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## Journalistic self-regulation in Australia: is it ready for the information society?

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### Recommended Citation

Breit, R. (2008). Journalistic self-regulation in Australia: is it ready for the information society?.

*International Communication Gazette*, 70(6), 505-528.

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# JOURNALISTIC SELF-REGULATION IN AUSTRALIA

Is it Ready for the Information Society?

**Rhonda A. Breit**

**Abstract** / This article examines the system of journalistic accountability in Australia, evaluating its capacity to promote ‘the highest ethical and professional standards’ seen as fundamental to achieving the World Summit on the Information Society (WSIS) vision for an inclusive information society. First, it outlines the approach to media and journalistic accountability adopted in Australia. It then analyses a representative sample of journalism codes of ethics and codes of practice, classifying them according to their approaches to self-regulation, the key characteristics of the codes and the approaches to dispute resolution adopted. The findings of this analysis are then compared with best practice in self-regulation criteria distilled from the Taskforce on Industry Self-Regulation to identify potential problems with the current scheme of journalistic self-regulation. These criteria are then critiqued, identifying a range of problems in relation to the scheme’s capacity to promote information society objectives as articulated by the WSIS in relation to the role of traditional and new media.

**Keywords** / Australia / governance / journalism / knowledge society / self-regulation / WSIS

## Introduction

In 2003, the World Summit on the Information Society (WSIS) set out its vision for building ‘a people-centered, inclusive and development-oriented Information Society, where everyone can create, access, utilize and share information, enabling individuals, communities and peoples to achieve their full potential in promoting their sustainable development and improving their quality of life’ (WSIS, 2003: 9; WSIS, 2005). New and traditional media play an important role in the WSIS plan, through the ‘responsible use and treatment of information by the media in accordance with the highest ethical and professional standards’ (WSIS, 2003: cl. 9.55; 20, 47). A transparent, supportive and predictable system of media and journalistic accountability are germane to achieving this goal (WSIS, 2003: 38). In fact, van Cuilenberg and McQuail (2003) see control/accountability, along with access and freedom of communication, as central concepts in developing communication policy for the converging communications environment. Using a case study of the Australian context, the article calls for greater public engagement in media accountability to ensure ‘responsible use and treatment of information by the media in accordance with the highest ethical

and professional standards' (WSIS, 2003: cl. 9.55; and 20, 47). In effect, this article examines the ability of the system of journalistic governance in Australia to bring about responsible journalism and thereby maximize the media's role in promoting the WSIS vision. It is a critique of the system of self-regulation and not the WSIS vision. In order to do this, the study takes a multidisciplinary approach. First, it describes the system of accountability that applies to Australian journalism. It then classifies these approaches according to a set of criteria derived from a review of both technical and non-technical literature. The technical literature includes reports of research studies and theoretical or philosophical papers characteristic of professional and disciplinary writing (Strauss and Corbin 1990, 48). It is used to provide concepts and relationships that are evaluated against actual data (Strauss and Corbin, 1990: 50) derived from textual analysis of a representative sample of self-regulatory journalism codes. The article draws on literature from several disciplines to inform its critique of Australia's system of journalistic self-regulation, particularly the work of philosopher Alasdair MacIntyre and Australian dispute resolution expert Tania Sourdin.

The non-technical literature includes documents, manuscripts, records, reports, catalogues and other materials, such as correspondence and memos, that can be used as primary data; this literature is helpful in learning about an organization's structure and how it functions (which may not be immediately visible in observations or interviews) (Strauss and Corbin, 1990: 48, 55). The primary source of non-technical literature is a sample of codes of ethics and codes of practice that apply to Australian journalists and the production of news and current affairs, the text of which is analysed using categories developed from a review of the literature. The aim is to achieve what Glaser and Strauss (1968) term 'theoretical saturation' and identify potential problems emerging from the current approach to self-regulation in terms of its ability to promote ethical journalism, high professional standards and an engaged civil society, which is also seen as essential in the WSIS vision. In addition to a textual analysis of codes of ethics and codes of conduct, the researcher analyses annual reports, adjudications, issues papers and other relevant documents in order to gain richer insights into the workings of the various self-regulatory bodies. The key stages in this comparative analysis are as follows:

1. The approach to self-regulation is determined using criteria distilled from the Taskforce on Industry Self-Regulation relating to best practice in self-regulation and other relevant literature;
2. Approaches to dispute resolution are evaluated in light of criteria derived from literature on alternative dispute resolution (ADR).
3. Self-regulation best practice is evaluated in light of a critique of the Taskforce on Industry Self-Regulation based on Alasdair MacIntyre's (1985: 187) definition of a social practice.

## **WSIS Vision and the Role of the Media**

Journalism and journalists play a multifaceted role in promoting knowledge society objectives. In the first instance, they can monitor the key stakeholders' performance

against the stated objectives. But as the WSIS (2003) Plan of Action states, journalism itself is integral to the WSIS vision because the public gain information and knowledge through the media – traditional and/or new. Berger (2004: 1–7) reminds the media that ‘internet governance’ is not external to the media’s make-up: in an era of convergence, ‘it should matter enormously to journalists as to who controls the registration of domain names for websites’, he states. This article argues it matters enormously who *controls* media governance. Raboy (2004: 4) sees the mobilization of civil society around the WSIS as signalling the emergence of a new paradigm that can ‘reassure civil society . . . [and play] a more effective role in the sea changes currently taking place in global governance’. This article argues that in relation to media governance more is needed in order to achieve the WSIS vision for a responsible media being instrumental in achieving knowledge society objectives. Using a case study of the Australian context, this article calls for media governance reform and a reorientation of WSIS objectives in order to promote inclusive knowledge societies. Here the article borrows from critiques to the current approaches to global governance, which are seen to favour the most powerful (Alliance for a Responsible, Plural and United World, 2001: 13). The Alliance for a Responsible, Plural and United World observes that:

*Equity is one of governance’s primary conditions. It can be most aptly defined as the possibility of the weakest to defend themselves against the most powerful by having their voice heard and their point of view represented. Unfortunately, the current international system isn’t equitable. The absence of equity manifests itself through a succession of dissymmetries. (Alliance for a Responsible, Plural and United World, 2001: 13)*

The Alliance identifies these dissymmetries in terms of power at national, corporate and informational levels (Alliance for a Responsible, Plural and United World, 2001: 13–17). This article levels similar criticisms at the system of media governance, arguing that in order to achieve the new paradigm embraced by Raboy (2004), the WSIS vision needs to be complemented by media governance reform aimed at promoting greater civil society engagement.

