

**SUBMISSION
to the
PRODUCTIVITY COMMISSION**

BROADCASTING INQUIRY

**Locked Bag 2
Collins Street East Post Office
MELBOURNE VIC 8003
Phone 03 9653 2182 Fax 03 9653 2305
Email: broadcasting@pc.gov.au**

**from
FESTIVAL OF LIGHT (SA)**

**4th Floor, Da Costa Building, 68 Grenfell Street
ADELAIDE SA 5000**

Phone 08 8223 6383 Fax 08 8223 5850 Email office@fol.org.au

21 May 1999

INTRODUCTION

Festival of Light is participating in this inquiry as a community organisation representing the interests of families and children, as “consumers of broadcasting services” (Issues Paper page 7, (1.2, dot point 7)).

Our main problem with the terms of reference is number 4 (page 2): “The Commission is to advise on practical courses of action to improve competition, efficiency and the interests of consumers in broadcasting services.” There are fundamental conflicts within these three aims, and we fear that *competition* and *efficiency* may win out against *the interests of consumers*, as has already happened in other areas.

This problem is best illustrated by changing attitudes to conservation and pollution of the environment. Earlier this century, Australian farming and manufacturing methods put a priority on competition and efficiency without much thought for the long-term impact of certain (cheap, efficient) practices. Trees were felled on a large scale to provide more land for crops and grazing - but decades later, some of this land is worthless because of rising salinity. Waste chemicals and raw sewage were dumped in rivers or the sea - again, an “efficient” practice which enabled companies and government agencies to be competitive in the short term, but with a disastrous impact on the environment in the long term, resulting in considerable economic losses. In some cases, the full impact may not be observed until many years after the introduction of certain practices, by which time it may not be possible to undo all the damage.

We believe there is a growing body of evidence showing that this century’s discovery of cheap, efficient broadcasting has brought harm along with the good. We therefore urge the Productivity Commission to give the long-term interests and safety of consumers top priority.

These considerations have been given sharper focus by the current Senate debate on the Broadcasting Services Amendment (Online Services) Bill. All senators have given lip service to the need to protect children in particular from offensive and harmful images and information - but the ALP and the Democrats want to remove any remaining “teeth” in the bill (making it effectively pointless) on the grounds that the original wording could make Australian businesses less efficient and competitive.

Again, we urge the Commission in its final recommendations to require that long term community safety take precedence over short-term competition and efficiency.

THE BRUTALISING IMPACT OF BROADCASTING

An item in *The Australian* (13/5/99, p 2) announced that Anthony Lauritsen (23) has been jailed for 27 years in WA after bludgeoning his grandmother to death with a lawn edger, then disembowelling her, “in a macabre re-enactment of one his favourite videos”.

The sentence was handed down just three weeks after the horrific Columbine High School massacre in Littleton, Colorado. Two teenage killers who had been followers of the death metal rock star Marilyn Manson and who had a liking for violent films and video games, shot dead and pipe-bombed a teacher and 12 students and seriously wounded 23 others, before committing suicide. There have been calls for tougher gun laws following the tragedy - but the killers broke several laws to get the guns they had, and also used homemade pipe bombs (recipes on the Internet) to commit their murder/suicides. The Littleton massacre followed four other school killings by students in the past three years. The parents of victims of a similar massacre at Paducah, Kentucky, are suing the makers of the 1995 film, *The Basketball Diaries*. They believe this film, about a trenchcoat-wearing teenage student who shoots his teacher and several classmates as revenge for “paying him out”, was a contributing factor in the Paducah murders. There are suggestions that *The Basketball Diaries*, along with other

violent films such as new release *The Matrix* (also with trenchcoated, gun-toting hero, plus Marilyn Manson soundtrack) could have been part of the “trigger” for the Littleton massacre as well.

Another key factor in these large scale school massacres has been video games. The Littleton tragedy came three years after the worst of all, on 28 April 1996, when Martin Bryant slew 35 and wounded 18 others at Port Arthur in Tasmania. A Hobart nurse who knew Bryant gave evidence at a Senate conference in November 1996 that Bryant’s favourite videos were violent and that he kept a store of them (reported in *Light*, February ‘97, p 6). He was also known to be fond of violent video games (*Daily Telegraph*, 3/5/96, p 4).

