

In Australia, as in many industrialised societies, violence is news. During the last two decades the public profiles of violent people and events have been highlighted by the media and by those who study the media.

The debate about media violence and censorship has been mostly concentrated on the visual media and in particular, television. In the latest Australian Broadcasting Tribunal (ABT) inquiry the focus is on violence on contemporary Australian commercial television broadcasts. Is there too much?

The worry about the level of violence in our society is linked to the level of television consumption. As television became the object of worship and sacrifice for many Australians, researchers and worried morals campaigners began to focus their attention on the effect of television watching and the agendas which were highlighted. A research paper produced by the Australian Broadcasting Tribunal entitled "Violence on Television" (1981) stated that television was a "contributing factor to violence in society".

The presentation of violence became the main point of controversy and research.

The 1980s have witnessed a proliferation of published research, reports, enquiries, conferences, and popular debate about the amount of violence on television and its effect. Some groups and individuals stress the need for more censorship and governmental control, while others recoil in horror from the prospect of more legislation.

In the last couple of years though, it seems that the ideal of self regulation has taken quite a battering.

The highlighting of television violence in 1989 is linked to a decade of rising popular fears and the focus of the media on these fears. Perhaps this reveals the greatest irony; as television news

focussed on violent crimes, more people became aware of violence in our society and began to question the presentation of violence in news and television programmes.

Probably the most emotional

find it hard to limit their discussion to one transmission form.

The "Gun Control Summit" in late 1987 was prompted by the multiple killings in Melbourne and Sydney. What was the impact of watch-

ing replays of Bud Dwyer's death on the killer of four Sydney girls? And what effect did videos have in the massacre on Queen Street?

This summit and other meetings led to the establishment of the National Committee on

Violence. The committee's brief is quite extensive and is basically to look at the causes of violence in our society. It is hosting a national conference on violence in October, 1989. (Contact: Australian Institute of Criminology).

The last inquiry to be established is the ABT inquiry into the portrayal, presentation and reporting of violence on television. This inquiry will be more specific and examine possibilities of monitoring violence and "the adequacy of powers under the Broadcasting Act to prevent unacceptable levels of violence being transmitted".

It should be noted that in Australia, all commercial stations hold licenses to broadcast programmes. The ABT supervises these licensees and handles any complaints from the public about commercial stations. It does not deal with the national broadcaster, the ABC. For the proper complaint procedure, please contact the ABC for the relevant brochure.

If you would like to contribute to the ABT inquiry contact the ABT and ask for the submission procedure. You may also have an opportunity to participate in one of the public forums which the ABT are organising.

Personally, I hope that these public moves will not lead to more censorship. I agree with Dr. Richard Klugman (Chairman of the Joint Select Committee on Video Material) that complex problems cannot be solved by legislation.

Media (I)

Coping with TV Violence: Our Growing Obsession?

It's certainly not an indecent obsession, writes PETER BENTLEY, in an article which contains useful guidelines for practical action to be taken by those who find this issue to be of special concern.

area of debate at present concerns children's television. It is estimated that by the time Australian children emerge from the education system, they will have seen some 18,000 killings on the television alone.

Other worries are the increasing connection of children's toys with violent cartoon serials. Some serials are made to market the depicted toy. The video, which has made possible the taping of late night programmes, to which children then have access, and the watching of restricted videos, is also a fundamental part of the debate.

One aspect which is recently receiving more attention is the broadcasting of news during times which are set down as "G" for General audiences. Some groups are advocating the transfer of news shows to the AO time slot or a significant softening of the presentation of news violence.

In 1987, the ABT found that two Adelaide stations had breached broadcasting standards aimed at preventing children from watching certain types of violence, by showing the televised suicide of Bud Dwyer (the treasurer of Pennsylvania) on an early news bulletin.

There have been many inquiries about the media and violence in the 1980s. The Senate Select Committee on Video Material received a large number of submissions and letters about the availability of violent videos and their link to television. Because of the use of the same receiving set, many people

We are more in need of public education which will produce informed and discerning individuals. It is encouraging to learn that Mass Media education courses will be introduced into NSW state schools in the near future. The NSW Education Department produces a useful pamphlet *You, Your Child and Television*, which I would recommend as a parental guide. A more

substantial discussion is found in Peter Horsfield's book on *Taming the Television*. (Peter is Dean of the Uniting Church Theological Hall in Melbourne.)

