

ANNOUNCEMENT OF AN INQUIRY INTO MEDIA
TRANSCRIPT.

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SENATOR STEPHEN CONROY, FEDERAL MINISTER FOR
BROADBAND, COMMUNICATIONS AND THE
DIGITAL ECONOMY

STEPHEN CONROY: Okay. Well thank you all for coming. I'm here today to announce an independent inquiry into the Australian print and online media and to release the terms of reference.

A healthy and robust media is essential to the democratic process. Labor believes it is incumbent upon government to ensure that regulatory processes and industry structure are sufficiently strong to support the continuation of a healthy and independent media that is able to fulfil its essential democratic purpose and to operate in the public interest.

Australia has traditionally been well served by its media institutions. We rely on the newsrooms and our major newspapers to investigate and report issues central to our daily lives. They set the agenda for every day for our national conversation.

We have an effective and competitive television market; one of the world's best. With two strong and highly valued public broadcasters, three highly popular and long-established commercial TV networks and a creative and inventive subscription television sector.

Australia's radio market is also populated by a variety of voices from the public and commercial radio broadcasters and a thriving and diverse community radio sector.

As citizens in a democracy we really rely on the media to scrutinise the actions and decisions of those in power; to hold business and political leaders to account; to reflect and contribute to our national identity. We therefore need media that is independent and diverse and capable of putting the public interest above the interests of media owners, whether those owners are governments or shareholders.

The fact is, news gathering and quality journalism costs serious money. And the business models that have provided that money in the past are under threat. The impact of unique communications technologies is eroding the revenue base of traditional print media organisations in particular as classified advertising, once known as the rivers of gold migrates to online places.

Moreover, the traditional role and democratic function of the media is under massive pressure from the now relentless 24-hour news cycle. This is a worldwide phenomenon, and one the Gillard Government is already addressing through the Convergence Review which has been underway for some time.

The Convergence Review is taking a broad and considered approach to a range of regulatory issues across the broadcasting, telecommunications and radio communications sectors.

The media inquiry that I am announcing today will focus on print media regulation, including online publications, and the operation of the Press Council.

The government believes a separate and distinct examination of the pressures facing newspapers and their newsrooms including online publications will enhance our consideration of the policy and regulatory settings that Australia needs to ensure that the news

media continues to serve the public interest in the digital age.

The media inquiry will be conducted independently of the government as it is imperative in a free society.

Former Justice of the Federal Court, Ray Finkelstein QC will conduct the inquiry, assisted by Dr Matthew Ricketson, a professor of journalism at Canberra University, and a former practising journalist.

The government is delighted that these eminently qualified Australians have agreed to undertake this important task on behalf of the Australian people.

The inquiry will be asked to assess the effectiveness of the current media Codes of Practice in Australia - particularly in light of technological change - the impact of this change on the business model that has supported investment in journalism and the production of news, and ways to enhance media diversity in the digital era.

Crucially, we have asked the inquiry to investigate ways by which has substantially strengthened the independence and effectiveness of the Australia Press Council, including in relation to online publications, and with particular reference to the handling of complaints.

The government wishes the inquiry to report on the ability of the media to operate according to regulations and codes of practice and in the public interest.

The inquiry will provide its findings to the Convergence Review early next year, and the government will take a considered approach to the recommendations of both.

Let me be clear, the government is not interested in attacking any one media organisation or in seeking to reduce the necessary scrutiny of the political process that is at the heart of a functioning, democratic media. This is an independent inquiry, not a statutory inquiry or a Royal Commission.

The inquiry will have no coercive powers to compel witnesses or to subpoena evidence. However, the government is confident that media organisations will cooperate fully with the inquiry in order to ensure we arrive at the best outcomes for the future of their business.

We also expect the public to have their say. The structure of the inquiry will be decided by the independent inquirers as is appropriate.

