

## Media companies on notice over traumatised journalists after landmark court decision

Written by Matthew Ricketson, Professor of Communication, Deakin University

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A [landmark ruling](#) by an Australian court is expected to have international consequences for newsrooms, with media companies on notice they face large compensation claims if they fail to take care of journalists who regularly cover traumatic events.

The Victorian County Court accepted the potential for psychological damage on those whose work requires them to report on traumatic events, including violent crimes. The court ruled on February 22 that an Age journalist be awarded \$180,000 for psychological injury suffered during the decade she worked at the Melbourne-based newspaper, from 2003 to 2013.

The journalist, known in court as “YZ” to protect her identity, reported on 32 murders and many more cases as a court reporter. She covered Melbourne’s “gangland wars”, was threatened by one of its notorious figures, and found it increasingly difficult to report on events involving the death of children, such as the case of [four-year-old Darcey Freeman](#) who was thrown by her father from West Gate Bridge in 2009.

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After complaining that she was “done” with “death and destruction”, the journalist was transferred to the sports desk. But a senior editor later persuaded her, against her wishes, to cover the Supreme Court where she was exposed to detailed, graphic accounts of horrific crimes, including the trials of [Donna Fitchett](#), [Robert Farquharson](#) and Darcey Freeman’s father.

The repeated exposure to traumatic events had a serious impact on her mental health. YZ took a voluntary redundancy from the newspaper in 2013.

In her court challenge, the journalist alleged The Age:

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- had no system in place to enable her to deal with the trauma of her work
- failed to provide support and training in covering traumatic events, including from qualified peers
- did not intervene when she and others complained
- transferred her to court reporting after she had complained of being unable to cope with trauma experienced from previous crime reporting.

The Age contested whether the journalist was actually suffering from post-traumatic stress. It argued that even if a peer-support program had been in place it would not have made a material difference to the journalist's experience.

Further, The Age denied it knew or should have known there was a foreseeable risk of psychological injury to its journalists and simultaneously argued that the plaintiff knew "by reason of her work she was at high risk of foreseeable injury".

Judge Chris O'Neill found the journalist's evidence more compelling than the media company's, even though the psychological injury she had suffered put her at a disadvantage when being cross-examined in court.

Bruce Shapiro, executive director of the Dart Center for Journalism and Trauma in the United States, says:

This is a historic judgment – the first time in the world, to my knowledge, that a news organisation has been found liable for a reporter's occupational PTSD.

### Media companies need to take PTSD seriously

This is not the first time a journalist has sued over occupational PTSD, as Shapiro calls it, but it is the first time one has succeeded. In 2012, another Australian journalist [unsuccessfully sued the same newspaper](#)

In that earlier case, discussed by a co-author of this article (Ricketson) in [Australian Journalism Review](#), the judge was reluctant to accept either the psychological impact on journalists covering traumatic events or The Age's tardiness in implementing a trauma-aware newsroom. In stark contrast, the judge in the YZ case readily accepted both these key concepts.

Historically, the idea of journalists suing their employers for occupational PTSD was unheard of. Newsroom culture dictated that journalists did whatever was asked of them, including intrusions on grieving relatives, or "death knocks" as they are known. Doing these was intrinsic to the so-called "school of hard knocks". Cadet journalists were blooded in the newsroom by their ability to do these tasks.

The [academic literature](#) shows that newsroom culture has been a key contributor to the problem of journalists feeling unable to express concerns about covering traumatic events for fear of appearing weak and unsuited to the job.

What is alarming from the evidence provided to Judge O'Neill is the extent to which these attitudes still hold sway in contemporary newsrooms. YZ said that as a crime reporter she worked in a "blokey environment" where the implicit message was "toughen up, princess".

### Duty of care

The YZ case shows The Age had learnt little about its duty of care to journalists from the earlier case it defended. One of its own witnesses, the editorial training manager, gave evidence of his frustration at being unable to persuade management to implement a suitable training and support program. Judge O'Neill found him a compelling witness.

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The Dart Center has a range of [tip sheets on its website](#) for self-care and peer support. What is clear from this case is that it's not just about individual journalists and what they do, but about editors and media executive taking action.

One media organisation that is leading the way is the ABC. The national broadcaster has had a [peer-support program](#) in place for a decade.

Such programs are vital, not just for individual journalists, but for democracy and civil society. This is because whatever changes have been sweeping through the news media, there is no change in the incidence of disasters, crimes and traumatic events that need to be covered.

News workers need help. And they are beginning to demand it.

*Matthew Ricketson is chair of the board of directors of the Dart Centre Asia-Pacific, which is affiliated with the Dart Center for Journalism and Trauma based in the United States. It is a voluntary position. During part of the period covered by the YZ court case he worked as a journalist at The Age.*

*Alexandra Wake is on the Dart Centre Asia Pacific board, and in 2011 was named a Dart Academic Fellow. As part of that process, Alex traveled to Columbia University in New York for training, at Dart's expense.*

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**Read more** <http://theconversation.com/media-companies-on-notice-over-traumatised-journalists-after-landmark-court-decision-112766>