

Centre for Media Transition



Hi there



This week's newsletter, with its mix of journalism and platform regulation issues, comes just as Arts Minister Tony Burke [announces](#) the government will introduce a bill to Parliament imposing Australian content expenditure obligations on major streaming platforms. This regulation has been a long time in the making. We'll look at it more closely in our next edition.

For now, here's what we cover in this issue.

I look at what's left of the Pentagon press corps in the US and its link to the media scene in Australia.

Sacha considers some recent high profile regulatory action against digital platforms, including Amazon's US\$2.5 billion settlement with the US Federal Trade Commission for failing to disclose to customers they were being signed up for the Prime streaming service.

I then give an outline of our submission this week to the review of the Australian Code of Practice on Misinformation and Disinformation, including a proposal to remove misinformation from the scope of the code.

Alexia tells you about our recent podcast ep with Noelle Martin on image-based sexual abuse, and flags our upcoming event, "Can News Survive AI?"



Derek Wilding
CMT Co-director

The hard yards of journalism - from the Pentagon to Bondi



A lot has been [said](#) about the walk-out by members of the Pentagon press corps and their replacement with Trump-friendly media. A [report](#) in the SMH named news site RedState as one of the new members, with interest in the issue mainly stemming from their loudly declared partisan position – “unapologetic reporting and opinion by true conservatives for true conservatives” – but also from the changing of the guard: “the next generation is here”.

But it's another aspect that caught my interest and it seems to connect with developments here in Australia. The Herald also quoted podcaster and youtuber Tim Pool who said he would have a correspondent at the Pentagon on occasions but would not “maintain a significant presence”. Acknowledging the ethical challenge that resulted in mainstream media refusing to sign on to the restrictive new policies of the US administration, Pool said he would “prioritise the public's right to know and transparency”. But he didn't expect this to be much of a problem because “we are not investigative reporters, we do not anticipate frequently encountering such situations and respect those dedicated to uncovering information of vital public interest”.

Which is the bigger problem here: the ascendancy of partisan, government-friendly media, or the fact that new players don't see it as their role to investigate, to break news, to offer something other than opinion? This is not to say that the offering of *all* newer participants is limited to commentary or to reproducing already established news. As our colleague, Chris Hall, is demonstrating in his PhD research, [acts of journalism](#) can be found in numerous locations across YouTube. (Even as I was writing this, Chris published his own [video](#) assessing platform journalists against public interest journalism benchmarks.)

But what of the sustained effort to follow developments in how governments, business and other institutions operate day-in day-out? This is where the Australian connection comes in.

Revelations about the outside work of Four Corners reporter Mahmood Fazal have captured the attention of local media – most notably, [Media Watch](#). Fazal has done some interesting reporting but his pre-ABC life – including as part of the Mongols bikie gang – led him to a podcast partnership with Ryan Naumenko who describes himself as “once associating with the mafia, scammers, conmen and drug dealers”. Fazal and Naumenko recently fell out and the ABC is investigating Fazal's involvement in the podcast. This follows questions last year over Fazal's role in [passing on threats](#) made against youtuber, Friendlyjordies who posted a video about the Alameddine crime gang. This followed the 2022 firebombing of the Bondi house of Friendlyjordies' Jordan Shanks by someone [news.com.au](#) described as “an alleged Alameddine foot soldier”.

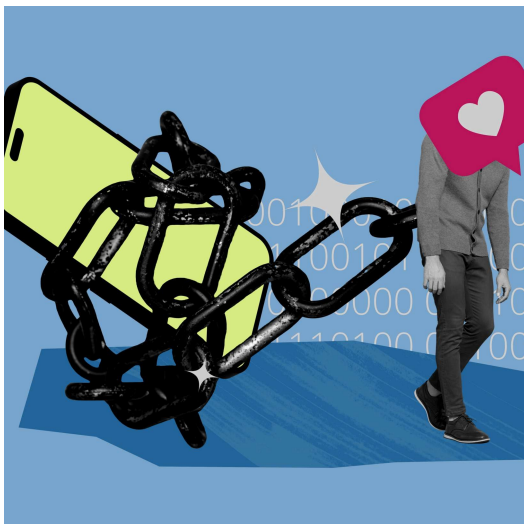
The Friendlyjordies video that led to these events was itself an interesting exploration of a serious issue and the same can be said of some other work they've produced. But here's the thing: the Friendlyjordies channel and the Naumenko podcast and others like them cannot cover the field of public interest reporting. They don't have the resources or the contacts and a lot of them probably don't have the skills and experience or the necessary commitment to standards of practice. Instead, there in the background, are [Kate](#)

[McClymont and colleagues at the SMH](#) – along with their colleagues at the ABC, The Australian, Guardian Australia and other "legacy" media – who doggedly pursue this and other stories in the public interest. This public interest involves the ordinary as well as the extraordinary. Of course, it's selective, and so it's great that we now have commentary and some journalism from podcasters, youtubers and others to fill in the gaps and draw attention to the blind spots of mainstream media. Maybe in time they'll do more of the routine newsgathering on which we rely. And as for RedState and others like it? One thing we don't need more of is commentary "from true conservatives for true conservatives" – or, dare I say, from true progressives for true progressives.



