

Here's what a Murdoch royal commission's terms of reference would look like

Want to know what a News Corp royal commission would look like? We put the question to our legal eagle Michael Bradley to find out.



Letters patent

ELIZABETH THE SECOND, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth:

GREETING

WHEREAS freedom of opinion and expression is an inalienable right of a free people.

AND Australia is a signatory to the Universal Declaration of Human Rights, Article 19 of which declares: "Everyone has the right of freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

AND it is in the public interest for the public to have access to a wide diversity of sources of information and ideas, views and opinions, both as a public good in itself and to ensure that the people remain adequately informed and equipped to hold their governments to account.

AND it is acknowledged that these principles are best supported by the ownership of media being diversely held and the channels of media dissemination being diversely controlled.

NOW THEREFORE We do, by these Our Letters Patent issued in Our name by Our Governor-General of the Commonwealth of Australia on the advice of the Federal Executive Council and under the Constitution of the Commonwealth of Australia, the *Royal Commissions Act 1902* and every other enabling power, appoint you to be a Commission of inquiry, and require and authorise you, to inquire into the consequences and risks of the concentration of media ownership and control in Australia, and in particular, without limiting the scope of your inquiry, the following matters:

- a. the current effective ownership and control of distribution and consumption of mass media content, including on print, broadcast and digital platforms; and of social media news content;
- b. the degree to which the ownership and control of content is concentrated and whether that concentration has increased and is likely to continue increasing;
- c. the effects on and risks to media diversity caused by historical changes in ownership and closure of regional and local media publications;
- d. the effects on and risks to media diversity caused by the integration of print, digital and broadcast media outlets by single owners;
- e. the effects on and risks to media diversity caused by recent changes in ownership of AAP Newswire and announced plans by media owners to create competing newswire services;
- f. the effects on and risks to media diversity caused by increased concentration of news distribution and consumption on digital platforms such as Google and Facebook;
- g. the effects on and risks to media diversity and the principle of freedom of opinion and expression caused by the editorial practices of News Corporation-owned media publications, broadcasters and platforms in the context of its degree of ownership and control of mass media in Australia;
- h. the extent (if any) to which the principle of freedom of opinion and expression, supported by media diversity, is advanced and protected by the maintenance of independent publicly owned media organisations such as the ABC and SBS.

AND We direct you to make any recommendations arising out of your inquiry that you consider appropriate, including recommendations about any policy, legislative, administrative or structural reforms.

ABOUT THE AUTHOR



Michael Bradley

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Michael Bradley is a freelance writer and managing partner at Sydney firm Marque Lawyers, which was created in 2008 with the singular ambition of completely changing the way law is practised.
