

Cape Melville affair coverage: what is news?

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Many observers saw coverage of the so-called Cape Melville affair as a post-Fitzgerald litmus test of the Brisbane media's watchdog duties with a government regarded as popular and competent. But who was watching the watchdogs? Conflicting news judgments could easily be detected on the importance of allegations embroiling two of the Premier's closest confidantes. The state Opposition sensed a scandal but a Criminal Justice Commission (CJC) inquiry cleared the Premier's staff of any wrongdoing. In media circles the story created special interest because those who distributed the "chook feed" were coming under direct public scrutiny by "the chooks". An examination of the coverage raises questions about the symbiotic relationship between government and the media which was canvassed in the 1993 Electoral and Administrative Review Commission (EARC) report.

AN examination of media coverage on a specific issue or controversy often will demonstrate wide variance in news values. Sometimes an interpretation of what is newsworthy pivots upon such vagaries as editorial space, staff availability and a plethora of significant public occurrences on a given day. The force of public circumstance makes what is newsworthy one day not newsworthy the next and vice versa. As White (1991, p.21) notes, "news is a creature of infinite variety. Its value changes, according to its audience, its time, its place, its actors and its competition". When such imponderable effects are

added as subjectivity, deadlines, defamation concerns, perceived public interest and the interplay of influential personalities in and outside the newsroom, clinical objectivity can become more theory than reality. In the words of Carey (1969, p.36), "it is important to recognise that all journalism, including objective reporting, is a creative and imaginative work". Indeed, as McQuail (1994) has shown, objectivity itself is merely a framework in which other components come into play: factuality, involving truth, relevance and informativeness; and impartiality, involving balance and neutrality. Another persuasive influence is what other media are doing with an individual story that endures over weeks or months. This can result in a pack mentality (Ward 1992) in which daily news judgment is transformed into a broader collective media commitment to find stubbornly elusive facts from which the public can determine truth. It also can result in decisions to ignore or downplay the story. When a media outlet feels it has been scooped by a competitor defence mechanisms come into play, eventually leading to the view that it really was not much of a story anyway. This then becomes the guiding news value for future story developments. With such a wide array of influences being brought to bear it is no surprise that the lead item in an evening television news bulletin sometimes becomes a filler in the next morning's newspaper or that a controversy becomes a major, durable saga for one media outlet but is largely ignored by others.

Conflicting opinions and pressures become accentuated with political reporting. It represents arguably a media outlet's most important role in monitoring those with the greatest power over citizens. Governments have considerable power over media companies with webs of business and regulatory interests. To governments, the media represent the most significant threat to a principal aim – remaining in power. In Queensland, this was demonstrated clearly when the Bjelke-Petersen government punished the state's major newspaper publisher, Queensland Newspapers, by moving its lucrative classified advertising contract to the opposition *Sun* in 1984 (and back again in 1986). The original move was widely seen as retaliation for Queensland

Newspapers' line in the 1983 elections (Grundy 1986). In Queensland, the *Courier-Mail* and its publisher, Queensland Newspapers, represent the basic media force (Grundy 1990; Turner 1992b). It sets the news agenda. The wealth of agenda-setting research suggests media coverage has a strong impact not only on voters' assessments of political objects and events, but also on how much importance to attach to them (see, for instance, McCombs and Shaw 1972). The way the media frame news stories has important implications for shifts in public opinion (Tuchman 1978; Fischle and Stenner-Day 1992). Such framing is influenced wherever possible by the image makers.

News often is the product of public relations efforts (Tiffen 1989; White 1991), and managing the media is compressed into its most intense form through government public relations machinery (EARC 1993). Messages and images are funnelled for maximum effect. At the funnel's receiving end are the political reporters who, by definition, have a symbiotic relationship with the image makers. The impacts of such efforts do not always harmonise with pure news judgment. In news assessment there is scope for politically influenced decisions (Tiffen 1989; Sigelman 1973). How reporters and media managements exercise discretion can be affected by persuasive politicians and their media minders. Their influence can be injected into the news process by cooperation, inter-personal relationships, briefs, exclusives and old-fashioned backslapping. No one outside the principal players can be sure what, if any, impact mutual accommodations might have on any particular issue, especially since senior reporters covering political rounds often have greater autonomy and freedom from the forces of newsroom socialisation that affect their colleagues (Severin and Tankard 1988). Recent research (Henningham 1995) has shown that Australian political journalists also have more elite characteristics than journalists in general, are more likely to value professional development and autonomy, and hold the investigative and analytical function of the news media in higher regard.

In Queensland, the government-media relationship was examined in some detail by the now-defunct Electoral and Admin-

istrative Review Commission (EARC), a body set up on the recommendation of a royal commission into allegations of police and other official misconduct. The royal commissioner observed (Fitzgerald 1989) that journalists' uncritical dependence on their sources, orchestrated government leaks and the operations of publicly funded media units and press secretaries could reduce the media's independent perspective and make them a mouthpiece for vested interests. The EARC report on government and media information services (EARC 1993) included in particular an examination of the media culture in which "anti-government" stories are pursued. At a public seminar *Four Corners* reporter Chris Masters said he would have expected political coverage in Queensland to have become more challenging and aggressive than in the days when former premier Joh Bjelke-Petersen described dealing with the media as "feeding the chooks" (Wallace 1980, p.209). But Masters commented: "Instead I openly hear my colleagues wondering . . . about what it is that Mr Goss or Dennis Atkins manages to put in the chook feed" (EARC 1993, p.98). It has been noted (Tiffen 1989) that specialist reporters can be used by their sources if those sources dominate the information they need to write stories. In its submission to the commission the Queensland Law Society noted allegations that journalists who published negative stories about the government risked being excluded from receiving information. Opposition media adviser John Phelan told the commission: "It has become not only normal but expected that if a journalist writes or broadcasts a critical story he or she will receive a telephone call or a personal visitation from a government 'minder'. Such tactics . . . are totally reprehensible. Sadly they are becoming more widespread as press secretaries threaten to cut off the supply of government news to reporters who do not toe the government line" (EARC 1993, p.23).