Without access to a fair and balanced media, a diversity of voices in the national debate, and the genuine, impartial investigation of issues in the national interest, our ability to function as a democracy will be reduced. The government believes that this inquiry will shed light on the real pressures facing media organisations today, and enable us to consider what regulatory or legislative changes might be needed in order to ensure Australia continues to benefit from a strong, independent and diverse media.

Thank you.

QUESTION: Minister, is this the inquiry you have when you're not having an inquiry?

STEPHEN CONROY: Not at all. I don't need an inquiry - I mean, I've seen some comments recently. I don't need an inquiry to establish that the Murdoch press owns 70 per cent of newspapers in this country. We've all known that for 20 years. I don't need an inquiry to establish that some

organs in the Murdoch press are clearly running a campaign against this government. I don't need an inquiry for those things.

But what this inquiry is about is ensuring that under the technological changes, the pressures that newsrooms are facing, all of you here today will understand that the news... the pressures in the newsroom in the 24/7 media cycle are bringing about many changes. And so this is to look at what is happening at the moment and into the future as those pressures increase.

QUESTION: Minister, the broadcast media is a part of the 24-hour news cycle. Why has broadcast been effectively quarantined from the inquiry?

STEPHEN CONROY: They haven't been quarantine at all.

QUESTION: Well why the focus on print media?

STEPHEN CONROY: Perhaps you didn't - perhaps you didn't hear me when I said that the Convergence Review is looking at all of these issues from the broadcasting side. It's also looking at some of these issues in the print side. But the Convergence Review which was established I think, last year and has been working through this year is already looking at the broadcasting side currently.

So this is looking at the Press Council. It's looking at how can an individual make a complaint? Do they - if it's an online - if it's the News Limited or Fairfax website and it's an online, where do you go to - The Press Council? Do you go to the ACMA?

All of those sorts of issues are issues that I think are important for a functioning democracy. And it's about, also accountability. The media expect an enormous amount of accountability across the political world, the business world, the broader sporting world. It's only

fair with all of these changes that are taking place that the community is able to, through the Press Council, hold accountable what they consider to be egregious reporting. So it's about accountability as well.

QUESTION: [Inaudible question]

STEPHEN CONROY: Well we've responded to a range of views about this and we believe that it's timely to examine the role of the Press Council. And I think if you were to talk to Julian Disney, he's at the moment looking at a range of reforms. But we think it needs a broader perspective than asking the players involved what reforms are needed. We think there's a broader national interest in joining that discussion.

But the Press Council's going through a process at the moment itself, but we think it... sorry?

QUESTION: Will this inquiry take submissions that will be public? Will it hear evidence in public? Will its report be public?

And, you said you expect the media companies to cooperate. Have you asked them?

STEPHEN CONROY: We - I'm sure that they will. I can't see any reason why a media company wouldn't want to cooperate with this inquiry. They'll strongly want to make their case and they may have views themselves. I know of some media companies that have very strong views about the Press Council and the role that it plays. So I think there'll be a broad diversity of views.

In terms of the process, we'll be talking with Matthew and Ray about whether they want to - it may be that they want to hold some in-camera, they may want to hold some in public. But they will be taking

submissions. We'll be inviting submissions to go to them, and I'm sure we'll welcome them.

In terms of the final report, it may be that there's a part that they - for reasons that I don't know, but I'm just saying that they may make this decision themselves [indistinct] we'd like to give you part in conference. But, in general, I would anticipate, unless they insisted, that it would be a public document.

QUESTION:

Minister, the Greens have been pressing for an inquiry to look at the ownership concentration and some people say that it should be examining ways in which the - that can be either broken up or made more diverse. Why didn't you adopt that proposal?

STEPHEN CONROY: As I said, I don't need, and I don't think anyone in this room or anyone in the broader Australian public needs an inquiry to tell us that 70 per cent of newspapers are owned by News Limited. So I think it's an utterly pointless exercise.

In terms - sorry, in terms of the argument therefore that we should start trying to break them up, there are a whole range of issues that then come into play - is there compensation; could a newspaper survive in a standalone world today - and those are legitimate issues which I think will be a sideshow to what we believe is an important reform.

