From Flies to File Storage

Policy Issues in
the Life-Cycle of
Explanatory Journalism

Heidi Tworek, Sabrina Wilkinson,
Elizabeth Dubois,
Elizabeth Ren, Lui Xia Lee

From Flies to File Storage

Policy Issues in the Life-Cycle of Explanatory Journalism

Tworek, H., Wilkinson, S., Dubois, E., Ren, E., & Lee, L.
Ottawa: Pol Comm Tech Lab, 2021. | polcommtech.com/explanatoryjourno-report

Corresponding author:
Heidi Tworek, heidi.tworek@ubc.ca

THE UNIVERSITY OF BRITISH COLUMBIA
Department of History
Faculty of Arts

THE UNIVERSITY OF BRITISH COLUMBIA
School of Public Policy and Global Affairs

LABO **POL COMM TECH** LAB

CENTRE DE RECHERCHE EN **droit, technologie et société** CENTRE FOR **Law, Technology and Society** uOttawa

uOttawa

Social Sciences and Humanities Research Council of Canada   Conseil de recherches en sciences humaines du Canada

Canada

Heidi Tworek (PhD, Harvard University) is an Associate Professor of international history and public policy at the University of British Columbia, Vancouver. She is a Senior Fellow at the Centre for International Governance Innovation as well as a Non-Resident Fellow at the German Marshall Fund of the United States and Canadian Global Affairs Institute. Find her on Twitter **@HeidiTworek** and at **www.heiditworek.com**.

Sabrina Wilkinson (PhD, Goldsmiths, University of London) is a researcher and writer. She is a former Postdoctoral Fellow at the University of Ottawa's Centre for Law, Technology and Society. Find her on Twitter **@sabwilkinson** and at **www.sabwilkinson.com**.

Elizabeth Dubois (PhD, University of Oxford) is an Associate Professor at the University of Ottawa where she runs the Pol Comm Tech Lab. Her work examines political uses of digital media including media manipulation, citizen engagement, and personal influence. Find her on Twitter **@lizdubois** and at **www.polcommtech.ca**

Elizabeth (Lisa) Ren is currently a second-year MA student at the University of British Columbia's Department of History. Her research focuses on the history of media and communication infrastructures in post-socialist China and the globalization of Chinese media. She is also the assistant at the UBC's Centre for Chinese Research and an awardee of the Social Sciences and Humanities Research Council's (SSHRC) CGS-M Award.

Lui Xia Lee holds an MA in History from the University of British Columbia. She studies news coverage of education policies in Malaysia. She is also the Media Relations Assistant at UBC Media Relations and an awardee of the 2020-2021 UBC Killam Graduate Teaching Assistant Award.

TABLE OF CONTENTS

Introduction

In October 2020, a fly landed on then US Vice-President Mike Pence's head in a televised vice-presidential debate. The incident captivated audiences around the world. Drawing on expertise in art history, academic Sally Hickson seized the moment to write a piece of explanatory journalism in The Conversation Canada that tied the sensation to the history of flies in Western art.[1] By summer 2021, the article had been viewed 1.24 million times.[2]
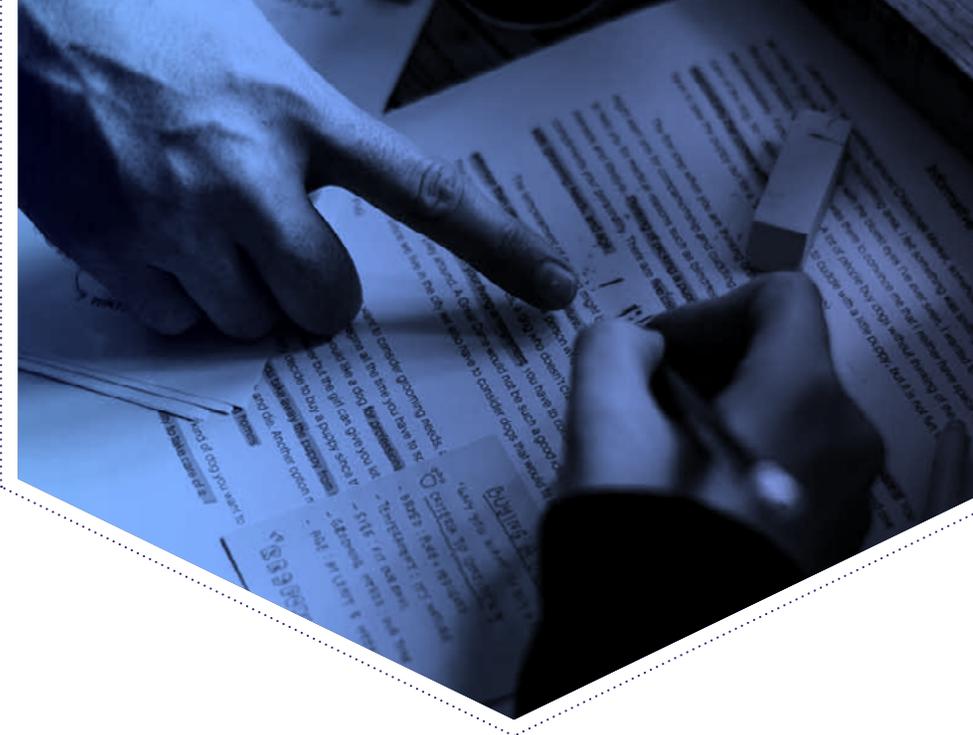
Explanatory journalism describes news content that gives more context than traditional reporting. It can be found in dedicated outlets (e.g., The Conversation Canada) and in outlets that publish both traditional and explanatory journalism (e.g., op-eds in *The Globe and Mail* and *La Presse*). The authors may be journalists, but they are often academics or others outlining expert knowledge in more accessible ways.

Journalists are not the only creators of explanatory journalism. Many academics like Sally Hickson write explanatory journalism, often to try to influence policy. In fact, some dedicated explanatory journalism outlets, such as The Conversation Canada, mostly publish content written by people affiliated with a university. While explanatory journalism may not always be the most widely-read form of journalism, it is a crucial part of the modern news media ecosystem. Explanatory journalism may be more important today than ever. Consider the range of complex issues facing society, from climate change to humanitarian crises to digitization. Explanatory journalism helps policy-makers and the general public to understand these societal challenges by offering accessible expert knowledge. This form of journalism can also provide evidence-based policy recommendations that are much more likely to be read than traditional academic work.

While explanatory journalism has existed for a long time, it has been transformed in new and fascinating ways online. But these transformations also pose big, unexpected challenges, many of which are related to policy. From harassment of authors to translation to the discoverability of content— all these issues are linked to how explanatory journalism is made, shared, and preserved. In fact, policy issues can be found at every stage in explanatory journalism. This report proposes a life-cycle of explanatory journalism as a way to uncover policy challenges and then identify how policy-makers, journalists, academic-authors, and academic institutions might address them. Although we focus on explanatory journalism, many issues raised in this report go far beyond that problem. Implementing this report's recommendations can improve the inclusion of diverse expert knowledge in Canadian policy debates.

---

1   Sally Hickson, "[Mike Pence's Fly: From Renaissance Portraits to Salvador Dalí, Artists Used Flies to Make a Point about Appearances](#)," The Conversation Canada, October 9, 2020.
2   This information was provided to be shared publicly in this report by a member of The Conversation Canada's editorial team.

EXPLANATORY JOURNALISM MAY BE MORE IMPORTANT TODAY THAN EVER. CONSIDER THE RANGE OF COMPLEX ISSUES FACING SOCIETY, FROM CLIMATE CHANGE TO HUMANITARIAN CRISES TO DIGITIZATION. **EXPLANATORY JOURNALISM HELPS POLICY-MAKERS AND THE GENERAL PUBLIC TO UNDERSTAND THESE SOCIETAL CHALLENGES** BY OFFERING ACCESSIBLE EXPERT KNOWLEDGE.

This report is based on multi-disciplinary and multi-lingual research into the production, distribution, and impact of explanatory journalism. We draw from history, communication and media studies, and law. Although this report focuses on Canada, we have drawn on information from many other countries and we conducted research in English, French, German, Spanish, and Chinese to inform our analysis, develop the life-cycle, and provide recommendations. We pursued multiple methodologies at the same time. We compiled all Canadian court cases related to intellectual property rights in news and conducted a literature review on intellectual property rights in news in the US, UK, Europe, Australia, and China. We pursued a literature review around academic engagement in policy development. We also reviewed the House of Commons Hansard and other public records of policy debates to find how explanatory journalism has featured in Canadian policy-making. We also spoke with Scott White from The Conversation Canada for further background information on their work.

Our report begins by examining some key issues that affect academic-authors' contributions to policy discussions. We then dive into multiple aspects of article distribution: fair use, payment, translation, and algorithmic delivery. The next sections explore problems academics face when trying to affect policy: discoverability and academic authority. Finally, we consider the afterlife of electronic materials and preservation problems before offering recommendations to academic-authors, universities, explanatory journalism outlets, and policy-makers.

