

Centre for Media Transition



Hi there

Protecting and promoting public interest journalism



Several media freedom issues have surfaced over the last fortnight.

First, [Damon Johnston wrote a piece](#) for The Australian on his battle in the Victorian Supreme Court over his reporting on an investigation by the Independent Broad-based Anti-corruption Commission. Johnston and the newspaper were resisting an argument put by Peter Marshall, Secretary of the United Firefighters Union, that, if successful, would severely restrict the scope of an offer of confidentiality a

journalist makes to a source. Justice Lisa Hannon refused Marshall's application for discovery of documents that would have revealed his sources.

Then there was a [report in the SMH](#) about [AB v ABC](#) in which an interim injunction was issued by the NSW Supreme Court, along with suppression and non-publication orders. The applicants are three high profile sports people who exchanged group chat messages, with the content described as "shared jokes, insults of named other people ... and crude

descriptions of sexual acts and domestic violence". The messages were exposed after the ex-partner of one showed the evidence to an ABC journalist. This is an interesting matter that has a way to run, so we'll come back to it in a future newsletter.

Finally, there was the Royal Commission on Antisemitism and Social Cohesion. The Special Envoy's proposal for an additional mechanism to provide oversight of the ABC and SBS does not seem viable or desirable to me. But she has exposed a shortcoming with the current system – and I don't mean the absence of standards schemes for online content, which has been recognised for years and came to prominence in the fiasco involving [YouTube and Sky News in 2021](#). The Envoy is right to point to the absence of any satisfactory means of establishing whether mainstream media organisations have, on the whole, provided accurate and fair coverage of the conflict in the Middle East. We've been conducting our own research on this, which we'll publish in the next couple of months, but the nature of the complaints-driven compliance systems that apply to broadcast, print and online news has exposed a real gap in any authoritative assessment of reporting. We learned at [Friday's Royal Commission hearings](#) that ACMA has been doing some work on this, but it appeared from the Chair's comments that this review is itself based on complaints. We'll need to wait for more information about the scope of the review, but the community is certainly in need of the kind of impartial assessment ACMA can provide. In the absence of a timely, public facing investigation or inquiry by the regulator, it's not surprising there are calls for some kind of intermediary accountability mechanism. Indeed, these calls could – and may well – arise out of any matter of serious community concern.

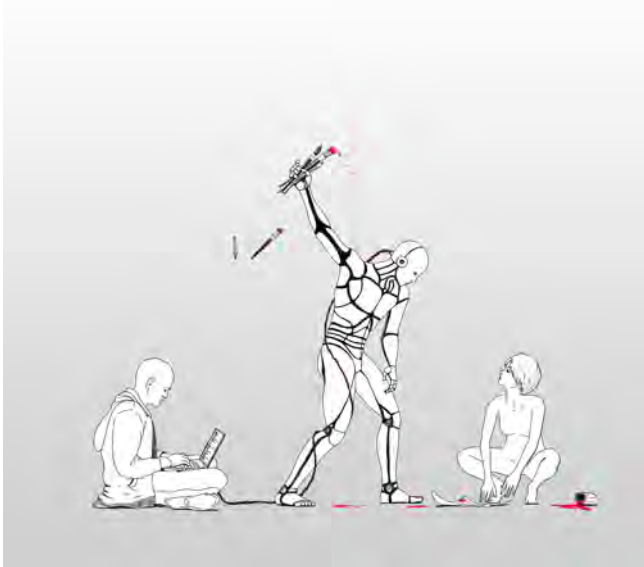
Our current accountability mechanisms might need to work a bit better if we want to defend the various protections journalism needs to do its job, while also resisting demands for another layer of oversight.

In other developments this week, Michael updates us on Australia's new AI policy, announced by the Prime Minister on Wednesday, Alena tells us about the latest journalism research presented at an international conference in Dublin and I look at how proposed gambling ad laws capture "notable people".



Derek Wilding
CMT Co-Director

Open gate policy?



Anthony Albanese's [announcement](#) yesterday of a new national AI strategy comes after years of uncertainty about Australia's approach.

Since the release of ChatGPT in late 2022, Australia has largely dithered while the AI hype train has relentlessly rolled on, with billions invested, mostly into a handful of outfits operated or owned by the [usual big tech suspects](#). Several initiatives went nowhere, including the welcome early public consultation on [Safe and](#)

[Responsible AI](#), proposed [mandatory guardrails](#), and the [Artificial Intelligence Expert Group](#).

