MECO3606
Advanced media writing
Effective writing & communication requires knowledge of social, political, cultural, economic & scientific issues (everything!), locating and using authoritative information, the ability to sift fact from fiction, developing a familiarity with a wide range of key information sources, evaluating sources of information.
Research behind a story

› 7.30 report story on the impact of palm oil plantations

› News story made reference to:
  - academic experts/research in the area
  - political leaders/opinions
  - conservation/environmental organizations
  - companies and business
  - supermarkets
  - plywood manufacturers
  - NGOs and lobbyists

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GREG HOY, REPORTER: Baby orangutans in misty forests of Indonesian and Malaysian Borneo stay with their mothers for eight years, but their future, along with other forest species, is highly endangered, the UN environment program has stated, due to rampant illegal logging and forest fires clearing the way for the rapid spread of palm oil plantations.

As a result, a large variety of popular food items, such as these, containing without mentioning palm oil, are widely sold in Australia, as are contraband timber products.

WILLIAM LAWRENCE, TROPICAL BIOLOGY, JAMES COOK UNI: So much of the tropical timber entering the world’s commercial markets is illegal. It’s an environmental travesty.

GREG HOY: The Malaysian Minister for Commodities and Plantations is Bernard Dompok.

BERNARD DOMPOK, MALAYSIAN COMMODITIES MINISTER: What has been told to people in Australia on deforestation is not accurate and I think we need to correct that.

GREG HOY: But Australia’s leading zoos have told us that the orangutan situation is urgent and their staff have seen this first hand.

BERNARD DOMPOK: I think the zoos themselves have to back up. I mean, just today members of my delegation went to the zoo and these orangutan in the winter, Melbourne Zoo (showing photographs of orangutan). It is inhumane. Malaysia should have the orangutan of the diaspora back to Borneo Island.

RACHEL LOWRY, ZOOS VICTORIA: I’m incredibly proud of the way we care for our orangutans. Jane Goodall, a world-leading primatologist, said she would rather be an orangutan in this zoo, a world-leading zoo, than in the wild at the moment. Anybody who travels to these areas - I’ve been there myself - can see it is an urgent situation. And the United Nations have also warned if it continues, we will lose the orangutan in one to two decades.
Research is important!

The Asylum Sneakers that weren't

Exclusive: Refugees on the run and off the radar
35 ASYLUM SNEAKERS
— Daily Telegraph, 19th February, 2011

Read the full Daily Telegraph story

Here we are, episode 5 already, and not a single Daily Telegraph beat-up all year. Time to fix that up.

Welcome to Media Watch, I’m Jonathan Holmes.

The Tele’s ‘Asylum Sneakers’ splash was perfectly timed – on the Saturday after all the hoo-ha about Christmas Island detainees being brought to that funeral in Sydney. It kept the whole topic nicely on the boil...

Dozens of asylum seekers are on the run, with fears they are being supported by underground networks.
— Daily Telegraph, 19th February, 2011

On ABC1 tonight
6:02 Time Team
6:52 Minusoule
7:00 ABC News
7:30 7.30
8:01 Catalyst
8:33 Crowies
9:34 Junior Doctors: Your Life in Their Hands
10:26 Lateline
News media resources feature articles, photographs & images, opinion pieces, social media, television & online news, news aggregators...

Parliamentary and legal information - Debates (Hansards), policy & analysis, politicians, committees and reports, bills and legislation.....

Organisations, stakeholders – information on peak bodies, key research organisations involved in an issue/story

People – interviews, biographical or background information, personal voice for a story

Company Information - Business information and trends, company profiles and performance...

Statistical Data – authoritative, official statistical sources

Academic research - peer reviewed & scholarly articles that support an argument or statement
Resources in this presentation can be accessed via the Library Media & Communications subject guide.
People – resources for interviews and biography

writing for the media... often requires an expert or personal voice, and access to sources that identify stakeholders, key players or organisations involved or affected by an issue/event. Accurate biographical/background information is often essential for effective writing.
Biographical, background information and contacts for interviews

- writing article, news item...
  - that requires and expert or personal voice
- where you need to identify stakeholders, key players or organisations involved or affected by an an issue
- where accurate biographical/background information is required
- Academic research may also help you locate experts within specific fields or current research on a topic

› Resources
  › Starting point Media and Communications Guide
  - University of Sydney Find an expert
  - Community organizations - Directory of Australian community organizations
  - Associations – Directory of Australian Associations
  - Directories for Government Federal, State (NSW) and Local
  - Screen and Cultural Organisations
  - Media organisations
  › Biographical resouces
  - Who’s who and biographical dictionaries (see guide)
  › Library Quick search (Summon) and databases
Sources for News media