## **Australia’s Approach to Self-Regulation: Who Controls Media Governance?**

Earlier it was stated that it matters greatly who controls media governance. Australia has embraced a mixed system of accountability that can be described as a co-regulatory system of self-regulation. This approach has resulted in a number of key regulatory institutions being formed: namely, the Australian Communications and Media Authority (ACMA), the Australian Press Council (APC) and the Media Entertainment and Arts Alliance (MEAA). These bodies regulate the conduct of publishers and journalists employed in media organizations through a range of codes of ethics and codes of practice. The business arrangements and corporate dealings of media organizations are scrutinized by the Australian Securities and Investments Commission, the Australian Competition and Consumers Commission and state Offices of Fair Trading, which wield extensive legislative powers. There are also workplace codes that regulate particular organizations.

There are, of course, many informal means of self-regulation, including programmes such as *Media Watch* on ABC TV. The Media Section of *The Australian* newspaper also looks at ethical issues facing journalists and has feature articles on self-regulatory bodies such as the APC and the MEAA (*The Australian*, 2003: 29 March, 10 July, 31 July). Talkback radio, critical blogs, short message service (SMS) feedback, phone polls and letters to the editor provide opportunities for the public to voice concerns about the quality of journalism. These informal mechanisms of accountability are the subject of another study. This article seeks to evaluate whether the institutional approach to media accountability in Australia can help promote the WSIS information society vision. It does this by examining the MEAA (Australian Journalists' Association [AJA]) Code of Ethics, the APC Statement of Principles, the commercial television and radio codes, and two organizational codes, namely that of Australia's public broadcaster the Australian Broadcasting Corporation (ABC)<sup>1</sup> and *The Age* newspaper.

Australia's system of journalistic regulation borrows heavily from the UK and parts of Europe, whereby journalism and the mass media are 'regulated' by a variety of regulatory bodies that have various legal bases, including statutory bodies administering industry codes and voluntary organizations to which individual journalists and proprietors seek membership. Like the UK, Australia has what can be described as a co-regulatory system of self-regulation where the broadcast media are highly regulated by voluntary codes overseen by a statutory body, while the press are regulated by voluntary codes overseen by voluntary organizations. It should be noted that self-regulation can take many forms, including information campaigns, service charters, internal complaints handling departments and procedures, accreditation, licensing and membership certification, quality assurance systems, standards, codes and dispute resolution schemes (Commonwealth of Australia, 2000: Ch. 3: 3–5). Despite the variation in approaches, there are two common elements to Australia's system of journalistic self-regulation (as described later). Each regulatory body administers a code/s or set of guidelines and they have adopted a range of dispute resolution techniques to resolve disputes arising from the code.

### *Codified Values*

These features are common to media regulation in other parts of the world. For example, Laitila (1995; quoted in Berkowitz et al., 2004: 163) found that 'most European codes (of journalism ethics) stress the truthfulness or accuracy of information (in 90 percent of codes) fairness in information gathering (84 percent) and freedom of expression (74 percent)'. Similar values are upheld in Islamic Middle Eastern codes of ethics, while other countries, such as Israel, reinforce the public service role of journalism (Berkowitz et al., 2004: 163). The Australian codes tend to reinforce the core values identified by international codes of journalism ethics. Australia's television codes call for news and current affairs to be accurate and fair; impartial and respecting the rights of others, particularly privacy. The codes also require news and current affairs to be culturally sensitive and reflect community values (FreeTV Codes of Practice, 2004). The radio codes require news and current

affairs to be accurate and balanced, reflect community values and respect the rights of others (Commercial Radio Australia [CRA], 2004). The ABC, Australia's national broadcaster, emphasizes the values of honesty, accuracy and fairness, respecting the rights of others, access to the media, independence and reinforcing the public service role of journalism (ABC, 1998, 2002). The journalists' union, the MEAA, sees ethical journalism as reflecting the values of honesty, accuracy and fairness, respecting the rights of others (particularly in terms of privacy and source confidentiality), access to the media, independence and freedom of expression (MEAA, 2002a). The APC's statement of principles sees freedom of expression as a guiding principle of ethical journalism; but it also reinforces the need for journalism to be accurate, honest, fair, respect the rights of others, provide public access to the media and be independent. The workplace code of *The Age* newspaper reinforces similar values, namely freedom of expression, accuracy, fairness, balance, honesty, respect for the rights of others, providing public access to the media and independence (*The Age*, 2002).

This suggests that Australia's self-regulatory bodies reinforce similar values to their international counterparts. But there are considerable differences between the broadcast codes and those adopted by the APC, MEAA and ABC. The biggest area of difference relates to the conception of journalism reflected in the codes. The broadcast codes construe journalism narrowly as the production of news and current affairs, where the focus of the codes is on the product. The APC, MEAA, ABC and *The Age* tend to view journalism as a social institution that defends the public interest, with the ABC reinforcing the public service role of journalism. All of the codes reinforce the idea that journalism is a profession. Like the US and the UK, the conception of professionalism that frames the interpretation of journalistic codes of ethics is predicated on a view of journalism as highly individualistic, competitive and profit oriented, whereby the marketplace will solve many of the ethical problems emerging (see Merrill, 2006: 5).

Zelizer (2004) emphasizes, however, that there are multiple journalisms. In Australia, the discussion and education of journalists are framed strongly by the professional model outlined earlier. While this professional model appears to be embraced by practitioners and the self-regulatory bodies upholding ethical standards in journalism in Australia, Zelizer (2004: 38–43) points out that the academy have multiple ways of describing journalism, including journalism as an institution, journalism as text, journalism as people (journalists) and journalism as a set of practices. She explains that all of these perspectives have some value in aiding our understanding of journalism, but 'no one definitional set is capable of conveying all there is to know about journalism' (Zelizer, 2004: 43). Thus in order to understand *why* journalism exists and should be valued by society, it needs to be examined from multiple perspectives – not just what is produced, its role as a social institution and the professional values employed. As Zelizer (2004: 13–14) notes, by viewing journalism as a set of interpretative communities the goal becomes signifying a need to look at controversies in the field, which is a way of 'settling and re-settling questions of value'. If Australia's self-regulatory bodies took this approach to conceptualizing journalism, they might be better able to adapt to its dynamic nature and resist setting journalism within a specific historic period. This approach could also

help the self-regulatory bodies explain journalism to the community, thereby promoting greater participation and engagement in the process.