Derek Wilding
CMT Co-director

Technology sausage



Remember the good old days of the 1990s and 2000s, when digital technology was heralded as the dawn of a democratic new age? Every voice would be heard, every wrong would be exposed, and equity and fairness would prevail.

And then what happened? Well, let's take a look at some recent legal activity. Or rather, illegal activity.

In September, the AI startup Anthropic – which counts Amazon and Google among its major investors - agreed to a US\$1.5 billion settlement after it was sued by authors claiming infringement of copyright. That is, piracy. Authors stood to receive \$3000 per book, but, as academic [Agata Mrva-Montoya wrote](#), many Aussie authors were likely to miss out. Still, it marked the largest copyright settlement in US history – and it may yet be dwarfed by ongoing copyright lawsuits against OpenAI, Microsoft, Google and Apple.

Then the US Federal Trade Commission notched up an even bigger win. In late September, the FTC secured [an eye-watering US\\$2.5 billion settlement](#) against Amazon for enrolling millions of consumers in Prime subscriptions without their consent, and for knowingly making it difficult for consumers to cancel these subscriptions. The \$2.5 billion settlement, which included a \$1 billion penalty, and \$1.5 billion in refunds to consumers who had been harmed, is bigger than the GDP of our neighbour East Timor. Documents discovered during the trial showed Amazon insiders admitting "subscription driving is a bit of a shady world".

And last month Australia's competition regulator leapt into the fray, with [the ACCC suing Microsoft](#) for misleading millions of Australians into paying for more expensive Microsoft 365 subscriptions. According to the ACCC, Microsoft "deliberately hid" a more affordable option to boost sign-ups for its AI offering, Copilot. Microsoft allegedly gave customers two

options: pay a higher price for a version of 365 including Copilot; or else give up their subscriptions. But the ACCC says Microsoft did not disclose a third option: if customers chose not to have Copilot, they could keep their current plans at existing prices.

Sadly, "dark patterns" abound on the internet, in the form of hidden manipulations that prompt consumers to make choices that they might not otherwise make. The web promised to be democratising; instead it sometimes resembles a shady world. Today the world's five biggest companies are Nvidia, Microsoft, Apple, Alphabet and Amazon. They're big, and getting bigger. Is democracy succumbing to technocracy?

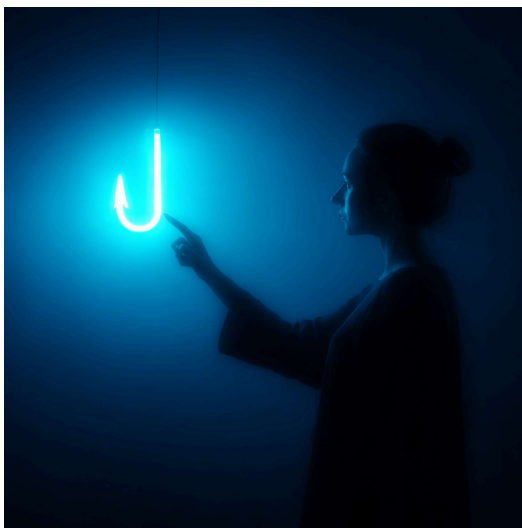
If only we had more "[light patterns](#)", where nudges prompt users to behave in line with their best interests, and with democracy. That's something to work towards. For now, the good news is that regulators are mobilising, with some success.



Sacha Molitorisz

Senior Lecturer, UTS Law

Reviewing mis and disinformation rules



This week CMT made a [submission](#) to DIGI, the industry association representing digital platforms responsible for the Australian Code of Practice on Misinformation and Disinformation.

The code was first launched in early 2021, in the wake of the ACCC's Digital Platforms Inquiry, and reviewed in 2022. In some ways the stakes have been raised since then because the government's attempt to introduce a co-regulatory model – which would have replaced or at least enhanced

the DIGI code and given ACMA enforcement powers – collapsed at the end of last year. That left DIGI's self-regulatory code as the single instrument governing mis- and disinformation in Australia.

Our submission to the [2025 review](#) was led by Michael with contributions from Alena, Karen Lee and myself. Our first response was to DIGI's proposal to remove misinformation from the scope of the code. In our view, platforms do have a responsibility to take action about misinformation, which can be harmful even where harm is not intended. This includes its impact on human rights and broader societal harms. And as platforms will most likely respond in at least some cases, the actions they take should be governed by common industry standards, not left solely to the discretion of the platform itself.