See how other journalists write, look at different approaches to a topic, track recent news developments, identify key people or organizations, access local, national and international news and print, television, radio, online & social media, view/access different forms of media writing,
Factiva gives you access to:
- full-text news, commentary, pictures, company information
- nearly 9,000 sources in 22 languages
- local, national, international newspapers
- business magazines, trade publications, newswires

Includes:
- media transcripts
- ABC, SBS, Channel 9 2003+
- overseas media transcript archives 1999+
- photographs of major news events

Allows you to analyse:
- How other journalists write
- Different approaches to a topic
- Local to international news
- Use discovery panel to focus search
Factiva main search screen

Enter search terms

Limit by date

Use examples to view help and menu options for specific search types e.g., company

Search for specific source or browse and select from categories
article analysis

Output options

View full-text

1. Ludwig warned on abuse of cattle - EXCLUSIVE -
   The Australian
   13 July 2011, 850 words, MILANDA ROUT, (English)
   JOE Ludwig was warned in his first departmental briefing as Agriculture Minister that the long-term viability of livestock industries would be threatened if the sector failed to properly address concerns about animal welfare.
   (Document AUSTLN0020110712e7700068d)
   2 duplicate article(s) identified

2. OPINION
   Northern Territory News/Sunday Territorian
   12 July 2011, 904 words, (English)
   I think the drum beaters could look beyond their deadlocks and see there are far more important issues out there -- SEE LETTER BELOW MURDERER IS NOT
   (Document NORTHT0020110711e77b0006h)

3. End the live exports now
   Northern Territory News/Sunday Territorian
   11 July 2011, 281 words, (English)
   LETTER OF THE DAY After all the appeals by our cattle producers I am still in support of banning live animal exports altogether. Recent letters and articles in the NT News have tried to tell us that things were not that bad in Indonesia...
   (Document NORTHT0020110711e77b0005h)

4. It's a long way back for Top End stations
   Northern Territory News/Sunday Territorian
   9 July 2011, 208 words, (English)
   TD They also told us that the industry can and will change for the better if we give it a chance.
   The fact is that this is not the first time that severe animal abuse has been revealed in countries we export to. Nor is it the first time that the industry has told us it can
Factiva advanced search options

Guide to field tags in advanced search and alerts in factiva.com

- Author by= Author's name by=judith ireland
- Column clm= Column Name
- Headline hd= Headline hd=bushfires
- Headline/Lead Paragraph Group hlp= qantas
- Source Name sn= sydney morning herald
- Word Count wc> wc< All words found in the Headline and Text groups wc>600
- Section se= Section name se=business
- Lead Paragraphs lp= First two paragraphs of a story
- Page pg= Page of a publication

Search examples:
1. Find source Sydney Morning Herald limit In the last week enter free text search salt and se=good living
2. Find (by= phillip coorey or by=peter hartcher) and lp=global warming
Title: Garrett Accused of Selling Out on Anti-Nuclear Principles: Environment Minister, Peter Garrett has abandoned his once strong anti-nuclear principles after approving a new uranium mine in the South Australian outback

Contributor: Ticky Fullerton; Mike Sexton; Peter Garrett; Paul Holloway; David Noonan

Source: 7.30 Report (ABC TELEVISION); Time: 19:51; Broadcast Date: Wednesday, 15th July 2009; Duration: 6 min., 22 sec.
Other News Resources

› **World News Connection**
  - alternative press, many non western sources

› **Proquest Historical Newspapers**

› **Proquest Newsstand Databases**


**Times digital archive**
  - full-image online archive of every page published by The Times (London) from 1785-1985

› **State Library of New South Wales**
  - **Newspaper collections**

› **News Services Database Guide**
Published by the United States Foreign Broadcasting Information Service (FBIS)

› compiled from non-U.S. media sources, often media sources not included in large commercial databases

› includes newspaper articles, television and radio transcripts.

Material is translated and available either as an extract or the full article
WNC advanced search example: elections in Cote d’Ivoire
WNC results page and transcript view
Proquest Historical Newspaper search useful for comparisons (now and then):
Sample pages from New York Times 1960-1970 e.g. 1 oil e.g. 2 music
Online news is a critical part of the news media landscape. Media organisations deliver many news services via the web. Significant increase in services that monitor the news:

- For a list of these services see Subject Guide for MECO
Company & Financial Information

...is always in the news, nearly every media program and publication includes a business or finance section AFR, FT, BRW, Insiders .... 24. Allows you to locate specialised information on companies and company directors... follow business trends, create charts and graphs and access stock exchange information...
company annual reports and profiles

- current information on the web
- tracking a company’s activities over a number of years may require sources providing historical information e.g., Annual reports collection

news media resources

consumer and marketing databases

web based participatory monitoring services for the financial and business sector

academic research articles and trade publications
Company Databases available from your Library

- To access the following resources see the [International Business Databases](#) list on the Library’s website.