We've got Brendan O'Connor bringing forward the privacy tort. We have now this review looking at a variety of issues I've outlined today.

So we think there are important structural reforms going forward into the economy. But in terms of a witch-hunt to demand that we break up News Limited or to attack News Limited, we're not interested.

QUESTION: [Indistinct] talked about how you don't want a witch-hunt but you've also talked about regulations and legislative changes to increase competition and enhance diversity. What does that mean?

And, secondly, have you discussed these terms of reference with any of the media companies in the last 24 hours?

STEPHEN CONROY: No. No, I haven't discussed it with any of the media companies in the last 24 hours.

QUESTION: So do you envisage that you could actually end up in a position where there were changes to ownership regulation, not necessarily aimed at News Limited, but to increase diversity, to reduce barriers to entry?

STEPHEN CONROY: Look, I think the question of how you can get more diversity is something that they - I haven't prejudged this. There is a range of models around the world, some I'm not attracted to. I think in France they purchased a certain number of [indistinct] newspaper and distribute it. Not something I'm attracted to.

So there's some - a range of issues around the world that people are trying to address this. I think lowering the barriers of entry and what can be done, I think there may be innovative ideas that come through this process, but I'm not prejudging the outcome of that. I'm leaving that to the inquiry to canvass.

Michelle.

QUESTION: Newspapers have never been under regulation and it's always been said that they were different from the electronic media in this way. But you seem to be very explicitly countenancing regulation. Is that right?

And, if so, what sort of powers would be calling on for a federal government to regulate?

STEPHEN CONROY: No, let's be clear, I'm talking about the Press Council at the moment. The Convergence Review is looking at the broader question of platform neutrality. If Michelle Grattan goes and writes her *Age* column, well, you go to the Press Council. But if you appear on Sky News and say exactly what you said there, then is it an ACMA matter if someone objects to what you say there.

So ultimately as the converged world comes together there's those that have argued that all of the media should be under the one regulator, statutorily independent.

QUESTION: It's not a regulator, is it? It's quite different...

STEPHEN CONROY: Well, it says it's a self-regulator. It claims it's a self-regulator. I'm not suggesting it is.

QUESTION: [Inaudible question]

STEPHEN CONROY: Well, that's something for the inquiry to look at: are there ways to increase its powers? As I said, if you were to speak to Mr Disney he would tell you he's looking at a number of reforms.

QUESTION: [Indistinct] by the newspapers it's not a government body...

STEPHEN CONROY: In a converged world where newspapers are online as much as they're in print, is there a difference anymore? Does Michelle Grattan, if she only writes in *The Age*, does she say, no, I'm only subject to the Press Council, but Mark Riley, who appears on Channel Seven is subject to an independent statutory regulator. But in a

converged world where Michelle Grattan writes online and her content is only online, would you argue that there's any difference whatsoever? That's something for both the Convergence Review to look at and for this inquiry to make recommendations on.

I'm not prejudging it. All I'm saying is these are legitimate questions in the converged world, and they're questions that I think people are starting to ask, not because anyone is trying to make anybody ask them. Technology is overrunning what have been traditional silos.

QUESTION:

Isn't the television sphere, because it's got spectrum - if that's the right word, you'd know, I don't - isn't it subject to a different level of regulation because of that it is in a different form? Whereas - and what is the difference between - isn't there a difference between regulating that and regulating the ethics of standards of journalism which is what, I think, the Press Council holds itself up to?

STEPHEN CONROY:

Well, that's the very - that goes to the nub of what I think are the most interesting issues in this inquiry, its recommendations about that. As the print world, and many are predicting doom for the print world, many are predicting doom. I'm not as much of a pessimist as some, but many are predicting doom.

So, as newspapers have closed down around the world, they've gone online, is there a difference between an online publication and a TV publication? I think those are the really interesting discussions.