It has been pointed out that the standards specified in the television and radio codes differ from the codes adopted by the APC, MEAA and *The Age*, with the broadcast code focusing on *community values* and not freedom of expression. This suggests that the broadcast codes are taking a more communal approach to journalism ethics than their press counterparts, which emphasizes that the particular values important to journalism can be ignored if there is an overriding public interest. Given the fact that there are multiple forms of journalism, this divergence in approach is not necessarily a bad thing, but it highlights an issue raised by the Project for Excellence in Journalism (2006b) report, which concluded that 'journalists need to redefine their role and identify which of their core values they want to fight to preserve – something they have only begun to consider'. Thus a review of the core values of journalism is implicit in evaluating the capacity of media self-regulation to promote responsible journalism. Merrill (2006) sees the solution in terms of reconceptualizing professionalism and emphasizing the values of sharing, cooperation and thinking of the good of neighbours, associates and others. This article questions whether greater emphasis on professionalism will overcome these problems. Instead, it could be more helpful to review media governance and consider whether it promotes knowledge society objectives. Merrill's (2006: 5, 27) call for a reorientation in interpreting journalistic values away from the individualistic focus of western libertarianism towards the more communal and citizen-oriented approaches of the East brings into question the ideological foci of journalism codes of ethics and codes of practice. In her study into the ideological foci of Australia's self-regulatory bodies, Breit (2004a: 197) concludes that each one of Australia's formal regulators takes a market-oriented approach to journalism ethics, which, she argues, compromises their capacity to promote ethical journalism. Thus questions arise about the capacity of the current approach to journalistic self-regulation to promote knowledge society objectives.

## Processes and Procedures

In order to further evaluate the capacity of these regulatory bodies to promote ethical and responsible journalism (and thereby promote an inclusive knowledge society), this article looks more closely at the processes and procedures used to interpret and operationalize these core values.

### *Australian Communications and Media Authority*

The ACMA is a statutory body that deals with programming and licensing issues relating to the Australian broadcasting and Internet industries as well as telecommunications. As part of its role, ACMA oversees the production of news and current affairs and talkback programmes through a set of industry-based standards set out in codes of practice relating to television, radio and more recently the Internet. It oversees the Australian Subscription Television and Radio Association Codes of Practice, the Commercial Radio Codes of Practice and Guidelines, FreeTV Australia

Codes of Practice, the Community Broadcasting Codes of Practice and the Internet Industries Codes of Practice, which cover areas such as Internet content, spam, gambling, privacy and cybercrime. It also oversees the complaints relating to the national broadcaster, ABC, and multicultural broadcaster, Special Broadcasting Service (SBS).

Although a statutory body, the ACMA claims to be a self-regulatory authority because it oversees industry-based codes. The processes and complaints procedures adopted by the ACMA entail two stages. The first stage is informal, where complaints from members of the public are directed to station managers or editorial managers and not an independent mediator or adviser. Complaints can be initiated by third parties or the ACMA. A written complaint must initially be directed to the licensee (Broadcasting Services Act 1992, s. 148), who is required to respond within 60 days. Complaint forms are available on the Internet and an interpreter service is available. If there is no response or insufficient response within 60 days, the complainant can refer the matter to the ACMA. Copies of the original complaint and the broadcaster's reply are required to initiate this phase of the complaint process. The ACMA is bound to investigate unless the complaint is frivolous, vexatious or not made in good faith. The procedures adopted to resolve the complaint are at the discretion of the ACMA and it is not bound by rules of evidence (Broadcasting Services Act 1992, ss. 184, 186). Hearings are usually held in public; however, the ACMA has discretionary power to hold confidential hearings. Complaints relating to breaches of both FreeTV Australia and Commercial Radio Australia are dealt with in this way. There are additional stages in the processes relating to the ABC.

### ***Australian Broadcasting Corporation***

The ABC complaints process has three stages. Stage one involves negotiation with the executive management of the section of the ABC accused of breaching the code of practice. In the second stage, serious complaints (bias, lack of balance and unfair treatment) can be reviewed by an independent complaints review panel, comprising members of the community appointed by the ABC board. The panel reports to the managing director, who decides on any action to be taken as a result of the report. No action will be taken if legal proceedings are pending or a complaint has been referred to the ACMA. If still dissatisfied, the third phase of the complaints process permits complaints to be referred to the ACMA, where they are dealt with in the way described above.

### ***Media Entertainment Arts Alliance***

The MEAA is a union representing workers in the media, entertainment and arts industries. It oversees the AJA code of ethics, which binds journalist members of the MEAA. The code applies to individual members, therefore cannot bind publishers or journalists who are not members of the union, unless it is specifically or implicitly adopted as part of a journalist's contract of employment. The procedures to deal with complaints and to review findings are formal, with the judiciary committee



collecting information in a formal hearing and presenting a judgement (MEAA, 1997, 2002b). Findings are not publicized. This hearing is limited to the points in the code specified in the complaint. During the process witnesses can be called and cross-examined; but legal representation is not allowed. The committee is bound by the rules of natural justice. Appeals are limited to errors of fact.

### *Australian Press Council*

The APC has a two-fold function of protecting freedom of speech and dealing with complaints about Australian newspapers and magazines. The APC is a voluntary organization, funded by the newspaper and magazine industries. It consists of 22 members, representing the publishers, the journalists' union, independent journalists and members of the public, and is chaired by an independent chairperson. It oversees the APC Statement of Principles and Privacy Standards (APC, 1996, 2002a). The complaints committee is charged with overseeing complaints, offering mediation in addition to the complaints process. It reserves the right to vary its procedures at any time. Complaints must be lodged within three months of publication. Complaints should be in writing, outlining principles breached. If the complaint could involve legal matters, the complainant is asked to waive his/her legal rights before council will proceed with the complaint (APC, 2002b: 3). Once a complaint is lodged, the council's executive secretary can refuse to deal with the complaint; refer the matter to another body; help 'negotiate' a settlement; or refer to publication for comment.

The matter can then be mediated or referred to the council for adjudication (APC, 2002b: 4–5). The complaints committee hears the matter and drafts an adjudication, which is referred to the full council for consideration. The full council can accept, reject or accept in part the recommendations of the complaints committee. An adjudication is then issued and the complainant can appeal to the APC chair where there has been an error of fact in the adjudication. The chair can deal with the matter personally or refer the matter back to the council. Publication of an adverse adjudication is the only sanction available.

### *The Age Newspaper Code*

The final code examined in the study is *The Age* newspaper code of conduct (*The Age*, 2002). While the code defines the relationships, responsibilities and reasonable hopes of parties to the relationships, it is silent on how the code is operationalized. *The Age* has a 'contact us' page, but no details are provided as to how external or internal complaints are to be handled.