- **Connect 4**

- **GMID Global Marketing Information Database**
  - Research material for business intelligence on countries and markets. Includes historical statistics and forecasts, analysis of consumers' lifestyles, company profiles and information sources, plus full-text market analysis.

- **ASX Company Research**
  - Includes price, company and trading information for companies listed on the Australian Stock Exchange.

- **Kompass Australia**
  - Global access to information on: 1.8 million companies, 750,000 trade & brand names, 3.6 million executive names. In Australia contains: 32,685 companies, 56,041 executive names.

- **Fin Analysis**
  - Detailed financial information for a twelve year period for all companies listed on ASX. Includes market data, reporting and peer analysis.

- **Factiva – this news database also has company information** – use the Companies Tab to access news and share price data, Factiva company search tips [here](http://www.library.usyd.edu.au/databases/helpsheets/activacom_company_research_toolsQRC.pdf)

- **Business Source Premier**
  - References and abstracts industry and international business, includes full text for many key journals. Company profiles for the world's 5,000 largest companies, country economic profiles and reports.
Web based business monitoring services

› Business news monitoring services

Factiva - Companies

- Company snapshots
  - executives, share performance, news coverage, financial data
  - charting tools and quotes
- News search
  - track company activities in key newspapers

1. Click on Companies/Markets to access all company options
2. Search for and select companies using company search
Company Profiles and News Coverage: Factiva

- Monitors news and business information
- Business and economic news
  - Limit to industry sector
  - Company
- Companies/markets tab
  - Search by company code or name indicates public or private company, ticker/RIC code, location, industry sector

Click on company name to access: snapshot or detailed report
Click on company name to retrieve snapshot latest news or build custom news report, key financials and executives, competitors and view or chart stock activity for listed companies.
Passport GMID: Global Market Information

- international country data, business intelligence, forecasts, major market profiles, consumer lifestyle data, brand and company information
- Euromonitor Market Research Reports.
- Date coverage varies. Statistics and reports are updated annually.
- Browse by Industries, Countries, Consumers, Companies, Geographies.
- Dashboard allows data summaries, comparisons and visualisations of key variables for many countries.
- Includes

- Access via the Media and Communications database guide

- Excellent source for consumer/lifestyle stories.
Mainland Opportunities and Novartis’ Interest in the Shanghai International Board
The Shanghai Stock Exchange’s proposed International Board has drawn the attention of some of the world’s most recognizable companies, including one pharmaceutical giant with aggressive expansion plans. Euromonitor International takes...
Article | 20 Jul 2011 | Read

An Update on Probiotic Supplements Trends
The consumer health industry continues to pay special attention to the development of probiotic supplements. New discoveries and the search for promising health outcomes further development of this category. Euromonitor...
Article | 06 Jul 2011 | Read

Recession: Shifting Consumer Responses – July 2011
Welcome to the latest edition of Euromonitor International’s global consumer tracker designed to help you keep in touch with consumer responses to the recession all over the world and more...
Article | 22 Jul 2011 | Read

New Global Report: Female Breadwinners – How the Rise in Working Women is Influencing Spending Patterns
Consumer Trends and Lifestyles

**SPOTLIGHT**

Recession: Shifting Consumer Responses – July 2011
Welcome to the latest edition of Euromonitor International’s global consumer tracker designed to help you keep in touch with consumer responses to the recession all over the world and more...

- Article | 22 Jul 2011 | Read >

Challenging Stereotypes in the New “Fanwich”: Stay-at-home “Kids”, Kippers, the Boomerang Generation and Parasite Singles in the Asia-Pacific Region
Job losses, mounting student loans and high costs of living—how can young adults get ahead in life? More adult children in the Asia Pacific region are heading home sweet home...

- Article | 20 Jul 2011 | Read >

Pink Profits and the LGBT Community in Latin America: An Update
In 2002, the city of Buenos Aires passed the bill allowing “civil union” between people of the same sex. This oriented the LGBT community towards a feeling of freedom not...

- Article | 18 Jul 2011 | Read >

**DASHBOARD**

Explore the Data

**FUTURE WATCH**

- Future Watch: How Will Teens and Tweens Define Themselves through Consumption? | Jun 2011
- Future Watch: The Holiday Experience – What Consumers are Looking for in a Holiday | May 2011
Company profiles & financial data

- DatAnalysis (Morningstar)
- includes Company history & extracts from annual reports, Financial tables, Shareholder information, Company announcements and reviews
- Annual reports online 1995- present (all ASX list and de-listed companies. Lodgements and prospectuses from October 1998

Company search

- Use to locate comprehensive data for all ASX listed companies. These reports are updated daily from relevant ASX announcements eg.PBG or Pacific brands

