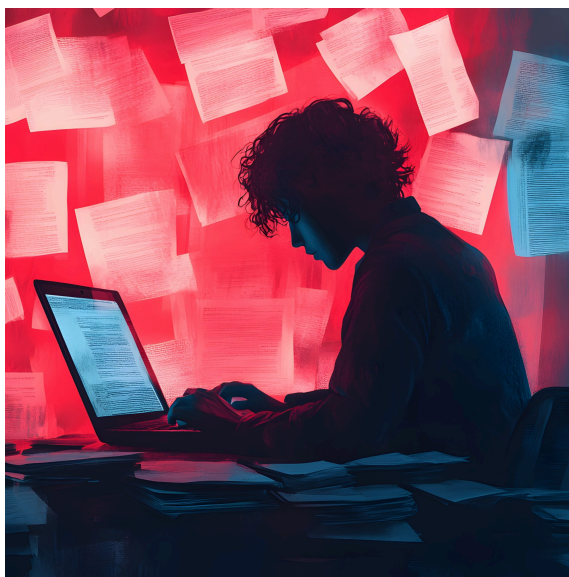


Hi there

## From the AFP to ACMA, via AI



In an international environment where the ground shifts every day, it's also non-stop for Australia's media. Almost eight years after the Nine papers ran their extraordinary stories on Ben Roberts-Smith, the decorated former soldier is now in prison in Sydney facing charges for the war crime of murder. The success of the truth defences in Roberts-Smith's defamation case was a huge win for publishers, but it was never certain whether the underlying issues would be addressed in a criminal trial. And it won't be resolved

soon, with journalist Nick McKenzie telling [7.30's Sarah Ferguson](#) on Tuesday, "We'll be talking about this in three to four years, I suspect."

This followed the government's [decision](#) last week to further regulate gambling ads in a way that will have serious financial repercussions for TV broadcasters, as the head of [Free TV explained to ABC Radio National](#). It will also mean changes to the codes of practice. As I discuss below, this connects in an interesting way with the communications regulator's renewed vigour in scrutinising industry codes, with a companion code in the telco sector the latest to be rejected by the ACMA.

Also on ACMA, this week Monica looks at the regulator's latest [investigation report](#) about a Four Corners program. ACMA's views vary significantly from those of the ABC's internal ombudsman.

Finally, we have a fascinating and disturbing contribution from guest writer and acclaimed international journalist, Peter Charley, who tells us of the astounding contributions of AI to the launch of his latest book, [The Truth Illusion: How America's Addiction to Lies is Eating the Nation Alive](#).

When you're done with all that, you'll find a plug from Alexia for the latest in our podcast series, Double Take. And one more promo ... CMT is helping out with a new segment on the [2SER breakfast program](#). It's called Snackademics: Bite-sized Big Ideas. First on the list, next Monday, is Sacha Molitorisz talking to host Danny Chifley about action against Meta in the US.



**Derek Wilding**  
CMT Co-director

## Water omissions at the ABC



The Australian Communications and Media Authority (ACMA) has [found](#) the Four Corners program “Water Grab”, [broadcast](#) on ABC TV in August 2024, in breach of the public broadcaster’s accuracy and impartiality standards, which the public broadcaster only partially accepts.

The ABC does not accept that the program was inaccurate and is silent on the impartiality breach, kind of.

This is a marginal improvement on the reaction of another major journalistic outlet – News Corp – to a finding against it by the Australian Press Council, which Derek wrote about in [this](#) newsletter on March 26. News Corp very persistently railed against the APC finding in its newspaper pages for a week. Mercifully the ABC has spared us that level of fury.

The interesting aspect of the ACMA ruling against the ABC is that the ABC’s own complaints ombudsman found a minor impartiality breach (it doesn’t often seem to find against the corporation’s program content) which begs the question: what lack of impartiality did the regulator see that the ABC itself couldn’t?

The 2024 Four Corners story examined the role of the Northern Territory government in facilitating water licences for cotton growing. The program claimed that a water licence was being used for cotton growing despite having nothing to do with that activity, and that a fire at the Claravale Station was essentially a land clearing exercise to facilitate cotton growing.