Academic Authorship and Resources

Academic participation in policy development can take up a lot of time and energy.

Academics can contribute to policy development in many different ways within what some call a hybrid and/or high-choice media environment. Audiences can consume content via a wide range of formats and platforms, both analogue and digital.[4] Within this space, academics can engage in the policy process through formal policy interventions, policy reports and briefs, explanatory journalism, and via social media, among other tools.

One of the most complicated and difficult ways to get involved in policy development is through formal policy interventions. In Canada, for example, government departments, agencies, and regulatory bodies regularly put out calls for public participation around policy issues.[5] These calls often require interested groups, including academics, to submit long answers to a series of policy-related questions.[6] It is also common for scholars to include appendices with additional evidence in these contributions. In Canada, the academic-led ageing + communication + technologies (ACT) project is a key example of a research group that produces policy interventions in response to calls from federal entities.[7]

Policy reports and briefs are another relatively resource-intensive way that scholars can engage in the policy development process. In Canada, these reports and briefs are often published by think tanks such as the Public Policy Forum or the Centre for International Governance Innovation, or by

---

4   Adam Shehata and Jesper Strömbäck, "Learning Political News from Social Media: Network Media Logic and Current Affairs News Learning in a High-Choice Media Environment," *Communication Research* 48, no. 1 (2021): 125–47.
5   Government of Canada, "Connect with Government," September 11, 2020; Canadian Radio-television and Telecommunications Commission, "All Public Proceedings Open for Comment," Last accessed July 5, 2021.
6   Canadian Radio-television and Telecommunications Commission, "All Public Proceedings Open for Comment," Last accessed July 5, 2021.
7   ACT, "Reports and Policy Interventions," ACT project. Last accessed July 30, 2021.

universities departments or centres.[8] Unlike policy interventions, policy reports and briefs are not typically written in response to governmental or regulatory calls for participation. Instead, they raise awareness around and provide policy recommendations for an issue or policy position.[9] This report is an example of that promotion.

Explanatory journalism is a middle-ground between longer policy contributions, reports and briefs, and using social media to engage in policy issues. In Canada, some key explanatory journalism outlets are The Conversation Canada, Policy Options, and Open Canada. While there is likely less editorial support for academics writing in mainstream news outlets, many scholars working in Canadian universities have also published op-eds and other types of explanatory journalism in newspapers like *La Presse*, *Le Devoir*, *the National Post*, *The Toronto Star*, *The Globe and Mail*, and *The Hill Times*. Some outlets let readers leave comments, where academics can discuss or debate policy issues with readers.[10] Other

academics publish similar content on personal blogs, where they can post when they like without an editor's oversight.[11]

Finally, many academics use social media platforms to share their research or views on policy issues.[12] Twitter is the key platform here. These contributions to policy dialogues can actively engage platform users, such as other academics, journalists, policy-makers, and members of the public. Twitter and other platforms also let academics and publishers promote a policy intervention, report, brief, or explanatory journalism article.

But these are also spaces where academics, especially women and people from marginalized groups, can face discrimination and harassment.[13] Think about the online abuse and harassment of academics and other health experts during the COVID-19 pandemic.[14] This type of behaviour has made some academics limit or rethink their online participation. In some cases, academics have experienced mental and physical health issues.[15]
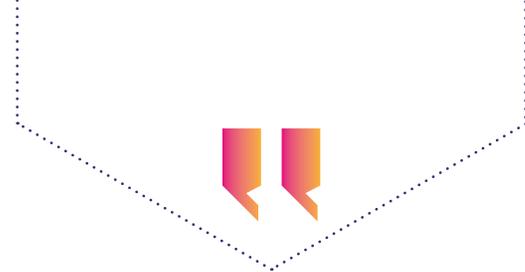
ACADEMICS CAN ENGAGE IN THE POLICY PROCESS THROUGH FORMAL **POLICY INTERVENTIONS**, **POLICY REPORTS** AND **BRIEFS**, **EXPLANATORY JOURNALISM**, AND VIA **SOCIAL MEDIA**, AMONG OTHER TOOLS.

8   Public Policy Forum, "Publications," Public Policy Forum, accessed July 5, 2021; Centre for International Governance Innovation, "Publications," Centre for International Governance Innovation, accessed July 5, 2021; The Citizen Lab, "Publications," The Citizen Lab. Last accessed July 5, 2021.

9   International Centre for Policy Advocacy, "An Essential Guide to Writing Policy Briefs" (Berlin, Germany, 2017).

10 Florian Toepfl and Eunike Piwoni, "Public Spheres in Interaction: Comment Sections of News Websites as Counterpublic Spaces," *Journal of Communication* 65 (2015): 465-88.

11 Hang (Joanna) Zou and Ken Hyland, "'Think about How Fascinating This Is': Engagement in Academic Blogs across Disciplines," *Journal of English for Academic Purposes* 43 (2020): 1–12.

12 Anabel Quan-Haase, Kim Martin, and Lori McCay-Peet, "Networks of Digital Humanities Scholars: The Informational and Social Uses and Gratifications of Twitter," *Big Data & Society* 2, no. 1 (2015): 1–12.

13 George Veletsianos et al., "Women Scholars' Experiences with Online Harassment and Abuse: Self-Protection, Resistance, Acceptance, and Self-Blame," *New Media & Society* 20, no. 12 (2018): 4689-708; Saida Grundy, "A History of White Violence Tells Us Attacks on Black Academics Are Not Ending (I Know Because It Happened to Me)," *Ethnic and Racial Studies* 40, no. 11 (2017): 1864–71.

14 Devon Cantwell, Elizabeth Meehan, and Rosalie Rubio, "Dealing with the Digital Mob," *The Duck of Minerva* (blog), August 2, 2021. Last accessed August 12, 2021.; Timothy Caulfield, "I've Received Death Threats. I've Been Sued. I've Been Lied about. Here's Why I'm Committed to Debunking Misinformation," *The Globe and Mail*, May 28, 2021. Last accessed July 25, 2021.; N. Velásquez et al., "Online Hate Network Spreads Malicious COVID-19 Content Outside the Control of Individual Social Media Platforms," *Scientific Reports* 11, no. 1 (2021): 1–8.

15 Chandell Gosse et al., "The Hidden Costs of Connectivity: Nature and Effects of Scholars' Online Harassment," *Learning, Media and Technology* 46, no. 3 (2021): 264-80.

Academic Authorship and Disincentives

CHALLENGE

Academic-authors don't always have the skills they need to write compelling explanatory journalism.

Explanatory journalism, mainstream journalism, policy reports and briefs, and other more accessible content can create bridges between academic research and policy groups. While there is growing appreciation for academic policy participation, universities' administrative processes still favour peer-reviewed journal articles and academic books over explanatory journalism articles and other forms of public engagement. Historically, these sorts of traditional publications are shared and read in academic communities.[16]

The academy's limited appreciation for policy-related work can also be seen in limited training for this work.[17] This is a big gap given that communicating with policy-makers entails a sort of 'translation.' Writing for explanatory and other journalistic outlets also requires a different tone and style than those taught in most universities.[18] A lack of institutional support, training, and recognition may mean that academics are missing necessary skills and confidence to write for policy audiences. Academics thus risk communicating their ideas less persuasively and clearly. This might be especially true for the rising number of academics working in adjunct teaching or lower-paid research roles who have less institutional training and support than tenure-track academics.[19]

16   Sandra Braman, *Communication Researchers and Policy-Making* (Cambridge, MA: MIT Press, 2003).

17   Kelly D Brownell and Christina A Roberto, "Strategic Science with Policy Impact," *The Lancet* 385, no. 9986 (2015): 2445–46.