Search Tool: searches across all sections of the DatAnalysis database to provide a list of companies that match your selected criteria

Imagesignal Search: search the IMAGE FEED of ALL ASX announcements SINCE SEPTEMBER 1999. It is possible to search for a particular document type or to search a specific date range.
**Pacific Brands Limited**

**PBG**

**Trading Status:** Trading  
**Listing Date:** 02/04/2004

**Market Cap:** $643m  
**Total Shares Quoted:** 931.4m  
**Last Close:** $0.69

**GICS Sector:** Consumer Discretionary  
**GICS Industry Group:** Retailing  
**GICS Industry:** Specialty Retail

---

**Price History**

**Frequency:**  
**Start date:** 25 Jul 2005  
**End date:** 25 Jul 2011

**Price Type:** Adjusted Prices

**Note:** Monthly prices go back to **January 1988** (actual last trading day of month price **NOT** average monthly price)  
**Daily prices go back to 1 January 2000**

**Display:** 1 - 50 out of 88  
**Results per page:** 25 50 100 All

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<th>Date</th>
<th>Open</th>
<th>High</th>
<th>Low</th>
<th>Close</th>
<th>Volume</th>
<th>Market Capitalisation ($m)</th>
<th>Shares on Issue</th>
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<td>0.690</td>
<td>64,954,033</td>
<td>642.66</td>
<td>931,386,248</td>
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<td>61,043,097</td>
<td>963.98</td>
<td>931,386,248</td>
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</tbody>
</table>
FinAnalysis (AspectHuntley) provides a 12-year history of detailed financial information for all companies listed on the ASX.

- FinAnalysis company information includes:
  - **Annual Reports**
    - over 400 data items
    - detailed financial information is also available for delisted companies.
  - balance sheet and cashflow data.
  - breakdown of revenue and expenses as reported by the company.
  - financial Analysis and Ratio pages
  - **Market Data**
    - Historic share prices,
    - market capitalisation and listed shares.
    - Updated daily.
  - Price charts.
    - Charts of historic prices and trade volumes over various time periods.
  - Dividend payment history.
Parliamentary & Government Information

...essential for accessing information on political, economic & social issues, the business of government, political statements & opinions, policy information & analysis, reports from Committees of Inquiry, the official documents of Parliament and government ...debates, bills..
Parliamentary Websites

› **Capital monitor** – monitors state and federal parliamentary information, parliamentary proceedings, legislation, policy…

› **Parliamentary Websites** – official record of parliamentary information and procedures
  - Debates (Hansard), committees of inquiry, questions,
  - parliInfo search – searchable collection of official parliamentary documents
  - Biographical Information for members of parliament
  - Committees reports and proceedings

› **Parliamentary Library websites** – policy research & analysis
  - Bills digest, research notes, chronologies
  - useful for overviews of policy areas and issues in the news
    - NSW Library and Information Services
Government Departments and Agencies

Federal and State government websites —
- political profiles for responsible ministers
- media releases
- policy documents, publications, annual reports,
- statistical information,
- programmes, projects, initiatives…

- Government Directories
  - Australian Government Entry Point
  - Australian Government websites by Portfolio
  - Current Annual reports - Federal Government
  - GOLD: Government Directory Online (Federal)
  - New South Wales Government Directory
Comprehensive reference point to resources of both state and federal parliament

Includes

- Hansards (debates)
- Bills monitor
- Newsletter which provides a digest of policy changes

Full-text Parliamentary documents from 1996+

Index to archived material 1990-1996

Large collection of media releases
Monitor state and parliamentary activities on a daily basis
Welcome to the Parliament of Australia

Senate next sits from 25 to 28 February 2013
Both Chambers next sit 12 to 21 March – see sitting calendar for all 2013 dates
Search for topic, person
Limit to type of document debate, bill, committee, date
Set up alert for new content
Federal Parliament

- Searchable collection of Parliamentary publications
- E-briefs providing background and commentary and links on current topics
- Historical Parliamentary information
- Index to Parliamentary Papers

State Parliament

- Searchable collection of Parliamentary documents and publications
- Research papers
Research Publications

- Browse publications by topic
- Browse background notes
- Browse research papers
- Search for library publications in ParliInfo
- Browse the publications archive
- Browse research by Australian Parliamentary Fellows
- Browse library seminars and lectures

Be alerted to new publications by:
- Following us on twitter
- Subscribing to our RSS feed
- Visit the Parliamentary Library blog:
- FlagPost

New research publications

This page includes recently published Research Papers and Background Notes. The Parliamentary Library also publishes Bills Digests

<table>
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<tr>
<th>Title</th>
<th>Date</th>
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<tbody>
<tr>
<td>The people smugglers’ business model</td>
<td>28.02.2013</td>
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<tr>
<td>Asylum seekers and refugees: what are the facts?</td>
<td>11.02.2013</td>
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<td>Destination anywhere? Factors affecting asylum seekers’ choice of destination country</td>
<td>5.02.2013</td>
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<td>Boat arrivals in Australia since 1976</td>
<td>29.01.2013</td>
</tr>
<tr>
<td>ACT election 2012</td>
<td>10.10.2012</td>
</tr>
</tbody>
</table>
Research Papers (All by Publication Date)

Research papers are prepared by the Parliamentary Library for Members of Parliament in relation to legislation before the Parliament and State issues and policies.

