

## Submission in support of the Murdoch Media Inquiry Bill 2023

8 September 2023

### Introduction

We thank the committee for the opportunity to make this submission. It is presented on behalf of the Centre for Advancing Journalism at the University of Melbourne and was co-written by the Director of the Centre, Associate Professor Andrew Dodd; Honorary Senior Research Fellow Dr Denis Muller and Senior Lecturer Ms Jo Chandler.

We applaud the Parliament for considering the Murdoch Media Inquiry Bill 2023. Regardless of whether it ultimately leads to an inquiry and even legislative or policy reform, it is an assertion of parliamentary authority in the face of what has become the Murdoch media's perversion of the power relationship between that media organisation on the one hand and the institutions of Parliament and the Executive Government on the other.

As a result, the influence of Rupert Murdoch and his global media empire on liberal democracy in three mature Western democracies, the United States, Britain and Australia, has become antithetical to the proper functioning of democracy.

Our submission strongly supports the objective of the Bill: the establishment of a parliamentary commission of inquiry into the current state of media diversity and the conduct of media outlets operating in Australia, in particular the Murdoch media empire, and their impact on Australian democracy.

This submission sets out to provide the basis for our support. It begins by introducing the Centre for Advancing Journalism and then makes the case for an inquiry by connecting our arguments to the broad terms of reference as set out in clause 7 of the Bill.

It then develops these arguments in depth under three broad headings:

1. The effect of the Murdoch media on governmental responses to, and public debate about, climate change.
2. The effect of the Murdoch media on democratic institutions.
3. The editorial mechanism by which these effects have been achieved.

We would be happy to appear at any inquiry to answer questions or more fully develop our arguments if required.

## The Centre for Advancing Journalism

The Centre for Advancing Journalism (CAJ) was established in 2009 as a research centre within the Faculty of Arts at the University of Melbourne. It is the home of the Master of Journalism and the Master of International Journalism degrees and fosters and encourages journalism that is useful, ethical and engaging. In an era of profound change across established and emerging media, we are committed to teaching and supporting journalism that honours the profession's primary obligations of reporting truthfully, fearlessly and serving the public good. Through our research, teaching, advocacy and engagement we support the mission of journalism as a monitor on power and a vital means of ensuring citizens are informed and can participate fully in democratic decision making.

## The case for an inquiry

Just as media outlets seek to hold others to account, they should themselves be accountable for both their conduct and the content they publish. Accountability should not just be measured by the metrics of readership or circulation, which tend to be poor indicators of an outlet's behaviour or the ethical integrity of the content being consumed. Those who produce journalism should be assessed against community and professional standards. They should comply - and be seen to comply - with codes of conduct that clearly articulate norms of professional and ethical behaviour. They should be open to criticism, and capable of reflection, apology and correction.

It is not an assault on free speech or the freedom of the press to seek to hold the media to account when the standards by which it is measured are appropriately professional and ethical. Nor should it be seen as an attack on the media in a democratic society when democratic institutions inquire whether the media has fallen short of those standards.

It is entirely appropriate therefore for the Australian parliament to assess whether the content and conduct of the nation's largest commercial media company meets acceptable professional and ethical standards. We agree with the terms of reference as outlined in the bill's explanatory memorandum and briefly address each below. We also suggest adding another term of reference - or making more precise the existing fourth term - so that the inquiry takes the time to fully consider News Corp's coverage of climate change and the effect that coverage has had on public policy.

The first term of reference asks "**whether the existing system of media regulation in Australia is fit for purpose.**" This would entail an analysis of the existing mechanisms, which are a mixture of self-regulation and delegated statutory authority mainly exercised by the Australian Communications and Media Authority. This term of reference, as it relates to News Corp, should also entail an investigation of News Corp's fractious relationship with the Australian Press Council, and the inherent limitations of an industry self-regulator that draws members and funding from the same organisations it criticises. The inquiry could also investigate News Corp's long history of antipathy to regulation reform and whether its often strident campaigning against regulation has created a chilling effect on those seeking greater safeguards against media excess. The proposed inquiry could also investigate differences in ethical standards and codes of conduct between News Corp and comparable media organisations. In looking for solutions, we would respectfully commend to any inquiry the report by Lord Justice Leveson (as he then was) into the phone-hacking scandal that

engulfed News International, News Corp's UK arm, in 2011, and his recommendations for reform. It can be summarised as statute-based self-regulation. And, further to that report, an inquiry could consider subsequent analysis by media reform organisations, such as "Hacked Off", that critique the implementation of that system of regulation.

