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Albanese Government urged to revisit the News Media Bargaining Code

The Albanese Government should urgently commission an independent investigation of the News Media Bargaining Code, with a focus on its effects on media diversity and sustainability as well as efforts to tackle misinformation and disinformation, according to independent media publisher, Croakey Health Media.

Croakey also cautioned the Government against designating Meta or other digital platforms under the Code, warning about the likely harmful consequences for communities’ access to news, exposure to misinformation and disinformation, and the sustainability of independent media organisations.

Like many other small and independent publishers, Croakey Health Media, a not-for-profit public interest journalism organisation, has not received funding from Meta or other digital platforms under the Code. Croakey is a member of the Local and Independent News Association (LINA), which this week warned about the potential negative consequences for local and independent publishers if Meta is designated under the Code.

Under the relevant legislation, the Treasurer is able to designate digital platforms as subject to obligations under the Code. No digital platforms have been designated since the Code came into effect on 2 March 2021, but the Assistant Treasurer last month asked the ACCC to provide advice on designation of Meta following the company’s refusal to renew commercial agreements with Australian publishers. Meta is expected to block news content in Australia if designated.

Small independent media organisations like Croakey Health Media rely upon digital platforms for disseminating our content, for engagement and for sourcing news. The digital operating environment is already extremely challenging due to moves by Big Tech companies like Meta and X/Twitter to undermine the platforming of news.

Professor Bronwyn Fredericks, Co-Chair of Croakey Health Media, said: “Croakey supports a LINA recommendation for the Government to compensate publishers disadvantaged by designation of Meta under the Code.”

“In the context of escalating misinformation and disinformation and the associated threats to public health, social cohesion and democracy, the ACCC and Government should be wary of making any decisions that might reduce communities’ access to reliable sources of news and information,” Professor Fredericks said.

In a submission to the ACCC this week, Croakey Health Media urged the Government to bring forward its plans to commission a review of the Code in 2025, in view of concerns that the Code is having the unintended consequence of discouraging digital platforms from sharing news content.
Rather than pay for news content, digital platforms are deprioritising it and actively undermining the platforming of public interest journalism and news.

The latest Digital News Report: Journalism, Media, and Technology Trends and Predictions 2024 says evidence has been mounting over the last year of Facebook and other companies deprioritising news. The report cites data that traffic to news sites from Facebook fell 48 percent in 2023, with traffic from X/Twitter declining by 27 percent, and Instagram by 10 percent.

“If the Code is indeed discouraging digital platforms from sharing news, this is a problem for media sustainability, democracy, and for tackling the spread of misinformation and disinformation,” said Croakey Editor-in-Chief, Dr Melissa Sweet.

“The Government could act immediately to help ensure the sustainability of many media organisations, by allocating a percentage of its advertising spend to independent media organisations, many of which did not receive any funding under the Code, and are facing financial difficulties now.”

Professor Megan Williams, a director of Croakey Health Media, said the Federal Government must do much more to ensure communities have access to a reliable, safe news and information environment, and that all ministerial portfolios and government departments can potentially make contributions in supporting independent and local media.

Alison Verhoeven, a director of Croakey Health Media and a health policy analyst, said highly concentrated media ownership, the growing prevalence of misinformation and disinformation both in mainstream and social media, and a general deterioration in journalism standards meant public interest journalism is more important than ever.

“In a world where good health and access to affordable healthcare are increasingly a mark of privilege, policy makers more than ever need to be aware of the impact of policy decisions,” she said. “A more diverse media landscape allows stories to be uncovered, voices to be heard, ideas to be contested, opinions to be challenged.”

• Croakey Health Media made its submission to the ACCC in a dual capacity: as an independent media organisation with an urgent financial interest in the development of media policy that better supports a diverse media landscape; and as a public health news organisation that advocates for and reports on public interest journalism as an important health matter.

See our archives on public interest journalism as a determinant of health. See Croakey Health Media’s previous submissions to inquiries on media policy and related (2017-2024).

• For media inquiries, please contact Dr Melissa Sweet: 0411 459 274