If a media outlet or a political journalist is perceived by the government to be "running too hard" on the Opposition allegations, do they risk being frozen out of the news flow? And if so would they, given human nature, consciously or subconsciously shape their news values to conform with future information

needs? The commission noted that editors applied sanctions when journalists missed major stories. Isolation from key government information represented a considerable hazard for uncooperative journalists (Craik 1986). The commission received a submission from then bureau chief of the *Australian*, Roy Eccleston, that anonymous government information on jailed former police commissioner Terry Lewis's knighthood had been released to Tony Koch of the *Courier-Mail* (March 20, 1993) to the exclusion of the *Australian*. Eccleston suggested his newspaper was denied the story because it had not met government expectations. In his letter to Goss he said: "This newspaper published – more prominently than the *Courier-Mail* – a number of articles last week which highlighted the problems being experienced by your colleague Attorney-General Dean Wells. I trust that the Lewis leak was in no way a response to . . . fair and balanced reporting of Mr Wells' travails" (EARC 1993, p.104). The Queensland government's media unit director, Dennis Atkins, a central figure in this case study, told the seminar that news management was attempted by almost everyone in the information business: "All of them try to place their message in the best possible spot to get the maximum exposure, or alternatively, they try to bury their news in some corner" (EARC 1993, p.70). In its submission the parliamentary press gallery, of which Koch was president, said that in post-Fitzgerald Queensland the media and the government were more sensitive to news management. This had changed the environment of media relations and accountability at all levels.

The commission also expressed concern about the practice of some ministers and staff members conducting off-the-record briefings (EARC 1993). This meant no one would accept responsibility for the truthfulness of information being placed in the public domain which became an "official leak": "Depending on the style of the briefing, the information released is often not to be attributed to its source and thus can be seen as a covert means of influence on the media" (p.70). EARC quoted former Queensland 7.30 *Report* presenter Pamela Bornhorst's complaint that the obvious purpose of off-the-record briefings was "to

sway the journalists, to impress upon them a particular point of view" (p.81). The Queensland Watchdog Committee told the commission that background briefings place journalists in difficult ethical positions: "A journalist cannot report a statement of vital public interest because of the confidentiality requirement, yet his/her relationship with the public is compromised by not doing so. Conversely, if the journalist decides to file a report in the public interest, he/she breaches the confidentiality undertaking" (p.79).

The Cape Melville affair

The Queensland government's public relations apparatus is highly centralised in the Premier's Department. In terms of media performance, this made coverage of the so-called Cape Melville affair during 1993 and 1994 particularly worthy of study. At the centre of the affair were Dennis Atkins, Premier Goss's chief media adviser, and David Barbagallo, the Premier's principal private secretary. For the media, the Melville challenge might well have been unprecedented in Queensland. The senior conduit of government news was under scrutiny by those on whom he daily relied for publicity, and who daily relied on him for information.

Questions were raised after it was reported that Atkins and Barbagallo were present with Barbagallo's brother Paul and National Parks ranger Patrick Shears at a Cooktown police interview in far north Queensland. The police station incident followed Shears' seizure of Paul Barbagallo's vehicle in Cape Melville National Park on Cape York on November 11, 1993. The Barbagallo vehicle, found near a stand of protected foxtail palms, allegedly contained rifles, a chainsaw and a small amount of marijuana. Paul Barbagallo later was fined \$800 for traversing a national park without a permit and having a chainsaw in a park. Other charges against him were dropped. Shears' contract subsequently was not renewed after eight years with the service.

In state parliament David Barbagallo was accused of having “grilled” Shears at the police station (Hansard 24/2/94, p.7252). The claim was rejected by witnesses. Environment Minister Molly Robson said a representative of the Premier’s office had made a call to the director-general of the Department of Environment and Heritage (DEH) but this was only to determine the use of a private vehicle in a national park (Hansard 18/2/94, p.6988). Goss’s aides said they were in Cooktown at the time to meet Paul Barbagallo, who was to guide them on a scouting trip to Starcke Station, the site of a future visit by the Premier. In parliament the Opposition said the explanations were preposterous and suggested pressure had been brought to bear on Shears for doing his job (Hansard 12/4/95, pp.7428, 7432).

A polarised media

An assessment of Cape Melville coverage indicates that, for whatever reason, the controversy polarised sections of the media in south-east Queensland, even though it is dominated by two news organisations – the Murdoch group, through Queensland Newspapers, the *Australian* and Gold Coast Publications, and the Australian Broadcasting Corporation, through its radio and television news and *7.30 Report* television current affairs program. Some insisted it was an Opposition exaggeration about two Wayne Goss advisers who found themselves in unusual but not improper circumstances in the Cooktown police station. The Premier said (Hansard 12/4/94, p.7421) it represented “smear and grubby innuendo” by the Opposition and that there was no evidence of any wrongdoing. The Opposition alleged (Hansard 12/4/94, pp. 7431–2) that the Cooktown visit was grossly improper and might have inspired a high-level government cover-up and conspiracy.