We note the proposed inquiry's fifth term of reference asks whether there is **"the need for a single, independent media regulator to harmonise news media standards and oversee an effective process for remedying complaints."** In considering those important questions, the inquiry could analyse the effect of News Corp's editorial guidelines, which allow its outlets to insert editorial comment throughout news stories and promote the company's political interests in whatever content it chooses, without divulging its interests or declaring it to be opinion rather than news. We focus on this aspect of News Corp's editorial policies in greater detail below as we consider it an important issue for the proposed inquiry to consider. On the question of a single regulator, we would refer the proposed inquiry to the Australian Competition and Consumer Commission's Digital Platforms Inquiry report of December 2021, in which it recommends a single harmonised regulatory framework for the Australian media (recommendation 6).<sup>1</sup>

The second term of reference relates to **"the concentration of media ownership in Australia,"** while the third concerns **"the impact of Australia's media ownership laws on media concentration in Australia."**

News Corp is not just the product of one man's lifelong mission to dominate the Australian (and global) media. It is also the result of policy and legislative priorities by successive governments which have allowed it to expand and prosper. We can't blame one person or one company for the unhealthy concentration of Australia's media, and the resulting damage to democratic discourse that occurs on an almost daily basis. Australia is one of the Western world's most concentrated media markets because we let it happen. It is fitting therefore that the proposed terms of reference for the inquiry focus on the concentration of Australian media ownership and on how legislation affects the concentration of media ownership. We suspect a key challenge here would be combatting what is probably an entrenched view that little, if anything, can be done to rectify Australia's overly concentrated media market, or that there's any point given the emergence of new media platforms which operate beyond the control of Australian laws. The counter to this argument is that what legislation gives,

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<sup>1</sup> <https://www.accc.gov.au/system/files/Digital%20platforms%20inquiry%20-%20final%20report.pdf>

legislation can also take away. Specifically, the removal of the “fit and proper person” test from the broadcasting legislation could be reversed.

An inquiry should also explore what means there are to create greater diversity within both the legacy and new media sectors. It should explore innovative ways to foster new media channels to fill identified gaps in the Australian media landscape. The pressing need to support new voices in the Australian media is recognised in the proposed inquiry’s twelfth term of reference to investigate **“the barriers faced by small, independent and community news outlets in Australia”** and in the thirteenth term of reference on **“the role of government in supporting a viable and diverse public interest journalism sector in Australia.”**

The inquiry could also analyse whether the implementation of the News Media Bargaining Code has worked to foster new voices in the media, or largely worked to support existing dominant players. A related issue is whether the bargaining code is sustainable, given the changes to the way news is used by the global platforms and the role of artificial intelligence in content-scraping from news sites. These questions could be considered within the proposed inquiry’s eleventh term of reference, to study **“the impact of online global platforms such as Facebook, Google and Twitter on the media industry and sharing of news in Australia.”**

The proposed inquiry’s fourth term of reference explores **“the relationship between the media and government in Australia and whether fear of retribution in the press has hampered the creation of public policy.”** The tenth term of reference takes this idea further by asking about **“the impact of the political influence of major media outlets operating in Australia.”**

There is a long history of political intimidation by News Corp in Australia, Britain and the United States. We go into this in detail in our in-depth sections. We suggest the terms of reference could be altered so that either the fourth term explicitly refers to the ways in which News Corp seeks to drive policy on climate change or by adding a new and specific term about News Corp’s coverage of climate and its effect on political discourse.

The seventh term of reference focuses on **“the culture, ethics and practices of media outlets operating in Australia”** and the eighth on **“the targeting of marginalised communities by the media including people of colour, people with disabilities, the LGBTQIA+ community and people on income support.”**

These are particularly important dimensions of the proposed inquiry because they go to the heart of News Corp's modus operandi and culture. The company's editorial outlets are often platforms for intimidating the people they disagree with. This behaviour is often akin to bullying and contravenes many tenets of good journalism. An inquiry could hear testimony from victims of excessive, unwarranted, inaccurate, malicious or ideologically charged coverage. No doubt, such an inquiry would hear many stories of personal trauma directly resulting from unfair coverage. It would learn how causes and issues suffer because the coverage is slanted or because the issue is ignored altogether. The inquiry could also seek testimony from people who have been editorially abused because they were critical of the organisation and its coverage.

It is important to understand that while journalism is the function of News Corporation, it is not the corporation's purpose. The purpose of News Corporation is the enrichment and empowerment of the Murdoch family. This proposition may be proved in many ways but the starkest evidence can be seen in the fact that when opportunity offers, News Corporation engages in what might be called anti-journalism. The fact-based truth-telling of journalism designed to serve the public interest becomes a truth-distorting parody of journalism designed to serve the private interests of News Corp and damage its rivals. It attempted to discredit The Guardian over its revelations that News Corp's UK arm was engaged in phone-hacking<sup>2</sup>; its attempt to discredit the Fairfax/Nine newspapers over their war crimes investigation<sup>3</sup>, and its preparedness to spread disinformation from the former federal government about Robodebt<sup>4</sup>. From the perspective of journalistic ethics, News Corporation is bankrupt.

News Corp is a global enterprise, with media assets in several countries, but is particularly dominant in the anglophone markets of Australia, the US and the UK. Consequently, when a branch of the corporation takes an editorial line in one location it is often adopted and amplified in the others, creating a force for harm on a global scale. News Corp's current campaign against all things it regards as "woke", and especially against the transgender community, illustrates how this works, and how it affects public discourse. Woke culture is an obsession on Fox News in the US. Fox programs such as Hannity and outlets such as Fox News Digital fixate on transgender issues, often demonising marginalised and vulnerable

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<sup>2</sup> Davies, N. (2014) Hack Attack: How the Truth Caught Up with Rupert Murdoch, London, Vintage Books.