18   Braman, *Communication Researchers and Policy-Making*, 49; *The Conversation Canada*, "About The Conversation."

19   Adrianna Kezar, "Examining Non-Tenure Track Faculty Perceptions of How Departmental Policies and Practices Shape Their Performance and Ability to Create Student Learning at Four-Year Institutions," *Research in Higher Education* 54, no. 5 (2013): 571–98.
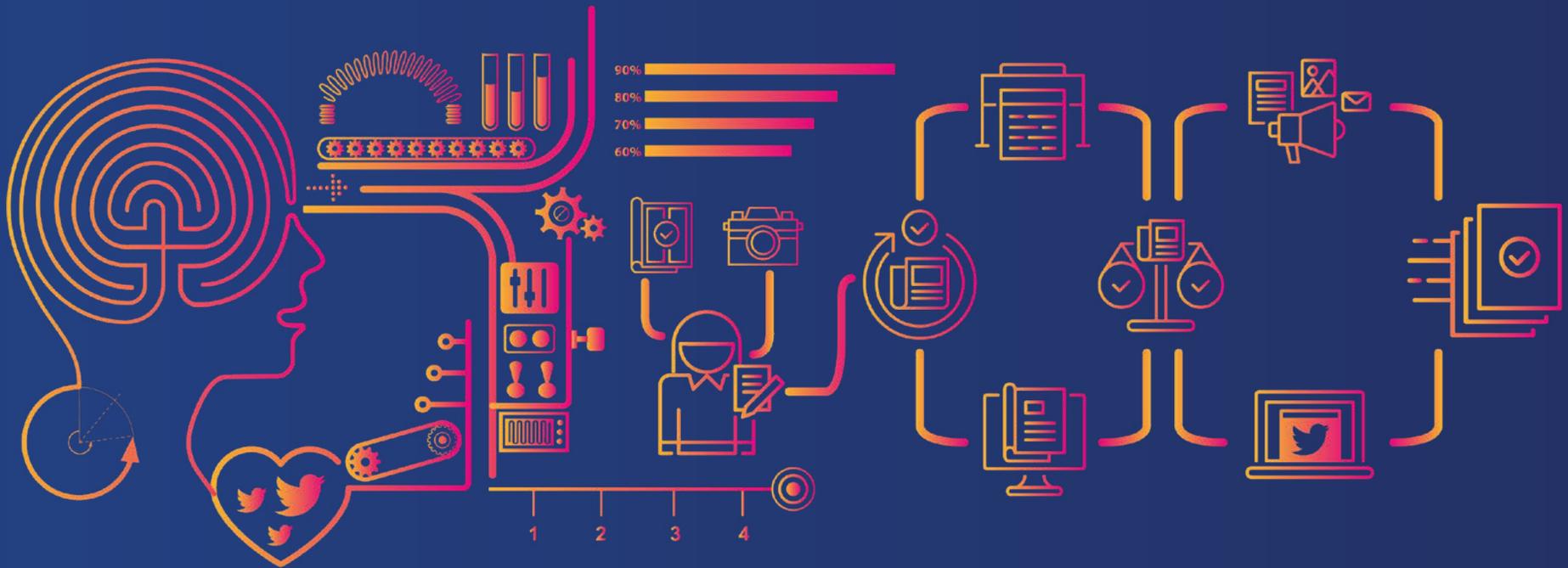
In North America, the incentivization of traditional academic publications is possibly most visible in the tenure and promotion process. This pathway describes academics' promotion from assistant professor to associate professor and eventually full professor.[20] The process involves a comprehensive review of a scholar's work and it generally favours traditional academic publications.[21] For those interested in writing for wider audiences, "the pressure to publish [in academic venues] and concerns over how much a potential intervention will count toward tenure represent structural hurdles to sustained (and especially critical) policy intervention."[22]

In the current system, explanatory journalism articles or other writing for policy groups can, ironically, limit the career of an emerging academic. This is especially the case if tenure or other institutional committees do not think the academic has produced enough scholarly publications.[23] Many major grant providers in Canada and internationally have talked about and rewarded knowledge mobilization practices in recent years.[24] But university tenure (and merit) processes have not followed suit.

It is a paradox that the academy provides limited recognition of and support for policy-focused activities. Universities want academics with real-world impact. But they neither adequately prepare nor reward scholars for the work that this requires.[25]

20 Cathy Ann Trower, *Success on the Tenure Track: Five Keys to Faculty Job Satisfaction* (Baltimore: Johns Hopkins University Press, 2012).
21 Trower, *Success on the Tenure Track*.
22 Christopher Ali and Christian Herzog, "From Praxis to Pragmatism: Junior Scholars and Policy Impact," *The Communication Review* 22, no. 4 (2019): 263.
23 Braman, *Communication Researchers and Policy-Making*, 415.
24 Social Sciences and Humanities Research Council, "Guidelines for Effective Knowledge Mobilization," May 11, 2012. Last accessed October 22, 2021.
25 Braman, *Communication Researchers and Policy-Making*, 415.

Distribution and Fair Use

New ways of sharing research have raised new challenges for using images and distributing research.

When academic-authors do write explanatory journalism, there are questions about where to publish and what images to use. Almost every article published online is accompanied by images. Popular apps have contributed to this trend by prioritizing images. Outlets try to find free or low-cost ways of including images, but outlets and authors should ensure that their images do not raise issues by violating copyright licences.

Some outlets buy licenses from online providers like Shutterstock or more traditional providers like The Canadian Press or The Associated Press. Some also use sites that offer photographs under Creative Commons licenses like Unsplash. Rather than put the material completely into the public domain, Creative Commons licenses essentially create some conditions for further use.[26] Publications should check the terms of the Creative Commons licenses on images carefully to avoid litigation from photographers.[27] Finally, authors can supply their own images, though they are often unaware of copyright regulations and may inadvertently provide an image that is under copyright.

Once articles are created and published online, they can be shared in many different ways, like over email, social media, text messages, or via other digital and non-digital platforms. While many explanatory journalism outlets publish their stories for free, other outlets publishing explanatory journalism might sit behind a paywall.

---

26   "The Story of Creative Commons," Last accessed June 24, 2021.

27   For one example, see Daxton Stewart, "Rise of the Copyleft Trolls: When Photographers Sue After Creative Commons Licenses Go Awry," (May 11, 2021). Last accessed June 24, 2021.

> ## PUBLICATION PAYWALLS ARE WITHHOLDING A **SUBSTANTIAL AMOUNT OF RESEARCH RESULTS FROM A LARGE FRACTION OF THE SCIENTIFIC COMMUNITY** AND FROM SOCIETY AS A WHOLE.
>
> — *Marc Schlitz*
> *President, Science Europe*

Paywalling is a method used by news organizations to restrict access to content except for those who have paid for a subscription or made an individual purchase of an article. This provides revenue beyond online advertising and has become popular particularly since *The New York Times* introduced a paywall in 2011. Many Canadian outlets use a paid subscription model to pay for their news production, like *The Globe and Mail*, *The Toronto Star,* and *National Observer*.

While paywalls have become one way to pull in revenue for news organizations, they raise questions for academic-authors about where best to place their explanatory journalism. In recent years, there has been a push within academia for scholars to publish their peer-reviewed work in an open-access format. This makes the scholarship more accessible, particularly to tax payers who have often funded the research. In 2018, European research agencies and national funders created Plan S, which mandates that any research funded by them should be published via open access. The president of Science Europe, Marc Schlitz, argued that "publication paywalls are withholding a substantial amount of research results from a large fraction of the scientific community and from society as a whole."[28] In Canada, scholars can use research funding to pay for their publications to appear open access.

The move towards open access for peer-reviewed publications raises questions about publishing explanatory journalism behind paywalls, particularly if the authors are aiming to influence a broader public audience. In some cases, the relevant policy-makers may read publications behind a paywall, making that outlet the most pertinent choice for the author. It does, however, potentially limit the distribution of that content.[29]

---

28 Marc Schlitz, "Why Plan S," September 4, 2018. Last accessed October 22, 2021.

29 One court case in 2016 dealt with whether individuals could distribute articles that originally appeared behind a paywall. See 1395804 Ontario Ltd. (Blacklock's Reporter) v. Canada (Attorney General), 2016 FC 1255 (CanLII), [2017] 2 FCR 256 and Beatrice Britneff, "Judge Orders Blacklock's to Pay Government $65,000," *iPolitics*, December 21, 2016. Last accessed October 22, 2021.

Distribution and Payment

Governments and media outlets use multiple strategies to push social media platforms to pay for the journalistic content distributed on those platforms.

Another question around distribution is whether online platforms should pay for distributing news outlets' content. This has become a hotly debated topic with countries from Germany to Australia introducing laws and policies. These initiatives generally build upon intellectual property rights, such as the introduction of a so-called link tax that would require large digital platforms to pay the respective news outlet every time a link to their news article is shared.

While changes in online media delivery have sparked new initiatives, the tension between new technologies and intellectual property rights is rooted in history.[30] The British and North American protection of "property" reflected different national legal and market structures. From the 1880s, both British and American news agencies like Reuters and the Associated Press campaigned for legal mechanisms to protect their organizations and products from new competitors.[31] Today, new digital technologies have created a similar trend with news providers looking for legal protections.[32]

In Europe, new technologies have previously pushed news organizations to seek legal protection for their news as a way to consolidate existing business models.[33] When the new technology of radio emerged in the 1920s, a major

---

30 Christopher Buschow and Heidi J.S. Tworek, "Changing the Rules of the Game: Strategic Institutionalization and Legacy Companies' Resistance to New Media," *International Journal of Communication* 10 (2016): 2119, 2124-5. On the history of Canadian copyright, see Sara Bannerman, *The Struggle for Canadian Copyright: Imperialism to Internationalism*, 1842-1971 (Vancouver: UBC Press, 2013).

**31** Heidi J.S. Tworek, "Protecting News before the Internet," 196-222, in *Making News: The Political Economy of Journalism in Britain and America from the Glorious Revolution to the Internet*, eds. Richard John and Jonathan Silberstein-Loeb (Oxford: Oxford University Press, 2015), 203.

32 Tworek, "Protecting News before the Internet," 216-7.

33 Buschow and Tworek, "Changing the Rules," 2119.

German news agency campaigned for a law protecting news against "misappropriation over the radio."[34] The German government drafted the law, but its promulgation was stymied by the Nazis' rise to power in 1933. Governments also talked about how radio raised new issues for intellectual property rights in news at an international press conference hosted by the League of Nations in 1927.