The Cape Melville affair was brought to national prominence by a *Four Corners* report on April 11, 1994. The days which followed present the striking differences in perceptions about Cape Melville as a news story. State parliament resumed on April 12, signalling its busiest Cape Melville period. Over two days, Op-

position-dominated parliamentary debate consumed 32 pages of Hansard. Over three days from April 12 to 14, ABC television news ran one Melville story on an Opposition call for an expanded inquiry. ABC radio news ran four stories on April 12 and one each on April 13 and 14, both of which were based on comments from Goss.

The *Courier-Mail* on April 12 carried no follow-up of the well-foreshadowed *Four Corners* report. It published no Melville stories from state parliament following that week's second parliamentary day. It was the biggest Melville day of the year with 18 Hansard pages. During debate the Opposition accused Premier Wayne Goss and Environment Minister Molly Robson of a Cape Melville cover-up. It described the Premier's aides as "junkteers who acted like SS officers on vacation" (Hansard 13/4/94, p.7508) and provided a detailed challenge of the government's position. While it published no stories on the debate, the *Courier-Mail* led its front page with a story based on a republicanism statement by federal Attorney-General Michael Lavarch. Below it was a story on a Canberra speech on republicanism delivered by the *Australian's* editor-in-chief Paul Kelly. The speech text was published on two inside pages, with a comment piece on page 2. In all, the paper published about 200 paragraphs on the subject. The *Australian* itself placed the Kelly speech in a single-column space over 12 paragraphs on page 4. It gave the Melville story more prominence, running 14 paragraphs across five columns atop page 6 with the headline: "Goss staff had 'cosy holiday on taxpayers'." The *Gold Coast Bulletin* ran Melville as the page 2 lead with 22 paragraphs. The previous day the *Australian* ran 13 Melville paragraphs on page 4. The *Gold Coast Bulletin* ran it as the page 1 lead with a second story of 34 paragraphs on page 2. (The senior author of this article wrote several of the *Bulletin's* news and feature stories on the Cape Melville affair.)

In defending his staff members, Goss was seen as a loyal friend and boss, a trait later evidenced by his defence of Kevin Rudd, the former director-general of Cabinet who resigned to stand for a federal ALP seat. The *Sydney Morning Herald's* Greg

Roberts (Roberts 1995) wrote that: "Goss's sensitivity about his minders was demonstrated when he complained loudly to the editors of the *Courier-Mail* about negative stories the newspaper was running before the election on Rudd, who has long been his closest adviser." Whether similar media approaches were made in relation to the Cape Melville episode remain a matter for conjecture. However, it is standard practice for governments to attempt to minimise damaging news, as noted in the EARC report (EARC 1993). While no one has suggested that pressure was brought to bear on political reporters either by editors, news directors, politicians or government media minders on Cape Melville, the potential for conflict of interest was obvious.

A comparative analysis

The central media question was not just whether Cape Melville was a story but rather how much of a story was it. There was an equally legitimate, inter-connective question for both the aware reporter and the Premier's image maker: Given the history of Queensland's government-media relations, could there be potential reverberations from an aggressive approach to the matter by either side of the news equation? An examination of media coverage from November 28, 1993, to May 9, 1994, suggests that *Four Corners* and the *Australian* through their coverage saw it as a significant national story. The *Sunday Mail*, the *7.30 Report* and the *Gold Coast Bulletin* saw it as an important statewide story. Lesser significance was attached to it by the Brisbane-based ABC television and radio news. On a print basis the *Courier-Mail* often appeared to be isolated in its news judgment.

A story count reveals the *Courier-Mail's* coverage was on par with other print media. However, an analysis reveals its Melville stories generally were shorter, less prominent and written with different emphasis than those which appeared in other media. In the period under examination there were 11 days in which other media – obviously not including the *Sunday Mail* – ran Melville stories with no coverage from the *Courier-Mail*. The *Sunday Mail* ran five major Melville spreads and two front-page stories.

The *Gold Coast Bulletin* ran two major spreads and two front-page stories. The *Australian* published five Melville page leads and two non-leads which went across the top of pages. The *Courier-Mail* ran three page leads. From March 14 to May 9 the *7.30 Report* ran 11 segments totalling 38.7 minutes. In six months the *Courier-Mail* ran no major spreads and one front-page story, at the bottom of the page. On that occasion parliament had been told a senior DEH official suspected a Melville conspiracy involving “the highest levels of government”. The paper’s lead story was on South Africa. Of its page leads, both were run on the same day, one on page 2, with emphasis on a CJC inquiry into the affair, and one on page 22 quoting claims by Opposition leader Rob Borbidge. In the coverage period the *Courier-Mail* ran 15 stories. This compares with 22 by the *Sunday Mail*, 17 by the *Gold Coast Bulletin* and 14 by the *Australian*. Coverage by ABC radio and especially by ABC television ranged from good to sporadic at best.