<sup>3</sup> Masters, C. (2023) Flawed Hero: Truth, Lies and War Crimes, Sydney, Allen & Unwin.

<sup>4</sup> <https://robodebt.royalcommission.gov.au/publications/report> July 2023.

people and triggering pile-ons by other right wing media outlets. This hatred of “trans-activism” is evident in Murdoch outlets in the UK and echoes of the same campaign are often heard on Sky after dark in Australia, underscoring the importance of the proposed inquiry’s ninth term of reference: **“the impact on democracy of the Foxification” of some media outlets operating in Australia, including undermining trust in public institutions and public interest journalism.”**

One of those who has borne the brunt of News Corp’s campaign on transgender issues is Associate Professor Michelle Telfer, a paediatrician and head of the Gender Service team at the Royal Children’s Hospital in Melbourne. Her submission to the inquiry by the Senate Environment and Communications Reference Committee into media diversity in Australia, contended that she had been personally targeted and vilified by *The Australian* in 45 articles between August 2019 and July 2020. She considered this an intentional campaign to attack and discredit her work with children seeking treatment.

The inquiry noted in its report that in response to a complaint by Professor Telfer, the Press Council found *The Australian* breached several of its standards, including accuracy, fairness and balance, and that the attacks on Professor Telfer had been personalised. The hospital had told the inquiry that the continued campaign had caused harm to Professor Telfer, the Gender Service team, its patients and the transgender community.<sup>5</sup>

Bullying, blacklisting, focusing only on bad news about a person: these are standard News Corporation tactics when it decides to turn on some perceived enemy. Cases of it abound. A one-time editor of Murdoch’s New York Post, Steve Cuozzo, spoke of what he called the paper’s “shit list”: “The Post did not give you a 60-40 break if you were on its shit list.” In his memoir, using more dignified language, Cuozzo wrote about the fate of the actor Paul Newman, who “topped our permanent ineradicable hate list”. He was banned from the paper’s pages. “The exception was bad news. Otherwise no Newman. We banned him from the TV listings.” To make it worse, in 1982 the Post published a long book extract about the accidental death of Newman’s son from drugs and alcohol at the age of 28.<sup>6</sup> The Australian television personality Andrew Denton was also blacklisted because he took the side of the traditional rugby league establishment in its fight against News Limited’s attempted takeover

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[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Environment\\_and\\_Communications/Mediadiversity/Report](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communications/Mediadiversity/Report)

<sup>6</sup> McKnight, D. (2012) *Rupert Murdoch: An Investigation of Political Power*, Sydney, Allen & Unwin.

of the national competition.<sup>7</sup> An inquiry would not need to delve too deeply to find dozens of similar cases.

## Climate change: denial, disinformation and intimidation

*I find it unconscionable to continue working for this company, knowing I am contributing to the spread of climate change denial and lies. The reporting I have witnessed in The Australian, the Daily Telegraph and the Herald Sun is not only irresponsible, but dangerous and damaging to our communities and beautiful planet that needs us more than ever now to acknowledge the destruction we have caused and start doing something about it.*

- Reply-all email by Emily Townsend, a commercial finance manager at News Corp, Sydney, January 2020, following her resignation.

For more than 25 years, in Australia and abroad, News Corporation has mounted a sustained campaign of lies, misinformation and disinformation about climate change, disparaging the science and attacking climate scientists relentlessly. It directly undermined the prime ministerships of Kevin Rudd, Julia Gillard and Malcolm Turnbull on this issue, and was a significant factor in paralysing climate policy in Australia from 2007 until the election of the present government in 2022. Even now it continues to distort the facts and prosecute a campaign of mockery and vilification against those who seek to make the public aware of the urgency that now surrounds this issue.

For these reasons, and because of the existential threat climate change represents, we believe News Corporation's treatment of the issue warrants inclusion as a separate term of reference for the proposed inquiry. Failing that, we believe it should be explicitly referenced in the fourth term of reference.

We do not have the scope here to chronicle its long history of destructiveness, undermining the warnings of the scientific consensus and wrecking initiatives to mitigate the risks. Selective and distorted reporting, dishonest headlines, and the promotion of commentary by "experts" without relevant credentials, often with substantial if undeclared pecuniary interests, all are part of the News Corp armoury on this issue. It has served to confuse, obscure, deny, delay and deflect.

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<sup>7</sup> Guthrie, B. (2011) *Man Bites Murdoch: Four Decades in Print, Six Days in Court*, Melbourne, Melbourne University Press.