These concerns over new technologies are echoed in today's digital media. Companies such as Google News present similar problems to radio in the interwar period. Rising competition from internet-based media has undermined news organizations and their "control over content online," particularly over news aggregation.[35] Numerous court cases on both sides of the Atlantic have dealt with concerns that news aggregators like Google News or Meltwater conflict with news corporations and infringe copyright.[36] In the past decade, European countries such as Belgium, France, Germany, and Spain have mounted different types of legal action against Google News for violating copyright law.[37]
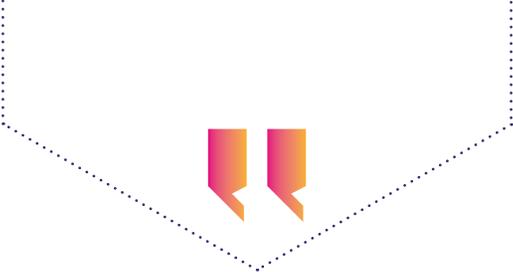
RISING COMPETITION FROM INTERNET-BASED MEDIA HAS **UNDERMINED NEWS ORGANIZATIONS AND THEIR "CONTROL OVER CONTENT ONLINE,"** PARTICULARLY OVER NEWS AGGREGATION.

At the same time, multiple governments have pursued legislative measures to make online news aggregators pay for links to news articles. The impact of the "link tax" in countries such as Spain is ongoing, but shows the potential consequences of such policies. In 2014, the Spanish government introduced article 32 into the Intellectual Property Law (*artículo 32, la ley de propiedad intelectual*).[38] Article 32 (also known as Google Tax or link tax in Spanish media) was a similar but stronger version of Germany's *Leistungsschutzrecht für Presseverleger* (2013).

The Spanish provision aimed to address concerns over news aggregation and make Google News pay to share direct links from Spanish news organizations.[39] Before the law came into effect, Google closed Google News Spain in December 2014. After a year, the Spanish Association of Periodical Publications (*Asociación Española de Editoriales de Publicaciones Periódicas*) found that Spanish news sites were seeing 6% less traffic, and smaller publications 14% less.[40] In 2017, Spanish media had apparently lost 10 to 20% of their audiences due to the Google tax (*tasa Google*).[41]

34   Buschow and Tworek, "Changing the Rules," 2124; Heidi J.S. Tworek, "Journalistic Statesmanship: Protecting the Press in Weimar Germany and Abroad," *German History* 32, no. 4 (2014): 562-3.

35   Joanne Elizabeth Gray, *The Problems of Google News in Europe*: Google Rules (Oxford: Oxford University Press, 2020), 100.

36   Dylan J Quinn, "Associated Press v. Meltwater: Are Courts Being Fair to News Aggregators," Minnesota Journal of Law, Science and Technology 15 (2014): 1189-219; Gray, *The Problems of Google News in Europe*, 97.

37   Gray, *The Problems of Google News in Europe*, 102-3, 106-8.

38   Head of State, Government of Spain (Jefatura del Estado, Gobierno de España). Article 32.2. Quotations and Reviews and Illustration for educational or scientific purposes (Artículo 32.2 Citas y reseñas e ilustración con fines educativos o de investigación científica), under the First Article. Modification of the revised text of the Intellectual Property Law (Artículo primero. Modificación del texto refundido de la Ley de Propiedad Intelectual), BOE-A-2014-11404 § 5 (2014). Last accessed June 24, 2021.

39   Gray, *The Problems of Google News in Europe*, 108.

40   Gray, *The Problems of Google News in Europe*, 109; Asociación Española de Editoriales de Publicaciones Periódicas (AEEPP), "Infome NERA: Impacto del nuevo artículo 32.2 de la LPI en consumidores y anunciantes" (NERA Report: The Impact of the IPL's new article 32.2 on consumers and advertisers), elDiario.es, July 10, 2015. Last accessed June 24, 2021; Sílvia Majó-Vázquez, Ana S. Cardenal, and Sandra González-Bailón. "Digital News Consumption and Copyright Intervention: Evidence from Spain before and after the 2015 'Link Tax.'," Journal of Computer-Mediated Communication 22, no. 5 (2017): 284–301.

41   EFE, "Medios han perdido de 10 a 20% audiencia por tasa Google, según los Editores," *El Periódico*, May 18, 2017. Last accessed June, 24, 2021.

ANY LEGISLATION SHOULD ACCOUNT FOR THE RAMIFICATIONS FOR SMALLER AND NON-PROFIT OUTLETS AND NOT REGULATE SOLELY WITH LARGER OR MORE TRADITIONAL MEDIA IN MIND.

Most recently, the Australian government negotiated with major platforms to protect Australian news organizations and publishers. On February 25, 2021, the Australian government passed "The News Media Bargaining Code" to "address the bargaining imbalances between news media businesses and digital platforms, specifically Facebook and Google."[42] In May 2021, the Australian broadcaster and publisher Nine Entertainment Co Holdings Ltd. secured and signed a multi-year content-supply deal with Google and Facebook, which ensured that Australia's three largest media firms had deals with these digital platforms.[43] The tax was meant to return some power to news organizations and traditional publishers as online platforms had dominated digital advertising, which reduced resources for other news sources to cover local and regional news.[44]

Lawmakers in the US, UK, and Canada are considering similar legislation to Australia. Policy-makers could weigh the benefits from Australia's case. But publications and policy-makers might also think about the Spanish case, where the link tax resulted in Google's exit from Spain and led to a big decrease in readership and revenue for local media outlets.

There may be other unintended consequences, such as media outlets getting caught in negotiations, articles being removed from digital platforms, or these platforms pulling out of countries entirely. The latter is a tactic commonly used by Google and Facebook to pressure governments and news organizations to stop link tax legislation, and is clear in their recent negotiations with Spain and Australia.[45] In Australia, Facebook briefly removed all media outlets from the site in February 2021 during the negotiations over Australia's new regulations; some institutions were mistakenly caught up in this, including state health agencies, which was particularly troubling during COVID-19.[46]

Although a lot of this legislation is comparatively new, it already raises concerns for the health of explanatory journalism, were Canada to pursue such a route. After major news outlets negotiated deals with Google and Facebook, smaller outlets have found it harder or impossible to negotiate. Facebook has refused to enter into negotiations with The Conversation Australia.[47] Within Canada, Facebook has inked a deal with 14 Canadian news organizations to pay for some of their news content.[48] But which outlets could negotiate? And are there transparent processes around payment? These are open questions. Any legislation should account for the ramifications for smaller and non-profit outlets and not regulate solely with larger or more traditional media in mind.

42 Australian Competition and Consumer Commission, "News Media Bargaining Code," 2021. Last accessed June 24, 2021.

43 Byron Kaye, "Australia's Nine Signs Facebook, Google Deals under New Licensing Regime," *Reuters*, June 1, 2021. Last accessed June 24, 2021.

44 Hannah Murphy and Jamie Smyth, "Facebook Agrees to Pay News Corp for Content in Australia," *Financial Times*, March 15, 2021. Last accessed June 24, 2021; Byron Kaye, "Australia's Nine Signs Facebook, Google Deals under New Licensing Regime," *Reuters*, June 1, 2021. Last accessed June 24, 2021.

45 "Google Noticias en España (Google News in Spain)" Ayuda de Centro de Editores (Publisher Centre Help). Last accessed, June 29, 2021; "Google Threatens to Withdraw Search Engine in Australia," *BBC News*, January 22, 2021. Last accessed June 29, 2021.

46 Sam Shead, "Facebook Blocked Charity and State Health Pages in Australia News Ban," CNBC, February 18, 2021. Last accessed July 6, 2021.

47 Byron Kaye, "Facebook Refuses to Negotiate Licensing Deal with Australia Publisher," *Reuters*, June 25, 2021. Last accessed July 6, 2021.

48 Tara Deschamps, "Facebook to Pay 14 Canadian Publishers for Some News Content Posted to Platform," The Canadian Press, May 25, 2021. Last accessed July 6, 2021.

Language Translation and International Distribution

Translating explanatory journalism into numerous languages can vastly increase the audience for a piece, but it can also create issues in other markets around the world.

Beyond distribution in one language, another important part of distribution is translation into other languages. Translations can create a wider audience and engage different interest groups. Transnational news agencies and various other media outlets publish in multiple languages or present the option to translate texts. But the process of translation also raises the issue of intellectual property rights and rights over the original articles.

One example that reflects the competing narratives in the translation process is China. Translating documents can be traced back to late Qing China, when Chinese booksellers engaged in what the Qing New Learning encyclopedia authors and bibliographers coined as the "great cut-and-paste enterprise."[49] This consisted of translating Japanese books rather than the official European versions and reprinting titles that sold well. These practices eventually sparked an exodus of Japanese publishers due to the constant and unauthorized reprinting.[50]

Although political and economic changes transformed the legal understanding and implementation of copyright in China, translation remained a valuable tool well into the 1980s. In 1987, China developed an auto-translation machine

---

49 Fei-Hsien Wang, *Pirates and Publishers* (Princeton: Princeton University Press, 2019), 87 (see footnote 82).
50 Wang, *Pirates and Publishers*, 86, 89.

that could "translate 3,000 English words into Chinese characters in an hour."[51] This enabled Chinese news agencies to publish in other languages and 'internationalize' themselves for a global market.