### *An Overview of the System of Accountability*

Thus, it is apparent that the media in Australia are regulated at five different levels:

- Civil, criminal and administrative laws including corporate and consumer laws;
- Industry through industry-based codes;

- Sectional through medium specific codes such as the FreeTV Australia Codes;
- Organizational codes such as workplace codes of practice; and
- Informal mechanisms (not considered in this study).

Each code that regulates journalism in Australia sets out a service ideal and defines the people to whom journalists or media organizations owe this commitment. The codes also prescribe professional standards by describing a set of values that should be met. All codes promote accuracy and fairness in gathering information and reporting; respecting the rights of others, particularly privacy and source confidentiality. The television and radio codes seek to promote community values and cultural sensitivity whereas the ABC, MEAA, APC and *The Age* codes also promote honesty, balance, public access to the media and independence. The ABC, MEAA and *The Age* also see freedom of expression as the cornerstone of journalism. Notably, however, there is little emphasis on media participation, and access to the media has tended to focus on technological issues. The key approaches taken by these codes to journalistic self-regulation are summarized in Table 1.

Despite the question mark over the limited conception of journalism and the contestation of journalism's core values, the processes and procedures adopted by this system of journalistic accountability, superficially at least, appear to be promoting responsible journalism. However, a deeper analysis of the approaches to dispute resolution adopted within these processes and the best practice in self-regulation criteria reveal a number of problems, bringing into question the capacity of the scheme to promote responsible journalism.

## Approaches to Dispute Resolution

The National Alternative Dispute Resolution Advisory Council (NADRAC, 2000; Sourdin, 2002: 16) classifies dispute resolution processes as facilitative, advisory or determinative. All three processes involve third parties but the type of involvement differs as follows:

- *Facilitative processes*: the third party plays no advisory or determinative role. Instead, they assist in managing the process of dispute resolution. Examples include mediation, conciliation and facilitation (Sourdin, 2002: 16);
- *Advisory processes*: the third party investigates and provides advice on the facts and possible outcomes of the dispute. Examples include investigation, case appraisal and dispute counselling (Sourdin, 2002: 16); and
- *Determinative processes*: the third party investigates and determines the outcome of the dispute. Examples include adjudication and arbitration (Sourdin, 2002: 16).

Advisory methods of resolving disputes provide an opportunity for members of the public to participate in media accountability and offer an opportunity for parties to learn from the complaint process. In addition, they help redress power imbalances between the self-regulatory bodies and the complainants. Sourdin (2002: 34) views the dispute resolution processes as a continuum – at one end is negotiation

**TABLE 1**  
**Summary of Codified Approaches to Journalistic Accountability**

MEAA	APC	FreeTVA	CRA	The Age	ABC
Binds journalist members	Binds publishers	Binds licensees	Binds licensees	Journalists	Journalists
Defines journalism (preamble)	Defines role of press	No specific mention of journalism	No specific mention of journalism	Outlines role of Age journalists	Specific provisions relating to journalism
Accountable to profession	Press viewed as an institution, accountable to public	Accountable to audience	Accountable to audience	Accountable to management but stated in terms of <i>community responsibility</i>	Accountable to community via ACMA
Common goal: pursuit of responsible journalism	Common goal: freedom of speech (the press)	Common goal: promote viable broadcasting industry	Common goal: promote viable broadcasting industry	Common goal: responsible journalism and effective management	Common goal: independent broadcaster, promoting community values
Responsible journalism achieved through honesty, fairness, independence and respect for rights of others	Responsible journalism achieved through freedom of expression and core values set out in statement of principles	Responsible broadcasting of news and current affairs that reflects community values and is culturally sensitive	Responsible broadcasting of news and current affairs that reflects community values	Responsible journalism is one goal along with others – fairness, integrity, openness and commitment to accuracy and truth	Responsible to community through balanced and impartial reporting striving for accuracy
Respect truth	Pursuit of truth	No mention	No mention	Overriding commitment	Independence
Public right to information	Public right to information	Audience rights	Audience rights	Community rights to information	Community rights
Constrained freedom of expression in terms of responsible journalism	Constrained freedom of expression in terms of responsible journalism	Audience dominated	Audience dominated	Constrained freedom of expression in terms of responsible journalism	Independence but respect confidences and report with sensitivity to traumatic events
Public responsibilities arising from social contract with public	Public responsibilities arising from social contract with public	Public responsibilities arising from Act	Public responsibilities arising from Act	Public responsibilities arising from social contract with public	Community building and maintaining; building Australian identity

(which is the most often used form of ADR) and at the other end is arbitration, which is the least used option. As already noted, the bodies overseeing journalism and news and current affairs in Australia employ a range of processes and procedures which Table 2 (adapted from Breit, 2007: 333) classifies in terms of approaches to resolving disputes.

Table 2 reveals that although journalism is self-regulated by a variety of codes, the complaints processes adopted are essentially determinative: the type of procedure Sourdin claims should be used the least. A limited range of facilitative methods are utilized in conjunction with determinative processes, but advisory methods are not utilized other than public education campaigns run by the regulatory bodies that attempt to inform the public about the complaints procedures. Thus the dispute resolution process sits at the extremes of Sourdin's continuum.

This imbalance in ADR approaches can foster an adversarial culture within media accountability, where the complainant and members of the public are positioned in opposition to the media. The focus of the dispute resolution process becomes adjudicating on the conduct of the media rather than restoring the relationships between the various stakeholders and making the self-regulatory bodies accessible to the public. In fact, the public are underrepresented in dispute resolution procedures and there is no formalized civil society body that represents media consumers and/or independent media producers. Thus, the system of self-regulation seems to ignore the blurring of media consumption and production. It is noted, however, that some of the informal self-regulatory mechanisms, such as the ABC's Media Watch programme, might offer some form of public participation.