The ACMA found that the program's use of the line "burning off had already begun" implied illegal land clearing at Claravale Station and that Four Corners could have done more to establish as fact that the fire constituted illegal land clearing. Four Corners had contacted the landowners to give them an opportunity to respond, but they didn't. And given that, the ACMA says the ABC ought to have considered whether it had enough evidence to include the "burning off" statement in its report. The ABC [accepts](#) the words used by its reporter should have been qualified but not that the statement was inaccurate which sounds slightly resonant of the News Corp reaction referenced above.

Inaccuracy is of course not a finding that any journalistic operation wants as a mark against its reputation. Nor is lack of impartiality.

The regulator found the program failed to present relevant viewpoints, omitting credible alternative scientific perspectives which limited the audience's ability to assess competing evidence about water usage by the cotton industry. The credible alternative scientific perspectives not included were those of the cotton industry itself, a draft water allocation report (still under consultation and therefore not as probative as a final report) and a background report by the CSIRO.

The ACMA said it accepts that "impartiality does not require that every perspective receives equal time, nor that every facet of every argument is presented within a single program". It also said that "A program that presents a perspective that is opposed by a particular person or group is not inherently partial". As to compliance with the ABC Code of Practice, the ACMA said, "... under the Code, the ABC is not required to give all perspectives equal time or prominence in order to comply with its impartiality obligations". However, the ACMA said information about water usage from the cotton industry could have been presented to give greater balance and the draft report and the background CSIRO report, both of which were public documents, could have provided viewers with relevant viewpoints on a contentious issue. Instead, Four Corners had unduly favoured the perspectives of two environmental scientists. As a result, the ABC breached the impartiality rule.

The ABC has added an editor's [note](#) to the online Four Corners story citing the ACMA findings. But the ABC [Ombudsman's](#) investigation of the complaint in October 2024 found no breach of the accuracy standard. Further, a breach of the impartiality standards was portrayed as a mere oversight. This involved a statement by one of the interviewed environmental scientists which the NT regulator had responded to *before* the program

aired. Four Corners didn't include the response and though the Ombudsman says the program could have included it, the fact that it didn't, did not materially affect the story.

In other words, nothing to see here. Except there was.



**Monica Attard**  
CMT Co-Director

## Another code collapses



We don't often write about telecommunications but a recent development has uncanny connections with media standards.

Last week, the ACMA – the same regulator responsible for the Four Corners investigation report Monica discusses above – effectively announced the end of the system where industry makes the rules about important aspects of telecommunications consumer protection. And this follows its decision in June last

year to knock back a new version of the code developed for commercial TV.

In doing so, the ACMA appears to be taking a more assertive stance than it, or any of its predecessors, has adopted in the last 33 years!

The legislation that governs telco consumer issues was modelled on broadcasting laws which were introduced in 1992. Codes of practice under the Telecommunications Act and the Broadcasting Services Act are essentially written by industry bodies then officially “registered” with the ACMA. Under these co-regulatory schemes, the ACMA can enforce the rules, although the ways in which that happens differ. In commenting on the recent saga surrounding the Kyle and Jacki O Show, we [explained](#) some of the deficiencies in the enforcement tools available to the ACMA for breaches of broadcasting codes. And in our [research](#) for ACCAN a couple of years ago, we looked at aspects of the telco system that could be improved.

But the landscape will change dramatically with ACMA's [rejection](#) of the latest

Telecommunications Consumer Protections Code. It will be replaced by a standard that ACMA – rather than the industry – will write, and it will attract more immediate and more serious enforcement options. The Australian Telecommunications Alliance had been working on the code, first registered in 2008, since 2023. Dissatisfaction with the code has grown, and it's now six years since the Department of Communications issued a [paper](#) proposing that the consumer protection rules be moved out of the co-regulatory sphere and into the direct orbit of ACMA. Some aspects of consumer protection have already moved across to the regulator, but it looks like this latest move will mean the end of co-regulation as we know it – at least for these key consumer protection measures.