The *Courier-Mail*’s news judgments on Melville stories in mid-April appear to conflict with what other media outlets were doing. As noted, the *Sunday Mail*, the *Gold Coast Bulletin* and ABC radio and television had run prominent stories before and/or after the *Four Corners* report. The *Courier-Mail* carried no follow-up of the *Sunday Mail* or *Four Corners* reports. When parliament resumed on Tuesday, April 12, the Opposition called for a wider inquiry, tabled claims by Shears that Atkins was not in the police interview room as Atkins had claimed, which was to become a significant detail, and contended that David Barbagallo had behaved in an “overbearing and sarcastic manner”. The next day, the *Courier-Mail* ran a CJC-based report on page 2 stating its inquiry would not be rushed. The CJC chair and the Premier were the focus of the first 12 paragraphs. On page 22 was a story containing Cooktown trip details and a Melville background story. The *Gold Coast Bulletin* and the *Australian* relied upon the tabled Shears material in their reports. The *Courier-Mail* did not mention the Shears statement or the claims about Atkins and Barbagallo or the Opposition call for a wider inquiry until the 13th paragraph. It based its story on statements

Cape Melville media chronology

November 28, 1993

Sunday Mail "Two on parks charge". 10 paragraphs p.25. Fauna squad police claim to have "foiled a gang of foptail palm pirates".

November 30

Innisfail Advocate First to report the relationship of the Premier's private secretary, David Barbagallo, to Paul Barbagallo, who was facing charges relating to the November 11 Cape Melville incident. David Barbagallo writes letter of explanation to Wayne Goss.

December 4

Courier-Mail "Nats query confiscation". Eight pars p.21. First mention in parliament. Barbagallo-Goss relationship noted in third par.

Hansard One page.

December 9

No *Courier-Mail* story.

In state parliament Slack says David Barbagallo is a personal friend of Dr Craig Emerson, director-general of the Department of Environment and Heritage. Opposition DEH spokesman Doug Slack seeks assurance no political pressure will be placed to drop charges. DEH Minister Molly Robson says inappropriate to comment.

Hansard Two pages.

February 18, 1994

ABC Radio Robson denies political interference. 9.42pm. 45 seconds.

February 19

Courier-Mail "Officer questioned for point-scoring." Four pars p.13. Robson: A DEH officer accuses Slack of point-scoring. Emerson says investigation will proceed without interference. No C-M coverage of major debate. Slack suggests DEH put pressure on ranger Patrick Shears. DEH in Cairns had been reluctant to investigate. Why was the matter referred to

by the CJC chair, who was mentioned only once, in the fifth paragraph, of the *Australian* report and in the last paragraph of the *Gold Coast Bulletin* report.

Other examples of the *Courier-Mail*'s Melville news judgments included:

December 9, 1993 – no coverage of an Opposition claim in parliament that David Barbagallo was a personal friend of Department of Environment and Heritage (DEH) director-general Craig Emerson or an assurance sought that no political pressure would be brought to drop charges.

February 19, 1994 – four paragraphs of parliamentary coverage that included accusations that Opposition DEH spokesperson Doug Slack was “point-scoring”. No coverage of major debate in which Slack suggested DEH put pressure on Shears, that DEH in Cairns regional office had been reluctant to investigate claims and five questions placed on notice.

February 25 – headline: “Goss secretary queried ranger”. Lead said Barbagallo “questioned” Shears. Parliament had been told Barbagallo “grilled” Shears. The “grilled” claim was not reported until the 10th paragraph. Report failed to note detailed defence of Shears by Slack. Crown Law advice sought over whether Shears had authority to seize vehicle.

February 26 – did not report Robson saying Shears followed appropriate procedures in reporting the incident. Did note a DEH report that Shears might have been “over zealous and ill-advised”. But did not further note from the same report that the Melville incident could “prove of far-reaching significance if fully investigated”. There was no reporting of Shears’ field notes or a police fauna report tabled.

April 16 – A news feature was to be published in the Saturday Monitor section. Saturday’s first feature page carried a pointer to a Melville story on page 31. On page 31, no Melville story. Instead, a feature story on Zulu kings.

April 30 – no story on Opposition call for standing aside of two former police officers employed by DEH. The *Australian* and the *Gold Coast Bulletin* both ran stories.

	police fauna squad? Slack asks Robson five questions. More prominent on same C-M page: a school starting year without a principal; Monto ambulance service.
Hansard	Two pages.
February 20	
Sunday Mail	Three pars p. 1. pointing to p.3 story. Barbagallo and Atkins to be quizzed by CJC.
February 25	
Courier-Mail	"Goss secretary queried ranger". 15 pars p.12. Parliament told Barbagallo "grilled" Shears. <i>Courier-Mail</i> lead says he "questioned" Shears. "Grilled" claim not until 10th par. Does not include detailed defence of Shears made by Slack. Robson says Crown Law advice being sought over vehicle seizure by Shears. Robson answers seven questions from Slack.
ABC Radio	Robson accuses Opposition of attempting to pre-empt police inquiry. 2.38pm. 53 seconds.
Hansard	Two pages.
February 26	
Courier-Mail	"Park ranger not wanted". 14 pars p.23 lead. Does not quote Robson saying Shears followed "appropriate procedures" in reporting the incident to his superiors. Story notes a DEH district manager's report that Shears might have been "over zealous and ill-advised". But no coverage of the manager's statement that the outcome of the Cape Melville incident could "prove of far-reaching significance if fully investigated". No <i>Courier-Mail</i> reporting on Shears' field notes or a police fauna squad report tabled. The fauna squad report raised questions about whether David Barbagallo might have been at Cape Melville when the vehicle was seized.
Weekend Australian	"Minister rejects claim of Goss aides cover-up". 14 pars/15 pars p.9 (lead).

May 2 and 3 – no story on Opposition calls for CJC inquiry to be public. The *Australian*, the *Gold Coast Bulletin*, ABC radio, 7.30 Report and ABC television all ran stories critical of closed hearing decision.

