



World Association of Newspapers

ASSOCIATION MONDIALE DES JOURNAUX • ASOCIACIÓN MUNDIAL DE PERIÓDICOS • WELTVERBAND DER ZEITUNGEN

To: Senate Standing Committee on Environment, Communications and the Arts
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

From: The World Association of Newspapers
7 rue Geoffroy St Hilaire
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Larry Kilman, Director of Communications and Public Affairs

Re: Inquiry into the reporting of sports news and the emergence of digital media

To the Committee:

Summary of submission

News media and sports organisers are allies, as news organisations inform the public by providing independent news coverage of sports events. But technology and the inevitable and consumer-driven rise of digital media has put pressure on this tradition relationship.

The World Association of Newspapers, the global organisation of the world's press, has been engaging with sports organisations world-wide to protect free and open news coverage in the digital age.

Although newspapers are businesses, they're more than just businesses, with an obligation to inform the public about newsworthy events. We believe the issue central to this inquiry is press freedom, which is threatened when sports organisers are left to unilaterally determine what constitutes legitimate news coverage, insist on owning or controlling the photographic images taken at events, attempt to limit coverage and distribution, and turn a deaf ear to legitimate press freedom concerns.

Most sports organisations, however, recognise the value that independent media coverage brings to their events, both with the public and with sponsors. Where conflicts arise, engagement has often lessened the disputes and reduced the number of contentious items. We do not seek to challenge the right of sports organisers to license their events, we simply seek to maintain a space for free and open news coverage of sports events in the modern media environment.

Not all organisations are so enlightened, and there remains some that are less receptive to these approaches, and clearly consider their relationship with independent news media as primarily a business one.

Background

The relationship between news media and sports organisations regarding the reporting of news about sports events, in both words and images, is evolving rapidly. The World Association of

Newspapers has been involved in this evolution, through engaging with sports organisers, both internationally and in Australia, and through its member newspapers and organisations.

WAN, founded in 1948, defends and promotes press freedom and the professional and business interests of newspapers world-wide. Representing 18,000 newspapers, its membership includes 77 national newspaper associations, newspaper companies and individual newspaper executives in 102 countries, 12 news agencies and 11 regional and world-wide press groups. It includes the Pacific Area Newspaper Publishers' Association among its members.

WAN holds a seat on the FIFA Media Committee, which is responsible for oversight of the world football organisation's communication activities and serves as a platform to discuss access and coverage issues. WAN is also a founder and Board Member of the News Media Coalition, dedicated to the issue of maintaining free and open press coverage of sports events. It has been involved in talks and negotiations, both individually and through the NMC, with FIFA, the International Rugby Board and other sports organisations both internationally and nationally. In Australia, it has engaged Cricket Australia and the Australian Football League.

WAN's involvement in the sports rights issue began in 2004 when several national newspaper associations began reporting that sports organisations were instituting disturbing and dangerous conditions for access to cover their events. These included a total ban or severe restrictions on the number and timing of still photos posted to websites, claims to copyright ownership to news materials, restrictions on how images could appear in print, and other conditions that were a clear interference in editorial freedom.

At the same time, there was little awareness within the newspaper community that terms and conditions to sports events were becoming increasingly restrictive. Sports journalists, editors and even department secretaries were signing and agreeing to these terms, thinking they were merely registering for a press pass as they had been doing in the past. They were generally unaware they were taking decisions that had an impact on newspaper publishing itself.

Sports organisers benefitted from the status quo, and initially objected to our engagement, didn't understand the problems and said that rights for events were sold years in advance anyway, so there was no point in discussing access. That has changed considerably – most organisations are now willing to talk and negotiate, though there remain many areas of contention.

Some of those disputes, however, have been reduced or eliminated with time and experience. Restrictions on the publication of still images on websites, for example, have been eliminated by many organisations, including FIFA and the IRB, as there is growing recognition that such publication is legitimate and does not impact commercial interests.

We believe other contentious issues will also diminish as the sports organisers and rights holders have more experience with the impact of open coverage on digital platforms and realise that, far from threatening commercial interests, open coverage, in fact, enhances them.

But enlightenment is far from universal, and here are some of the main issues of concern:

- Free and open news coverage of events is in the public interest. Sports organisations are not qualified to define or determine what constitutes news.

- Delivery of news is platform neutral. Although news organisations willingly accept reasonable limits on distribution where this genuinely conflicts with the commercial brand of an event, selling "exclusive" rights to mobile or internet delivery is unreasonable on its face, as are severe restrictions on delivery. Allowing telecommunication operators and others to determine what news can be delivered over mobile networks, and by whom, is

akin to paper manufacturers determining what can be printed in newspapers, magazines and books.

- Sports organisations should not be involved in the editorial process of news organisations with rules on how photos can and cannot appear, or with rules about reporting that “brings the sport into disrepute.”

- Attempts by sports organisers to own or control the news materials produced at sports venues is a violation of established rights of content creators.