The new strategy relocates control to Prime Minister and Cabinet, signalling a coordinated approach to AI, or more cynically, a single door for lobbyists to come knocking. While the Prime Minister's speech was long on rhetoric and short on detail, the rhetoric clearly signalled a government willing to take control over the future of AI in Australia. There was talk of sovereignty, of national opportunity and public benefit to accompany the inevitable waves of big tech investment. There was also reassurance on risks to the environment, to jobs, and to the sustainability of the creative and media industries.

In the clearest statement yet on the last of these, Albanese said, "No company should use Australian books, music, art or news to build or train AI without the artist's control. That includes the artist's control of the price and value of their work. Anything less, is theft." On the one hand, this might provide the policy certainty which big tech has been clamouring for. On the other, there's no doubt it's [not the policy big tech wants](#).

And the details are still missing.

Like the many-eyed [Irene, devourer of worlds](#), AI companies have vacuumed up everything they can find to feed the models they are now deploying for commercial gain. News companies, journalists and other creators have already lost control of their published work, and thus their ability to benefit financially from it. They may be able to

claw some value back through private deal-making and licensing schemes, with clarity on copyright potentially boosting their bargaining power. But media's loss of control over content goes beyond access and commercial value.

AI increases gatekeeping power of tech companies over news and other digital content—a power that has already driven the incredible growth of big tech over the past two decades. This was one of the most serious concerns voiced by the news editors we interviewed in our research on AI and journalism. It represents a loss not only of commercial value, but of editorial control. The impact of this loss extends beyond the private interests of media companies to the interests of the public in the availability of reliable and diverse sources of news and information. Neither private deal-making nor licensing schemes necessarily address this impact, since they [do not stand in the way](#) of the gatekeeping power of AI. The biggest beneficiaries of these schemes are likely to be larger media companies.

There is tremendous benefit in having news and other reliable information available and accessible, at no cost, to the public. For this reason, governments see fit to fund public information infrastructure, including public libraries and public broadcasters. Some argue that the same logic should lead us toward the funding of public AI; even more so, given AI's reliance on public-domain and publicly accessible works.

There is no sign in Albanese's speech that we are heading down that path. And with AI explicitly excluded from the revamped News Bargaining Incentive scheme, which in its original form at least sought to address some aspects of the gatekeeping power of digital platforms, it remains uncertain how the impacts of that power on the public information ecosystem will be addressed.



Michael Davis
CMT Research Fellow

Who polices the narrative?

After an unexpectedly stressful departure – recently implemented visa requirements for Russian passport holders meant a last-minute rerouting through Doha – I finally made it to windy and rainy Galway. The weather had undergone some dramatic changes too. Right



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on the day of my arrival, temperatures dropped from a summery 30 degrees to an autumn-like 16, as the 2026 *International Association for Media and Communication Research* (IAMCR) conference kicked off at the University of Galway on 28 June.

With more than 1,700 presentations across over 400 sessions spanning across five days under the central theme *Peripheries and Connections*, this was by far the biggest conference I have ever attended. Participants explored how the global-local intersections shape media's role in

addressing challenges of representation, migration, climate change, and digital inequalities.

I presented the concept of “philosophical cartooning”, an idea-driven rather than event-driven form of textless cartooning based on paradox, ambiguity, absurdity, and universalisation. I traced this tradition to the Soviet “Young Wave”, a “lost generation” of cartoonists who had worked under strict publishing conditions since the mid-1960s onwards. While having hundreds of international awards under their belt, the Young Wave cartoonists received surprisingly limited attention in international histories of cartooning, including in Russia. Unlike well-known Soviet realistic graphic satire, their cartoons were often evergreen and apolitically political, and spoke to power across contexts, exploring broader questions of freedom, conformity, power, identity, and the value of individual life itself. For contemporary audiences, Banksy, Michael Leunig, and Reg Mombassa would be loose points of comparison in the use of visual metaphor and philosophical reflection to communicate complex social and political ideas.

Across the sessions, I kept encountering broader questions about the boundaries of legitimate political speech and whether propaganda is a participatory and platform-dependent process that not only persuades but recruits audiences, making them reproduce or contest dominant narratives. Valeriia Resh from the University of Antwerp explored how the “foreign agent” label is used in Russian state-affiliated outlets to stigmatise dissenting voices. Dr Maxim Alyukov from the University of Manchester discussed how the very language of disinformation can become a propaganda resource within authoritarian states, with regime supporters learning to dismiss “counter-attitudinal”, ideologically inconvenient information as fake to police boundaries of acceptable

knowledge. Tracing similar patterns of public delegitimisation within a democratic wartime setting in Israel, Dr Christian Baden from the Hebrew University of Jerusalem explored audience's "dark participation" on X and YouTube and argued that governments no longer need to suppress dissent, as sympathisers self-enlist in a semi-coordinated effort at policing dissenting voices while "parroting" official propaganda narratives.