May 4 – 12-paragraph story on page 5 angled on the CJC's defence of closed hearings. On the same day, the *Australian* and the *Gold Coast Bulletin* gave prominence to Opposition call for the inquiry chairman to be stood aside, claiming he was a former member of the Labor Lawyers Association.

The Opposition strongly criticised the *Courier-Mail's* coverage (Jackson 1995; Slack 1995). Frank Jackson, Opposition leader Rob Borbidge's press secretary, said the *Courier-Mail's* Cape Melville coverage had been the most unbalanced he had seen on a major issue since Labor came to power in Queensland on December 2, 1989. "It's tremendously disappointing that the rest of the media were giving the story a run when the *Courier-Mail* seemed to be specifically and deliberately ignoring it," said Jackson, a former associate editor of Sun Newspapers and the *Sunday Sun*.

Slack (1995) said he had been approached by an angry *Courier-Mail* employee after the *Sunday Mail* ran a prominent story on ranger Shears soon after the controversy became public. He said he had been told that because he, Slack, had not "delivered" Shears to the *Courier-Mail* he could not expect *Courier-Mail* coverage. Slack said he had replied that he had no power to dictate which reporters the ranger contacted. "In so many words it was put that if I delivered Pat Shears I would get front page and if I didn't I wouldn't get anything." Slack said the CJC report raised more questions than it answered. He also questioned the *Courier-Mail* coverage of the Melville affair. "Imagine you've got the Premier's two senior people involved in such a situation and there's hardly a word about it in the major metropolitan paper and when they do print something it's in the depths of the paper."

In defending the *Courier-Mail's* performance, former *Courier-Mail* parliamentary roundsman and now chief reporter Tony Koch said: "Very early in the piece the *Courier-Mail* and all press gallery members had the opportunity to peruse the key material

Hansard	Four pages.
February 27	
Sunday Mail	"Guardian of last frontier." 7 pars, p.6. Notes Friday claim in parliament that a Melville inquiry could have far-reaching significance. Same page, lengthy profile on ranger Patrick Shears.
March 3	
Courier-Mail	"Goss staff 'scrutiny'". 14 pars p.5. CJC to decide within a week on probe.
March 6	
Sunday Mail	Lead stories, p. 6 and 7. Based on documents tabled in state parliament. Critical of Cairns and Cooktown police. Shears frustrated he's not allowed to continue work.
March 8	
Courier-Mail	"Remand on drug counts". Four pars p.2.
March 14	
Courier-Mail	Eight pars p.5. Report on whether a CJC inquiry would be conducted.
7.30 Report	Foxtail smuggling at Melville. Seven minutes, 43 seconds.
ABC Radio	CJC to investigate if Premier's aides' attempt to interfere in police investigation. 5.34pm and 9.36pm. 51 seconds.
March 15	
Courier-Mail	Four pars p.2. CJC inquiry announced.
Gold Coast Bulletin	17 pars p.6.
March 19-20	
Weekend Australian	"Goss defends staff facing CJC inquiry". 13-par story, p.11 (lead).
ABC Radio	Premier says CJC inquiry prompted by Opposition mudslinging. 5.45am. 35 seconds.
March 20	
Sunday Mail	"CJC head will monitor probe". 18 pars p.15. O'Regan says inquiry will be independent.

– the airline and accommodation bookings made for the Premier’s staff. Those bookings, confirmed by the airline, were made two days before Barbagallo’s brother had his vehicle confiscated in the foxtail palm area by ranger Pat Shears. As was borne out by the CJC inquiry, how could anybody have conspired to help Barbagallo’s brother two days before anybody even knew he was in trouble! Therefore it was obvious to any thinking person that the trip of the Premier’s staff to Cooktown was not taken in an effort to get the brother of one of them ‘off the hook’ – because when they booked the trip, he wasn’t in any trouble!” (Koch, 1995)

In a *Courier-Mail* report on February 26, 1994, Koch quoted Atkins as saying the trip had been booked with an airline on November 9, 1993. Travel records were tabled in parliament on April 12, 1994. Six weeks earlier the *Gold Coast Bulletin* had sought the records under the Freedom of Information Act. A further search by the paper revealed the Premier’s Office was unable to provide the full computer record of the material. The search sought to show the documents’ creation dates. A Ministerial Services Branch record shows the trip was authorised on November 11, the day the vehicle was seized. A secretarial memo referring to arrangements made on November 9 did not carry a date. Computer records showed the memo had a creation date of February 25, 1994, the day before the Koch story. A government spokesperson said this date could have meant a copy of the original letter was transferred at that time and that the original, with its creation date, had been deleted. There was no computer confirmation the memo was written on November 9. The spokesperson and state archivist said it was impractical for computer records to be kept indefinitely.

The Opposition had cited a “possibility” that a person or persons in the Premier’s office sought to pervert the course of justice to protect Paul Barbagallo from criminal prosecutions (Hansard 12/4/94, pp.7428, 7431). It also said the trip remained questionable. In its report, the CJC noted it had had difficulty assessing whether the trip involved official business. It concluded it was “near the margins of the conduct which can properly be encom-