So, I'm not prejudging that outcome. I'm saying let's have an inquiry. Everyone can put their perspective in. Media organisation - I know of media organisations who have said to me in the past - not in the last 24 hours, in the past - significant print and media organisations that believe that the Press Council is not

doing its job and would prefer to go under ACMA. So I know organisations that actually have this view.

Sorry, Andrew.

QUESTION: My question goes to that last point. Now, you are also the Minister, effectively, for Broad... well, you are the Minister for Broadband, which is the NBN. I'm not a doomsayer, but if you do believe the - those who speak of doom with the newspapers and we become effectively victims of shortened... or extended broadband spectrum, therefore we might come under your auspices, would you think...

STEPHEN CONROY: It's not under my auspices, let's be clear about that. The ACMA is an independent statutory authority.

QUESTION: May you support the extension of ACMA to online regulation?

STEPHEN CONROY: That is something the Convergence Review is absolutely consideration. They're putting out some papers next week, and one of them is titled, I think, Media Structure - that they're going to put out next week. So I think that is something that the Convergence Review is looking at.

Look, I don't want to prejudge. A minister announcing what he thinks a view is might give a little too much guidance to independent inquiries. But I think it's a really legitimate area of debate and I'm going to be interested in what the broader community think about that.

Will it all ultimately end up under one converged regulator in the future? That's an absolute legitimate question. Technology is bringing that question to us. It's not a question of any politician or any government

or any journalist. Technology is bringing that question to us.

QUESTION: We've been waiting several weeks for you to announce the terms of reference, partly because you wanted to talk to Senator Brown and the Greens. To what extent are these terms of reference a product of those discussions and what percentage of these do the Greens agree with?

STEPHEN CONROY: You'd have to ask Bob Brown what he agrees with or doesn't agree with. I can't speak for him on this. These are the terms of reference. We've consulted widely but ultimately they're our terms of reference.

QUESTION: Your terms of reference?

STEPHEN CONROY: Our terms of reference, as in the government's terms of reference.

QUESTION: You're talking about enhancing diversity, once upon a time barriers to entry were presses were very expensive and broadcasting was very expensive. How could you possibly have more diversity than we've got now?

STEPHEN CONROY: A thousand flowers are blooming but just because your mum reads your blog, does that equal diversity. I'm not sure.

No, I'm not being critical of your mum, and I know she's probably critical of your blog, but I think diversity is more than just a thousand flowers...

QUESTION: But surely the market decides that, doesn't it? The market says your blog's pretty dull.

STEPHEN CONROY: No, absolutely. As I said, I'm not prejudging the outcome. It may be it comes back and says the internet will save democracy.

QUESTION: Minister...

STEPHEN CONROY: It may come back and say that. Sorry, Catherine was next.

QUESTION: Senator Conroy, two things. You say in terms of concentration and ownership that you don't need an inquiry to tell you that Rupert Murdoch owns 70 per cent of newspaper publications. But are you seriously arguing that an ordinary voter out in the street has that knowledge? And do you think that an inquiry needs ownership as a means of underpinning a debate about policy that may come next in terms of addressing the sorts of commercial pressures that we're talking about? And also in the United States, where newspaper viability is maybe a more intense question than it is here, regulators are looking at structures like [indistinct] in order to enhance low-profit or not-for-profit journalism. Are any of those...

STEPHEN CONROY: No, look, I think they'll be certainly - what the US is doing will be certainly part of the discussion that's taking place. So I welcome what's going on in the US. I agree in the US print media seems to be even more challenged than here, and so I think they are looking to try and enhance various things in the US and I think there may be some guidance or ideas that are worthwhile considering. What the inquiry will say I'm trying not to prejudge.

QUESTION: Without prejudging it...

STEPHEN CONROY: Sorry.

QUESTION: Minister, given that this isn't a parliamentary inquiry, why did you talk to the Greens at all?