A submission by the American climate scientist Dr Michael Mann to the Senate Environment and Communications References Committee inquiry already referred to, captures the damage done by News Corporation on this issue, as well as providing further evidence of the corporation's bullying of anyone who disagreed with it. Dr Mann, who was in Australia during the Black Summer bushfires, told the inquiry (para. 6.21 of its report):

*As horrifying as it has been to watch these climate-change-wrought disasters play out in Australia, it has been equally horrifying to watch the pernicious efforts by the Murdoch media to sow disinformation about what is happening. I'm talking specifically about efforts by Murdoch-owned papers like The Australian and the Herald Sun to promote thoroughly discredited myths, blaming the record fires [...] on arson or back burning or really anything other than the inconvenient true culprit that must not be named if you are the Murdoch media.*

Dr Mann also drew the committee's attention to the way News Corp treated those who disagreed with it:

*. . . vilifying them on the pages of the Murdoch media outlets. It's a form of intimidation intended to serve as notice for other scientists: 'If you speak out about climate change [...] and the need to do something about climate change, we're going to come after you'.*

According to a submission to the inquiry by the former prime minister Kevin Rudd, News Corporation's coverage of climate change crippled the national conversation (para 6.11). Another former prime minister, Malcolm Turnbull, told the inquiry that when the bushfires were at their worst, Matt Kean, as NSW Minister for Energy and Environment, had given a speech saying the fires demonstrated that the climate was getting hotter with global warming. Turnbull told the inquiry the subsequent attack on Kean in the *Sydney Daily Telegraph* had been "bitter, vicious and personal".

*It was designed to not just punish him but also send the message—and this is how [the Murdoch media] operates like a Mafia gang—that, if you step out of line, you will cop some of this too.*

This record of denial, disinformation and intimidation is comprehensively catalogued in research, reporting and public commentary accumulated over 25 years. As a 2012 analysis by the Union of Concerned Scientists - "Is News Corp Failing Science?" - concluded:

[The company's] *"misleading citations include broad dismissals of human-caused climate change, rejections of climate science as a body of knowledge, and disparaging comments about individual scientists. Furthermore, much of this coverage denigrated climate science by either promoting distrust in scientists and scientific institutions or placing acceptance of climate change in an ideological, rather than fact-based, context"*.

Rupert Murdoch, his editors and executives, have repeatedly protested that such accusations are not true, even as their publications keep rolling out evidence to the contrary. In November 2019, months after unseasonable fires started burning along Australia's east, Rupert Murdoch told his annual general meeting that there were "no climate deniers around, I can assure you". This was barely out of his mouth when *The Australian* (again) gave a platform to long-time denialist geologist and mining company director Ian Plimer the next day, arguing: "It has never been shown that human emissions of carbon dioxide drive global warming."

As the devastating reality of long-predicted extremes - fire, flood, drought, storms - continues to amplify, there is no indication that the Murdoch anti-science stance is easing despite some greenish posturing which would appear to be motivated by protecting commercial and political interests. It is therefore imperative that this inquiry address the profound dangers inherent in the Murdoch agenda. As Professor Wendy Bacon observed in prefacing her 2012 analysis of media coverage of climate science:

*"The role of media in a democracy is to truthfully report contemporary events and issues to the public. This includes scientific evidence about the crucial issue of climate change. If people are confused or ignorant about potential threats, they cannot be expected to support action to confront them."*

Rupert's son James Murdoch and his wife Kathryn echoed escalating community and expert concerns when they declared, at the height of the apocalyptic 2019-20 Black Summer fires, that they were "particularly disappointed with the ongoing denial of the role of climate change among the news outlets in Australia, given obvious evidence to the contrary"<sup>8</sup>. The couple's "frustration" was reportedly sparked by the line taken by the Murdoch media - including false reports amplified via the US Fox network that arsonists were to blame. Six months later, James Murdoch resigned from the News Corp board, citing "disagreements over certain editorial content".

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<sup>8</sup> [https://www.washingtonpost.com/lifestyle/style/murdoch-family-discord-plays-out-publicly/2020/01/15/ab4d177e-37c1-11ea-9541-9107303481a4\\_story.html](https://www.washingtonpost.com/lifestyle/style/murdoch-family-discord-plays-out-publicly/2020/01/15/ab4d177e-37c1-11ea-9541-9107303481a4_story.html)

In October 2021, with the COP26 climate conference looming and public momentum for useful climate action gaining pace, Murdoch's Australian titles set off shockwaves when they launched a splashy campaign - "Mission Zero" - urging action on climate change and vowing to "put an end" to the political climate wars. The ABC's Media Watch declared it "an all-time media backflip", after decades of "reckless, dishonest and damaging" coverage of climate science and policies<sup>9</sup>. But closer scrutiny revealed that this was less a Damascene conversion than a strategic manoeuvre. Major advertisers and the wider community were - and are - embracing climate action including net zero targets. And Prime Minister Scott Morrison was under pressure to have some target to take to Glasgow, and trying to negotiate a deal with the Nationals. The campaign seemed "designed to provide cover for a potential shift on the part of the Coalition towards a mid-century net zero declaration", observed climate change communication researcher Dr Gabi Moccata in *The Conversation*<sup>10</sup>. More precisely, as David Crowe, the *SMH* and *Age* chief political correspondent (former of *The Australian*) explained: "Morrison can cajole nationals leader Barnaby Joyce into accepting net zero by 2050 in the knowledge the country's biggest newspaper publisher wont campaign against the target."<sup>11</sup>

At the time, Media Watch quoted an unnamed former News Corp executive who predicted the campaign would not run beyond a couple of weeks and that the anti-climate science commentators would remain unmuzzled. Or as one of them, Sky's Chris Kenny, put it, net zero by 2050 is "a glib line, a slogan, a fashionable and vacuous promise". A check through the News Corp published archives shows there's been barely a mention about the campaign since November 2021.