March 27	
Sunday Mail	p.67. Review section. "What happened to war on smuggling?" Political column which touches on Melville affair.
April 3	
Sunday Mail	"Palm theft thwarted". 14 pars p.21: Slack asks if Shears is to be reinstated. p.45: Phil Dickie column. Reviews evidence/allegations. Cape Melville inquiry a critical test of CJC independence.
April 10	
Sunday Mail	p.1: "Rape of the Cape". Inside coverage: Pages 4 and 5, Review section, three pages. Covers reporter's trip to Cape Melville with <i>Four Corners</i> crew.
Gold Coast Bulletin	Double-page spread in <i>Weekend Bulletin</i> lift-out.
April 11	
Four Corners	Details Melville claims made by Shears and state Opposition. Questions claims Dennis Atkins was in the Cooktown police station.
7.30 Report	Interview of <i>Four Corners</i> reporter Murray Hogarth. Lack of protection for Melville. 3 minutes.
Gold Coast Bulletin	p.4. Lead news story. Full-page investigative feature. Parliament resumes Tuesday.
April 12	
No follow-up of <i>Four Corners</i> report in the <i>Courier-Mail</i> .	
Australian	"Ranger's dismissal risks rare foxtails". Single column, p.7, 9 pars.
7.30 Report	Opposition wants further inquiry into Premier's personal staff. Five minutes, 47 seconds. Patrick Shears interview, four minutes, 55 seconds.
ABC TV News	Opposition wants inquiry expanded. One minute, 42 seconds.

passed within what is termed 'official business' " (CJC 1995, p.301). The *Four Corners* report questioned a claim made in state parliament by Environment Minister Robson on behalf of Atkins that he was present during the interview at the Cooktown police station on Saturday, November 13, 1993, and was therefore able to support the version of events favourable to David Barbagallo. Shears said in a statement tabled on April 12 that Barbagallo was "overbearing and sarcastic" and had questioned him at length about why he had seized the vehicle and on whose authority he had done so. Shears said it had been made clear to David Barbagallo that charges would be filed. Atkins said (Hansard 24/2/94, p.7253) there had been no indication that charges would be laid, and described the interview as an "orderly and amicable" discussion. Three of the people allegedly in the room with Atkins, including a police officer, said he was not there. Two – David and Paul Barbagallo – said he was. If Atkins had not been present it would appear parliament may have been misled when Robson tabled Atkins' statement. In its final report the CJC said Shears was the only one who alleged Barbagallo was overbearing and it could not determine whether Aktins had been at the interview.

Jack Lunn, who was Queensland Newspapers editor-in-chief during the Cape Melville coverage period, said the polarisation in the coverage of the affair was a question of news judgment: "This was not the first time, nor will it be the last time, that different journalists and different newspapers reached differing opinions on the same issue" (Lunn 1995). Lunn said *Sunday Mail* reporter Pat Gillespie saw the story as important. *Courier-Mail* reporter Tony Koch did not. "You probably disagree with his assessment and the *Courier-Mail*'s handling of the story in light of Mr Koch's opinion," Lunn said. Koch, who was one of several *Courier-Mail* reporters to provide Melville coverage from parliament, said the affair centred on one issue: Opposition members accusing the Premier's Department staff of being involved in a "conspiracy" (Koch 1995). Opposition environment spokesman Doug Slack had never been able to be more specific and his contention had been dismissed out of hand by the official investiga-

ABC Radio	<p>Greens convener says CJC inquiry should be public. 7.40am. 61 seconds.</p> <p>Opposition asks Premier if he will sack Dennis Atkins. 12.41pm. 55 seconds.</p> <p>Opposition tells parliament Premier's aides should not have taken part in Cooktown police interview. 5.44pm. 43 seconds.</p> <p>Shears tells CJC he fears for his safety. 5.57pm. 55 seconds.</p>
April 13	
Courier-Mail	<p>"Cape probe won't be rushed". 20 pars p.2 lead.</p> <p>Five-par companion story with background.</p> <p>p.22 lead, 17 pars: "Borbidge urges wider probe of Cape Melville affair." Tenth par: Borbidge alleges attempt to pervert the course of justice from a person or persons within the Premier's office. Release of Cooktown trip details. Parliament resumed previous day. Opposition dominated debate. No <i>Courier-Mail</i> mention of Opposition until 13th par. First 12 pars focus on CJC chairman Rob O'Regan and Wayne Goss. <i>Gold Coast Bulletin</i> mentions O'Regan in last par. <i>Australian</i> mentions O'Regan once, in the fifth of 13 pars, at top of p.4.</p>
Gold Coast Bulletin	<p>p.1 lead, 35 pars. p.2, 34 pars.</p> <p><i>Courier-Mail</i> does not mention Opposition call for a wider inquiry until the 13th par. No mention of Shears letter claiming Atkins not at police station. No mention that Shears claimed Barbagallo behaved in an "overbearing and sarcastic manner". Both claims in direct contradiction to what Atkins told parliament through Robson. <i>Bulletin</i> and <i>Australian</i> relied heavily on the letter in their reports.</p>
ABC Radio	<p>Goss hints at legal action against Liberal Leader. Opposition keeps up its attack. 5.15pm. 57 seconds.</p>
Hansard	14 pages.

tion by the CJC. "The stories were treated on their news value and judged against other stories of the day and were not just run because some people thought it worth a few cheap political points to keep stirring the mysterious 'conspiracy' pot," Koch (1995) said. "The *Courier-Mail* political and editorial staff made early assessments of the worth of the allegations and were proved absolutely correct in their handling of the story."