STEPHEN CONROY: Ah, well, we talked to a range of the parliamentary colleagues. I mean, Tony Windsor, Rob Oakeshott. Nick Xenophon said he doesn't support it. So there's - everyone's had a view. And so we'd just be consulting. But ultimately these are our terms of reference and it's a non-parliamentary review, so the government ultimately decided on these terms of reference.

QUESTION: Can I just check, in terms of how - without prejudging it, of course - whether you would see a question like whether there should be a fit-and-proper-person test as being something that would be within the scope, as you would imagine it, that the inquiry could look into?

STEPHEN CONROY: Probably the convergence review would be considering that, because at the moment there is a fit-and-proper-person test in the broadcast world; there isn't one in the print world. But if they become converged, would all of those existing tests come across into a converged media regulatory world? That is exactly why I'm holding.

And, I mean, to be fair to the government, we started this a long time ago. It didn't take anything that happened in the UK for us to recognise that technological change is sweeping across a range of sectors and the media as well. And so we started this process a long time ago. I think I might even have talked about it prior to the last election.

We've put in place a rigorous process to be gone through; there's lots of public consultations taking place under the convergence review. I expect those issues to be canvassed extensively in the convergence review.

QUESTION: Can you just explain what this review will do that the convergence review wasn't already doing?

STEPHEN CONROY: I think it will look at, in particular, the Press Council and other ways to enhance the powers of the Press Council, other ways to enhance the remedies of the Press Council.

This is about accountability right across the board. This is - the public expect politicians to be held to account, the public expect the business community to be held to account, sporting figures, sporting organisations to be held to account. And at the moment the Press Council, if you were to honestly, you know, turn the cameras off and all put your pens down and say what do you think of the Press Council, there'd be a lot of laughing. I think Julian Disney's trying to make some serious changes, and I think that what we're able to do here is put on the table a whole range of things that not just the people who are in control and run the Press Council can consider as ways to improve the operations of the Press Council.

So I think that these - that specific area, as an example, probably wasn't going to get as much canvassing. It might have considered it in the way that Laura's just asked - should there be all these new tests coming in from the broadcasting into the print - but that's a few years away yet. So this is about the Press Council and remedies for ordinary Australians if they have an issue they want to take up.

QUESTION: You talked about accountability and penalties. Would you like to see a strengthening of the kind of penalties that are available for transgressions?

STEPHEN CONROY: Look, I'm not going to prejudge. I say to you genuinely we want to see what the conversation brings up, what the dialogue and the inquiry bring up. But if they are issues that people feel stronger remedies are needed as

part of that, that will come through in this. I'm not prejudging that.

QUESTION: Could you explain why the government thinks there's a need for a media inquiry but not a manufacturing inquiry?

STEPHEN CONROY: Look, you would have to have a conversation with the Prime Minister's office and Kim Carr's office. But let's be clear: we're holding a jobs summit. So in terms of what the processes are over there, you would have to speak to my colleagues' offices. I'm not responsible for that - [laughs] that particular policy area.

QUESTION: Back at the media, you call it a media inquiry but you're not inquiring into the way, for example, in which ACMA's doing its job. Are you happy with it? Are you happy...

STEPHEN CONROY: The convergence review is looking at those issues. I mean, as I said, we set off the convergence review a considerable period of time ago to have a considered look at how ACMA can do its job in the converged world - whether it needs more powers, new changes or there should just be one regulator. All of those are being canvassed.

QUESTION: But this whole lot of issues like independence of news, like Australian content, like penalties for transgression of broadcasters - are you happy with everything that's in place? You don't need to inquire into any of that...

STEPHEN CONROY: Well, that's what...

QUESTION: ...for the broadcast media?

STEPHEN CONROY: No, but the broadcast media is being looked at in the convergence inquiry. And it was started a long time

ago - there was no argument about phone hacking and *News of the World* and all that sort of stuff. And in one particular area we're saying we think that we probably didn't do enough there, and this is an inquiry that will look at the Press Council remedies in the shorter term.

