

'SATURATION' MEDIA COVERAGE OF MURDER INVESTIGATION

ARTICLE PUBLISHED IN THE AGE (14 MAY 2002)

Our democratic system depends upon a free flow of information, and fearless, independent media. But is it seriously suggested that the recent saturation coverage of the Wales-King murders is to be explained, or justified, by reference to such high principles?

How is the public interest (by which I do not mean public curiosity) served by:

- blow-by-blow reporting of the criminal investigation, with headlines like “Police Quiz Son’s Wife”;
- a round-the-clock stakeout of the home of people under investigation; or
- the publication of detailed descriptions and photographs of grieving relatives at the funerals of the deceased?

In their competitive rush to feed an apparently insatiable public appetite, our media have ignored fundamental rights – the right of any person under suspicion to be presumed innocent until proven guilty and - equally important - the right of privacy.

Do we really have a “right to know” that –

- “police are checking reports from neighbours that they saw Mr Wales hosing out the garage soon after the couple disappeared” (Herald/Sun 8 May);
- “Matthew Wales broke down in tears as his murdered mother and stepfather were farewelled at a sombre family funeral” (Herald/Sun 9 May)?

In its coverage of what it has labelled “The Society Murders”, the “Herald/Sun” has sought to maintain its market leadership in sensationalising crime. The paper is a serial offender in this regard – and utterly unrepentant.

But the “Herald/Sun” does not have the field to itself. Last year this newspaper tried and convicted ATSIIC chairman, Geoff Clark, of four counts of rape. Now, as then, Liberty Victoria asks the question: by what right does a newspaper assume the role of investigator and prosecutor? Now, as then, there is no suggestion of any corrupt or improper interference with the police investigation.

Likewise, Liberty criticised “The Age” for publishing detailed information about the Tynong North serial murders. Although the article stopped short of naming the suspect, much of the information was calculated to identify him. The inevitable result was that the “Herald/Sun” tracked the suspect down, photographed him and named him – all in the name of a “right of reply”.

There is a wider public interest, and it lies in preserving the integrity of the criminal investigation process. That interest is far more likely to be served by an investigation quietly and methodically carried out, away from the glare of publicity, than by one conducted through the front pages of mass-circulation newspapers.

Paradoxically, the publicity in the Tynong North case created the prospect that the crimes in question might never be solved. Any new evidence which might have been forthcoming as a result of the article would almost certainly have been devalued by the public identification of the suspect. More than a year later, no charges have been laid.

So too in the Wales-King case. The blaze of adverse publicity has made it virtually impossible for those charged to receive a fair trial. Not only is that outcome deeply unfair to the individuals concerned, but it is directly against the community’s interest.

If – as seems likely – some of the press reports have been based on information supplied by police investigators, those investigators must share responsibility for the damage which has been done. They, too, should be called to account.

And what of the Wales-King family? The loss of loved ones is devastating at any time. How much more painful must it have been to be told, after weeks of uncertainty, that the deaths occurred violently?

The right to grieve in private is not a commodity to be traded in the media marketplace. It is not a residual right, to be enjoyed only after media consumers have had their fill. It should be the first thing, not the last, on the editor's list of priorities.

The solution is not to be found in greater legal restraints on the media. The dead hand of defamation law already operates as a serious obstacle to free expression of opinion.

But when commercial pressures – to recruit readers and listeners for sale to advertisers – become so strong as to cloud editorial judgment and to obscure from view the fundamental values of a just society, the case for more rigorous self-regulation becomes unanswerable.

To this end Liberty Victoria intends to convene a roundtable of interested parties to debate these important issues. We hope that senior police, editors and journalists, the Privacy Commissioner, representatives of victims of crime, and free speech advocates will join us in a search for the balance which, in recent days, has been so sorely lacking.

Chris Maxwell
President
Liberty Victoria

14 MAY 2002