But issues with translation persist. Most problems revolve around legal definitions of copyright (banquan) in China and the role of news agencies in China's intellectual property law. The Copyright Law of the People's Republic of China foresees that a "work may be used without permission from, and without payment of remuneration to, the copyright owner" in the cases of reprinting or reuse and citation of newspapers, periodicals, or any other media outlets (see Chapter II, Section 4, article 22).[52] Chinese outlets have also freely repurposed or copied articles from foreign media.

And since private digital companies such as Tencent News or Qihoo360 are barred from hiring their own journalists for domestic reporting, they repurpose news from non-digital Chinese media or state-owned digital media enterprises such as Xinhua News Agency or *People's Daily*. This creates a forum of aggregated and repurposed news content. These Chinese websites long violated foreign media's intellectual property rights when their digital media outlets translated entire articles from English into Mandarin.[53]
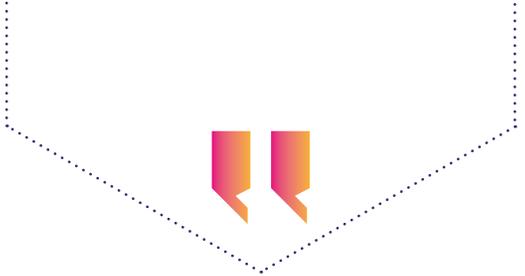
THE PROCESS OF TRANSLATION ALSO **RAISES THE ISSUE OF INTELLECTUAL PROPERTY RIGHTS** AND RIGHTS OVER THE ORIGINAL ARTICLES.

Enforcement of intellectual property rights around translation became stricter in 2017. More cases were filed around intellectual property rights. This affected digital media in China, with many sites changing their editorial guidelines. At one site, journalists must now cite at least three different sources and only use paraphrases.[54] Some attribute this policy change to General Secretary Xi Jinping's speech at the 19th Communist Party Congress in October 2017, where he stated that "We will foster a culture of innovation, and strengthen the creation, protection, and application of intellectual property."[55] This was seen as a signal for a stronger adherence and application of intellectual property regulations amongst all industries within China, including news agencies and digital media outlets. But ultimately the actual enforcement of these policies and practices depends on the state and local authorities.[56]

Concerns over translation are not confined to China, but could pose similar copyright and intellectual property problems within Canada too. In Canada, 'bad French translations' have created problems for journalistic practices, audience engagement, and translation policy. English-to-French mistranslations in Canada have long been a problem, as with the Francophone-Anglophone debates over Newsworld from

51 "Asian News - China; China Develops Automatic Translation Machine," *Japan Economic Newswire*, April 2, 1987.

52 Communist Party of China, World Intellectual Property Organization, "Copyright Law of the People's Republic of China," June 1, 1991. (**English version**), (**Chinese version**). Last accessed June 24, 2021; He Qiaoling, "The Limits to Law: How Intellectual Properties Are Used and Protected in Chinese Industries," *Asian Journal of Law and Society* 7, no. 2 (2020): 369–402.

53 Chen Qian, "**Plagiarism is Rampant in China, and its Media Companies are Raking in Billions**," *CNBC*, January 23, 2018. Last accessed June 24, 2021.

54 Chen, "**Plagiarism is Rampant in China**."

55 Xi Jinping, "**Xi Jinping's Report at 19th CPC National Congress - Xinhua | English.News.Cn**, " page 27, *Xinhuanet*, November 3, 2017. Last Accessed June 24, 2021. For another example, see Xi Jinping, 2018. "**Keynote Speech at the Opening Ceremony for the Boao Forum for Asia, 2018 Annual Conference**." Recorded at Hainan, April 4, 2018. Xi Jinping connects strengthening intellectual property rights with economic competitiveness.

56 Yonggang Pei, and Wang Jingui, "Copyright Agencies in Beijing, China," trans. Journal of Academic Libraries, *National Science Library, Chinese Academy of Sciences* 2, no. 1 (2009): 77-88.

1987 to 1994. Canadian Radio-Television programs planned to institute a French-language counterpart to their English-language *Newsworld*, an all-news cable network.[57] Concerns were raised over how the translated "news intended for francophones" would be controlled by "an anglophone company."[58] Debates over French Newsworld revealed new questions about the 'ownership' of news content, subtitles, and language.

French-English mistranslations continue. Studies on English and French-Canadian press during the 'Dot.com' crash in 2001 and the 2008 financial crisis showed that French-Canadian press left out American sources and focused on French-language ones to avoid translating quotations from one language to another.[59] Avoidance was a strategy used by Swiss and French-Canadian press agencies to prevent mistakes and poor translations.[60] Problems can also arise when articles are translated between languages, as translations can violate copyright, leave out or replace sources, and intentionally change the message of the original articles. Since some media outlets use licenses that let others freely translate, those practices could raise issues over the intellectual property rights of original articles.

Publications should be aware of the issues that translations can create for news distribution. Some media outlets such as The Conversation Canada publish under a Creative Commons - Attribution/No derivatives license.[61] Technically, a translation would require authorization from an author. The concern arises when other forms of translation, such as "cut-and-paste" translations used in China, could skirt the media outlets' republishing guidelines.

Without strong verification policies or active monitoring in place for republished articles, "copy-paste" translations without credit or poor-quality translations can become a recurring problem for authors and news organizations. There are no clear outlines for action or policies right now, but media outlets should be aware of this issue, especially when posting more sensitive articles online.

57   Kyle Conway, *Everybody Say No: Public Service Broadcasting and the Failures of Translation* (Montreal: McGill-Queen's University Press, 2011), 39.

58   Conway, *Everybody Say No,* 52, 55.

59   Pier-Pascale Boulanger and Chantal Gagnon, "The Translation of 'Transparency' in the Canadian Press: An Inquiry into Symbolic Power," *Perspectives* 28, no. 3 (2020): 340, 351. The Canadian Press, "'Grind Yourself, Go Kill Him': Telus Apologizes for Some Horrendously Translated French Tweets," *Financial Post*, February 1, 2018. Last accessed July 25, 2021.

60   Boulanger and Gagnon, "The Translation of 'Transparency' in the Canadian Press," 351; Peter Wheeland, "Why is Bad Translation Such a Problem in Quebec," CULT MTL, May 26, 2016. Last accessed July 25, 2021.

61   "Republishing Guidelines," The Conversation Canada, 2021. Last accessed June, 29, 2021.

Distribution and Discoverability

The impact of academic policy contributions is influenced by the discoverability of that content.

Discoverability is another challenge to the distribution of explanatory journalism. Yet, discoverable explanatory journalism can also help push policy issues to the fore of policy dialogues.

Discoverability describes how easily a piece of content can be found through online tools like search engines, websites, or applications.[62] In other words, discoverability is "a kind of media power constituted by content discovery platforms that coordinate users, content creators, and software to make content more or less engaging."[63]

Discoverability is a complex phenomenon, which plays a big role in who discovers which explanatory journalism contributions and when. Google's news aggregator Google News is a key example of discoverability in action. The service, which is widely considered the largest of its kind, was officially launched in 2006.[64] Google News has long made decisions with enormous implications for publishers, including publishers of explanatory journalism content. These include Google News displaying certain articles more prominently to users in exchange for publishers' subscriber data.[65]

62 Techopedia, "Discoverability," Techopedia, February 23, 2012. Last accessed July 5, 2021.
63 Fenwick McKelvey and Robert Hunt, "Discoverability: Toward a Definition of Content Discovery Through Platforms," *Social Media + Society* 5, no. 1 (2019): 1.
64 Qun Wang, "Normalization and Differentiation in Google News: A Multi-Method Analysis of the World's Largest News Aggregator" (PhD diss., Rutgers University, 2020).
65 Reforge Team, "Taking Over the Full Funnel - an Analysis of Google News," Reforge, November 30, 2017. Last accessed October 22, 2021.

Discoverability has also featured prominently in recent policy discussions in Canada. The controversial proposed Bill C-10 would require digital media companies to increase the discoverability of Canadian content; the recently re-elected Liberal government has promised to renew efforts around this bill.[66] While the bill is meant to reform Canada's broadcasting system, it could have implications for policy dialogues about the discoverability of other types of content, like explanatory journalism.

Academics Dr. Fenwick McKelvey and Dr. Robert Hunt suggest that there are three dimensions to discoverability.[67]

Dimension 1: How platform interfaces allow and afford user choices.
The content displayed on the home pages of explanatory journalism and mainstream news outlets signifies what articles are more or less important. Editorial and web teams can pick and choose which articles deserve more attention. These articles are then more likely to be read and brought into policy discussions.

