

By email: news.journalism@communications.gov.au

22 March 2024

Dear Sir/Madam

News Media Assistance Program Consultation Paper

SBS welcomes the opportunity to comment on the News Media Assistance Program (**NewsMAP**) Consultation Paper (**the Paper**). Whilst nominally excluded from the scope of the Paper,¹ as a critical component of the news media landscape in Australia, SBS would like to make a range of contributions and observations in relation to the matters raised.

About SBS News

SBS is at the forefront of delivering trusted news to communities across Australia, offering a unique global perspective and in-depth reporting on major stories from across the world and the country. SBS provides extensive coverage of national events, representing voices from every corner of Australia. As a news brand, SBS has the confidence of Australian audiences, with SBS News consistently ranking in the top ten monthly Ipsos News Ranking Report, and the most trusted news brand in the country (equal to the ABC).²

Public interest journalism on the SBS network includes international and national news coverage and analysis across broadcast (SBS World News) online platforms, the SBS News app, SBS On Demand and third party platforms. SBS provides extensive news in more than 60 languages and First Nations coverage and analysis on NITV News platforms. *SBS WorldWatch*, which offers news bulletins from around the world in more than 35 languages, also includes SBS-produced news bulletins in Arabic and Mandarin (Monday-Friday). The current affairs output includes unique and insightful coverage through *Insight*, *Living Black*, *Dateline* and The Feed Digital for younger audiences.

As a stable and free source of trusted, impartial and accurate news and current affairs, which is subject to transparency and accountability measures, SBS has a valuable role in the overall news and information ecosystem in Australia.

SBS's contribution to public policy objectives

We note the 'benefits of public interest news and journalism' the Paper puts forward:³

1. Informed Democratic Participation
2. Informed Public Administration and Policy
3. Trusted and Accountable Institutions
4. Tested and Shared Ideas
5. Greater Inclusion and Social Welfare
6. Informed Decision-Making by Individuals

SBS's unique suite of news and information services in over 63 languages are major contributors to the attainment of these objectives in Australia, and should be recognised as such in the News MAP.

¹ Consultation Paper, p 5

² Digital News Report 2023, Page 113, figure 7.11

³ Consultation Paper, p 9



For example, in relation to democratic participation, SBS makes news and information regarding elections and referenda accessible to Australians in their preferred language, and in a way that is tailored to the needs of individual communities. A recent demonstration of this is the content and services SBS and National Indigenous Television (NITV) provided to help Australians make an informed vote in the 2023 Voice to Parliament referendum:

- The SBS Voice Referendum portal brought together news and information from across the SBS network with articles, videos, and podcasts in more than 60 languages.
- The SBS On Demand Voice Referendum hub was a dedicated destination to stream SBS and NITV's trusted news and analysis, and First Nations storytelling.
- Current affairs show *The Point: Referendum Road Trip* undertook a journey around the continent hearing from communities on Country.
- SBS's unique network-wide offering included ongoing comprehensive coverage across NITV News, SBS News and SBS Audio.
- Special programming featured on NITV and SBS in the lead up to the vote included NITV premieres, *Insight* and *Dateline* specials, and live broadcasts on the day of the referendum, and analysis in the days following as Australia reacted to the result.

In relation to 'Greater Inclusion and Social Welfare', SBS leads in this space – our content explores, reflects and celebrates all forms of diversity in Australia and beyond. We work closely with communities in Australia to understand their issues and perspectives, amplify their voices and tell their stories. Research shows that multilingual audiences who feel represented in the news are more likely to feel a sense of belonging; and that those who feel they belong, in turn, are more willing participate and engage in Australian society.⁴

Importantly, all of SBS's services are free, and many are accompanied by accessibility features (captioning, audio-description, subtitling and Auslan) which helps overcome barriers to access such as those noted in the Consultation Paper.⁵

The broader context and setting should inform Government policy

When considering appropriate interventions to support public interest journalism, it is important to understand the contemporary settings in which those services exist.

It is a critical time for public interest journalism in Australia, and globally. Trusted, impartial and accurate news and information is becoming more and more valuable and important in the face of rapidly increasing levels of misinformation and disinformation (particularly online), which pose threats to civic participation and social cohesion. At the same time, trusted, impartial and accurate news and information is becoming harder to find, as a result of the overwhelming amount of misinformation and disinformation – a trend which will accelerate as a result of generative artificial intelligence and the moves by some platforms, such as Meta, to amend algorithms and content offerings in a way that deprioritises news.

Other drivers shaping news and journalism in Australia include the fragmentation of audiences across third party platforms (such as YouTube, TikTok, X, for example) and away from traditional media platforms. SBS seeks to meet audiences where they are, however this requires significant time and investment to adapt and repurpose news content so that it is optimised for consumption on each of those platforms, which is a challenge for newsroom budgets. These are platforms which are very susceptible to the spread of misinformation and disinformation, and SBS sees it as part of its role and commitment to public interest journalism to ensure it has a strong presence on those platforms.

Similarly, the proliferation of misinformation and disinformation means that fact-checking and verification of information takes longer and requires more resources.

⁴ <https://www.sbs.com.au/aboutus/2023/05/24/new-research-sense-belonging-among-multilingual-audiences-australia/>

⁵ Consultation Paper, p 10



These drivers and trends are occurring in an increasingly challenging environment for the monetisation and funding of public interest journalism. Whilst SBS receives the majority of its funding from Government, SBS is also required to generate commercial revenue, and is therefore also exposed, to a degree, to the multiple pressures facing news producers.