Now, it may be the convergence inquiry comes back and says there should just be one converged media regulator in the converged world - that will take a few years, I would imagine, to work its way through - but that they should all be in one place. Now, then you might argue, well are there enough powers for ACMA? How would they handle it? I mean, they are - recently I'm aware of a number disagreements between Channel Nine, Channel Ten; others famously turkey slaps the back, apparently. So, [laughs] there's been differences between the ACMA and individual broadcasters. So that's already on the table being considered.

QUESTION: Minister, what are your...

STEPHEN CONROY: Sorry.

QUESTION: What's a turkey slap?

[Laughter]

QUESTION: Go on. [Indistinct]

STEPHEN CONROY: I'm not bringing Big Brother back. [Laughs]

QUESTION: Okay.

STEPHEN CONROY: I'm not. [Laughs]

QUESTION: Minister, you mentioned the concerns of ordinary Australians. Now, clearly we've seen and you've expressed some concerns from politicians about the print media or parts of the print media. To what extent had there actually been complaints about the access for correction and ease of trying to get a correction through the Press Council or the ABC complaints...

STEPHEN CONROY: Oh look, let's not mince words, seriously, I mean, when a full page story, front page, is this big, and the corrections on page 28 down here, I mean I don't define that as a particularly reasonable remedy.

But as I said, ordinary Australians all the time are going to the Press Council, and they are, you know, finding redress, or not. I think to the credit of the Press Council they have recently had a higher findings in favour of complainants. I think that's a, you know, they should be congratulated on that.

But I still think that they themselves would say they're under-resourced. We struggled to let people know the remedies available. So I think there's a variety of things that can be canvassed within this inquiry.

QUESTION: Is it your view that journalists going about their daily jobs and the editors that, you know, command them, see the Press Council as a watch dog that they ought to be watching out for?

STEPHEN CONROY: No. I mean look, let's be serious. The Press Council, for many many years, has usually been seen as a fairly toothless tiger.

Now I repeat, Julian Disney is only recently appointed and he is making some changes, but I don't think anyone, I don't think any editor or any of you would quake in your boots about, you know, an in... a complaint to the Press Council.

Sorry, Andrew and Michelle.

QUESTION: You suggested that News Limited is unfair and it is biased. Do you think that...

STEPHEN CONROY: No I said it's organs.

QUESTION: Do you think that organs of Fairfax and Seven West are biased, and unfair as well.

STEPHEN CONROY: No, I've been prepared to name names. I haven't been shy. I'm happy to name *The Daily Telegraph* again. The campaign that they've been running against the government has been blatant, it breaches its own journalistic ethics of News Limited - and I have them here - thought someone might ask - which state, one, facts, accuracy. It's the first heading. First paragraph. Facts must be reported impartially, accurately, and with integrity. Clear distinction must be made between fact, conjecture, and comment. Try always to tell all sides of the story in any kind of dispute.

Now I'd have to say an impartial observer - and I wouldn't necessarily be described as impartial - would suggest that some of the reporting recently in *The Daily Telegraph*, fails one, two, three of the first three.

But that's a personal opinion.

But I've been prepared to name names. I'm not going further than naming the names that I've said, I'm not casting aspersions broadly, and I repeat I keep seeing I'm attacking News Limited. I've always been clear about this. Individual papers I've named. But I haven't said News Limited.

QUESTION: Minister, would you like to...

STEPHEN CONROY: Sorry, Michelle was next, and then Chris.

QUESTION: I'm still confused about how suddenly the Press Council - which I think gets no government money right - is somehow in the government mix. And I don't think you addressed earlier the question of constitutional power vis-à-vis newspapers.

STEPHEN CONROY: Well one of the reasons that we have an eminent former Federal Court Judge is to look at some of these issues. I'm not saying what the outcome is. You're prejudging an outcome Michelle. I'm not prejudging that outcome. What I'm saying is there may be ways that are considered that would make some changes - but I'm not prejudging that. You're prejudging an outcome there.

