



The Press Council Again

A newspaper should not place gratuitous emphasis on the race, nationality, religion, colour, country of origin, gender, sexual preference, marital status, or intellectual or physical disability of either individuals or groups. Nevertheless, where it is in the public interest, newspapers may report and express opinions upon events and comments in which such matters are raised.

A newspaper should not, in headlines or otherwise, state the race, nationality or religious or political views of a person suspected of a crime, or arrested, charged or convicted, unless the fact is relevant.

Australian Press Council Statement of Principles, Principles 8 and 9.

Students of Press Council adjudications are finding it increasingly difficult to divine the criteria by which the Council interprets and applies these two principles.

Recent decisions suggest that in the case of principle 8 in particular, a rider should be added, letting offending publications off the hook provided they 'balance' the gratuitous emphasis with less gratuitous coverage and/or letters from readers expressing a range of viewpoints, including some critical of the original story.

In the past couple of years, a number of reports and forums have expressed criticism of media reporting of race in particular. These include the Human Rights and Equal Opportunities Commission report of its inquiry into racist violence; the report of the Royal Commission into Aboriginal deaths in custody; and the conference on the Media and Indigenous Australians held earlier this year.

In decision no.668 (26 August 1993), the Council failed to uphold a complaint by Richard Buchhorn against several articles which appeared in the Brisbane *Sunday Mail* over a four-month period December 1992 - March 1993. In summary, these articles were:

- A report of a bashing in which the attacker was described as 'an Aboriginal woman'
- A report headed 'City Timebomb' in which police speculated on the likelihood of violence in Brisbane during the Christmas holiday period, and correlated a dangerous area in the central city with 'a floating popu-

lation' there of Aborigines who allegedly assault and steal from passers by.

- A report of police intervention in a noisy party, which described 'a gang of 60 Aborigines and Maoris' attacking the police.
- A letter suggesting that a Mareeba family was bludging on the Social Security system, accompanied by a photograph of the clearly Aboriginal family.

Too Many Complaints?

Buchhorn, who is a prominent activist on behalf of Aboriginal people, first complained to the editor of the *Sunday Mail*, Bob Gordon, drawing attention among other things to a clause in the AJA Code of Ethics similar to the Council's Principle 8. Gordon's dismissive reply was as follows:

Thank you for your persistent and passionate interest in the Sunday Mail. We will continue to report the news, you can be assured of that, for that is the role of the Press in a democracy.

Not surprisingly, Buchhorn decided to take his complaint to the Press Council. His complaint was that each of these reports appeared to breach its Principles 8 and/or 9.

When, according to Council procedure, his complaint was referred to

Gordon, Gordon's response said among other things that Buchhorn was 'a frequent correspondent' to both the *Sunday Mail* and the *Courier Mail*, that he had had a total of six letters published between 1990 and 1993, and that the paper 'does not permit dominance by one particular correspondent'. (He suggested that the Press Council should take the same line in its deliberations!)

Gordon also noted that this was the third complaint against his paper lodged by Mr Buchhorn with the Press Council (an organisation which 'Queensland Newspapers and its mastheads strongly support'). Gordon's defence of his newspapers seems to rest largely on the implication that anyone who makes a habit of letters and complaints should be regarded as a nuisance. The idea that the papers might be continuing to give cause for complaint is not entertained. Gordon states that:

- the paper 'consistently abides' by Principles 8 and 9;
- it does not place 'gratuitous emphasis' on race;
- it does, however, retain the right to publish articles 'of considerable public interest'.

The *Sunday Mail* tendered other articles published over the same period to support the first and second of these claims.

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'Overall Performance' is the Key

The Press Council found that overall performance was relevant, and that the *Sunday Mail* articles taken overall showed 'a commendable attempt to analyse critically what seemed to be the complainant's chief concern, the stereotyping of racial groups. Overall, there was no breach of the ...principles and the complaint is dismissed'.

The Council added that it would come to the same conclusion on a case by case basis. It conceded that the racial references in these reports could be gratuitous, or could reinforce stereotyped attitudes, but other elements in the reports were sufficient to fulfil the criterion of public interest. The public interest in this case is that the public should be entitled to the fullest possible information. But should this include gratuitous information? If so, what is the point of Principle 8?

The Council went further, saying that all the references Buchhorn complained of 'could quite possibly lead to a more sympathetic understanding by readers of the reasons which lead to the injustices suffered by any racial minority group and of action to redress them'. The Council felt the press could not ignore stereotype attitudes in the hope that they would go away.

It should be noted that there is nothing in the Press Council's guidelines about taking a publication's overall performance into consideration. Indeed, in its 1992 *Annual Report* No.16 (p.29), the Council, responding to the Race Discrimination Commissioner's report on racist violence, says that it 'views each case on its own merits within the principles it has developed'.

Gays Rejected, Jews Upheld

In another recent adjudication (no.675) the Press Council dismissed complaints against Brisbane *Courier Mail* columnist Lawrie Kavanagh, who had described a homosexual youth support and education program as an insidious attempt to recruit youths to homosexuality, which he called 'a sewer practice that can transfer a virus estimated to kill 20 million people by the year 2000'. The Council's view was that Kavanagh was entitled to express his personal opinions and that the paper achieved fair balance by publishing reader's replies.

In NSW at least, there is now another course open to anyone wishing to complain about the expression of views like Kavanagh's: a private member's bill outlawing the vilification of homosexuals was passed in the NSW Parliament on 18 November, with support from the Democrats and a renegade Liberal MP.

In what seems like another example of inconsistency, the Council later upheld a complaint (no. 687) against the *Bundaberg News-Mail* for an article which the complainant felt vilified Jewish people, consisting of 'four jokes and prominent cartoon reflecting stereotypes of Jews as preoccupied with money and as victims of bad luck'. The Council

concluded, inter alia, that 'the layout, especially the headline, was an incitement, however unintended (*CU*'s emphasis) to the crudest possible form of social stereotyping'.

It is difficult to see how something so apparently offensive as this could have been unintended, but there you go..... □

Call for Papers

Electronic Superhighways: Setting the Public Agenda

Media Information Australia will be publishing a special issue devoted to the social, economic and political implications of plans of develop electronic superhighways in Australia, the US and elsewhere. Proponents of these initiatives see these electronic superhighways as ways of providing new entertainment, communications, educational, and information services for individuals, schools, government and businesses. This issue of *Media Information Australia* will provide a forum for critical analysis of these proposals.

This special issue seeks contributions dealing with the public policy and research implications of these electronic superhighway initiatives. Proposals are invited dealing with national or cross-national analyses of areas such as:

- Political and economic motivations underpinning the electronic superhighway initiatives
- Audience and home-based information and entertainment services where there is access to a multiplicity of services
- New structures of power roles arising from the mergers of broadcasters, media producers and telecommunications service providers.
- Notions of universal service in an increasingly information-based society.
- The role of regulators and consumer interest groups
- Privacy and surveillance

Proposals dealing with other issues raised by the electronic superhighway are also invited.

Potential contributors should send abstracts of no more than 300 words by March 1, 1994, to the Special Issue Editor:

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