



# The deathknock dilemma

*Peter Ryan, now head of news and current affairs at ABC TV in Victoria, was a teenager when he started work in the media, as a cadet reporter on the Sydney afternoon tabloid, the Daily Mirror.*

**S**peaking at the launch in October of the Communication Law Centre's research paper, *Privacy and the Media* by Paul Chadwick and Jenny Mullaly, he told the story of one of his first assignments.

'I had my first lesson in privacy when I was made a cadet, and I was sent out on my first death knock. It was quite an experience.

'In Sydney's far western suburbs, a three-year-old girl had wandered away from the house and was playing in the driveway, and the father had unknowingly backed out of the garage, killing the child instantly.

'We heard about this on the police scanner, and the chief of staff dispatched me and a marginally more senior photographer to go out and interview the grief stricken family.

'Of course the last thing certain news editors consider is privacy, particularly in what was then an extremely competitive afternoon newspaper market.'

Neither he nor the reporter from the *Sun*, with which the *Mirror* had a fierce rivalry, got an interview despite repeatedly knocking on the door at the family's home.

'I have reflected with an element of shame since then on the unnecessary grief and anguish that we were visiting on the poor family. At the time, I just didn't know what grief was: I was too young, I had not had the experience of someone close to me dying.'

Mr Ryan said he was pleased to see that the research paper identified the practice of sending young and inexperienced journalists on death-knocks, seen as a sort of professional 'bleeding', as a problem. But he was

also disturbed by incidents in which more senior journalists were needlessly invading privacy.

In particular he cited the photographs of Liberal Senator Bob Woods and his wife in their backyard, taken by a photographer from the Sydney *Telegraph* and published by News Corporation papers across the country.

The Woods photographs also concerned another speaker at the launch, Sally White, the co-author, with John Hurst, of *Ethics and the Australian News Media*, and who acted as a consultant to the Herald and Weekly Times in developing that company's professional practice policy.

'The Woods photo was precisely the sort of thing which the policy was intended to prevent,' Ms White said. 'The *Herald Sun* later said that the public interest justified the breach of the privacy provisions of the policy, but there was no public interest there. Publication of those photographs did not meet the public interest *as defined in the policy itself*.'

It was an example of the limitations of codes of ethics in improving media practice, she said.

'Every decision taken in the news room situation is surrounded by so many constraints that to resort to what is on paper [in a code of ethics] is seen as impeding the media's proper role of getting information to the public as quickly as possible.'

A big constraint was time, she said. 'As we draw up codes which are bigger and bigger - the Herald and Weekly Times code of practice, for example, is a long document - the less likely it is that journalists will read it and know it and refer to it.

'Even the short existing code of conduct is not especially well known,'

she said. 'Most journalists probably only know one part of the code, that they shall not disclose sources of information, what I call the martyr clause.

'Another constraint is the power differentials within media organisations. A junior journalist, however hard he or she may try to make an ethical decision will very often have that decision pre-empted by a more senior editorial decision maker. And the more senior you become in the editorial decision making process, the more distance you can put between yourself and the absolute messiness of a wrong decision.'

Paul Chadwick, one of the research paper's authors, said that while privacy was extremely difficult to define, this was no excuse for the media not to try.

'It is really hard to define what privacy is, but the lack of a precise definition does not excuse media decision makers from attempting at least a working definition.'

Journalists needed an 'internal trip wire' which would make them pause when a serious invasion of privacy was possible, he said. This would help prevent infringements in the first place, which was far preferable to post mortems and recriminations.

'We need to develop a journalism culture in which ethics is taken seriously,' he said 'We need a willingness to engage and not be so instantly defensive. We need to see the subjects of stories not as "talent" - and how revealing that industry jargon word is - but as people.'

**Richard Evans**

*Privacy and the Media*, by Paul Chadwick and Jennifer Mullaly, is published by the Communications Law Centre and costs \$35. To order, phone (02) 9663 0551.