Koch said the CJC report had criticised the accusers – Opposition frontbenchers Borbidge and Slack – and had been scathing of ranger Shears. He said: "Journalists who work on parliament soon find out that not everything said in the House – not every accusation made – is worthy of reporting without first checking its authenticity. To just blindly report is lazy and inexcusable. To report without balancing – when facts contrary to the allegations are known – would be unethical, grossly irresponsible and would occur only with the most inexperienced of reporters. A cursory check of the obvious in the initial stages showed conclusively that the allegations just did not stand up" (Koch 1995). Koch's views were made known in a *Courier-Mail* comment piece published in concert with his September 9, 1994, story on the final CJC report. He described Borbidge's promise to re-open the investigation if elected as pathetic. He said Opposition allegations were spurious. Slack had been reckless, his claims lacked logic and he had used Shears "in a shameless piece of political aggrandisement – which failed dismally". Koch called upon Slack to apologise to those whose reputations he had "dashed with such abandon" and said the CJC findings "do nothing to shore up the very shaky leadership of Rob Borbidge". Koch cited two examples in the federal House of Representatives in which journalistic checks showed claims made were baseless. One involved public servants and alleged paedophilia, the other involved a public servant and alleged drug money.

Slack said Melville as an issue did not stand or fall on a conspiracy theory. Relevant issues included: the propriety of and the conflicting statements concerning Atkins and Barbagallo at the Cooktown police station; questions about DEH contacts made at the time; the alleged victimisation of Shears; and DEH

April 14

Courier-Mail "Goss inquiry staff report in two months."
Six pars p.22.

Biggest day in parliament on issue. No *Courier-Mail* parliamentary coverage. Hansard has 18 pages of debate. Opposition claims a government cover-up involving Robson and Goss. Sheldon says trip cost \$2200. Barbagallo and Atkins were "like junketeers who acted like SS officers on vacation". Opposition provides detailed challenge of government position.

ABC Radio Goss tells parliament CJC inquiry will be impartial. 2.59pm. 54 seconds.

On the same day, the *Courier-Mail* provides extensive coverage of a Paul Kelly speech on republicanism. Kelly is editor-in-chief of the *Australian*. The story is a companion piece to the p.1 lead, "Royal rules biased", which quotes Attorney-General Michael Lavarch. The speech text is published on pages 9 and 10, plus a comment piece of page 2. In all, the paper runs about 200 paragraphs on the subject. *Australian* places the Kelly speech in single-column space over 12 pars on p.4. *Australian* runs Melville in 14 pars across five columns atop p.6: "Goss staff had 'cosy holiday on taxpayers'."

Gold Coast Bulletin 22 pars. p.2 lead.

Hansard 18 pages.

April 15

Australian "Goss stands by media adviser". Nine pars, single column.

April 16

Courier-Mail To run a Saturday Monitor news feature on Melville. Lead pointer on p.29 to story on p.31. On p.31: Feature story on Zulu kings. There is no Cape Melville story.

April 17

Sunday Mail Double-page spread, Review section, pp.64-65. Parliamentary wrap-up. Includes an in-set story by Patrick Shears on his impressions of being in the limelight. "Ranger Pat on civvie street", "Inquiry told of racket", "Millions growing in gardens" and "New twists of the fox tale".

enforcement policies, staffing levels and broader smuggling concerns. Slack also said the logistics of and the stated reasons for the Melville trip – to plan a future Wayne Goss trip to far north Queensland that never occurred – strained credibility.

In its Cape Melville report the Criminal Justice Commission noted the then DEH press secretary, Barton Green, had distributed material to the *Sunday Mail* and the *7.30 Report* which was critical of Shears. The CJC said there was little doubt the material was likely to bring “discredit to or embarrassment upon Shears”. The CJC noted an irony in that the minister, Molly Robson, had declined to answer Melville questions in parliament because it was *sub judice*, yet Green was distributing material that could be in contempt of court. Green told the CJC (CJC 1994) public comment had been widespread. He also said he was not questioning Shears’ integrity or dedication but there were concerns about his methods of operation. He further noted that, as a press secretary, he was not subject to the Code of Conduct for Public Officials. EARC had recommended a Code of Conduct for Ministerial Media Advisers but the CJC noted none had been adopted. EARC said such a code should recognise that in exercising his or her role, a press secretary is required “to engage in partisan activity” (p.128).

Conclusions

Without question too many stories compete for too little space every day, creating onerous gatekeeping decisions. But there is room for legitimate public concern when Brisbane’s only metropolitan daily appears to be out of step with other media on stories of significant political sensitivity. This is especially true of a government widely acknowledged as a tight, centralised and effective media manager. Koch raises important points. If Opposition or government comment in major parliamentary debates is deemed by a reporter to be faulty, should the public still be appraised of such major debates? At what point does it become the public’s right to such information so it can determine for itself what is faulty? As Koch points out, special care must be taken

April 24	
Sunday Mail	"Now it's cheers for Pat Shears". 11 pars p.11. Robson says Shears was a dedicated officer.
April 26	
7.30 Report	Doug Slack. Tabling of confidential document. Three minutes, 30 seconds.
ABC Radio	State Opposition calls for full public inquiry on Cape Melville. 2.30pm. 51 seconds. Parliament told of possible conspiracy in Melville smuggling. 2.08pm. 54 seconds.
Hansard	Two pages.
April 27	
Courier-Mail	16 pars, bottom of page 1. (Lead story on South Africa.) For the first time a senior DEH officer is reported to suspect a Melville conspiracy involving "the highest levels of government".
Gold Coast Bulletin	Lead story, 28 pars p.1. Inside news story: 13 pars. Full-page news feature.
Australian	"Official 'told to keep Melville details quiet'". 13 pars p.5 (lead). Notes Melville has dominated state parliament all week.
ABC Radio	Opposition demands public inquiry into Cape Melville Affair. 5.09am. 49 seconds. State Opposition questions background of two DEH officers. 6.05pm. 51 seconds.
Hansard	Two pages.
April 28	
Courier-Mail	"Heritage postings queried". 11 pars p.6. Middle of page.
AAP	19 pars.
Gold Coast Bulletin	23 pars, p.5. Parliament told two senior DEH enforcement officers have sullied backgrounds as ex-policemen. One left police force after CJC probe, is now chief Cape York DEH enforcement officer based in

where individual reputations are threatened. If a reporter believes something is incorrect he or she is duty-bound to confirm this before a decision to publish is made.

