was 'An open letter' from Google Australia managing director Mel Silva, which announced, 'We have found a constructive path to support journalism that enables payments to be made to news publishers through Google News Showcase, instead of requiring payment for links'. That letter dates from 2021. A lot has happened since then.

Next came links to the ACCC, Wikipedia, and Treasury. Only much further down the list of results was there a link to a story that appeared last month in the Australian Financial Review, entitled, '[Google inks renewed media bargaining code deals – with a catch](#)'. The story reported that the original three-year deals Google struck in 2021 due to the code were being replaced by one-year deals.

By contrast, DuckDuckGo returned a more newsworthy result. DuckDuckGo, in case you've never heard of it, is a search engine that respects privacy. As a result, its results are, frankly, inconsistent. All that respect for privacy clearly limits a search engine's ability to gobble up information. What's more, DuckDuckGo doesn't have the colossal scale that gives Google its freakish power to access data. As I've previously argued, it's fair to characterise Google and its fellow platforms as [Panopticon 3.0](#).

At the top of its results, DuckDuckGo returned links to two stories published this week. One, published on the [Capital Brief site](#), is headlined 'Google shrinks media code deals by 40%

as Labor weighs options on Meta'. The other, [at the Fin Review](#), is titled, 'Google wants to slash what it pays news outlets as levy calls grow'.

These stories reported that Google is stripping back the deals it is offering news media businesses as a result of the code. These deals had been worth upwards of an estimated \$130million annually. A 40 per cent reduction would cut deep, particularly following Meta's February announcement that it would not be renewing its deals, worth an estimated \$70million annually. How serious is the withdrawal of all this money? News businesses including [Nine](#) and [News Corp](#) were quick to blame Meta for their sweeping recent job cuts. The truth is more layered, of course, but certainly the code gave Australian news media a major boost.

Question is, has the boost ended? The government is currently grappling with the question of whether to retain the code, and whether to designate relevant digital platforms, thus forcing them to negotiate deals with news media businesses for use of their content. Meanwhile, two related developments are significant. One, digital platforms keep making deals with news media businesses for the use of news content by generative-AI services. It's hard not to see these deals as a pre-emptive strike to ward off any code-like interventions. Two, the government is reportedly considering replacing the code with a levy, something we've argued for repeatedly as potentially neater, clearer and fairer. Here at CMT, we're currently researching what a viable public interest journalism levy imposed on digital platforms might look like.

For now, the future of the code remains cryptic.

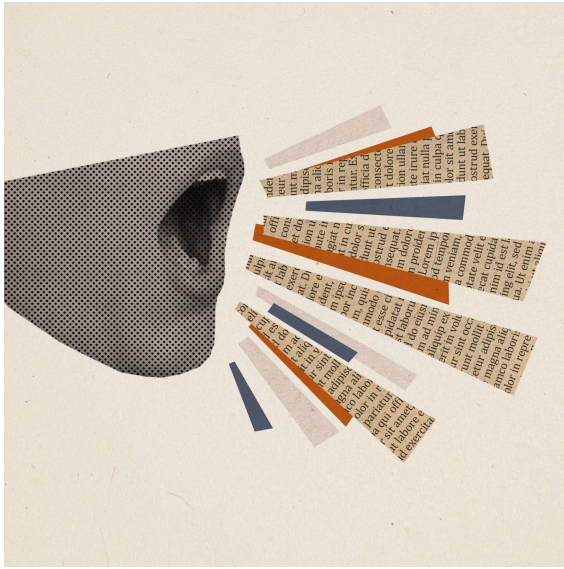


Sacha Molitorisz
Senior Lecturer - UTS Law

Where to now for regional news media?

For the past three years, the Centre for Media Transition has been examining what impact the contraction of regional media has had on the amount of news and information we receive in big city markets. Has it impacted the extent to which regional communities can have a voice in big policy debates?

The federal government is now looking at how it can help news media – across the board – deal with the phenomenal challenges it has been experiencing for the past two decades – and more intensely since Covid 19 which led to the shuttering of hundreds of local news outlets.



So, where to now for regional news media in Australia after a decade of brutal cutbacks and closures?

Listen to our latest episode of Double Take to hear from four people who have views on these issues, including Fleur Connick, a UTS journalism graduate assigned to Deniliquin NSW for Guardian Australia under our program of research, Calla Wahlquist, Rural and Regional Editor at Guardian Australia, Hugh Martin, the former head of ABC regional and Tony

Bosworth, Editor at West Wyalong Advocate, and the former Editor of Broken Hill's Barrier Truth which has now sadly closed.

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Alexia Giacomazzi

Events and communications Officer

We want you!



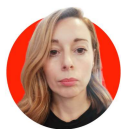
Are you passionate about how evolving technologies are impacting the news media landscape? Do you want to be part of a research team that tackles the challenges of this changing landscape while driving the conversation on how to keep it ethical, trustworthy, and sustainable?

The Centre for Media Transition is at the forefront of examining the movements wrought by digital disruption to the media industry in Australia and globally, the role of journalism practice in democracy and the

business models that support a diverse and sustainable industry.

We are seeking a **Postdoctoral Research Fellow** to join our dynamic team. In this three-year, full-time role, starting February 2025, you will be a key team member contributing to

innovative projects that address the challenges and opportunities in today's media landscape. You will also be able to conduct independent research aligned with the Centre's focus areas. You can find out more and [apply here](#).



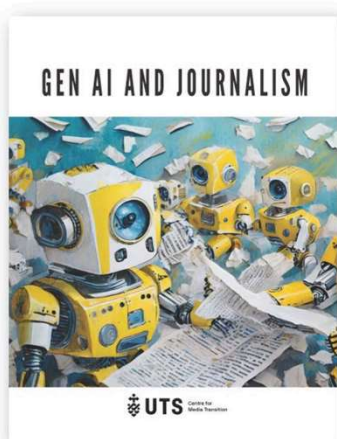
Rosa Alice
CMT Centre Coordinator

We hope you have enjoyed reading this edition of the *Centre for Media Transition newsletter* | *The ABC of managerialism, a russian tech billionaire in detention and the problem of impartiality* | Issue 16/2024 **ISSN 2981-989X**

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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.



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