QUESTION: Minister, [indistinct] there are two bars to be set at the moment. One is the Press Council. The other one is the statutory authorities inevitably tied to government in the end. If there's convergence and we go to the second bar, won't the press in future be more circumscribed just be mere definition than they are now.

STEPHEN CONROY: I don't think that you're circumscribed on the ABC, in any way. I don't think - I haven't found Michael Riley(*) feeling circumscribed. And I've got to make sure I pronounce that correctly.

[Laughter]

So I struggle to understand the difference between - I mean I deal with you all in the gallery - between talking to Michelle and talking to you. I've never felt either of you more constrained than the other because of ACMA or the Press Council.

The question becomes in a converged world which is what we're heading towards, if not already there, how

does the regulations keep pace. And that's really what the Convergence Review's about.

And then you have this issue of the Press Council which many would say has not kept up with demand and has been fairly toothless.

And I repeat I'm not - this is not a reflection on Julian and what the, what it's doing at the moment. It's actually made some changes. And some good changes. But I think in general the perception would be the Press Council has not been a great defender of free speech.

QUESTION: Minister...

QUESTION: But just for clarity and without prejudging the outcome genuinely, you are leaving open are you not a situation where newspapers will be regulated by a statutory authority, like ACMA, as opposed to the publisher's perk.

STEPHEN CONROY: That could be an outcome. Equally the Convergence Review may end up ultimately going there. I mean what we've got to - what we're talking about is what's going to happen in five years time. I mean if you look in the US newspapers are closing down and going online all the time. It's not something I welcome, I don't think it's a healthy thing, but technology is technology.

And so how are we going to adapt? How are we going to face up to that technological challenge?

But I think that that will certainly be canvassed by both the ACMA, and possibly this inquiry.

QUESTION: Can we just clarify from a slightly different perspective, we're tending to [indistinct] from print media or television or radio, obviously the big area of convergence is actually the web. When you talk about media what's the definition of media on the web? I mean...

STEPHEN CONROY: Well Richard Alston famously made a ruling which stands today that online is not broadcasting, and that is standard. That has created a divide which technology is now completely running over the top of.

So that - my point is that there is an argument that we need to revisit that ruling. And that's what the Convergence Review's doing.

QUESTION: Is it just the fact though that you'd be able to have people complaining about what's on a blog for example? I mean...

STEPHEN CONROY: Well at the moment no-one's quite sure who you complain to.

QUESTION: But you'd also have to define who could be complained about and what the penalties would be once they were complained about?

A tweeter, a blogger, a...

STEPHEN CONROY: Well as you said. Now you're canvassing areas that I think will be richly canvassed in the inquiry, and these are the sort of... these are, the question is... you're asking all the legitimate questions, and should be canvassed more widely than Stephen Conroy and a Parliamentary inquiry, or anyone else and a Parliamentary inquiry.

That's why we put it, independent, to consider those issues.

MALE SPEAKER: Last question guys.

QUESTION: Given that you need quite a lot of spectrum to look at online newspapers, do you think that that definition, do you personally think [indistinct] that that - Richard Alston's view should be revisited, and therefore that newspaper providers be...

STEPHEN CONROY: I think technology...

QUESTION: ... viewed as broadcasters?

STEPHEN CONROY: I think technology is revisiting that. The march of technology is catching up with Richard Alston's ruling. It's like the march of technology is catching up with the 75 per cent rule. If a TV station was to stream live across Australia on the net, it will be in breach of the 75 per cent rule.

So should we prosecute them?

I mean technology is marching past the old laws. And these two inquiries are about trying to keep pace, and more importantly, the Convergence [indistinct] get ahead - I repeat. We started the Convergence Review over a year ago in discussions, papers, discussions that have taken place, so technology's marched past some rules.

I mean how absurd would it be to fine a TV station if it started streaming live its material. I mean... because it breached the 75 per cent rule, which was a rule introduced in back, what, 1950s, 1960s, 1970s, before the internet was even a dream of INSERF(*) and the military complex in the US which started out as data.

Thank you.