While clear, transparent and accessible for the media, the determinative approaches to dispute resolution means the system of accountability is not always

TABLE 2

**ADR Characteristics of Journalism Self-Regulation (Breit, 2007: 333)**

Code	Process Stage one	Stage two	Stage three	ADR classification
MEAA	Mini trial	Appeals committee	N/A	Determinative
APC	Mediation with APC-appointed mediator	Adjudication, with some flexibility of process	N/A	Facilitative and determinative
<i>The Age</i>	No procedure set out	N/A	N/A	Not capable of classification
ACMA (FreeTVA and CRA)	Negotiation with broadcaster. Broadcaster decides outcome (not third party) Expert determination	Arbitration by ABA, with some flexibility in procedures	N/A	Facilitative and determinative (more determinative)
ABC	Negotiation with ABC executive (not third party) Expert determination	Independent complaints panel Expert determination	ABA hearing Arbitration with some flexibility of procedures	Determinative and facilitative

clear, transparent and accessible for the public. Thus, the system of accountability is problematic at two levels:

1. The codes are inconsistent across different media, having different aims and reinforcing different standards of responsible journalism depending on the type of journalism being performed. Therefore, different standards apply for print and broadcast journalism. They reflect different views of journalism's role in society, with broadcast codes treating journalism as production of news and current affairs whereas the print, MEAA and ABC codes treat journalism as a social institution.
2. The system of dispute resolution employs limited dispute resolution techniques, thereby potentially alienating complainants and the public in general from the system of accountability.

But this article claims the problems with this system of accountability are more deeply engrained. There are concerns emerging in relation to how industry self-regulation is evaluated. The quality of industry self-regulation was the focus of a Commonwealth of Australia taskforce, which set out key characteristics of self-regulation.

## Best Practice in Self-Regulation

According to the Taskforce on Industry Self-Regulation, good practice in self-regulation is built on two principles. First, the scheme must address the industry-specific problems and objectives and second it must offer an effective 'minimum solution' (Commonwealth of Australia, 2000: Ch. 6, 1). The minimum solution referred to by the Taskforce on Industry Self-Regulation is couched in terms of market needs – 'good practice in self-regulation can be understood as significantly improving market outcomes for consumers at the lowest cost to business' (Commonwealth of Australia, 2000: Ch. 6, 1). To achieve these aims, industries should:

- Consult with industry, consumers and government;
- Maximize scheme coverage;
- Ensure documents relating to the scheme are easily understood;
- Increase awareness of the scheme in terms of rights, obligations and duties and how to lodge complaints;
- Install a strong administrative body that can identify issues, collect data;
- Monitor and review the scheme, enhance credibility and monitor costs;
- Maintain data as indicators of systematic issues;
- Enhance transparency of processes and procedures;
- Include appropriate dispute resolutions to redress complaints;
- Include a range of sanctions;
- Manage risk of anti-competitive practices involved in scheme. (Commonwealth of Australia, 2000: Ch. 6, 1–24).

Table 3 (Breit, 2007: 334–335) identifies the strengths and weaknesses in the current system of journalistic self-regulation based on the taskforce's criteria. This table

was developed from public documentation provided by the self-regulatory bodies and the Senate Select Committee's recommendations. Therefore it reflects how the public would view the system of self-regulation.

Table 3 (Breit, 2007: 334–335) reveals that with some exceptions, the *current* system of self-regulation displays most of the common elements of good practice identified by the self-regulatory taskforce. But those exceptions are serious, reinforcing a bifurcation of Australian media and the standards expected of print and broadcast media. In addition, no one organization can deal with every facet of journalism. Instead, organizations are structured in terms of the people they regulate and the product they oversee. Some organizations, such as the APC and to a lesser extent the ACMA, are highly transparent. Other organizations, such as the MEAA and workplace codes, are far less transparent. There are limited sanctions and penalties that can be imposed for breaches of code (across the broad spectrum of the scheme) and, as has already been noted, the full range of dispute resolution techniques has not been adopted. With the exception of the ACMA, the scheme has limited capacity to manage the risk of anti-competitive practices within journalism. Only ACMA and the APC maintain data relating to journalistic performance and statistics relating to disputes. In fact, the MEAA refuses to reveal any information relating to complaints for fear of legal reprisals. Such data can be used to help educate both the media and the public on media performance. This suggests some serious limitations to promoting transparency and public participation in media accountability.

Representation in these complaints procedures is imbalanced in terms of gender, type of experience and ethnicity. The ACMA and the APC are the only bodies that include profiles of the personnel involved in dispute resolution. There are a total of 36 people involved in the self-regulatory processes within these two organizations. Of those, 26 have a management background. Of the remainder, the backgrounds range from human resources consultant to law professor, education counsellor and freelance writers. Thus, there is an obvious bias in representation towards management in the public and professional sectors and industry. The gender breakdown is also imbalanced with 11 women and 25 men involved in these bodies. The overwhelming majority of representatives are white.

Most significantly, however, the best practice criteria fail to include indicators that evaluate whether the system of journalistic self regulation is equitable, thereby ignoring one of the primary conditions of governance regimes (Alliance for a Responsible, Plural and United World, 2001). This discussion suggests the criteria identified as measures of best practice in self-regulation are highly problematic when applied to media and journalistic self-regulation, particularly in relation to its capacity to promote a people-centred and inclusive information society. As Silverstone (2004: 440) argues, media regulation is a problem of 'governance', which requires taking account of factors in addition to commercial and professional outcomes. He calls for a broader conceptualization of regulation that promotes a responsible and accountable media *culture*, which enables the 'weakest to defend themselves against the most powerful by having their voice heard and their point of view represented' (Alliance for a Responsible, Plural and United World, 2001). And here, the public and their responsibilities as 'critical and literate' citizens becomes crucial (Silverstone,

**TABLE 3**  
**Best Practice Characteristic of Codes**

Taskforce	MEAA	ACMA	APC	Workplace codes
Consultation	Formal review with public, media business, media owners, journalists and government	Formal and informal; journalists public, media business, media owners, government	Formal and informal; journalists, public, media business, media owners, government and complainants	Informal with journalists, audience, media business and owners and complainants
Coverage and publicity	Not well publicized except in relation to journalists	Well publicized to broadcast audience	Well publicized to print audience	Not well publicized, even to audience
Awareness of scheme	Scheme well publicized to members but not well publicized to public	Industry schemes required to publicize	Advertises to public; sanctions involve publicity	Not well publicized
Clarity of documentation	Journalists' obligations clear; consumer obligations not stated	Document very long and complicated; legalistic language	Publishers' obligations clear; consumer obligations not stated	Journalists' and managers' obligations clear; consumer obligations not stated
Complaint scheme	Well publicized on website but not to general public	Well publicized on TV, radio and websites	Well publicized in newspapers and website	Not well publicized but available on web search
Education schemes	Good for member, poor for public	A focus of the new scheme	Attempts to educate public and future journalists	Very poor
Administration	No data collection on complaints that is available to public; lack of transparency	Data maintained and reported to public via annual reports; limited transparency	Data maintained and reported to public in annual reports; limited transparency	No formal data maintained; no real transparency
Complaint handling procedures	Closed hearing; reports unavailable	Public hearings; reports available	Closed hearings; public report	Closed process; possibility for report (but at publishers' discretion)
Range of sanctions	Limited sanctions	Range of sanctions	Very limited sanctions	Sanctions not specified
Monitoring and review	Formal reviews available	Formal and informal	Formal and informal	Informal

2004: 440). Therefore, the reporting and data collection deficiencies of the current approach are cause for considerable concern.