Dimension 2: How users find content and the associated implications.
Readers find and engage with explanatory journalism content "through trends, popularity metrics and indicators, and recommendations."[68] After publication, explanatory journalism contributions are discovered and rediscovered in many different ways. These include search terms entered into search engines such as Google, news recommendation applications, trend lists on Twitter or other social media platforms, and users sharing, commenting on, or engaging with content online.

Dimension 3: How users experience online content.
Users engage with an endless flow of content in different ways. One example of this phenomenon is 'rabbit holes' where users follow content through an infinite series of hyperlinks. Explanatory journalism content that gains traction online can become one unit in that continuous stream of information. That unit may or may not grab the attention of someone influential in policy development.

For a lot of explanatory journalism, republishing is a fourth dimension of discoverability. As discussed in this report, outlets like The Conversation Canada publish under a Creative Commons license. This approach allows other outlets to republish its articles at no cost, if they follow a set of guidelines. This creates more opportunities for audiences to consume content from such outlets. But there are questions about whether content republished via multiple sources influences how that information is catalogued or displayed on major corporations' platforms, like Google and Facebook.

Indeed, major corporations fundamentally control the discoverability of online content.[69] Google's algorithm plays an important role in highlighting some content over others. Twitter's and Facebook's algorithms also favour certain types of content.[70] These algorithmic decisions matter for the potential policy impact of explanatory journalism. Many policy-makers and their staff likely use search engines and social media platforms to guide the selection of witnesses for parliamentary and other meetings. They likely also use these tools to learn more about policy experts and these experts' views on policy issues. But policy-makers and staff might not realize how their choices are influenced by these dimensions of discoverability.

66 Liberal Party of Canada, "Forward for Everyone" (Liberal Party of Canada, 2021). 25-6.
67 McKelvey and Hunt, "Discoverability."
68 McKelvey and Hunt, "Discoverability," 4.
69 McKelvey and Hunt, "Discoverability."
70 Jason Paul Whittaker, *Tech Giants, Artificial Intelligence and the Future of Journalism* (New York: Routledge, 2019).

Scholarly Authority and Policy Impact

Breaking into policy discussions is tough. It takes more than a single piece of explanatory journalism to land on policy-makers' radar.

Authors may need a known history of expertise to get their explanatory journalism contributions in front of policy-makers. Expert reputations are built up over time, although explanatory journalism articles can be specific pieces of evidence or touchpoints for policy-makers.

Academics asked to speak to the media often command authority and gravitas, highlight scientific evidence, reflect wisdom and legitimacy, and are endorsed by institutions.[71] Similar qualifications likely play into the potential policy impact of academics' contributions to policy dialogues. This is complicated by the fact that policy-making is a space with individuals "inside the circle"—and others outside.[72]

Academics at all stages of their career have facilitated policy impact through explanatory journalism content and other means.[73] However, scholars who have already become known by policy communities are more likely to be continually turned to for their input. In Canadian communication law and policy, for example, a number of academics have been cited in parliamentary meetings. One example is Dr. Michael Geist, law professor at the University of Ottawa. References to Geist's work include publications from his blog, op-eds in major Canadian newspapers such as *The Toronto Star*, and even Geist's tweets.[74]

---

71 David Buckingham, "Representing Audiences: Audience Research, Public Knowledge, and Policy," *The Communication Review* 16, no. 1–2 (2013): 51–60.

72 Des Freedman, "Media Policy Research and the Media Industries," *Media Industries Journal* 1, no. 1 (2014): 12.

73 Ali and Herzog, "From Praxis to Pragmatism."

74 Parliament of Canada, "Publication Search - Michael Geist Tweet," Our Commons, last accessed July 2, 2021. "Publication Search - Michael Geist 'Toronto Star,'" Our Commons, Last accessed July 2, 2021; Parliament of Canada, "Publication Search - Michael Geist Blog," Our Commons, last accessed July 2, 2021.

Dr. Teresa Scassa, also a law professor at the University of Ottawa, has been cited multiple times in the House of Commons as well.[75]

Geist and Scassa are senior scholars who command a lot of authority in their areas of expertise and who are routinely called upon for their input. But junior scholars from across Canadian and foreign universities have also been invited to testify before House of Commons and Senate committees.[76] Many of these academics have engaged in knowledge mobilization activities, including social media engagement, explanatory journalism publications, and blog posts. This includes, for example, three Assistant Professors recently invited to testify before House of Commons committees: Dr. Stéphanie Chouinard (Royal Military College and Queen's University),[77] Dr. David V. Wright (University of Calgary), and Dr. Jean-Christophe Boucher (University of Calgary).[78]

These academics' knowledge mobilization likely played a role in their selection to participate in policy-making discussions. Their policy participation supports the suggestion that no "minister, senior
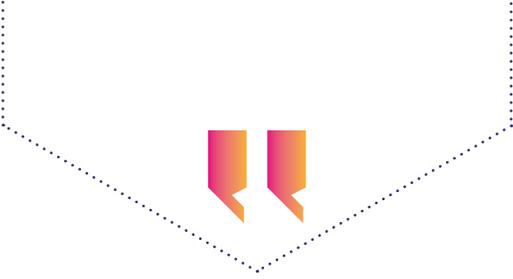
"

IT IS MORE DIFFICULT TO ENTER OTTAWA'S POLICY DISCUSSIONS FOR THOSE WHO ARE NOT FLUENT IN ENGLISH OR WHO WORK PRIMARILY IN ANOTHER LANGUAGE.

department official or public agency leader can afford to lightly ignore a stream of well-informed critique and commentary."[79]

But many factors make it harder for some academics to participate in the range of activities that characterize policy participation, such as lack of time, know-how, language, and networks. In Canada, for example, it is more difficult to enter Ottawa's policy discussions for those who are not fluent in English or who work primarily in another language. There is also a lot of research on how historically underprivileged groups, such as BIPOC and women, are marginalized in the academy.[80] This marginalization may affect these academics' capacity and willingness to take part in policy dialogues. For example, they may be less likely to find support for their already undervalued knowledge mobilization efforts. They may also become targets of online harassment which can lead to silencing of marginalized voices.[81] Further, marginalization could limit their ability to build the authority that is often required to be invited to participate in policy proceedings. Without broader changes, even if these academics write explanatory journalism, their articles may never reach policy-makers in the first place.

75 Parliament of Canada, "Publication Search - Teresa Scassa," Parliament of Canada, last accessed October 1, 2021.
76 Parliament of Canada, "Publication Search - 'Assistant Professor,'" Our Commons, last accessed July 2, 2021.
77 Dr. Chouinard was recently made Associate Professor, but has testified before committee prior to this promotion.
78 Stéphanie Chouinard, "Stéphanie Chouinard (@DrSChouinard) / Twitter," Twitter, July 30, 2021; Policy Options, "Stéphanie Chouinard," Policy Options, August 2, 2021; Nancy Wood, "Next Governor General's Inability to Speak French Leaves Francophone Communities Conflicted," CBC, July 14, 2021; David V. Wright, "Author Archives: David V Wright," ABlawg (blog), July 30, 2021; Canadian Global Affairs Institute, "Jean-Christophe Boucher at Canadian Global Affairs Institute," Canadian Global Affairs Institute, August 2, 2021; Jean-Christophe Boucher, "Jean-Christophe Boucher: Canada's Failed Security Council Bid Marks the Death of Our Traditional Foreign Policy," National Post, June 17, 2020.
79 Simon Bastow, Patrick Dunleavy, and Jane Tinkler, "Government and Public Policymaking," in The Impact of the Social Sciences: How Academics and Their Research Make a Difference (London: Sage, 2014), 34.
80 Frances Henry et al., The Equity Myth: Racialization and Indigeneity at Canadian Universities (Vancouver: UBC Press, 2017); Major G. Coleman, "Racism in Academia: The White Superiority Supposition in the 'Unbiased' Search for Knowledge," European Journal of Political Economy 21, no. 3 (2005): 762–74; Heather Savigny, "Women, Know Your Limits: Cultural Sexism in Academia," Gender and Education 26, no. 7 (2014): 794–809.
81 Veletsianos et al. "Women Scholars' Experience with Online Harassment and Abuse;" Grundy, "A History of White Violence."

Storage and the Afterlife of Electronic Materials

CHALLENGE

Future storage or compilation of explanatory journalism articles may change their copyright status or jeopardize authors' access to their own work.

The online world is paradoxical. While it might appear that materials can be stored forever, many links rot, making material no longer available.[82] Many articles are actually preserved not in their original format but in other types of databases. Such databases have raised legal questions.

While many explanatory journalism outlets are born digital, they may still confront questions of changing formats or inclusion in databases. It is thus necessary to think about how publishers intend to manage the "right to store and reproduce freelance articles acquired for publication in their newspapers in online databases without compensating the freelancers or obtaining their express consent."[83] As newspaper publishers shift to digital and online platforms for publishing or storing their content, these publishers will have to convert all their content into digital formats, including content from the publisher's freelance contributors.