One positive commercial step has been the introduction by Channel 7 of a 30 second "community advertisement" which provides a guide to the classification of

programmes on Channel 7. Hopefully, if people are made more aware of the ratings and classifications systems they will be able to discriminate in favour of their viewpoint.

If we really did respond in this way then I am sure we would see real changes, if not substantial confusion among the TV networks.

Media (II)

Feeding the hand that bites you Journalists and the law of defamation

(The author of this article wishes to remain anonymous)

Over the last few weeks journalists and commentators such as P.P. McGuiness and Robert Pulan have called for radical reform of the laws of defamation.

Referring to a series of substantial defamation verdicts handed down this year, these distinguished journalists claim the right of free speech is being eroded and call for a range of legislative amendments such as the abolition of monetary damages (to be replaced by a right to sue for the "rectification" of the article), putting the right of free speech into the Constitution, and so on.

A common thread in these criticisms is that the only persons to benefit from the present defamation laws are the lawyers, while journalists are prevented from expressing frank opinions and even (in extreme cases) put out of business.

McGuiness claimed in *The Australian* that defamation laws have "led to the destruction of a number of writers", and points to the verdict in the "Blue Angel Case" as having done "untold harm to the quality of public comment".

He claims that the case has "practically established that it is not possible to write ... an honestly critical restaurant review".

The facts of the case were that the proprietors of the Blue Angel Restaurant commenced proceedings against the proprietors of the *Sydney Morning Herald* after a review of the restaurant written by Leo Schofield. The newspaper pleaded the defences of fair comment and truth.

Of course, there are unflattering reviews of plays, books, films and restaurants all the time. However, the plaintiffs in these proceedings obviously felt that Mr Schofield went beyond fair comment by referring to their lobster as "albino walrus," "unremittingly tough" and "almost inedible". The cooking was called a "culinary crime".

As the old poem goes,
*The jingle of the guinea
helps the hurt that honour feels.*
and the plaintiff's honour was soothed with \$100,000 damages.

Do such verdicts stifle honest criticism? To what extent should we protect investigative journalism?

In order to answer those questions, we need to ask: Just who is suing for defamation, and who is being sued?

A quick look at the NSW Supreme Court's Defamation List shows, rather surprisingly, that very few actions are conducted by politicians, colourful racing identities and the like. Of the 59 matters in the list on 14 July, there was only one media magnate, one politician and one famous public servant.

The remaining 56 were people you've never heard of.

And who were they suing? Half the cases involved private defendants - and these were also people you've never heard of. The remainder were suburban newspapers, the Fairfax Group (nine actions) and sundry television and radio stations and newspapers, ranging from the revered (the ABC) to the ridiculous (*Truth*).

It would not be fair to extrapolate too much from one day in the Defamation List in one State of Australia. Nevertheless, if this is the

pattern over a period of time, it does not appear to be an indication of muzzling of the press by determined litigants.

What sort of cases bring these litigants to court? A careful reading of newspaper reports over a period of months shows a general pattern of private individuals such as researchers, solicitors, private investigators and the occasional politician. Many actions seem to arise over allegations which are job-related, such as the "Blue Angel".

Of course, assembling the statistics for all this is pretty dull stuff. A comprehensive, two-sentence dismissal of the whole of the law of defamation is much more readable. Calls for the abolition of damages in defamation may make journalists happier, but will it make them more careful?

In a recent decision by Mr Justice Allen of the Supreme Court in New South Wales, concerning an action for defamation by three solicitors (who were awarded a total of over \$200,000), His Honour commented that one article written about them had been compiled with such carelessness that the newspaper was indeed fortunate that punitive damages had been abolished.

If big verdicts make journalists more careful, and more likely to check the sources of their material, this may not be a bad thing.

Caution is not untruthfulness; nor is it likely that distinguished food critics like Leo Schofield will be put out of business because a member of the public challenges what they write.

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