The complaint-driven focus of self-regulation is of concern because it tends to polarize the parties to the complaint, forcing them to take sides rather than work through the ethical issues arising from all aspects of the dispute including the conduct of the complainant. Thus it is questionable whether the system can actively involve the public in the journalistic process because it positions them only as consumers of news. It is now well accepted, however, that the public are both producers and receivers of journalism. If members of the public are viewed as part of the journalistic process, then their conduct also becomes relevant to the question of ethics. Their actions or lack of action may in fact contribute to the perceived ethical issue(s). If ethics were viewed in this way, it is possible to utilize the self-regulatory process as an opportunity to explain actions. Thus, the self-regulatory bodies could promote a form of discursive ethics, rather than reinforce fixed normative values that impose artificial divides between print and broadcast journalism and inhibit the participatory nature of both journalism and the accountability processes.

Currently, the self-regulatory bodies prescribe minimum standards of conduct to encourage professional accountability, where public interest tends to be seen as the relationship between audiences and the business of journalism rather than a series of relationships with and between the general public (see Silverstone, 2004: 448). This suggests problems with the conceptual basis of Australia's system of journalistic self-regulation, which frames the interpretation of what constitutes the industry-specific problems of the industry that self-regulation must address. If, however, we take account of Zelizer (2004) and Silverstone (2004) and broaden our understanding of journalism and self-regulation then a number of additional issues can be identified. This article conceptualizes journalism and self-regulation as a set of social practices in order to identify these additional concerns about the capacity of the current approach to promote an inclusive knowledge society.

## Reconceptualizing Journalism as a Social Practice

Alasdair MacIntyre (1985: 187)<sup>2</sup> defines a social practice as a 'coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved, are systematically extended'. Thus social practices are characterized by four central ingredients, namely:

- It must be a cooperative human activity, the context for a social practice;
- There must be a set of intrinsic goods, or outcomes, related to the performance of the activity, that go beyond profit;
- The combined human activity must see participants strive towards excellence, both in product and performance;
- A sense of ongoing transformation of the goals of practice must exist (Arjoon, 2000: 4; Liedtka, 1998: 4).



There must be 'a certain kind of relationship between those who participate' in social practice, which is characterized by a commitment to common goods. Common goods are definitive of excellence within that practice; but they also identify the overall social aims of a practice (MacIntyre, 1985: 191). MacIntyre (1985) distinguishes between social practices and institutions, which 'are involved in acquiring money and other material goods . . . structured in terms of power and status, and . . . distribute money, power and status as rewards'. Practices cannot exist without institutions, but a troublesome relationship emerges as the pursuit of profit and/or power can comprise the overall aims of a practice. In fact, institutionalization of a practice involves a harmonization process that can change the nature of the practice. MacIntyre warns that where profit dominates the common goods of a social practice, the practice can be marginalized. Thus, this harmonization between what MacIntyre describes as the internal and external goods of a social practice is one of the industry-specific problems that a system of accountability should address.

By applying the MacIntyre schema to journalism, journalism can be seen as a social practice supported by the media corporation (institution) whose aim is the pursuit of profit and power. As the previous discussion reveals, the codes relating to journalism identify a number of 'goods' common to journalism across both print and broadcast. But journalism is one of a number of practices hosted by media corporations, including advertising and media business, whose role is to integrate the goods of media practices and the overall aims of the corporation. Thus media business can be conceptualized as a form of self-regulation. By conceptualizing journalism as a dynamic social practice, two levels of self-regulation are revealed: one is the practice of media business, which is hosted by a media corporation or organization, and the other is the practice of self-regulation, hosted by a self-regulatory body (institution), whose objectives are defined by legislation, charter or agreement between members. Thus a complex matrix of contested goods arises – internally between collocated practices; externally between practices and the hosting institutions and between media corporations and self-regulatory organizations.

## Discussion

This discussion reveals two levels of self-regulation that need to be considered when evaluating the capacity of self-regulation to promote knowledge society objectives: namely the business of journalism and the practice of self-regulation. By tracking the complex matrix of relationships between the various practices and institutions involved in journalistic governance, we can gain insights into the industry-specific problems facing journalism.

Given the growing scepticism about journalistic ethics, both within the journalism organizations and among the public (see Project for Excellence in Journalism, 2005, 2006a; RMIT, 2005), journalism is facing a crisis of confidence that requires changes to the culture of journalism. Studies into cultural change within organizations suggest that organizational culture offers a set of basic assumptions about how the group copes with the outside world and about how members should act within the group; these assumptions define how members should perceive, think

and feel about problems; these assumptions are invented, discovered or developed by the group from their experiences; the group sees the assumptions as valid in that they work; and the group thinks these assumptions are important to teach to new members (Smith, 2003: 249). Therefore in order to encourage ethical journalism, the core values should be embraced at business, corporate and institutional levels. As Smith (2003) notes, corporate or institutional culture frames organizational culture, suggesting ethical reform needs to be holistic, not just focused on journalists or the institution that hosts them. The core values must be agreed upon across the range of stakeholders and the power dynamics of organizational culture should be taken into account in evaluating the capacity of the system of accountability to promote responsible journalism.

In addition to providing professional and ethical guidance, this discussion also recommends the scheme address what Silverstone calls the role of 'critical and literate citizenry' in promoting a 'responsible and accountable media culture'. It is suggested that, if the public are ignored, accountability and transparency could be limited. The various codes utilized in Australia's system of journalistic self-regulation initially show some promise in that they acknowledge that the aim of journalism is to promote public interests and/or community values. But examination of adjudications and reports into the interpretation of these codes reveals that public interest is essentially conflated with audience interest and commercial viability. For example, in the Cash for Comment Inquiry, Radio 2UE was investigated for breaching both the Broadcasting Services Act and the Commercial Radio Codes of Practice. The inquiry investigated agreements entered into by radio broadcasters John Laws and Alan Jones, where they received money from various organizations to present comment endorsing a product or service during their talkback programmes. In evaluating their conduct, the ABA (now ACMA) looked at the responsibilities prescribed by the Act and the radio codes of practice relating to programmes unsuitable for broadcast, news and current affairs programmes, advertising, Australian music, complaints handling and interviews/talkback programmes.