- Background Papers contain a detailed analysis of an issue, indicated by "BP" in the reference column.
- Briefing Papers provide an overview of an issue, indicated by "BF" in the reference column.

Show:  By Publication Date ▼  |  By Subject ▼ select subject -  ▼  Go

<table>
<thead>
<tr>
<th>Published</th>
<th>Title</th>
<th>Reference ID</th>
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<tr>
<td>Jul 2011</td>
<td>Social Housing</td>
<td>EB 08/2011</td>
</tr>
<tr>
<td>Jul 2011</td>
<td>NSW trade with China and India</td>
<td>EB 07/2011</td>
</tr>
<tr>
<td>Jul 2011</td>
<td>Housing Affordability</td>
<td>BF 04/2011</td>
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<td>Jun 2011</td>
<td>Same-sex marriage</td>
<td>BF 3/2011</td>
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<td>Jun 2011</td>
<td>Victim Impact Statements by Family Members in Homicide Cases</td>
<td>EB 06/2011</td>
</tr>
<tr>
<td>Jun 2011</td>
<td>Population housing and transport indicators for NSW</td>
<td>SI 04/2011</td>
</tr>
<tr>
<td>Jun 2011</td>
<td>NSW Election 2011: Overview of Legislative Assembly Results</td>
<td>BF 02/2011</td>
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<td>May 2011</td>
<td>Infrastructure NSW: comparing administrative models</td>
<td>EB 05/2011</td>
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<td>May 2011</td>
<td>Government Advertising</td>
<td>EB 04/2011</td>
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<td>Apr 2011</td>
<td>Key Issues and Regional Profiles for the 55th Parliament</td>
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<td>Apr 2011</td>
<td>Economic Indicators NSW April 2011</td>
<td>SI 03/2011</td>
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<tr>
<td>Mar 2011</td>
<td>History of development contributions under the NSW planning system</td>
<td>EB 03/2011</td>
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<td>Mar 2011</td>
<td>Offshore petroleum exploration and mining</td>
<td>BF 01/2011</td>
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<tr>
<td>Feb 2011</td>
<td>2011 NSW Election Preview - Analysis of Past Voting Patterns by Electorates</td>
<td>BP 01/2011</td>
</tr>
</tbody>
</table>
Statistical information

...need to access authoritative, accurate data, ABS, social, economic, demographic data, community profiles, maps, quick facts, statistical agencies, local and international, comparative data and data visualisation...
There are stories in statistics

› social, cultural, consumer, political, economic

› …..and many sources for locating statistical information, most freely available

› significant increase in the use of data visualisation and infographics to tell stories and explain statistical information

› visit The Guardian Newspaper datablog

› visit the datajournalism handbook for a and introduction to the role of data in journalism

Battle of the sexes: by the numbers
March 5, 2013(0)

Which is the better sex when it comes to all the things we treasure in a human being? David Dale buried himself in census data to try to find out.
Statistical Information

› **Australian Bureau of Statistics**
  - most statistical data (1993+) freely available
    - Increased availability of historical data - Yearbook of Australia 1908+
  - gateway to Australian statistical information
  - not the only source for Australian statistical data
  - Includes social, economic, demographic data

› **Using Google to locate statistical data**
  - always evaluate
  - always locate the source of the statistics
1. Side menu key economic data, regional profiles, popular data,

2. Website navigation bars access data by topic via themes, census data, educational & technical resources.

3. Themes quick access to data by topic
NOTES

INTRODUCTION

This publication presents results from the Multi-Purpose Household Survey (MPHS) that was conducted by the ABS as a supplement to the Labour Force Survey (LFS) each month from August 2004 to June 2005. The statistics included in this publication present information about access to computers and the Internet by people aged 18 years or over in these households.

