

# **A new transparency**

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## Introduction

In May this year, the editor of the London *Guardian*, Alan Rusbridger, gave a talk at the annual conference of the Organization of Newspaper Ombudsmen. Rusbridger displayed a trait not normally associated with editors: vulnerability. He mused openly in a constructive way, expressing a sort of bracing doubt, rather than a paralysing doubt.

Part of his thesis was that 'the public at large have a rather more honest assessment of what journalism is than we give them credit for.'

In the context of a discussion broadly about media self-regulation, Rusbridger covered ground that will be familiar to many of you – about the rapid changes in technologies and audiences that are affecting most traditional media organisations.

He quoted the former *Washington Post* columnist, David Broder, describing what Broder wanted journalists to say to readers about the process of journalism –

*I would like to see us say over and over until the point has been made... that the newspaper that drops on your doorstep is a partial, hasty, incomplete, inevitably somewhat flawed and inaccurate rendering of some of the things we heard about in the past 24 hours... distorted despite our best efforts to eliminate gross bias by the very process of compression that makes it possible for you... to read it in about an hour. If we labeled the paper accurately then we would immediately add: But it's the best we could do under the circumstances, and we will be back tomorrow with a corrected updated version...*

Rusbridger continued:

*I first read that as a reporter in Washington in 1987 and it still strikes me as the best description of what a newspaper is. And is, even more so today. The greater the speed required of us in the digital world -- and speed does matter, but never at the expense of accuracy or fairness or anything which would imperil trust -- the more we should be honest about the tentative nature of what is possible.*

*Journalism becomes a never ending organic business of placing material in the public domain, of adding to it, clarifying it, correcting it, adding something here, subtracting something there, editing, contextualising, analysing, responding. Everything we do will be more contestable, more open to challenge and alternative interpretation.*

*It throws up big questions [which] many of you are having to deal with about the nature of the record we thus create: not a file of once-a-day papers accessible in bound volumes in public libraries, but a record*

*that is simultaneously permanent and, potentially, permanently-changing. How do you record and capture all those changes? When we publish something that's wrong is it better invisibly to mend it so that the mistake is removed from the permanent record, or is it more important to record or capture the fact of the untrue publication as well as the correction or clarification?*

*These are enormous conceptual shifts in what we do. They are difficult to work out, enormously difficult to manage and involving quite painful re-engineering of traditional workforces and re-allocation of resources.*

The ABC is part of a larger scene: Australian journalism, the subject of this conference today.

As Rusbridger and many others have told us, the environment for all journalism is changing fast. One aspect of that change is a new transparency about the process of journalism itself. I sense an increased intensity to the scrutiny. Perhaps you do too.

Transparency can be as discomfoting to journalists as it can be for the people those journalists themselves scrutinise in the course of their work. I will return to this question of a new transparency a little later.

## **Role of the ABC Director Editorial Policies**

Any new role in any organisation creates change, and change can unsettle. This can be especially the case when a new role deals with standards and accountability in a long-established and large media entity. Wariness is a reasonable first response. I have spent much of these first nine months in the role meeting groups of ABC staff around Australia to address their wariness, to explain what I am doing and why I think it is worth doing it and to learn about this extraordinarily diverse organisation.

Part of my purpose today is to explain to a wider audience more about the new role of Director Editorial Policies at the ABC.

I am the first to undertake this role at the ABC, and so I suppose it is inevitable that people will project onto the role their own expectations, anticipating, until they see how it actually operates.

I start today with a statement I have had to make many times. During the selection process I made it clear that if the ABC wanted a chief censor I did not want the job. The role was offered, and I accepted, on the express understanding that the Director Editorial Policies is not to be a chief censor. In my view, such a role would be as objectionable in principle as it would be impossible in practice and futile over time. This is the lesson history teaches about censors.

The Editorial Policies of the ABC are its leading standards and a day-to-day reference for makers of ABC content for radio, TV, online and in print. The Editorial Policies serve three main functions –

- Give practical shape to statutory obligations in the *ABC Act*, in particular the obligations to: provide services of a high standard; maintain independence and integrity; and ensure that the gathering and presentation of news and information is accurate and impartial according to the recognised standards of objective journalism.
- Set out the ABC's self-regulatory standards and how to enforce them; the Editorial Policies are the source document for the Code of Practice that the ABC notifies to the Australian Communications and Media Authority.
- Describe and explain to staff and the community the editorial and ethical principles fundamental to the ABC.

