

conflation of the ideas of public interest and media interest. Given the increasing frequency with which the media first constructs, and then claims to reflect, the public interest, I am naturally suspicious of how it will set about defining a person who is or has become a public figure."

Unhappily, this is often enough the reaction of reasonable people who have not read widely in the experiences of countries and times when public figures are protected.

But at least some reform is offered.

There are, of course, other kinds of censorship at large: these were amply represented in the other half of the conference on media regulation.

Perhaps the most dangerous form of censorship, like that so liberally proposed by Mr Dowd, is that proposed by the well-meaning who see the cure for the defects of humanity in more regulation.

Thus Ms Kate Harrison of the Media Law Centre in the University of NSW, put forward a logical and clear account of her case for regulation of the media, in particular of the broadcast media.

She made eight major points, of which the last three apply specifically to broadcast media.

The special features of the media which required its regulation (by the

Australian Broadcasting Tribunal or some such other body; but Ms Harrison denied that she had in mind such a body to regulate the print media) were that it performed a critical information function; that the media exercised social power; that it had the capacity for impact on political discussion and political outcomes; that there had in modern times been a change in the ways in which media

**"Hath not a politician
hands, organs,
dimensions, senses,
affections, passions?" he
said, quoting Shylock.
Quite. That is exactly why
politicians should be
held responsible for what
their hands, organs,
passions, etc, do;"**

relates to government, and hence a change in its role as watchdog; that media proprietors had a vastly broad-

er agenda than in the past; that there was a technical limitation on available broadcast frequencies and that as a result the media exercised a public trust; and that it had a special role in fostering and disseminating a uniquely Australian culture.

This is like a media social worker's charter. First set up your list of defects and inadequacies. Second, argue that the only possible way to overcome abuses is to put in charge of the system those who are naive enough to think either that this list indeed represents the predominant inadequacies or faults that actually exist, or who believe that there is any possible system in which they would not exist to some extent.

It is, for example, interesting to consider how each of the special features that allegedly require the regulation of the media (and only the commercial media was intended) could be handled without giving immense social and political power into the hands of the regulators.

It is also worth noting that all of these reasons for regulation apply equally to the Australian Broadcasting Commission, which is not subject to systematic regulation. ●

(Reprinted by kind permission of The Australian).

HINCH GETS SPEEDY HEARING

The Melbourne Supreme Court has granted a speedy hearing of a libel action by the radio talk-back host, the Rev Alex Kenworthy, over sex allegations made by his former colleague at Melbourne radio station 3AW, Derryn Hinch.

Rev Kenworthy, who hosts the Nightline program on 3AW, is suing Mr Hinch and the owners of Channel 7, Herald-Sun Television Pty Ltd, for unspecified damages over allegations made on the Hinch at Seven program.

Hinch's counsel, Mr Jeremy Ruskin, told Master Gawne during the hearing of the application that Rev Kenworthy claimed the television report meant "the plaintiff was

a hypocrite who breached his position of trust as a minister of religion by seducing countless women who went to him for help." He said Mr Hinch's defence was that the report was justified. Mr Hinch had obtained affidavits from 17 women who alleged Rev Kenworthy had seduced them, he said.

Master Gawne agreed to a speedy hearing - requested by Mr Hinch but opposed by Rev Kenworthy. A quick hearing of defamation writs also prevents "stop writs" from halting public discussion of the case.

Both parties return to court on 2 April next year to set a date for the hearing. ●

STUDENT THESIS COMPETITION CLOSES SOON

The Australian Press Council recently established a prize of \$1000 for the best honours thesis or similar work by a student enrolled in an Australian university or College of Advanced Education on a topic relating to aspects of freedom of speech and of the press.

Examples of appropriate topics include, but are by no means restricted to, the legal restraints on news reporting, contempt of court in relation to the press and other media, and the constitutional protection of freedom of speech.

The recipient is to be chosen on the recommendations of a panel of judges, and the prize will be awarded at a reception by the Council. It is anticipated that the prize will be awarded annually but, as is customary in these matters, the Council reserves the right not to award a prize.

Entries close on 30 November, 1989.