ABOUT HOUSEHOLD USE OF INFORMATION TECHNOLOGY (HUIT) DATA

Australia's national research and knowledge centre on crime and justice
Easy access to statistics back to the ‘70s on all types of crime in Australia, clickable headings divided by type of crime/victims/ courts/location etc or use search box. Also useful publications, media releases and interviews

Crime and custody statistics, criminal court information, policy documents.
**Interactive NSW crime tool:** to find crime, victim and offender information for any date range up over the last 19 years to the present for any local area, can highlight hotspots, rate per population, number of incidents/type etc - and create tables and graphs of information.
Also useful latest news, publications, seminars and media releases back to ‘96
Legal Information

Refer to legal sources to ensure accuracy in your writing...AUSTLII cases, legislation, bills, laws and legislation that relate to a specific issue, jurisdictions, international law, legal databases and encyclopaedias, courts, tribunals....
Why legal information?

- The law is an integral part of the social, political and economic framework.
- The law is frequently discussed and analysed in the media.
- There are many examples:
  - Articles on a criminal trial, workplace legislation, water restrictions, taxation and cop.
  - International issues: peacekeeping, disputed territories, whaling, immigration issues, international law etc.

Knowledge of legal information may help you find a story or locate authoritative information.

Mallik v McGeown, [2008] NSWCA 230
Starting points

Legal Directories & websites

- University of Sydney subject guides and databases
- **Weblaw** – UNSW legal research directory
- **Lawlink** - government portal to law and justice agencies and services in New South Wales
- Courts and tribunals, court lists, media resources and releases, NSW legal Agencies
  - **Law Reform Commission** reports and papers
- **Attorney General's Department (Federal)**
- **Findlaw** commercial legal gateway
Legal Encyclopaedias

› Legal encyclopaedias help you locate legal principles by topic
  - summarise areas of law within different jurisdictions
  - outline key legal principles for an area of the law
  - include relevant legislation and cases
  - provide a quick way of identifying key legislation and cases for a specific legal area

› Australian Legal encyclopaedias include:
  - The Laws Of Australia (TLA)
    - access via Firstpoint listed in Socio-legal databases
  - Halsbury’s Laws of Australia
    - access via LexisNexis.au listed in Socio-legal databases
Browse subject categories or search specific category by keyword
"Circle sentencing" in New South Wales and "Nunga Courts" in South Australia are a result of administrative arrangements made by court authorities to reform the sentencing process in relation to Aboriginal defendants.

Citation: TLA [1.550]
Title Editor(s): Emeritus Professor Garth Nettheim AO (1992 - )
Current Updating Author(s): M Flynn
Current as at: 1 August 2003

"Circle sentencing" in New South Wales and "Nunga Courts" in South Australia are a result of administrative arrangements made by court authorities to reform the sentencing process in relation to Aboriginal defendants. Pilot schemes for circle sentencing have been introduced in Nowra and Dubbo in New South Wales following the recommendation of the Law Reform Commission of New South Wales. The scheme involves the participants in the meeting "circle" reaching a consensus on an appropriate sentencing disposition for an Aboriginal defendant. The participants include the magistrate, prosecutor, defendant, defendant's lawyer, victim and the family and community of the defendant and victim.

The "Nunga Court" in Port Adelaide, South Australia was an initiative of Magistrate Christopher Yess for dealing with Aboriginal defendants who plead guilty in the Magistrates Court. Participants include the magistrate, defendant, prosecutor, defendant's lawyer, the family and community of the defendant and (where present) the victim. Everyone is seated at the same level and has an opportunity to address the magistrate before sentencing. The initiative has lead to similar reforms, known as "Aboriginal Court Days" in the Magistrates Court at Murray Bridge and Port Augusta and to a monthly sitting of an "Aboriginal Youth Court" when the Youth Court of South Australia sits in Port Augusta.

Footnotes:
Laws of Australia (TLA) search and browse categories

1. search by keyword
2. select browse categories
3. View law for area of interest

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1. **Abortion**
2. Criminal Offences > Homicide > Related Offences > Offences Relating to Children > **Abortion**
3. Criminal Offences > Homicide > Related Offences > Offences Relating to Children > **Abortion** > **Unlawful Abortion**

A defence of "necessity" applies to abortion related offences in all jurisdictions except the Northern Territory and South Australia.

Criminal Offences > Homicide > Related Offences > Offences Relating to Children > Abortion > Unlawful Abortion

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Citation: [null] (null)
Author: [null] (null)
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A defence of "necessity" applies to abortion related offences in all jurisdictions except the Northern Territory and South Australia. The defence has two central elements. First, the termination of pregnancy must be necessary. The element of "necessity" was defined by Hon. Justice R. J. Lonergan in R v Landon [1991] (null) in terms of an "honourable and reasonable belief" that the risks taken are required "to preserve the woman from some serious danger".