Now to the broadcasting sector, where, in June last year ACMA rejected a new version of the Commercial Television Code of Practice, saying it would not provide adequate community safeguards. As we [noted](#) at the time, the rejection appeared to focus on a proposal to extend the M classification time zone, allowing more alcohol advertising. ACMA said it would commence “a body of work to assess the suitability of alcohol advertising restrictions in the current code” and that this work would inform its consideration of whether to make a content standard. Such a result would be comparable to the decision on the TCP Code – although this standard might apply just to the aspect of alcohol ads, leaving the rest of the code intact.

Complicating things is the fact that the review of the TV code apparently also threw up “significant community concern regarding gambling advertising on commercial TV” which ACMA noted was under consideration by government. Cue the [announcement](#) by the Prime Minister last week that new rules will, among other things, limit the number of gambling ads on TV and prohibit them altogether during live sport broadcasts between 6.00am and 8.30pm.

While all this has been going on, the old TV code has been running along in the background. Which is odd, really, since ACMA flagged back in 2022 that it wanted change. It seems there's something missing in a system that doesn't have a next step. Still, the new rules about gambling ads will require amendments to the code, so maybe this offers the broadcasters and the regulator the opportunity to sort out their differences and have another go at registering a replacement TV code.

Making a deal is, after all, a sign of the times.



**Derek Wilding**  
CMT Co-Director

# The truth about the truth illusion



On the eve of the release of my new book, “The Truth Illusion – How America’s Addiction to Lies is Eating the Nation Alive”, I decided to scan the internet for early book reviews. Why not use the lightning-fast Google Gemini AI assistant for the task, I thought?

Gemini at first delivered a snappy overview of the book itself, writing that “The central thesis ... is that modern disinformation has moved beyond simple political ‘spin’ to become a structural necessity for power.”

It went on: “Charley argues that we are currently trapped in a self-reinforcing cycle where the truth is no longer a shared baseline for reality, but a casualty of institutional survival.”

Gemini said there was “industry buzz” around the book’s pending release, and it listed The Truth Illusion’s key themes, including: The “Confusion Industry” as a Governance Tool, Deception as a Survival Requirement, The Erosion of “Seeing is Believing”, Journalism’s Moral Dilemma, and The Survival Mechanism Theory.

So far, so good; Gemini’s trademark dot-point summary showed that it understood the essence of what I’d written.

But then something very disturbing happened.

The AI tool began delivering to me quotes which it claimed I had made in a series of media appearances to promote the book. It said that a journalist had asked me, “Is there a way back to a shared reality?” and that I had responded with, “We’ve become addicted to the lies that confirm our biases ... to get back to reality, we need to go through a kind of national detox. We have to be willing to believe our own eyes again.”

Gemini quoted another journalist as having asked me, “You mention in the book that lying has become a ‘survival tactic’. Do you really believe that?” I was quoted as replying with: “It’s not just an opinion; it’s a mechanical reality for certain power structures. If you look at the groups I’ve investigated – arms lobbyists, fringe political parties, certain corporate giants – their entire business model relies on a version of reality that doesn’t exist.”

Though this is close to the views I genuinely hold, the “interviews” Gemini claimed I’d given had never taken place. The quotes attributed to me were all made up.

When I asked for more detail – when did those “interviews” happen? And who were they with? – I received the following replies:

“Charley gave an extensive interview with ABC Radio National just days ago.” It said I had appeared on “The Bookshelf” and “Rear Vision” programs, where I had argued that “certain political entities in the US and Australia have hit a ‘point of no return’ where their existence depends on maintaining a distorted reality for their base”.

I have never appeared on those Radio National programs.

Gemini also claimed that I’d been interviewed on Al Jazeera’s “Listening Post” program, and on a webinar hosted by my publisher, De Gruyter, in which I “spoke ... about the sociological impact of ‘alternative facts’”, and where I had discussed the concept of “tribalism over truth”.