The persistence of older interpretive frameworks was also noted. Dr Danny Schmidt from the University of Erfurt argued that despite recent scholarship increasingly pointing to a renewed presence of Cold War discourse in the media since 2022, German newspaper coverage of Russia since Vladimir Putin's rise to power in 1999 had always been deeply entangled with the long-established portrayal of Russia as a "belligerent aggressor". What changed was Russia's principal counterpart – shifting from the US in 1999-2007 to the EU.

Several sessions also exposed a debate over whether media and communication scholars may keep analytical neutrality when analysing war coverage. Dr Omar Al-Ghazzi from the London School of Economics and Political Sciences examined Western legacy media's [selective omission](#) of context and policing of words – particularly genocide – in their Israel-Gaza coverage, prompting a tense audience discussion on the role of victimhood in competing interpretations of conflicts and the boundary between scholarly analysis and political commentary. That tension resurfaced at the plenary session *Communicating Peace in an Era of War*, where the discussion centred on whether academic institutions should themselves express political positions. The audience pointed out that Russia's actions in Ukraine prompted IAMCR's [formal condemnation](#), while a relatively balanced statement had been issued condemning harms by both [Hamas and Israel](#), exposing a disagreement on whether academic associations are themselves participants in the conflicts over language, legitimacy, and power that their members study.

Diving further into the discussion of policing the narratives and amplifying inequalities, Professor of Information Sciences, Anita Say Chan, from the University of Illinois traced contemporary Big Tech's predictive models and practices of dividing people on- and offline back to the early 20th century eugenics. Drawing on her 2025 book [Predatory Data](#), Professor Chan argued that eugenicists' "radically pro-segregationist" methods of population classification echoed Silicon Valley's "obsession with intelligence" and desire to create a "superior form modelled on their self-image as cognitive elites", with AI-driven predictions as the cornerstone, reinforcing social hierarchies and defining "majoritarian outcomes" as "the most probable" and desirable future.

These are only a few glimpses from a huge conference, heavily shaped by my own

research interests. But what remains clear is that old boundaries are being tested, and academics across the globe are asking themselves: how power is negotiated within media systems, how older political structures persist within contemporary environments, and how to negotiate the boundaries between objectivity, advocacy, and public responsibility.



Alena Radina

CMT Postdoctoral Fellow

No more free plugs for Sportsbet?



The government's proposed [gambling laws](#) received a fair amount of criticism when they were tabled in Parliament a few weeks ago. The Bill has now been sent to a [Senate committee](#) that's due to report in mid-August. The package works on a number of levels, including measures to block access and payments to illegal offshore gambling sites and improvements to BetStop, the National Self-Exclusion Register, as well as restrictions on advertising. In fact, the new approach makes sweeping changes to existing

legislation because it dismantles part of the current regulation under the Broadcasting Services Act and establishes new rules under the Interactive Gambling Act. It will supersede the gambling advertising rules that apply to streaming services and the broadcasting rules that are found in the various codes of practice, giving the regulator (the ACMA) more enforcement options for breaches.

We won't go into all of this here. Instead, we'll look at one interesting part of the proposed advertising rules: restrictions that bring online influencers and celebrities more squarely within the regulatory framework – and maybe even go a bit further.

The foundation of the new regulatory framework is the suite of prohibitions on causing

“wagering advertising content” (more on this term later) to be made available on a broadcasting service or online. The prohibitions apply to broadcasters (for their broadcast services), online content service providers (like streaming services and also the broadcasters’ video-on-demand services such as 9Now and 7plus) as well as to “interactive wagering service providers” like Sportsbet, Ladbrokes and Neds.

In addition, there’s a new rule about the use of “notable persons” in ads and other promotions. Section 62W (paraphrasing) bans arrangements for sponsorship, participation or involvement of these notable people in promoting wagering advertising content. Under s 62F, a “notable person” includes a current or former professional sports player or athlete, celebrity, social media influencer, or other prominent individual. No “current or former journalist” who now has their own podcast but these categories are overlapping and could be all-embracing.

The sting in the notable persons provision is in the civil penalty that applies to a breach – and it can apply not once, but each time an ad appears. The prohibition (and therefore the penalty) applies to the wagering service provider but not to the notable person – a bit like the cash for comment rules that apply to commercial radio licensees but not to the current affairs presenters whose conduct they seek to regulate.

Not surprisingly, there’s an exception for journalism in s 62ZC, but it’s not as wide as we might expect. It kicks in where the gambling promotional content is part of a news or current affairs report or part of a documentary. But there must be no “direct or indirect benefit (whether financial or not)”. In addition – like its precedent in a separate Act that bans tobacco ads – there’s a public interest test: the wagering service must establish that “the public interest in the conduct outweighs any likely adverse effect”.