From 1999 to 2006, the Canadian courts dealt with this very issue under *Robertson v Thomson Corp*. In 1995, freelancer Heather Robertson published two articles in the physical *The Globe and Mail* / Thomson Corp newspaper (henceforth known as *The Globe*). At the time, copyright was not addressed in the agreements on either article. As a freelance author, Robertson

---

82   Jonathan Zittrain, "The Internet is Rotting," *The Atlantic*, June 30, 2021. Last accessed July 6, 2021.

83   Saleh Al'Sharieh, "Birth, Retreat and Renaissance: The Lifecycle of Balance under the Canadian Copyright Law," *The Journal of World Intellectual Property* 10, no. 3–4 (2007): 244.

created these original works, and she was the first owner of its copyright. *The Globe*, however, held the copyright in its newspaper because it was both a "collective work" and a "compilation" under the Copyright Act.[84]

In 1996, *The Globe* placed Robertson's two articles that were originally published in *The Globe*'s physical newspaper into three electronic databases—Info Globe Online and CPI.Q, and a CD-ROM—without Robertson's consent. Robertson objected and sued *The Globe* for unauthorized reproduction of her work.

In 2006, the Supreme Court of Canada recognized that Robertson held the copyright in her articles while *The Globe* held the copyright in the compilation or collection of works that contained them. The Court recognized that the newspaper had the right to modify its collection, but it did not have the right to decontextualize its articles to the point of removing the obvious connection to the newspaper.[85]

The Court found that only one of *The Globe*'s databases—the CD-ROM—did not violate Robertson's copyright. This is because the database presented articles related to that day's paper when a user viewed a particular article.[86] But Robertson's rights had been violated by adding her works in Info Globe Online and CPI.Q. In these two databases, the originality of Robertson's articles is reproduced, but the originality of the newspapers as a collective work was not. The Court concluded that the database was not merely a newspaper in a different guise but a new work.[87] The publication settled out of court and paid Robertson $11 million.[88]

This case highlights the limits of reproducing freelancers' articles on another digital platform. At the same time, this case complicates questions around how explanatory journalism should be stored in the long-term and contributing freelancers' copyright. The former is especially relevant given that a lot of explanatory journalism is evergreen, meaning it is not time-sensitive content. The timeless nature of such content makes this issue an even more important one for explanatory journalism outlets to consider.

84 *Robertson v. Thomson Corp.*, 2004 CanLII 32254 (ON CA).
85 *Robertson v. Thomson Corp.*, 2006 SCC 43 (CanLII), [2006] 2 SCR 363.
86 *Robertson v. Thomson Corp.*, 2006 SCC 43 (CanLII), [2006] 2 SCR 363.
87 *Robertson v. Thomson Corp.*, 2006 SCC 43 (CanLII), [2006] 2 SCR 363.
88 "Globe, Publishers Agree to $11M Settlement in Freelancer Lawsuit," *CBC News*, May 5, 2009. Last accessed August 10, 2021.

Recommendations

Explanatory journalism raises challenges and recommendations at every stage of its life-cycle, from creation to distribution to impact. This report focused on those stages that suggested new and under-explored problems. Our life-cycle examination of explanatory journalism has surfaced recommendations for multiple groups: academic-authors, academic institutions, explanatory journalism outlets, and policy-makers.

Social media platforms and search engines have laid the foundations for and accelerated many of the changes we discuss in this report. Certainly, there could be many specific recommendations for those companies. Consider the importance of explanatory journalism surfacing in algorithms of discoverability. We have seen during the COVID-19 pandemic that poor-quality information can spread quickly when high-quality information does not appear easily and accessibly on search engines and social media platforms. The weighting of discoverability in algorithms might account for the high quality of explanatory journalism from smaller outlets that often feature academics. We leave more in-depth and specific recommendations for platforms and search engines to other reports and scholars.

FOR ACADEMIC-AUTHORS

Some academics are increasingly interested in reaching a broader public through explanatory journalism. Canadian funding bodies also incentivize this by incorporating knowledge mobilization as a key aspect of grants. Yet, several aspects of this work remain unclear or under-rewarded.

1 Be Aware of Copyright Constraints
Outlets find it quicker and easier to work with scholars who understand their concerns. For example, scholars can help to ease the burden on outlets by supplying their own images or those available under Creative Commons licenses.

2 Advocate for Academic Recognition of Explanatory Journalism
Our report explored how many higher education institutions have yet to include knowledge mobilization like explanatory journalism into tenure and merit processes. Advances here will require systemic change, but individual academics can accelerate that change. They can advocate with faculty associations and other relevant bodies, such as departments or deans' offices, for recognition of explanatory journalism and policy work. While gaining such recognition will likely prove a slow process, it will lay the groundwork for other scholars, particularly junior and contingent faculty.

Recommendations

FOR ACADEMIC INSTITUTIONS

Academic institutions value the recognition from their students and faculty publishing high-profile or widely-distributed explanatory journalism. However, institutions have yet to provide the recognition or support necessary for more scholars to undertake such work.

1 Provide Training for Academics to Write Explanatory Journalism

Some organizations like the Social Sciences and Humanities Research Council and some outlets like The Conversation Canada invest considerable time and resources to visit higher education institutions and provide training sessions on how to write explanatory journalism. This can considerably increase the chances of submissions from those who attend. Other organizations try to amplify the voices of individuals traditionally underrepresented in media. Informed Opinions focuses on promoting women's voices in the media, for example. Yet, a few organizations alone cannot provide sustained support.

Higher education institutions might consider providing more specialized training for these activities. That is particularly true if institutions hope for policy impact, which requires training distinct from how to write explanatory journalism. This specialized training and other forms of support should account for the different ways that academics engage with policy audiences, including via formal policy interventions, policy reports and briefs, explanatory journalism, and social media. This training and support will mean increasing resources for and recognition of knowledge mobilization via academic explanatory journalism/public writing in academia. While some initiatives exist, such as the University of British Columbia's Public Scholars Initiative, they are few and far between.

2 Update Tenure/Promotion, Merit, and Hiring Processes to Recognize and Reward Knowledge Mobilization

One crucial aspect of increasing resources and recognition for such work is to reward it within the bureaucratic mechanisms of a university. Academic institutions should adequately promote and reward scholars' engagement in explanatory journalism and any subsequent impact, such as involvement in formal policy dialogues. Such recognition is particularly critical for those from backgrounds not often represented in these discussions. These incentives are crucial for junior scholars or those in precarious positions because they may hesitate to engage in these activities without bureaucratic recognition.

Some academic institutions are already undertaking internal reviews to consider these changes. We urge more institutions to consider strongly and act quickly to revise tenure/promotion, merit, and hiring processes to incorporate knowledge mobilization, of which explanatory journalism is one part. This will resolve the paradox that universities want to see knowledge mobilization, but do not reward it adequately.

Recommendations

FOR ACADEMIC INSTITUTIONS

3 **Provide Support and Safety Protection for Academics Experiencing Harassment**

Recognition needs to be paired with support and protection for scholars who may experience online or offline harassment for more public work. That support may need to take many forms, depending upon the type of harassment (e.g., help with managing social media accounts, legal advice, and removing office numbers and e-mails from public-facing websites). At the moment, most universities do not have any specific resources dedicated to the problem of harassment, despite some academics even receiving death threats during the pandemic for their public work.[89]

Institutions should consider creating public safety organizations or groups to deal with these problems. There should be rapid-response mechanisms and contacts for academics experiencing online harassment, which can quickly become overwhelming. Such organizations or groups (or people) should have training in how to use tools like blocking, muting, and reporting on social media to help scholars who are harassed.[90] They should ensure that academics understand the potential blowback they may receive in response to public engagement and have a plan to address it. They should also develop protocols for when to contact the police. Without such infrastructural support, universities cannot reasonably expect scholars, particularly those more likely to be harassed, to explain their work in more public spaces.

FOR OUTLETS PUBLISHING EXPLANATORY JOURNALISM

Some outlets only publish explanatory journalism. Others publish some explanatory journalism amongst other news stories. While most of our recommendations for concrete changes apply to other groups, we also suggest that outlets consider the following points to avoid potential lawsuits or other forms of liability.

1 **Check Creative Commons Licenses**

Publications can avoid difficulties by understanding the requirements of Creative Commons licenses and checking that they adhere to them. Some outlets ask for details on copyright verification and permission to republish images to ensure that their authors do not supply images that contravene copyright. Other outlets should check that they apply similar levels of due diligence.

2 **Check Potential Translations of Sensitive or Potentially Controversial Articles**

Media outlets should remember that their materials can be translated and misappropriated around the world. For sensitive topics, they might consider asking someone with relevant language skills to check for unauthorized translations of articles. They should also consider developing policies for how they might act, should such an unauthorized translation arise and/or misrepresent the original material in deleterious ways. This is more of a concern with the ready access to automatic translation (e.g., Google Translate or DeepL). Such translators can reproduce gender biases and alter meaning in deeply problematic ways.[91]

---

89 Timothy Caulfield, "I've Received Death Threats. I've Been Sued. I've Been Lied about. Here's Why I'm Committed to Debunking Misinformation," *The Globe and Mail*, May 28, 2021. Last accessed July 25, 2021.