I had not appeared on “The Listening Post” and no such De Gruyter webinar ever took place; Gemini had simply manufactured those events.

How did this happen? I sent Gemini the message: “I am Peter Charley, the author, and I have not made those appearances. Why did you say that I had?”

It replied: “I appreciate you reaching out to set the record straight. First, let me offer a sincere apology for that error ... the mistake likely stems from a phenomenon in AI called hallucination.”

Given the focus of my book, the irony of Gemini’s alternative realities could not be more potent.

For the many journalists, students and others who have come to rely on AI for information retrieval and analysis, there is a clear and urgent message:

Can AI be trusted to tell us the truth?

Most certainly, it cannot.



**Peter Charley**  
Award-winning Journalist

# Funding a way forward for Australian news



In the latest episode of Double Take, Derek brings together Julie Eisenberg and Angela Flannery for a conversation about the future of news funding in Australia, moving beyond policy to focus on the broader forces reshaping the media landscape.

They ask how to sustainably fund public interest journalism without compromising independence or competition. The proposed News Bargaining Incentive (NBI) sits at the heart of that debate, raising questions about who decides and who benefits, and how

accountability is managed.

Julie draws from her [research](#) for CMT on funding models from Australia and around the world. Her insights point to practical solutions such as the role of independent funding bodies and hybrid models that blend public, private and platform contributions.

Angela interrogates the real-world implications of the NBI and related reforms. She raises critical concerns about the limits of the current policy scope and situates news policy in a broader ecosystem, arguing that competition reform may be as important as direct funding measures.

Julie and Angela make clear that the decisions being made now could shape not just the sustainability of journalism, but its independence and diversity for years to come.

Listen on  
Spotify

Listen on  
Apple



**Alexia Giacomazzi**

CMT events and Communications Officer

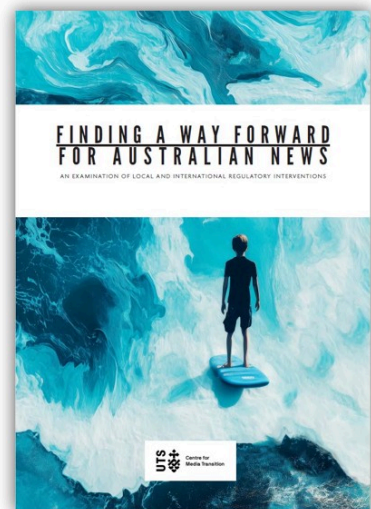
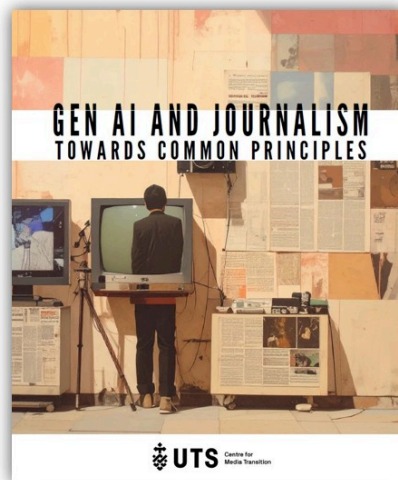
We hope you have enjoyed reading this edition of the *Centre for Media Transition newsletter* - ABC breach, AI inventions, ending industry rules - Issue 4/2026

**ISSN 2981-989X**

This serial can be accessed online [here](#) and through the National Library of Australia. Please feel free to share our fortnightly newsletter with colleagues and friends! And if this was forwarded to you, please subscribe by clicking the button below:

Subscribe

Please visit our [website](#) for more information about the Centre.



The Centre for Media Transition and UTS acknowledge the Gadigal and Guring-gai people of the Eora Nation upon whose ancestral lands our university now stands. We pay respect to the Elders both past and present, acknowledging them as the traditional custodians of knowledge for this land.



[Privacy Statement](#) | [Disclaimer](#) | [Unsubscribe](#)

UTS CRICOS Provider Code: 00099F

This email was sent by University of Technology Sydney, PO Box 123 Broadway NSW 2007, Australia