Danger was defined as danger to physical or mental health, provided it is a serious danger and not merely a "normal danger" associated with pregnancy and childbirth. The danger may exist or potential. Potential danger is that which might reasonably be expected to arise if the pregnancy were to be allowed to continue. The test does not allow for abortion on demand. It is unclear what dangers are merely normally associated with pregnancy. Postnatal depression could conceivably be regarded as a "normal danger" of pregnancy and child birth (2013-2015). The degree of depression may be critical. If the depression is slight, it might be considered to be little more than a natural, but by no means certain, result of pregnancy and childbirth. Economic and social factors are relevant under the R v Davidson test of "necessity", however they must relate to a serious danger to the physical or mental health of the woman. They are not themselves sufficient grounds to render an abortion lawful. In R v Wool (1971) 1 DGC (NSW) 20, a decision of the District Court of New South Wales, Judge J. directed the jury to consider "any economic, social or physical ground or reason which in their view could constitute reasonable grounds upon which an accused could honestly and reasonably believe there would result a serious danger to her physical or mental health".
The three principal offences relating to abortion exist in all jurisdictions except the Northern Territory. The three offences are attempted self-abortion; attempted abortion by another; and, supplying or procuring the means for the commission of the first two offences. The history of these offences is complicated and their continued existence is controversial.

The essential elements of self-abortion are that the abortion must be unlawful (see [10.1.170] - [10.1.174]), and the accused must:

1. be pregnant, except in Queensland and Western Australia (see [10.1.162]), where the prohibition applies whether the woman is pregnant or not;
2. either administer to herself “a poison or noxious thing” (see [10.1.165]), or use “any instrument or other means” (see [10.1.166]); and
3. possess an intent to procure a miscarriage: see [10.1.167] - [10.1.168].

In respect of an unlawful abortion it is irrelevant whether the woman is pregnant; see [10.1.162]. The means employed are the same as those applicable to the offence of self-abortion and there must be an intention to procure a miscarriage.

For supplying or procuring the means to procure a miscarriage it is irrelevant whether the woman is pregnant. The means to procure a miscarriage are the same as for the other offences, except that, in Queensland, Tasmania and Western Australia, “anything whatever” is sufficient; and the act of supplying or procuring must be accompanied by knowledge that what is supplied or procured is intended to be used to unlawfully procure a miscarriage: see [10.1.164].

The maximum punishments vary considerably from jurisdiction to jurisdiction.

Footnotes

1. ACT: Crimes Act 1900 (NSW), ss 42 - 44; Crimes Act 1900 (NSW), ss 82, 83, 84; Criminal Code (Qld), ss 224 - 225; Criminal Law Consolidation Act 1935 (SA), ss 81, 82; Criminal Code (Tas), ss 134, 135; Crimes Act 1958 (Vic), ss 65, 66; Criminal Code (WA), ss 199 – 201.
3. Abortion was not a felony at common law. The common law treated abortion as a misdemeanour and then only after quickening had occurred. Quickening is the detectable movement of the foetus in the mother’s womb. Prior to quickening, it was no offence to procure an abortion. In 1803, the first statute to deal with abortion as a felony, Lord Ellenborough’s Act 1803 (UK) 42 Geo 3 c 55, was passed. This statute, which, to some extent did away with the quickening criterion, was superseded by Lord Landsdowne’s Act (1820) (UK) 9 Geo IV c 31, which was replaced by the Offences against the Person Act 1837 (UK) 7 Will IV & 1 Vic c 85, and in turn was superseded by the Offences Against the Person Act 1881 (UK) 24 & 25 Vic c 100, s 56 on which current Australian law is primarily based. See also Lukas, Abortion and the Politics of Motherhood) Mohr, Abortion in America, Glendon, Abortion and Divorce in Western Law, Known T, Abortion, Doctors and the Law: Some Aspects of the Legal Regulation of Abortion in England from 1832-1882, Ballhouse, “Involuntary
(B) Concept of Citizenship

The paragraph below is current to 07 April 2003

To update legislation see ACL Legislation

For information on (CTH), (NSW), (QLD) and (VIC) Acts cited in this paragraph see Statutes Annotations

[77-15] Notion of citizenship Citizenship is a legal bond between a person and the state conferring citizenship which establishes that the person is a member of the state.1 The legal bond of citizen and state is evidenced by a genuine connection of interests and sentiments as well as reciprocal rights and obligations.2 Australian citizenship represents formal membership of the community of the Commonwealth of Australia involving reciprocal rights and obligations.3 Persons granted Australian citizenship undertake to pledge loyalty to Australia and its people, to share their democratic beliefs, respect their rights and liberties and uphold and obey the laws of Australia.4 The issuance of a passport is not a grant of citizenship, although such issuance is a common feature of citizenship.5

Notes

1. Noltebohm Case (Liechtenstein v Guatemala), Second Phase 1955 (CJ 4 (Judgment of 6 April) at 23. See FOREIGN RELATIONS [219-500].
2. Noltebohm Case (Liechtenstein v Guatemala), Second Phase 1955 (CJ 4 (Judgment of 6 April) at 23.
3. (CTH) Australian Citizenship Act 1948 preamble. As to the inception of Australian citizenship see [77-20].
4. Ibid preamble.