In determining whether Laws and Jones breached Code of Practice 2 relating to news and current affairs, the panel considered the effect of the broadcasts on listeners. The panel noted that 'listeners' views as to whether an interview is "hard" or "soft" may be affected by the disclosure of a commercial agreement between the interviewer and interviewee' (ABA, 2000: 19). While this comment takes account of the provisions of the code, it falls well short of evaluating the quality of the broadcast in journalistic terms. It acknowledges the effect of a failure to disclose a relationship between the broadcaster and the interviewee on how listeners treat information, but it does not consider the wider implications of this action in terms of the social roles of journalism to provide information in the public interest. What is the public interest in receiving advertising material disguised as news? How does this contribute to the public debate? The fact that the ABA treated this material as news – albeit 'soft' news – legitimizes this conduct *provided* the relationships between broadcaster and interviewee are declared. The treatment of news and current affairs as part of the general programming of broadcasting fails to recognize that journalism performs roles beyond just providing information. It treats journalism as a

commodity or product that the broadcasting industry uses to gain strength. It evaluates the quality of journalism from its effect on audiences rather than its effect on the wider society. Instead of questioning the notion of fairness and accuracy of the programmes by examining the distinction between soft news and hard news, the panel could have looked at the issue of whether the presenter misled the audience by passing advertising off as news. Where this occurs, the ACMA's role in promoting the broadcast industry potentially conflicts with its commitment to broadcasting in the public interest. Thus questions exist over the suitability of this organization being charged with responsibility for both. This brings into question whether the structures responsible for journalistic accountability are suitable to promote knowledge society objectives. The current self-regulatory bodies perform multiple functions, usually involving promoting the industry or members they represent, and dealing with complaints about that industry or a particular member. Potentially, the institutional aims of the organization frame the interpretation of common goods of the practices they host. Thus journalism and self-regulation become vulnerable to the institutional aims of promoting the industry or membership. This suggests greater emphasis could be placed on *institutional independence* as well as editorial independence. It is suggested the current self-regulatory organizations could be freed from their self-regulatory functions in order to promote the industry while an independent body could be formed to deal with complaints.

The potential problems arising from institutional domination of social practices highlights a need for corporate or organizational social responsibility indicators to be used to evaluate media performance. This can be done by including performance indicators that go beyond profit, such as the contribution to social participation and not only audience needs and demands. When evaluating the quality of journalism, it is not enough to ask whether it complies with the code of ethics. The bodies overseeing journalistic ethics could ask the harder questions of whether the mediation/arbitration processes are equitable and foster debate about journalistic standards. This reinforces the importance of collecting and distributing data relating to media ethics, media standards and the effectiveness of self-regulation to foster informed debate. This debate will help explain why journalism is of value. Thus, account could be given to the consumption and interpretive functions of the public.

By taking a broader view of self-regulation, corporate and business actions<sup>3</sup> can be taken into account when evaluating the quality of journalism. One way in which media business can help reconcile the tension between the internal goods of journalism and the external goods of institutions is to introduce a system of corporate governance that commits to providing a diversity of views, multidimensional approaches to participation and upholding the values seen as hallmarks of journalistic excellence set out in the codes. But, as already mentioned, mobilization of Australian civil society is needed to represent media consumers and independent media producers to address the inherent inequities between the public and media proprietors and statutory bodies. This represents an expansion of civil society's focus from technology issues.

The previous discussion reveals that the correlation between success and profitability are engrained in Australia's assessment of quality. Even the Taskforce on Industry

Self-Regulation (Commonwealth of Australia, 2000) linked the notion of accountability to business viability and it is here that the institutional aims of self-regulation could further undermine the WSIS vision. As mentioned already, institutional self-regulation accepts that market considerations take a high priority when developing an accountability framework. In fact, promotion of the broadcasting industry is a specific aim of the ACMA. Market values are embedded in the language of self-regulation, even in relation to the national broadcasters the ABC and SBS. Market values appear to be dominating not only the media's conception of journalism, but also what is seen as best practice in self-regulation. Greater representation from the public and practising journalists in the self-regulatory processes might help redress some of these problems. However, the practice/institution schema suggests that a more grassroots approach to self-regulation is needed to overcome the market orientation of the current self-regulatory institutions. This is where organizational self-regulation (i.e. the practice of media business), whose role is to integrate the social practices and the aims of the institution, can help promote greater alignment between the values of journalism and the measures of corporate success. And here, the adoption of advisory methods of dispute resolution – such as the use of ethics experts to evaluate and advise on ethical problems before publication – could help to promote more responsible journalisms.

For Australia to achieve a system of journalistic self-regulation that will promote the WSIS objectives, account could be taken of the fact that the system of accountability is as much about the public keeping the media out, as it is about the media's right to be heard. At present, this point is not acknowledged. The Australian scheme does operate across organizational and institutional levels, but the evaluation of self-regulation only takes account of institutional regulation. There is no formal monitoring of organizational regulation. This suggests the criteria for evaluating the effectiveness of self-regulation need to take account of additional qualitative indicators including regular surveys and interviews to evaluate public awareness and capacity to participate in the scheme – through accessing the media and its complaints processes, and the public's sense of involvement and control.

It has been observed that the processes and procedures employed to resolve disputes rely heavily on *consumers* or members of the public complaining about the conduct of a journalist (MEAA or workplace code), publisher (APC) or licensee (ACMA). Thus the scheme tends to be polarized into producers and consumers, without taking account of the range of potentially problematic relationships within the journalistic process. There is little representation of independent media producers; public representation is dominated by people with management backgrounds; men are overrepresented in the processes; and the overwhelming majority of representatives are white. In addition, the scheme employs a limited range of dispute resolution techniques, which are located at the extreme ends of Sourdin's dispute resolution continuum. Most of the dispute resolution techniques utilized by the media are decisional in nature. Limited use is made of facilitative and advisory processes. Thus the self-regulatory institutions maintain the greatest power within the scheme and complainants are invested with limited control. This means accountability is organizationally and industry centred rather than people centred.

This article has revealed a more fundamental problem with the current system: its failure to take account of the vulnerability of journalism and self-regulation to external threats from their hosting institutions (corporations and self-regulatory bodies), as outlined earlier in relation to the potential conflict between the ACMA's obligation to promote the broadcasting industry and technology and its obligation to broadcast in the public interest. Procedural changes might help to redress some of these concerns. An investment in education to promote what Silverstone (2004) describes as critical and literate citizenry might help to encourage greater public participation in journalistic accountability and help redress the inherent biases towards the journalists and media organizations. Greater representation of public members in accountability processes might also help redress the institutionalized biases towards media personnel. For instance, the MEAA has a 30-member panel to adjudicate complaints, with only nine being drawn from the public. The remainder are journalists. Advisory dispute resolution methods and advisory processes can be utilized to foster better understanding between relevant stakeholders. An important part of this is greater reporting and data analysis, including the use of qualitative data for evaluating the performance of the media and the self-regulatory bodies.