We recount this episode to illustrate the self-serving cynicism of the Murdoch enterprise even as temperature records and the planet demonstrate that the jig is up. In late July, as North America sweltered and burned in what NASA recorded as the hottest month in the record back to 1880, *The Australian's* Washington correspondent wrote that most Americans were just getting on with life during the heatwaves and had relied on "the plentiful supply of air-conditioning"<sup>12</sup>. *The Guardian's* Graham Readfearn fact checked this with evidence and scientists, discovering that more people in the US died from heat than any other weather-

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<sup>9</sup> <https://www.abc.net.au/mediawatch/episodes/climate/13591490>

<sup>10</sup> <https://theconversation.com/whats-behind-news-corps-new-spin-on-climate-change-169733>

<sup>11</sup> <https://www.smh.com.au/politics/federal/news-corp-s-climate-campaign-is-a-political-development-with-impact-20211011-p58z21.html>

<sup>12</sup> <https://theaustralian.com.au/commentary/experts-feel-the-heat-of-latest-climate-panic/news-story/a949fbf8e3499a68532a85931cbc5fef>

related event, as well as exposing several other claims second-guessing the temperature record as cherry-picking<sup>13</sup>. On the same day, Danish political scientist and serial climate confuser Bjorn Lomborg was also at it in Murdoch's *The Wall St Journal* arguing that satellite data indicated that the extent of the planet burning had been falling since 2001. Again, a check by Readfearn with the authors of the study found that his selective use of their data had profoundly misrepresented their findings.

This limited cross-section of News Corporation's contribution to the climate emergency demonstrates not just its cynical disregard for the public interest, but the range of tactics it employs whenever the interests or ideologies of the Murdoch family are perceived by the corporation to be under threat.

## The effect of the Murdoch media on democratic institutions

To get a full perspective of the effect of the Murdoch media on democratic institutions, it is useful to recall the foundational principles on which modern democracy is built. The first principle is that might is not right. This was enunciated initially by Thomas Hobbes and can be summed up in his famous dictum about human existence where power was unconstrained:

*And the life of man: solitary, poor, nasty, brutish and short.*

He proposed as a solution the creation of a social contract in which individuals surrendered their right to exercise unrestrained power in return for the protection of an overarching authority, on condition that everyone else did the same.

John Locke developed this idea further by proposing a second principle: that the overarching authority was to be found in the collective will of the "sovereign people", and he coupled with this a third principle, the concept of individual civil and political rights in particular the right of free speech, of thought, of political belief and of religious worship.

And finally Jean-Jacques Rousseau asserted that people were obliged to obey only "legitimate" powers. He defined the concept of legitimacy this way:

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<sup>13</sup> <https://www.theguardian.com/environment/commentisfree/2023/aug/03/the-world-likely-just-had-its-hottest-month-on-record-what-a-time-to-be-a-climate-science-denier>

*Since no man has natural authority over his fellow, and since strength does not confer right, it follows that the basis remaining for all legitimate authority among men must be agreed convention.*

So, the fourth foundational principle is that democracy rests on conventions.

Democratic institutions have developed to give effect to these principles. Among those institutions has been the press, which for present purposes means all news media, and as restrictions on press freedom fell away – or in the case of the United States were repudiated from the start – the power of the press increased.

In 1795, Edmund Burke, the towering Conservative political philosopher of his time, stood up in the House of Commons and pointed to the gallery where the newspaper reporters sat. This, he said, had become a fourth estate of the realm. [The other three were the Lords Spiritual, the Lords Temporal and the Commons but we have modified the context to suit our contemporary institutional arrangements and think of the other three as Parliament, Executive Government and the Judiciary.]

By convention, the fourth estate's role is considered to be that of a watchdog on behalf of the public over the other three, a guardian of the public interest.

Another convention is that the news media will carry out its fourth-estate and other functions in accordance with accepted standards of professional journalistic ethics.

There is plentiful evidence that Rupert Murdoch's media has an impact on the other institutions of democracy that distorts the balance of power between them to the detriment of democracy, and does so by flouting the principles and conventions described above.

The power of the Murdoch media in three mature democracies, the United States, Britain and Australia, has become so great that leaders of government, or those aspiring to be leaders of government, feel it necessary to pay court to Murdoch in the hope of winning his support. Moreover, in Britain and the United States Murdoch has insinuated himself into the processes of government, and in all three democracies the Murdoch media have at various times become a publicity arm of friendly governments.