This raises an interesting question in the light of that [Media Watch report](#) a few weeks ago about a segment on Nine’s Today program. The segment discussed the launch of the World Cup but it was just as much, if not more, about Sportsbet’s own World Cup campaign. It featured very prominent images of the gambling service as well as commentary by John Aloisi. Mr Aloisi, according to Nine, is a “Socceroos legend”. Could the Today segment be caught by the new prohibition?

It’s always risky to make predictions when a proposal is new, the drafting is likely to change and you know nothing about sport, but we can at least look at some of the relevant factors: (i) Sportsbet is certainly the type of wagering business the Act is seeking to regulate; (ii) the segment on Today promotes Sportsbet; and (iii) it features John Aloisi, a “notable person”, whether by virtue of being “a current or former professional sports

player or athlete” or a “current or former prominent individual”. A contravention of this provision, though, would require the promotion of “wagering advertising content”. Over many years, Media Watch has published countless examples of content that promotes a business but doesn’t contravene commercial disclosure rules because there is no specific consideration – no direct payment to the broadcaster or publisher. But the definition of “wagering advertising content” in this new Bill, similar to a definition in Schedule 8 of the BSA, targets “advertising, sponsorship or promotional content”. The content will fulfill the definition if it has, or is likely to have, a purpose or effect of promoting the service, or if it’s made by or on behalf of, or for the benefit of, the service. To make this clear, the Explanatory Memorandum says the rule will apply to, among other things, “in program references”.

I could be missing something here, but out of interest, let’s move on and consider what would happen if the journalism exception came into play. In a scenario where the ACMA is seeking a civil penalty for breach of the provision, the application of the exception is something Sportsbet would need to establish. The content published on Today does relate to a news report or a current affairs report, but there are two questions remaining. First, can Nine be said to have received a direct or indirect benefit? And second, does the public interest in publishing the content outweigh any likely adverse effects? These two questions could take as long to answer as the Bill took to get to Parliament, but you’d rather be the ACMA than Sportsbet, wouldn’t you? Even if it succeeds on this point, Sportsbet still faces the “contracts, understandings and arrangements” provision that prohibits arrangements to promote this kind of content.

All up, what looked most notable for its attempt to regulate the conduct of celebrities and social media influencers may have a more far-reaching effect. Segments like the Today interview with John Aloisi have been regarded as program material, not advertising, but this segment did feature in-program promotion for a gambling app. If the scope of “wagering advertising material” under the Gambling Reform Act is wide enough to capture in-program references, it will change the way in which this kind of content can be featured in programs like Today. Not only will promotions featuring notable people be prohibited, but presumably the other restrictions on gambling advertising, including the new “frequency cap” of three ads per hour, will apply. That would be a significant change – one worth keeping in mind when debating this much maligned legislation.

Derek Wilding



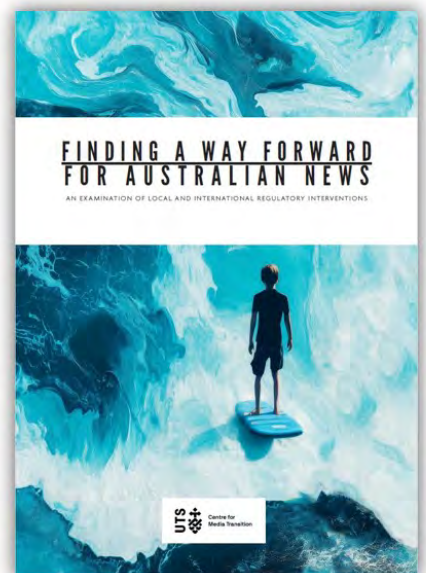
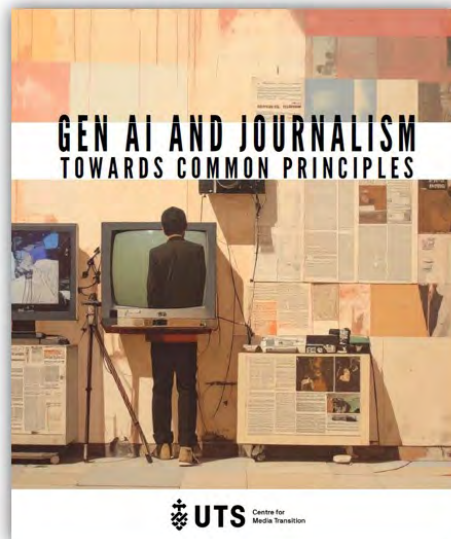
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