## *Education*

The practice/institution schema suggests that in addition to procedural and structural reform, educational reform is needed at both public and professional levels. A clear message emerging from this analysis is that the public must be made more aware of their roles in media accountability at formal and informal levels and their responsibilities in journalistic consumption.

Silverstone's call for greater public literacy needs to be complemented by changes to the way in which journalists and media managers are educated. In addition to theoretical and practical training in journalism, attention needs to be paid to dispute resolution and ethics education of journalists and media business managers. Sourdin (2002: 39) identifies the foundation skills essential to people involved in effective dispute resolution. These include advanced listening skills, neutrality and impartiality (Sourdin, 2002: 39, 44). She identifies broader dilemmas in relation to neutrality and impartiality that go to the integrity of the process, stating mediators must maintain the integrity of the process without violating the interests of the community and un-represented parties.

The legalistic and secretive processes and procedures adopted by the MEAA (AJA) Judiciary Committee do not engage with these issues. Despite recommendations by the Brennan Committee, the MEAA has opted to protect its own interests (legal safety) rather than reform its processes and procedures to reflect greater public transparency. Adjudications and findings need to be publicized, but in addition specialized training needs to be developed for media regulators. As noted already, a review of the people involved in the self-regulation of Australian journalism reveals that the overwhelming majority come from management. Special attention needs to be given to a balanced representation of journalism – including independent media producers, the public, business and corporation/institutional concerns. The

collocation of practices within the corporate institutions suggests that ethics educators need to look more broadly than journalism when educating future journalists. Aspects of business and corporate ethics could be incorporated into university curricula and practical ethics training. But the blurring of public relations and journalism suggests that systems of media accountability need to look more closely at the sacred relationship between journalists and their sources, which Weaver and Wilhoit (1996: 157) identified as a 'bedrock' principle of US journalists.

The public and consumers of journalism also need to be *educated* in ethics. Much of this can be overcome by involving the general public more in the self-regulatory and journalistic process and taking a discursive approach to ethics. But as mentioned earlier in this article, discussions also need to be held on what constitutes an ethical consumer of news. In addition, however, dispute resolution techniques should be canvassed in journalism ethics or media business management courses. It could be there is a need to develop postgraduate courses in media mediation and dispute resolution.

This leads to the second issue, identified by Sourdin (2002: 44), which relates to maintaining equal bargaining power without compromising neutrality. It has already been noted that the current scheme invests the self-regulatory body with the greatest power while leaving complainants relatively powerless. Possibly an alternative model is needed to overcome these power imbalances, whereby the current bodies are freed from their regulatory functions, allowing them to represent their stakeholder interests if a complaint is instituted and giving regulatory roles to businesses whose role is to integrate the goods of social practices and media organizations.

The discussion so far has revealed a number of issues that could be addressed in order to redesign a model of journalistic self-regulation that addresses the specific problems facing journalism and promotes the WSIS objective of a people-centred and inclusive knowledge society.

## Conclusions

This in-depth case study of the Australian system of journalistic self-regulation identifies a number of general areas where the westernized co-regulatory approach to self-regulation might face problems in promoting knowledge society objectives. The reasons for this are numerous. First, the media – new and traditional – need to embrace the knowledge society vision to reflect on the way they conceptualize themselves and self-regulation. This discussion has identified problems in the way self-regulatory bodies conceptualize journalism and self-regulation, thus parts of the media are underrepresented in the media accountability processes, particularly in the areas of independent media producers and the public. The article calls for a broader conceptualization of journalism and self-regulation to take account of social practice.

By conceptualizing journalism as a set of social practices, the article goes on to highlight key concerns with the capacity of the current approach to promote responsible journalism; which has a fundamental role to play in promoting the WSIS vision of the information society. These concerns relate to the core values reflected

by the codes but they also canvass procedural, structural and educational reforms. The article goes on to discuss ways in which the current approach might be reformed to promote knowledge society objectives. These reforms include:

- *Core values*: reviewing the core values to promote organizational and institutional independence in addition to editorial independence; taking account of public interest over and above audience interest; responsible journalism could promote diversity in terms of access and content; responsible journalism could promote greater media participation and the professional values could be oriented more towards cooperation rather than competition. This requires a movement away from the market-oriented approach to journalism ethics.
- *Structural reform*: formalizing and auditing the role of media business in self-regulation of journalism; greater representation of independent media producers and civil society; greater public representation in accountability processes; broaden approach to evaluating ethical conduct to take account of journalism, business and corporate/organizational ethics; market reform to promote greater media diversity and participation; maintenance of funding for national and multicultural broadcaster SBS to maintain independence at editorial and institutional levels; relieve current bodies of their regulatory functions to represent industry interests.
- *Processes and procedures*: expanding means of initiating complaint process so it is not reliant on public complaint; expanding the range of dispute resolution techniques to offer advisory processes including use of expert friends and media ethics advisory before complaint process begins; expand approaches to evaluating self-regulation to take account of qualitative indicators and corporate social responsibility; include best practice measure to evaluate whether governance regime is equitable; expand range of data collection; public reports on media performance; expand range of data collected and reported to public; expand representation to offer more balanced representation to minorities and women.
- *Educational reform*: integrate theory and practice in the education of journalists; expand conceptualization of journalistic processes; explain why journalism is of value; evaluate the effects of blurring of public communication roles; specialist education programmes for media business managers; include dispute resolution training in media education courses particularly for media managers; specialist ethics training for mediators and public; media literacy education for public.

More importantly, the article highlights the need for greater discussion on the conceptualization of accountability across knowledge societies and emerging knowledge societies to promote further debate and civil society engagement.

## Notes

1. Research for this paper was completed prior to the adoption of the ABC's revised editorial policies in 2007 and 2008.
2. This perspective is set out in full by Breit (2004a). The object of this article is not to critique this approach, but utilize it as a tool to critique Australia's system of self-regulation and identify dimensions of accountability and regulation that should be addressed.

3. The ACCC (Australian Competition and Consumer Commission) does regulate the conduct of media corporations but its actions are not linked to the ethical quality of their journalism.

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