In the United States, in May 2016 Murdoch's Fox News endorsed Trump as the Republican candidate for the November 2016 election<sup>14</sup>. In April 2017, the New York Times reported that Murdoch had become the most important adviser to President Trump outside the White

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<sup>14</sup> <https://nymag.com/intelligencer/2016/05/why-rupert-murdoch-decided-to-support-trump.html>

House, stating that Murdoch was someone the president spoke to on the phone every week, later upgrading that to “almost every day”, although the White House disputed the latter.

By 2019, the relationship between Fox News and the White House was such that Joe Peyronnin, a one-time president of Fox News but by 2019 a professor of journalism at New York University, sounded an alarm: “I’ve never seen anything like it before,” he said of Fox. “It’s as if the President had his own press organisation. It’s not healthy.”<sup>15</sup>

In Britain, two aspiring prime ministers, Tony Blair (Labour) and David Cameron (Conservative) felt it necessary to attend on Murdoch to seek his endorsement prior to general elections in that country.

In 1995, Blair travelled across the world to deliver a speech at an editorial conference of News Corporation on Hayman Island. Murdoch subsequently supported Blair at the 1997 election, and when Blair won, Murdoch became a constant shadowy presence in his government.

Lance Price, a media adviser to Blair, wrote in 2006: “I have never met Mr Murdoch, but at times when I worked at Downing Street he seemed like the 24<sup>th</sup> member of the cabinet. His voice was rarely heard but his presence was always felt. No big decision could ever be made inside Number Ten without taking into account the likely reaction of three men, Gordon Brown [chancellor of the exchequer], John Prescott [deputy prime minister] and Rupert Murdoch.”

Price added: “Rupert Murdoch could almost click his fingers and see Tony Blair whenever he wanted to.” An executive of News International, the British arm of News Corporation, told the Financial Times: “Rupert’s access to the prime minister is pretty amazing. We were all a bit bowled over.”<sup>16</sup>

In 2008 David Cameron delayed his holiday and accepted free flights to hold talks with Murdoch on his luxury yacht moored off the Greek islands. In 2009 Murdoch decided to back him at the coming election with a Sun front page headline “Labour’s lost it”<sup>17</sup>. In 2011 in the

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<sup>15</sup> [https://www.newyorker.com/magazine/2019/03/11/the-making-of-the-fox-news-white-house?utm\\_medium=social&utm\\_source=twitter&mbid=social\\_twitter&utm\\_brand=tny&utm\\_social-type=owned](https://www.newyorker.com/magazine/2019/03/11/the-making-of-the-fox-news-white-house?utm_medium=social&utm_source=twitter&mbid=social_twitter&utm_brand=tny&utm_social-type=owned)

<sup>16</sup> McKnight, D. (2012) *Rupert Murdoch: An Investigation of Political Power*, Sydney, Allen & Unwin.

<sup>17</sup> Ibid.

aftermath of the hacking scandal that engulfed News International, the British arm of News Corporation, Cameron confessed, “We have all been in this together – the press, politicians and leaders of all parties – and yes that includes me -- because party leaders were so keen to win the support of newspapers we turned a blind eye to the need to sort this issue, get on top of the bad practices, to change the way our newspapers are regulated.<sup>18</sup>”

As in the United States, the Murdoch machine also inserts itself directly into government. Nick Davies, in his book *Hack Attack*, which is mainly about the corporation’s phone-hacking operation in Britain, lists a series of direct interventions by Murdoch’s editors in Fleet Street with ministers and prime ministers to have the corporation’s preferred policies on issues as varied as health funding, prisons, sex offences and taxation adopted.<sup>19</sup>

In Australia, two former prime ministers, Kevin Rudd (Labor) and Malcolm Turnbull (Liberal) have testified to the power the Murdoch media wields in this country and the way it makes itself a player in party political intrigues.

It operates, Turnbull has written, like a political party. In that context, he chronicled the role of News Corp as an active participant in an internal Liberal Party strategy to depose him in August 2018:

In the corridors of parliament, Dutton’s supporters were busy trying to build up numbers – promising unlimited backing from Rupert Murdoch’s News Corporation if there was a change. The Murdoch tabloids were ferociously supporting Dutton with headlines like ‘The Pete is on’, and predicting, and encouraging, a second challenge.<sup>20</sup>

Turnbull recounted speaking to Murdoch on the phone. Turnbull wrote that he told Murdoch: “Rupert, this insurgency has been going on for a long time. We’ve talked about it many times. It’s being fired up by your papers and Sky at night.” At this point Murdoch had interrupted to say there weren’t many viewers at that time of night. Later Murdoch had added, “Let me talk to Lachlan. I’m retired. I’ll talk to Lachlan.”

Later the same day Turnbull had spoken to Kerry Stokes, owner of Seven West Media. Turnbull wrote that Stokes told him he had spoken to Murdoch, who had said, “We have to get rid of Malcolm. He can’t beat Shorten [the then Labor leader]”.