Special criteria come into play, however, when a matter involves elected officials and others on the government payroll. In only exceptional circumstances should the public be denied the right to reach their own conclusions, based upon the usual mixed but balanced bag of facts, opinions and allegations. Neither the Cape Melville news story nor the Cape Melville CJC investigation centred wholly on a simple conspiracy premise. Slack said the parliamentary record would show the Opposition never based its questions solely on any suspicion that Atkins and Barbagallo might have mounted a rescue mission for Paul Barbagallo (Slack 1995). Issues of public concern revolved on whether state parliament had been fully and truthfully informed and whether senior advisers to Queensland's most powerful elected official behaved appropriately. The CJC cleared Atkins, Barbagallo and Emerson. However, the media was justified in reporting questions which had been raised by DEH personnel and the Opposition.

Queensland journalists generally and the *Courier-Mail* in particular have a history of supporting whatever party is in power (Fitzgerald 1984; Turner 1992b). Turner (1992b) notes that one exception to this rule, an award-winning *Courier-Mail* expose on drought fund rorts in 1989, came in the last year of a "tired and discredited government". Turner (1992a) found that after a new editor was appointed in 1991, the *Courier-Mail* published more entertainment-based news. The former editor, Greg Chamberlin, said the newspaper's future was inexorably linked with its reputation as an authoritative and credible information source (Turner 1992a). On balance, the *Courier-Mail*'s Melville coverage undermined that aim. The *Sunday Mail*'s coverage was impressive but by definition a weekly publication cannot be a daily paper of record.

With a new editor-in-chief appointed in March 1995, there are encouraging signs the *Courier-Mail* is reassessing its important

Cairns. Other officer was named in bribe allegation at Fitzgerald inquiry. *Courier-Mail* leads story with Robson defence of officers rather than with allegations. "Robson defends her officers". One officer left force before police/CJC disciplinary charges could be heard. Almost immediately he was employed by DEH. *Courier-Mail* says charges were "dismissed". But some charges were dismissed, some were not. Computer search shows a final-par cut which would have corrected the erroneous impression.

Australian "Opposition steps up attack on officers". 13 pars p.14 (lead). Details claims against officers and Robson defence. Notes one officer quit police service before disciplinary hearing.

Hansard Two pages.

7.30 Report Doug Slack re Dennis Atkins' presence at Cooktown police station. Five minutes, 20 seconds.

April 29

Courier-Mail Eight pars p.6. Slack claims Barbagallo letter to Goss contradicts Robson/Atkins version.

Australian 7 pars p.4.

Gold Coast Bulletin 23 pars p.6.

7.30 Report

April 30

No *Courier-Mail* story.

Australian 13 pars p.7 (lead).

Gold Coast Bulletin 16 pars p.20. Slack asks the two ex-police officers to be stood aside.

May 1

Sunday Mail p.101. "Fitz figure on the foxtail trail". Parliamentary wrap-up, 40 pars, in Review section.

ABC TV News CJC defends closed hearings. One minute, 35 seconds.

ABC Radio CJC to hold closed hearings. 5.20pm. 56 seconds.

May 2

Gold Coast Bulletin

public responsibilities as a dominant daily media player. This should result in recognition that, regardless of government or media findings, the public will sort fact from fancy. As John Stuart Mill (1859; reprinted in 1962) pointed out in the middle of last century, truth will out in the free marketplace of ideas as it comes into collision with error. In the contemporary context, public opinion must often evolve through balanced reportage of vigorous debate. In the case of the Cape Melville affair, it could be argued that the *Courier-Mail* failed to provide an adequate forum for this debate.

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	19 pars p.6 (lead). Opposition leader Rob Borbidge calls for CJC hearing to be public.
Australian	"CJC plans private hearing for Melville affair officials", 10 pars p.6.
ABC Radio	Aboriginal leader accuses CJC of hypocrisy over closed hearings. 10.53am. 58 seconds.
May 3	
ABC TV News	Borbidge concerned about closed hearings. One minute 41 seconds.
7.30 Report	CJC chairman on closed hearings. Five minutes, 55 seconds.
ABC Radio	Liberal leader critical of closed hearings. 10.50am 50 seconds.
	Opposition leader critical of inquiry chair appointment. 4.27pm, 59 seconds.
	CJC rejects criticism of closed hearings. 4.55pm, 47 seconds.
May 4	
Courier-Mail	"CJC defends closed foxtail hearings", 12 pars p.5. Story has CJC defending criticism before detailing criticism. Opposition says inquiry chairman should be stood aside. He is a former member of Labor Lawyers.
Australian	13 pars p.5 (lead). Demand that chairman be stood aside.
Gold Coast Bulletin	16 pars p.6 (lead). Opposition prominent in lead.
ABC Radio	5.57am. CJC chairman defends closed hearings.
May 8	
Sunday Mail	"Two defy foxtail hearings". 13 pars p.9. p.99, Review section. Pat Gillespie column on closed hearings.
May 9	
	CJC hearing opens in Cairns.

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