Over the 75 years of the ABC, the Editorial Policies have been reviewed and updated from time to time. Under various names, they can be traced back to at least 1949. As technologies and the wider media environment have changed, so the policies have been adapted, pruned, expanded. Like any organisation's core standards, the Editorial Policies live and breathe with the ABC.

I have three main functions: to advise, verify and review in relation to compliance with the Editorial Policies.

The purpose of the advice work is to ensure clarity and consistency in the interpretation of the Editorial Policies. I mainly provide advice as appropriate, to senior decision makers Directors and the Managing Director. For day-to-day Editorial Policies queries, the pre-existing upward referral processes within each Division of the ABC remain unchanged.

The role of Director Editorial Policies has not been interposed between the Managing Director and other Directors, but rather is co-equal with the other Directors, who remain sovereign over their content and decisions to broadcast or publish, subject only to the Managing Director. The specialist editorial policies advisers in the various Divisions continue to report to the Directors of those Divisions, and do not answer to the Director Editorial Policies, although they are requested to co-operate with me and my staff. Efforts have been made to ensure appropriate multi-Divisional consultation among the various specialists across the ABC to gain the benefit of their combined experience and to pursue clarity and consistency in applying the Editorial Policies throughout the whole organisation.

Verifying whether the ABC is meeting the high standards it sets itself involves the Director Editorial Policies in the design and implementation of quality assurance projects. The work is retrospective not prospective. That is, the content assessed has already been broadcast or published. Fair and rigorous

methodologies are a prerequisite to credibility for such work, which is unusual in Australian media and another example of the ABC's longstanding record of innovation, this time in the field of self-regulation. The main purpose of the verification work is to provide evidence on which the Board, management, staff and community can assess adherence to the Editorial Policies. In the early stages, because the work is new, it will set benchmarks and it will unsettle. Over time, and as long as it is properly communicated, the results of the work should contribute to continuous improvement in the preparation and presentation of content. Quality should be enhanced, along with the ABC's reputation, to the benefit of audiences and the community that supports the national public broadcaster.

The verification work implies a new level of self-scrutiny by the ABC. It requires independence and fairness from the Director. It assumes self-confidence among staff.

The review function reflects heightened awareness of the speed of change in the media environment in which the ABC operates. This function will focus on the text of the Editorial Policies, to ensure the standards stay up to date. Technological and other change require all traditional media entities, whether public or commercial, to be agile if they are to maintain audiences and serve them well. Instead of periodic reviews every few years, the Editorial Policies are to be kept under constant review, with the Director identifying areas that may require amendment, consulting and making recommendations to the Managing Director and Board.

I am building the new role of Director Editorial Policies with the hope that over time it will come to be seen as a worthwhile contributor to the collective effort to keep the ABC strong and healthy in the service of the public.

Roles matter more than incumbents. Institutions matter more than roles. And ideas and values matter more than institutions. People come and go. Technologies are means, not ends. Jargon and fads flare and fade. But big ideas and elemental values endure. Each of us interprets them and animates them as best we can.

One big idea is that a national public broadcaster is a necessary part of Australian culture, democracy and civil society. The ABC has evolved over several generations. The ABC is an aspect of the personality of this country. The proof of this is not just that it is beloved, but also that it is at times beleaguered. I feel like a trustee, with a temporary share of the responsibility for something bigger than any person, or group, or era. It is a feeling that daunts, but also nourishes.

Another big idea is that, in a democracy, public power that is not accountable is not legitimate. Media wield public power. Unless accountable, unless legitimate, media will not be trusted. If media are not trusted, a participatory democracy weakens.

Now is not the time to elaborate these notions, which have a large, rich literature. I state them now briefly because they underpin the new transparency that journalism is experiencing.

## **The ABC as part of the media mix**

As the national public broadcaster, the ABC is different from other entities in the Australian media mix. This is relevant to how it self-regulates.

The ABC lacks one of the freedoms of the commercial media. Created under law and operating with public funds, the ABC must fulfil statutory obligations. Neither its board nor its management and staff have the liberty that property rights give to private media. For the ABC, editorial standards are not optional, not an owner's prerogative. Section 8 of the *ABC Act* puts duties on the board to maintain the independence and integrity of the ABC and to ensure news and information that is accurate and impartial according to the recognised standards of objective journalism.

The board, management and staff of the ABC are ruled by law and by conventions which have been built up over many years to govern the ABC, to protect it, and also to constrain it from exercising media power in the same way as private media may. This often-overlooked distinction between public and private media means that more is expected of the ABC's self-regulation than from other media.