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<sup>18</sup> Ibid.

<sup>19</sup> Davies, N. (2014) *Hack Attack: How the Truth Caught Up with Rupert Murdoch*, London, Chatto & Windus.

<sup>20</sup> Turnbull, M. (2020) *A bigger picture*, Melbourne, Hardie Grant.

These cases from the three countries where Murdoch has a dominant media presence, are examples of a usurpation of power that rightfully belongs not in the hands of the media but in parliament and the executive government, and ultimately is intended to be a reflection of the democratic will of the electorate at large. They are also examples of how the Murdoch media, operating as a government propagandist, not only fails in its fourth-estate obligations but also fails in its duty to provide people with that bedrock of reliable information they need to be sovereign.

Memoirs by at least five Murdoch editors, Steve Cuozzo (New York Post), Harold Evans (The Times), Frank Giles, Andrew Neil (The Sunday Times) and Bruce Guthrie (Melbourne Herald-Sun) all tell the same story of Murdoch pushing his ideologies and political preferences through his news pages and detesting the journalistic detachment essential to impartiality. A senior Sunday Times journalist, Hugo Young, argued that Murdoch “did not believe in neutrality. Indeed rather like politicians themselves, he had difficulty comprehending it.”

In all these ways, Murdoch and News Corporation not only fail in their professional obligations, but abuse their power and flout the conventions that are the guardrails of democracy.

## The editorial mechanism that creates these effects

The seventh term of reference for the proposed inquiry concerns the culture, ethics and practices of media outlets operating in Australia. This is the context within which we draw attention to the culture, ethics and practices inside News Corporation that have created its destructive effect on democracy.

At the outset, it is important to understand that journalism is not the purpose of News Corporation. The purpose of News Corporation since the foundation of its original newspaper, the Adelaide News, has been the advancement of private interests, the enrichment and empowerment of the Murdoch family and the pursuit of their ideological interests. This is clear from the account by Professor Sally Young of the founding of the Adelaide News in the first volume of her history of the Australia media, Paper Emperors. There, she recounts that Sir Keith Murdoch, as managing director of the Herald and Weekly Times (HWT), played a key role in establishing the News as part of the HWT empire. One objective was to provide propaganda support to HWT’s business allies who had mining



interests in Broken Hill and Port Pirie, and who had been engaged in long-running industrial disputes with the mining unions.<sup>21</sup>

Ultimately, Sir Keith was able to buy the News himself, and this was the paper he bequeathed to Rupert. It is the foundation, materially and culturally, of News Corporation. Just as journalism was the function of the News but not its primary purpose, so it is with News Corporation, and this distinction between purpose and function is fundamental to a proper understanding of the way News Corporation affects the societies within which it operates. It gives effect to this approach to journalism through its editorial policies.

News Corp Australia's Editorial Professional Conduct Policy says at point 1.3:

Comment, conjecture and opinion are acceptable in reports to provide perspective on an issue, or explain the significance of an issue, or to allow readers to recognise what the publication's standpoint is on the matter being reported.

This flatly contradicts the Australian Press Council's statement of general principles, point 1 of which states:

Ensure that factual material in news reports and elsewhere is accurate and not misleading, and is distinguishable from other material such as opinion.

It may sound insignificant but in fact this editorial policy of News Corporation is a crucial part of the machinery that enables the Murdoch press to prosecute feuds, intimidate politicians and engage in hyper-partisan campaigning without regard for truth or consequences.

Moreover the Press Council is compromised in dealing with it by its reliance on News Corp as the single biggest provider of its funding, accounting for nearly two-thirds of the Council's annual income. The argument is reinforced by the Council's incapacity to answer straightforward questions about how it accommodates the conflict between its principle and News Corp's policy. When asked about this for an academic article about it in the *Australian Journalism Review* of July 2023, the Press Council was unable to provide answers.<sup>22</sup>

News Corp's policy of allowing news stories to be written in such a way as to promote the organisation's own view on an issue is a flagrant abandonment of the principle of impartiality

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<sup>21</sup> Young, S. (2019) *Paper Emperors: The Rise of Australia's Newspaper Empires*, Sydney, UNSW Press.

<sup>22</sup> Muller, D. (2023) "News Corp's policy on the separation of news and comment contradicts a core Press Council principle", *Australian Journalism Review* July 2023.

in news reporting. Exactly how and when the company adopted this policy is unclear because it differs diametrically from the code promulgated by the editor-in-chief of the Herald and Weekly Times, Steve Harris, in 1993 and made applicable to all the papers owned by News Limited, which by then had taken over HWT. Clause 1.2 of the Harris code stated:

*Clear distinction must be made between fact, conjecture and comment.*<sup>23</sup>

It follows that at some point a conscious decision was taken inside News Corporation to abandon this principle. The present code is undated but has certainly been in operation for several years.

This principle of separating news from opinion is of longstanding and received its most eloquent and enduring endorsement from C. P. Scott, editor and later owner of the *Manchester Guardian* (today's *Guardian*) on the occasion of his newspaper's centenary in 1921.