It is therefore appropriate that the Government considers what intervention measures are required to support public interest journalism, and the principles and evidence which should inform those interventions.

Policy interventions across Government impact on public interest journalism

Whilst it is welcome that the Government is considering possible frameworks and principles for interventions to support public interest journalism, it is important that this consideration occur with a wide view of other Government interventions which have the potential to significantly impact on the availability and sustainability of public interest journalism.

For example, the Government has announced a range of reforms to the *Privacy Act 1988*, including a statutory tort, the extension of Australian Privacy Principle 11 (which deals with security of personal information) and the application of data breach notification requirements to media organisations. Media organisations have consistently raised the potential chilling effect on journalism of these and other associated proposals. At the very least, the proposals will create substantial additional costs and resource impacts on media organisations, given the very high compliance risks they would create and the very high likelihood of extensive litigation to test the bounds of the new legal settings.

Getting the regulatory and legislative settings right for journalism and media companies is as critical an intervention as any direct subsidy or other contemplated measures.

To this end, SBS also notes the Government's commitment to enacting a regulatory framework to ensure prominence of free-to-air broadcasters' services on connected televisions. This is another critical issue with the potential to significantly impact free access to trusted, impartial and accurate news and information. Manufacturers of connected televisions and other devices should not be allowed to insert themselves as gatekeeper between Australians and free sources of trusted news and information.

The News Media Bargaining Code is a further key intervention that needs to be considered when looking holistically at Government support for public interest journalism. SBS has expressed its support for amendments to the Code framework to overcome barriers to the full utilisation of the scheme.⁶ Recent developments regarding indications from Meta that it will not seek to renew expiring deals made under the scheme have returned attention to the Code and consideration of whether it is fit for purpose.

The Code is also often referenced in discussions regarding the large scale use of news media content published online to train generative AI engines. Whether or not the Code can apply in these circumstances to ensure appropriate remuneration for content creators (whose work is being monetised by unrelated third parties without consent or attribution), is still being considered.

SBS can play a key role in delivering Government policy objectives in this area and many others

The Government can leverage its existing investment in SBS to deliver public interest journalism policy objectives through an effective and efficient organisation with deep links to community.

This could include:

- Inclusion of SBS on key advisory and working groups, to help shape policy and program outcomes
- Utilising SBS's deep expertise in conducting research involving multicultural and multilingual audiences could add significant value to the building of the evidence base

⁶ <https://www.sbs.com.au/aboutus/2023/02/06/treasury-review-news-media-bargaining-code/>



- Additional resourcing to fund an expansion of news services directed towards social cohesion and civic participation.

The Consultation Paper raises a range of factors which moderate the beneficial impacts of public interest journalism and SBS can be further utilised to help counter these factors. For example, there is a reference to media literacy and the audience's capacity to identify trustworthiness – SBS was recently awarded a grant through the Department of Home Affairs to establish a new independent, investigative journalism team to expand SBS's capacity to deliver fact-checked, balanced and impartial news including in English and other languages. There are further opportunities which could be explored.

Challenges to community cohesion are fuelled by the rapid escalation of polarising commentary and the proliferation of misinformation and disinformation. SBS is uniquely placed to build resilience to misinformation across multilingual and multicultural communities and the broader Australian community.

Matters raised in the Consultation Paper

The definition of public interest journalism in the paper could be expanded or enhanced. At present, it references the purpose of public interest journalism being to investigate and explain issues of public significance in order to engage citizens in public debate and inform decision-making. However, this is only possible if access is appropriately addressed – any understanding of 'access' must include the specific needs of audiences seeking to access news and information in languages other than English.

'Freedom of the Press' is recognised in the Paper as a key consideration for the role of Government.⁷ It should be recognised here that a cross-portfolio approach to supporting public interest journalism is vital. It is counterproductive if supportive mechanisms are considered in one portfolio, in isolation to measures considered in other portfolios which undermine or deprecate public interest news and journalism. As noted above, an example of this are reforms to privacy law which have the potential to inhibit and encumber public interest journalism.

'Access' is raised in the Paper as a key policy objective for Government. This should be viewed not only in conventional terms (free access, multi-platform services in languages other than English, captioning, audio-description, Auslan), but also in terms of how recently emerged methods of access are impacting on the quality of news and information people receive.

For example, access via third-party platforms is a significant issue for news organisations. Algorithmically driven platforms are fertile ground for extreme opinion and misinformation and disinformation. The more people consume a particular perspective, the more content they are served which aligns to that perspective. Steps taken by some platforms to de-prioritise news from trusted sources, or to strip back content guidelines, create more space for misleading and harmful content which potentially undermines the democratic system in Australia. Government has a role to play here in safeguarding freedom of the press to ensure quality public interest journalism can thrive.

In regard to the potential measures Government can take to safeguard public interest journalism, ongoing and stable funding for national broadcasters should be recognised in the NewsMAP as a key pillar in any program of Government support.

The Government should also prioritise measures to raise awareness of the potential negative impacts of social media and digital platforms, with further work to ensure accurate, balanced and impartial information surfaces on these platforms (without media organisations being required to pay to boost content). This should be accompanied by enhanced efforts to include media literacy in primary and secondary education settings.

⁷ Consultation Paper, p 12



Thank you again for the opportunity to comment. If you would like to discuss SBS's views, or would like further information, please do not hesitate to contact Clare O'Neil, Director of Corporate Affairs (clare.oneil@sbs.com.au).

Yours sincerely,



James Taylor
Managing Director