90 Alex Ketchum, "Report on the State of Resources Provided to Support Scholars Against Harassment, Trolling, and Doxxing While Doing Public Media Work and How University Media Relations Offices/Newsrooms Can Provide Better Support" (Public Scholarship and Media Work, July 14, 2020). Last accessed October 22, 2021.

91 e.g. Lyshiel Aranal, "'He Works, She Cooks': Google Translate Results Reveal Gender Bias in Tech," *Pop Inquirer*, March 11, 2021. Last accessed July 26, 2021; Nicholas Kayser-Bril, "Female Historians and Male Nurses Do Not Exist, Google Translate Tells its European Users," *Algorithm Watch*, September 17, 2020. Last accessed July 26, 2021.

Recommendations

FOR OUTLETS PUBLISHING EXPLANATORY JOURNALISM

3 Ensure the Future Viability and Accessibility of Explanatory Journalism Articles

Links rot every day online, which means that a story is no longer accessible. Outlets should ensure that their own articles do not fall prey to link rot. Only if link rot is prevented can stories resurface and gain traction years or months after original publication. Some explanatory journalism regains popularity whenever a topic is in the news. But this renewed traction can only happen if the stories are still accessible.

Publications should also plan for the digital afterlife of explanatory journalism. The exact planning will depend upon the original agreement with contributors. If contributors hold some copyright, publications might ensure that the original agreements cover future means of storage. These could include methods yet to be invented! If the agreement enables republishing under Creative Commons, outlets should ensure that any future storage methods do not suddenly put previously free material behind a paywall.

4 Consider the Unintended Consequences of Any Link Taxes or Negotiations with Social Media Platforms

Fourteen Canadian outlets have already negotiated a payment deal with Facebook. This raises questions about which outlets can negotiate with Facebook and whether there are open and transparent processes around payment. At the same time, many governments are considering or have implemented national legislation around link taxes or bargaining codes. These too raise questions about how such legislation is devised and which outlets may have influenced the legislative process or been influenced by it. Outlets might consider whether to advocate for more transparent bargaining processes with both social media platforms and government on these issues.
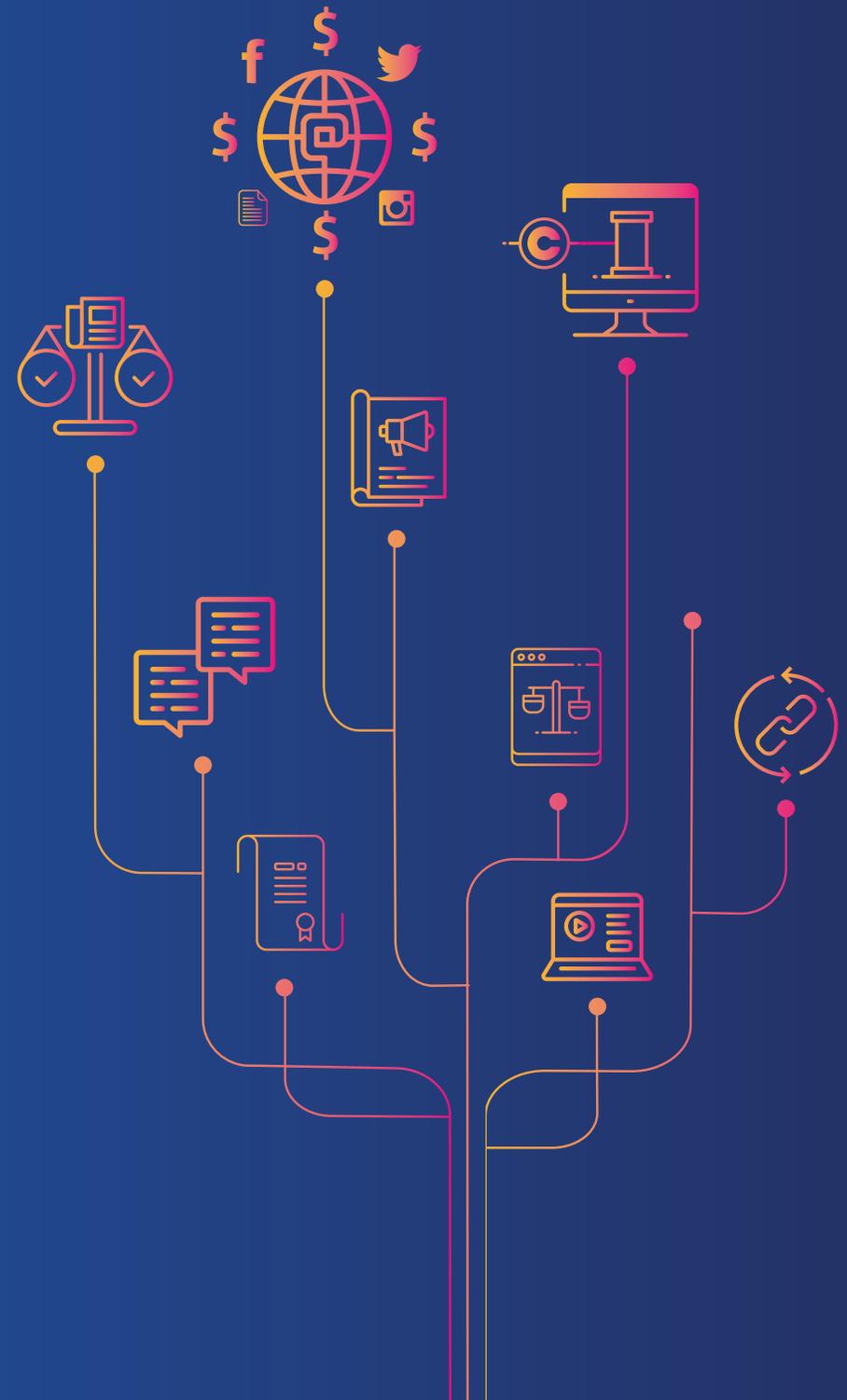
Recommendations

FOR POLICY-MAKERS

Policy-makers often acknowledge that the internet has transformed industries, particularly journalism. Yet, the legal framework around journalism has remained surprisingly static. So too policy-makers can consider how to ensure that they can better use explanatory journalism to include diverse experts in the policy-making process.

1 Review and update the legal framework to deal with issues raised by explanatory journalism

Policy-makers should consider reviewing the legal framework around journalism to address new issues raised by the online environment. This report has surfaced several specific areas of attention, including storage, definitions of fair use, and copyright lawsuits. For example, policy-makers might consider how to safeguard rights-holders in any future storage or compilation of work in databases. Safeguarding rights can also mean safeguarding the right to free distribution or republishing, as in current Creative Commons licenses. This can help to ensure that freely-accessible explanatory journalism remains freely accessible in the future.

2 Consider smaller, non-profit outlets in legislation on link taxes or media support

As the Canadian government considers further measures to support journalism in a platform age, policy-makers should ensure that they do not default to devising policies around the largest media outlets. If policy-makers consider a link tax, bargaining codes, or anything similar, they should consider which outlets will have the ability to negotiate and which will not. In seeking to level the online playing field, policy-makers should carefully consider the unintended consequences of any "link tax" legislation, including on smaller and non-profit outlets which often publish explanatory journalism.

Recommendations

FOR POLICY-MAKERS

3 **Seek public input in creating legislation around link taxes or media support**

Contrary to common assumptions, some members of the public care deeply about copyright. Edwards and Moss point out that "current consultation practices have not included the public voice adequately" in the UK.[92] Canadian policy-makers should consider how to incorporate members of the public in policy-making around any potential link taxes or similar legislation.

4 **Use myriad methods to select a diversity of witnesses for parliamentary meetings**

Policy-making works best when it incorporates a diverse range of expert opinions. Often, explanatory journalism offers a swift route to find experts who can make their fields comprehensible to policy-makers and a broader public. Yet, policy-makers should also consider how to be deliberate in their searching and surfacing of explanatory journalism, particularly because this can enable them to find more diverse expert voices.

Internal policies should mandate the selection of a wide range of scholarly experts for witness testimony, especially those from backgrounds traditionally underrepresented in policy discussions. Major corporations largely control the discoverability of explanatory journalism and other forms of policy contributions. Accordingly, policies should encourage the use of a wide range of search tools to mitigate how some academics' voices may be demoted by the algorithms of mainstream search engines and social media platforms. Policy-makers should also call for greater algorithmic transparency from major search engines and social media platforms. This will allow for a better public understanding of which voices do and do not gain traction online.

Overall, the life-cycle model has surfaced a range of under-studied issues related to explanatory journalism. Many issues go beyond explanatory journalism and affect how we incorporate expertise into policy-making or disseminate knowledge online. By addressing these problems, policy-makers and the general public can better find and absorb the knowledge they need to move through a complicated world.

---

92 Lee Edwards and Giles Moss, "Evaluating Justifications of Copyright: An Exercise in Public Engagement," *Information, Communication & Society* 23, no. 7 (2020): 927-46.