This need not faze anyone. The ABC has always been an innovator among Australia's media. It has regularly taken steps that others have emulated, in news and current affairs, comedy, drama and documentaries. To innovate in media self-regulation, to set higher standards, is further evidence of this characteristic of change and experiment.

Among the changes in the latest edition of the ABC Editorial Policies is the board's decision to state fundamentals in the preamble –

‘...The board is clear that the requirement of impartiality... does not oblige the ABC to be resolutely neutral on every issue. As an Australian public broadcaster, the ABC is committed to fundamental democratic principles including the rule of law, freedom of speech and religion, parliamentary democracy and equal opportunity. The ABC is not – nor can it be – detached from these fundamental democratic principles... It is through the prism of these values that the ABC regards the world.’

Implicit in this statement is the understanding that everyone regards the world through the prism of his or her values. Values may differ, in content or in emphasis, but no one makes, absorbs or assesses any media content from a values-free standpoint. Day to day, in the heat of controversies, pressed by deadlines and by clamorous interest groups of all sorts, it will be useful to

have as touchstones the board's explicit list of principles and its implicit recognition that no one is devoid of values.

## **Media, self-regulation and the new transparency**

My experience with media self-regulation covers 30 years, and I see it now adapting to the new transparency that Rusbridger has described.

As we tackle the challenge, it is worth recalling what the editor of the *New York Times*, Bill Keller, told his staff as that paper grappled with the dreadful impact of the Jayson Blair case, an episode in which the newspaper's quality assurance systems failed to prevent Blair's serious plagiarism and dishonest reporting from being published. Telling staff about steps recommended by a committee established to examine the failures and propose remedies, Keller wrote –

*There may have been a time when we could remain aloof and impervious in the face of criticism, but if so that time has passed. The proliferation of critics and the growing public cynicism about the news media pose a threat to our authority and credibility that cannot go unanswered. The challenge, as the committee was well aware, is to answer it without being distracted from our journalistic work, and without seeming defensive or self-absorbed and self-promotional.*

Alan Rusbridger's remark that the public had a more honest assessment of journalism than journalists gave them credit for was supported by some illustrations of change in the journalists' working environment. I will mention only two. I commend his full speech to all who find his analysis interesting, coming as it does from an editor whose online presence is rapidly gaining a readership well beyond Britain and the relative size of the printed *Guardian* in its home market.

*... [T]he readers, users -- call them what you will - have now got such good real time access to much of the information which was once our exclusive preserve. By that I mean that the traditional news media were, on the day, (and, indeed, for most people at all) the only source of information. A speech, a debate, a report, a scientific paper - most people had few independent ways of verifying a newspaper or broadcast account, certainly on the day it was published or broadcast. Now a huge amount of information is simultaneously released on official websites, enabling millions of people to check your version of events against the original.*

*What does that mean? It means that inquiring, suspicious or specialist readers (by which I mean people with a particular interest in a particular subject) will swiftly be able to test your journalism for accuracy or bias against any published information. Of course, we still have sources of information not available to just anyone. But today*

*there are millions of fact checkers out there. Millions of them have their own blogs or websites. So we can refuse systematically to correct or clarify our journalism, but we would be foolish to imagine that it will therefore go uncorrected or unclarified. It will: all that will happen is that it will take place elsewhere.*

*And, of course, that will still happen even if you do have your own processes in place. The question editors have to face is: is it not a bit uncomfortable knowing that your failings may be revealed and widely discussed elsewhere, with not a word appearing in your own newspaper or on your own channel? Which is the road to building trust -- engaging or ignoring?*

Rushbridger's second illustration of change involved the access that news subjects now have to the means of mass dissemination.

*...[[I]ncreasingly, the people on whom we report will not simply publish material so that people can consume it in an unmediated form: they will go further and actively use these new channels of communication to question us, if not actively discredit us. A recent example was the so-called video-ambushing of a BBC reporter who lost his cool, to put it mildly, while interviewing a leading scientologist. The Church of Scientology published the clip on Youtube in advance of the BBC Panorama programme itself.*

*Now imagine such a video clip being used against any of your own newspaper reporters. It wouldn't have to be as dramatic as that: it could simply be someone issuing a full transcript of an interview which appeared to show highly selective or misleading use of quotes on the part of a newspaper. Such situations happen already and will occur more and more frequently, leaving editors to ponder how to respond: will they do so via press offices or PR campaigns -- to try and win a battle of spin? Or is there a virtue in greater transparency and independent examination in our own papers and publishing platforms?*