We agreed with DIGI on the benefits of an eco-system approach to combatting mis- and disinformation. A systems-based approach is something we have [promoted](#) in the online

safety context. Promoting shared responsibility, however, does not mean platforms should scale back their own contributions. Like the code in place in the EU, the Australian code should require signatories to form formal collaborative partnerships with experts, related industries and other stakeholders to develop best-practice systems. We also think it should encourage platforms more strongly to promote access to news and other high-quality information.

Another question raised by DIGI in its Discussion Paper was whether it's achievable for platforms to come up with a common set of metrics for reporting progress against the obligations in the code. This is a point on which regulators and civil society organisations here and overseas have focussed their attention, arguing for more comparability in transparency reports and more granular country-level reporting. Rather than pull back on the level of reporting, we think it's important for DIGI and the platform signatories to step up their efforts to provide meaningful metrics. We presented some ideas on how the platforms could expand and contextualise data reporting, strengthen fact-checking transparency and improve research access and collaborations.

Finally, we offered some comments about the operation of the code complaints system and its administration committee. We noted the gap that exists between "reports" users make to flag content and the complaints made under the code about systems that do not comply with the code obligations. We think the code should include complaint handling provisions for escalated reports not resolved at first instance, and that the signatories and DIGI should pursue the development of internal and external complaint handling arrangements. And we urged DIGI to resist a proposal to regard its administration committee as a purely advisory body. Instead, the committee should retain oversight of the administration of the scheme, with public members who are appointed through a transparent, public process and remunerated for their work.



Derek Wilding
CMT Co-director

***DoubleTake*: Justice for victims of online abuse**



Last month we had a double dose of podcasts. First we featured Michael's interview with Robin Mansell, Professor Emerita at the London School of Economics and Political Science and Scientific Director of the International Observatory on Information and Democracy.

We're following this now with Derek's conversation with Noelle Martin, an expert on image-based sexual abuse who recently completed a doctorate at the University of Western Australia Law School.

Noelle shares her research on image-based sexual abuse, particularly deepfake abuse, which disproportionately affects women globally.

While Australia has criminal laws and a regulatory regime under the e Safety Commission to address image-based sexual abuse, it primarily focuses on the informal removal of content, leading to a success rate of 80-95%.

But what does that mean? Once abusive content is taken down, perpetrators are not brought to justice and can reoffend. And victims do not receive compensation for the devastating impact this form of abuse has on their mental health or job prospects.

Noelle advocates a broader regulatory approach to address the systemic nature of online abuse—especially as it becomes more common—and tells us why only enforcement powers will ensure victims get the justice they deserve.



Upcoming event | Can news survive AI?



Join us for a morning of talk about how AI will and indeed is, changing what and how we consume news. Come and hear **ABC Chair, Kim Williams**, talk about the impact AI may have on public broadcasting. Followed by an expert panel which will include:

- **Rod Sims AO**, former Chair of the ACCC and adviser on digital platform regulation
- **Dr Sarah Hook**, IP and media law expert, University of Technology Sydney
- **Shaun Davies**, founder of *The AI Training Company* and digital media leader
- **Saffron Howden**, journalist and researcher on misinformation and digital literacy

Hope to see you there!



When: Tuesday, 25 November
9.30am — 12pm



Where: Balcony Room, Building 1, level 5 - UTS Tower, Ultimo

RSVP



Alexia Giacomazzi
CMT Events and Communications Officer

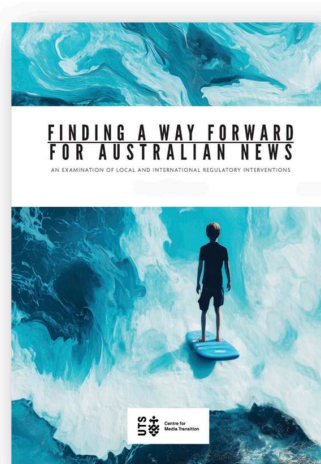
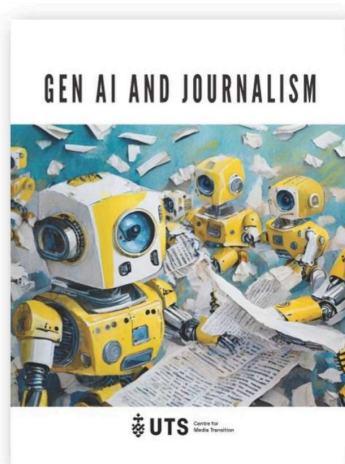
We hope you have enjoyed reading this edition of the *Centre for Media Transition newsletter* - Press corps crisis and tech reg crunch - Issue 20/2025

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