In a leading article written to mark the occasion, Scott reflected on the purposes of a newspaper:

*It . . . has a moral as well as a material existence, and its character is in the main determined by the balance of these two forces. It may make profit or power its first objective, or it may conceive itself as fulfilling a higher and more exacting function.*

He then went on to describe how it might discharge that function:

*Its primary office is the gathering of news. At the peril of its soul it must see that the supply is not tainted. Neither in what it gives nor in what it does not give, nor in the mode of presentation must the unclouded face of truth suffer wrong. Comment is free, but facts are sacred. "Propaganda", so called, by this means is hateful.*

The same principle was recognised by another important influence on the development of modern journalism, the United States Commission on the Freedom of the Press. In its report, published in 1947 (Hutchins, 1947) and in the companion volume by its intellectual leader, William Ernest Hocking (Hocking, 1947), the separation of news and comment was laid down as a foundational necessity if the press were to live up to its social responsibilities.

To guide their staff, most major news organisations include a statement in their editorial policies about the separation of news reportage from comment.

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<sup>23</sup> Report of the Independent Inquiry into the Media and Media Regulation, 2012.

For example, *The Age's* code of professional practice states at point 8:

*Editorial material should distinguish for the reader between that which is comment, that which is verified fact and that which is speculation.*

The Australian Broadcasting Corporation's (ABC) editorial policies state that news should be presented in a way that allows the audience to make up their own minds. At points 2 and 4 the policies state:

*The ABC has a statutory duty to ensure that the gathering and presentation of news and information is accurate according to the recognised standards of objective journalism. . .*

*The ABC has a statutory duty to ensure that the gathering and presentation of news and information is impartial according to the recognised standards of objective journalism.*

Failure to maintain this distinction can have real-world consequences.

The report of the Senate Environment and Communications References Committee's inquiry already referred to is replete with examples of how this policy of News Corporation's has damaged not just Australia's political discourse but caused harm to individuals. Case studies illustrating this proposition have already been provided.

### [This is not campaigning journalism](#)

None of this is to denigrate the concept of campaigning journalism. In 1970 the *Sun News-Pictorial* in Melbourne, a forerunner of the *Herald Sun*, campaigned very effectively on road safety, resulting in far-reaching changes to the law, pioneered in Victoria and subsequently followed elsewhere, beginning with the compulsory wearing of seatbelts. Ten years later *The Age* in Melbourne also campaigned effectively on cleaning up the Yarra River.

The differences between this legitimate form of campaigning journalism and what News Corporation does are many. First, these were objectively significant problems to be addressed: a shockingly high road toll; a heavily polluted river. Second, they were not ideological causes to be pursued by one-sided reporting and the vilification of people with a different point of view. Third they rested not on lies but on facts that were true. Fourth, aside from occasional front-page editorials – clearly identified as such -- they kept comment off the news pages in order to maintain the credibility of the campaigns.

The evidence is clear and incontrovertible that News Corporation's policy of encouraging its journalists to use its news pages to promote the organisation's views has licensed – even

required -- its staff to use those pages to prosecute feuds against the corporation's enemies, intimidate politicians and engage in hyper-partisan campaigning without regard for truth or consequences. It is a serious breach of journalistic ethics, violating core values of honesty, integrity, transparency and fairness. It violates the harm principle which, by convention as well as law, marks the boundary of protected free speech. It violates the principle of toleration by which civilised societies make room for opposing points of view up to the point where intolerance imposes a limit. In short, Rupert Murdoch has fashioned an instrument of tyranny which has no place in democratic life, and this policy is a crucial part of the machinery that makes it work.

## Conclusion

It's when an issue is complex and fraught, that we need our news media to step up and meet its responsibility of making sense of confusion and informing the citizenry. The principles and conventions to guide public interest journalism in these cases are well established and largely unambiguous. The news media's core responsibilities are to seek the best version of the available truth, always accepting that it is contingent and can change as the facts change, and to fairly represent all the relevant sides in the debate. It needs to collate and curate data in order to help audiences see the big picture, while not missing the nuance, subtleties and inconsistencies in the competing sources of information.

Unfortunately, it's in the very moments when complex and fraught issues arise, that we can almost guarantee audiences will be let down by the Murdoch media, because instead of elevating discussion through proper journalism, it reduces complexity to binaries of either good or bad, weaponizing the issue to drive its own editorial agenda. It ruthlessly pursues the private interests of the corporation and the Murdoch family, if necessary at the expense of the public interest. It usurps power by exerting an intimidating influence over elected politicians, and in this way distorts the balance of power between the core institutions of democracy.

It is recognised across the three mature democracies where Murdoch's presence is greatest that his organisation is a clear and present danger to democracy, fuelling disinformation and division at a time when these two vices are at the centre of the weakening of democracy. It is time for the institution central to representative democracy, the parliament, to hold a commission of Inquiry in order to ascertain all of the relevant facts, understand the motivations and machinations of the organisation and develop a sophisticated response in order to safeguard democratic values.

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