*In this case the BBC responded by posting its own version of an interview with the scientologist over whom John Sweeney lost his temper. The producer of Panorama also appeared on the BBC's own news programme to talk about both the programme and the outburst and also showing the incident as filmed by the BBC which, while still shocking, has a slightly different context from the Scientologists own film. How happy would editors be to publish all on record source material for all stories and all interviews on the web?*

Rushbridger, who still writes for his paper, gave an example (but no indication of how happy he felt about it) -

*A little while back I did an interview with the Archbishop of Canterbury. He is a subtle and at times quite a dense thinker. I was aware that [what] he was saying was open to a number of interpretations. We ran*

*a story based on the interview (1) and an edited extract from it (2). On the web we ran audio clips (3) and the full interview transcript (4) so that readers could make up their own minds. Greater openness can lead to more trust so long as you are behaving in a trustful manner. But, again, we have to be prepared for some loss of control. The interviewer who very selectively quotes disconnected parts of an interview, or who is underhand in winning confidence or who constructs an elaborate psychological analysis on the basis of a chance remark, is soon going to be exposed.*

## Elements of transparency

I would be grateful if someone could point me to a systematic, recent analysis of the various elements of the scrutiny being applied to journalism in Australia. I have not found one, so I offer now a simple list to which others might want to add. It deliberately excludes statutory entities, because I believe self-regulation by media is far preferable.

The list includes –

- **Academic analyses** – although mostly found only in specialist journals and texts, this body of work should not be overlooked in such a list.
- **Internal self-regulatory systems** – the role of Director Editorial Policies within the ABC's internal systems fits in this category. Other media organisations use other methods; some have internal ombudsmen, or 'public editors' as they are sometimes styled.
- **Sector-wide self-regulatory systems** – which in Australia include the Press Council.
- **Journalism by Big Media about other Big Media** – in this category we can place programs such as *Media Watch*, or the *Australian's* Media section published on Thursdays or the work of the *Age's* Matthew Ricketson.
- **Journalism by Small Professional Media about Big Media** – here I would place *Crikey*, the *Monthly* and others who recognise that scrutiny of power means scrutiny of large media entities. The work of Margaret Simons is an example.
- **'Journalism', in inverted commas, about traditional journalism** – which includes many active unaffiliated bloggers as well as others operating on behalf of think tanks such as the Sydney Institute and the like. Taken together, they are doing some innovative and worthwhile work.

Two examples of the last category are instructive. The first involves the resignation in March this year of *Los Angeles Times* opinion page editor, Andres Martinez. When his romance with a member of a Hollywood PR agency became known, the blogosphere asked, with some intensity, whether the relationship had affected decisions that had put clients of the agency on the prestigious *LA Times* op-ed page. Martinez blogged back, denying a

conflict. But the self-organising newsroom of cyberspace persisted, and Martinez was forced out. His fuming goodbye, which appeared on the *LA Times* website, asserted that the newspaper had overreacted. Martinez wrote: 'In trying to keep up with the blogosphere, and boasting about their ability to go after their own, navel-gazing newsrooms run the risk of becoming parodies of themselves.'

Doubtless there was more to it, but the public record indicates that Martinez was treated harshly. Watching the episode unfold, I thought back to all those Ministers whose departures from office have brought to an end a traditional media frenzy for governments worried about maintaining public confidence. For 'government' perhaps now read 'Big Media' worried about its brand; for 'traditional media' read 'blogosphere'?

The second example illustrates the potential inherent in technological changes that have made everyone with access to the internet and sufficient hardware and software a 'publisher' or 'broadcaster'. During the controversy in the US this year about the removal from office, allegedly on improper political grounds, of several Department of Justice attorneys, the governmental machinery released thousands of documents at once. In the past, this would have slowed the momentum of the media cycle as the material would have had to be digested by the relatively few journalists of the traditional media organisations. But in this case, almost overnight, the 'journalists' of the blogosphere sifted the material, making it more manageable for the Big Media journalists who, with their expertise, contacts and access, could then pursue the story faster. Online 'citizen journalists', as they are sometimes called, did not find the needle in the haystack, but they organised the haystack in a way that contributed to the professional journalists' search for the needle.

All the activity and disclosure resulting from the work I have listed can add up to significant scrutiny. Much of it has emerged from, and will be further empowered by, remarkable advances in information and communications technology.

## **Conclusion**

For those who came to journalistic maturity under the old, more opaque systems of self-regulation, the new transparency may be hard to adapt to. But adapt we must, whilst keeping in mind Bill Keller's warning not to be distracted, defensive, self-absorbed or self-promoting.

Journalism can only fulfil its proper role in a free society if it is agile and alert to change.

Thank you for the invitation to address you. Thank you for your attention.