The paragraph below is current to 07 April 2003

To update legislation see ACL Legislation

[77-20] International law concerning citizenship Any question as to whether a person possesses the nationality of a particular state is to be determined in accordance with the law of that state.1 It is for every sovereign state to settle by its own legislation the rules relating to the acquisition of its nationality, including the conferring of that nationality in accordance with that legislation.2 Notwithstanding that each state determines its nationality law, these laws are recognised by other states only so far as they are consistent with international conventions and customs and international law principles generally recognised with respect to nationality.3 If a state purported to confer the benefit of its protection on, and to exact a duty of allegiance from,
Legal resources

› Legislation (Statutes, regulations
  - Austlii – Australian legislation and case law (free)
  - New South Wales Parliamentary Counsel's Office
  - Comlaw - official sources for Australian legislation

› Case Law – locate case law and references to a specific case
  http://www.library.usyd.edu.au/libraries/law/databases.html#cases
  - Casebase
  - Firstpoint

› Journal articles
  - Legal databases
    - http://www.library.usyd.edu.au/libraries/law/databases.html#journals
Austlii is a free comprehensive resource for Australian Legal Information

- [http://www.austlii.edu.au/](http://www.austlii.edu.au/)

Primary legal materials:

- treaties and decisions of courts and tribunals, treaties
- cases and legislation for Australian states & territories and some international and overseas jurisdictions

Secondary legal materials:

*These are created by public bodies for purposes of general access and include:*

- Journal articles
- homepages of organisations e.g.. Refugee Review Tribunal, Australian Law Reform Commission, and Australian Institute of Criminology (AIC)
- Special projects such as Indigenous Law Resources, Military Law and Peacekeeping Library, and Community Legal Information
The information you want may not always be available. You can apply for information under FOI legislation. Consult federal and state FOI websites for information on making FOI applications.


- Government departments maintain lists of requests and are required to report annually on the outcomes of requests.

New South Wales FOI access is covered by The Government Information (Public Access) Act 2009 (GIPA Act). The act commenced 1\textsuperscript{st} July 2010.

- Currently the Office of the information commissioner supports access to and disclosure of government information under the act.

- Information is also available from the [NSW Ombudsman website](http://www.ombudsman.nsw.gov.au)
The following examples are from a Factiva search for articles where FOI information was used in an article or report.

- “The figures, obtained by the State Opposition under freedom of information laws, show that 80 children left state care in 2007-08 after being placed with between six and 10 carers.....”

- “Documents obtained under freedom-of-information laws by the NSW Opposition show the intense behind-the-scenes battle between the US mining company, Peabody Resources, the catchment authority and the NSW Planning Department over the controversial Metropolitan Colliery plan…”

- “Documents obtained under freedom of information laws show Mr Macdonald spent $24,156.21 on a trip to Dareton in which he and a group from the NSW Wine Industry Research and Development Advisory Council lunched at Stefano’s Restaurant at Mildura…”

- “The departmental brief, obtained under Freedom of Information laws and compiled in September, also predicted further riots from the detained Indonesian crews of asylum-seeker boats and warned that immigration detention facilities were stretched beyond capacity, with 2646 people held for more than 120 days. The briefing painted a picture of a department under "stress" from an influx of "irregular maritime arrivals" and a migration program facing a situation where "there are far more people seeking to migrate to Australia than the country wishes to absorb".

- “More than 300 schools have requested changes to their profiles on the Federal Government’s My School website since it was launched in January, according to documents obtained under Freedom of Information legislation. While many of the changes are cosmetic or to correct minor errors, some schools have opted to significantly alter the image they project to families comparing schools since being given the opportunity to see what other schools have said about themselves. The My School site, which allows members of the public to see and compare national test scores in Years 3, 5, 7 and 9 of every school in Australia, gives principals an opportunity to write a 200-word description of their school. The original profiles were written and submitted before schools were given the chance to see what others had written…”
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The Library subscribes to many databases and e-journal collections, these sources:

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- allow who to locate academic debate/differences on a specific topic
  - e.g climate change, a medical treatment, reasons for school success ......
- A listing of Media & Communications databases is available at: www.library.usyd.edu.au/databases/media.html/
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  - Parliamentary and Government Information
  - Web directories
  - Legal resources such as Austlii, ComLaw, PCO
  - Online news monitoring services (BBC, wotnews many freely available)

› Databases
  - Macquarie Dictionary Online; Proquest 5000 Databases; Scopus Database

› NSW State Library and National Library of Australia now offering remote access to a wide range of databases
  - Access is free but requires registration and is limited to Australian or NSW residents.
University of Sydney Subject Guides

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