

# NEWS LIMITED

6 April 2009

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

Dear Committee Secretary

## **Inquiry into the Reporting of Sports News and the Emergence of Digital Media**

News Limited welcomes the opportunity to make a submission to the Senate inquiry into the Reporting of Sports News and the Emergence of Digital Media.

News Limited is Australia's largest newspaper publisher with the leading newspaper in every major Australian city, almost 150 newspaper titles across the country and nearly 30 magazine titles. In addition, News Limited's digital division operates major news and information websites under its well known mastheads.

News Limited is a member of the Pacific Area Newspaper Publishers' Association (PANPA). News Limited endorses PANPA's submission to the Senate Committee. By way of reinforcement of the PANPA submission we would like to take this opportunity to make a few additional remarks.

News Limited's business is journalism. On a commercial basis, we provide news coverage and commentary and a key element of our business is providing sporting news in our newspapers and magazines, and online.

News Limited's sports news promotes and supports sport by keeping the public and fans informed of the sporting events themselves and providing news on related events and issues such as the off-field activities of sporting celebrities. Our daily extensive news coverage spans the most high profile popular sports of international cricket, football codes and golf, high participation sports like netball to the less recognized and often more niche sports like sailing, bowls, lacrosse and hockey. Many of the sports routinely reported by News Limited do not attract coverage on television or radio and without our news coverage would receive little or no attention and profile by the public.

While News covers the elite levels of sport it is also vigilant in its coverage of all levels of sporting codes. Particularly through our metropolitan and local newspapers we provide coverage of all levels of sport typically listing weekly results from club sports including cricket, footballs, sailing, and golf.

News Limited keeps the public informed of what is going on in the sporting world in Australia and overseas. All interested parties; the public, sporting bodies, those that

participate in sports and the sports themselves rely heavily on news coverage of their events for exposure and promotion.

News Limited strongly believes in the principle of freedom of the press. We have a long standing relationship with the public to provide them with comprehensive news including sports news. To provide the best possible news services we need to be able to carry on our business without external interference as to how we produce the news.

Unfortunately there have been recent attempts by sporting organisations, through the media accreditation process, to dictate to media organisations including News Limited, the manner in which sport news must be produced and published. It is our view that in the same way it is not appropriate for media companies to dictate to sporting organisations how they run their sporting events, it is not appropriate for sporting companies to attempt to dictate to media companies how they operate their news business. It is an infringement of the freedom of the press.

News Limited acknowledges and appreciates that as the custodians of sporting events, sporting bodies have the right to commercially use or sell the rights to the event, for example the broadcast rights. As a media company it is not the role or right of News Limited to interfere with these rights. Our role is to provide news coverage.

Accordingly, News Limited acknowledges that when our journalists enter a sporting ground or arena to cover a sporting event they do so on the basis they are there to collect material for news purposes. News Limited has consistently agreed with the sporting bodies controlling these venues, that material is only gathered for the purposes of providing news through our various publications, reader sales services and to on-sell material strictly to be used for the purpose of news coverage.

But it is not legitimate for a sporting body to seek to dictate what material is published as news, the time period over which it may be published, on which platform the news is provided or what news outlet/website etc is used to deliver the news to the public.

For example a sporting body should not seek to dictate:

- how many photos of an event can be used in a particular publication on a particular day;
- how many photos of an event can be uploaded on a website in a particular hour;
- on what websites reporting of a sporting event can be posted;
- in what format a news company can provide news;
- the platform (for example a mobile device) on which news can be published.

Photographs are a legitimate and long accepted way of reporting news and it would be inappropriate for sporting bodies to seek to limit or dictate how sports news can be reported pictorially.

It is equally inappropriate for sporting bodies to seek to dictate that material ceases to be news after a certain period of time. News-worthiness is not necessarily limited to current events. For example, the news-worthiness of a particular event may recur due to a resurgence in interest or the importance of the event may change over time. What is and is not news-worthy can only be determined on a case by case basis by the media company reporting the news. It would be inappropriate for the sporting body to seek to dictate that for example, after a set period of time a certain photograph or statistic ceases to be news-worthy and cannot be reported as such.

News has been traditionally published in print and on radio and television and more recently online. Times have changed and the public accesses news from new platforms including mobile devices. In a modern world it is antiquated to seek to distinguish between news platforms. The determining factor for news should be whether or not the material is news product not the technology that is used to deliver it.

Beyond accreditation negotiations, News is of the view that current laws work well for digital news reporting. There is no case for interfering with the current laws.

We have a responsibility to the public to provide sports news and sporting bodies have a responsibility to their fans not to prevent media companies collecting and providing that news. As outlined in the PANPA submission, unfortunately there have been examples of sporting bodies failing this responsibility.

In 2007, failure by Cricket Australia and News Limited to agree on terms and conditions of news coverage saw journalists "locked out" of the first day of the first Test between Australia v New Zealand in Brisbane.

It is unacceptable that sporting bodies use their custodial role of the sport to deny the public access to news coverage of the event from the media.

#### *Conclusion*

It is our submission that sporting bodies need to acknowledge:

- the valuable role the media and its coverage provides to the sport, the sporting bodies and the public;
- that gathering and publishing of news material is the legitimate business of the media;
- what is and is not news and how sports news is to be published should be determined by a media body reporting the news not the relevant sporting bodies.

The terms and conditions on which sporting bodies permit the entry of media organisations to sporting events for the purposes of news coverage must be negotiated in this context. We submit that sporting bodies should not unreasonably withhold accreditation for media companies to venues to enable them to provide news coverage of the event but the terms and conditions of entry should not dictate the manner in which the news may be created and published.

Yours sincerely



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