Colonel David Grossman, a psychologist who used to work for the US Army, spoke at a conference in Canberra recently and parts of his address on the science he calls “killology” were broadcast on Radio National on 2 May 1999 (see ABC web page - www.abc.net.au/rn/talks/bbing/stories/s23921.htm). Grossman explained that there is a basic instinct in all animals against killing members of their own species - without it, the species would not survive. The instinct is so strong that in most wars, including World Wars I and II, a majority of soldiers could not bring themselves to shoot another man, even though that other man was shooting at them. Most policeman are the same - many of those who die in the course of duty, do so without firing a shot in their own defence. They “freeze”.

How is it then, that a 14 year old boy named Michael Carneil of Paducah, Kentucky, who had never fired a pistol in his life and who had only fired a .2 calibre rifle once, at a school camp, stole a pistol, took it to school, and opened fire with deadly accuracy on a group of students who were scattering in all directions as he approached them? Colonel Grossman said:

“The FBI says that the average law enforcement officer in the average engagement at an average distance of 7 yards, hits with less than one bullet in five, less than 20% hit ratios. Moving targets are hard to hit, and when you begin to lose your fine motor control [because of automatic fear response mechanisms], just firing is a significant achievement. Hitting is another thing. And the only way you’re going to be capable of hitting is through practice, practice, practice, practice.

“Well the thing about Michael Carneil is he had played and played video games. He picked this gun up and he held it up in a two-handed stance. He got this blank look on his face and he opened fire. There’s a prayer group meeting out in the foyer of the high school, and they begin to break up. They were all moving, milling, scrambling targets when he began to fire. He fired eight shots at eight different milling, scrambling, screaming children. How many hits does he get? Eight shots, eight hits - five of them are head shots and three are upper torso. And he had never fired a pistol before in his life. He stole the gun, he fired some practice shots the night before, that’s it. But he had played the video games.

“Throughout the crime he never moved his feet. He held the gun up, he never fired far to the left, he never fired far to the right, never fired up, never fired down, he just put one bullet in every target that popped up on his screen. What was he doing? He was playing a video game. Do you see what I’m saying?”

Massacres of innocent people - students, tourists and others - now occur with terrifying frequency in the Western world. Semi-automatic weapons were invented early this century and have long been used by farmers and others. But they were never used to massacre innocent bystanders in peace time until 1984, when James Huberty entered a McDonald’s restaurant in California and opened fire indiscriminately, killing 21 and wounding 19 before he was shot dead by police. Since then many other similar events have followed world-wide. It may not be a coincidence that videos, including extremely violent and sexually explicit videos, became readily available in the US in the early 1980s, with video and computer games available not long afterwards.

Colonel Grossman explained that the Army now trains soldiers to kill using the same

conditioning techniques as video games, but with safeguards. He said that when soldiers are trained to fire at moving human targets projected onto a screen (called "Hogan's Alley"), there are "stimulus discriminators" and safeguards built into the system. Grossman said: "Bureau of Justice statistics demonstrate the fact that the returning veteran, even the Vietnam veteran, as much as we yanked him around, the returning veteran is a superior member of society, less likely to unlawfully use violence. And one of the safeguards is discipline, discipline, discipline - that's ground into your soul, that makes you worthy of carrying the instruments of death and destruction for your civilisation."

Video games and violent films do not teach this discipline. Colonel Grossman said that young children are now being traumatised and brutalised by violent media, and trained to kill via video and computer games. He said, "You must understand that the world you go into is a world in which individuals more and more increasingly have played the video games. They have seen the movies, they have had the role models, they have been conditioned, they have enabled themselves to kill in a way that's never happened before. There has been an explosion of violent crime, not just in America, but around the world."

Grossman pointed out that vast improvements in medical technology is saving lives, meaning that victims of serious assaults who would have died 20 years ago are now being saved - so the murder rate should be going down. However the serious assault rate is escalating - it has gone up sevenfold in the US since 1957; fivefold in Canada since 1964. Data Grossman obtained (with some difficulty) from Interpol shows that the serious assault rate in the last 15 years has risen fivefold in Norway and Greece, fourfold in Australia and New Zealand, threefold in Sweden and doubled in half a dozen other countries. Grossman attributes these disturbing statistics, at least in part, to the proliferation of violent films and video games.

Broadcasters, and the governments who regulate them, must share some of the culpability for these developments. Most violent films are shown on television some time after their release - and home videoing of such films means they can be replayed over and over again. Video games are at present not "broadcast" in the strict meaning of the word, but they can be downloaded from the Internet, just like other software. With big advances in Internet technology just around the corner, it will not be long before computer games can be played on the Internet - such as realistic war games with opponents in different parts of the world.

In the modern era, "censorship" has become a dirty word (even though governments and media censor news and facts all the time!) and the right of adults to "see, read and hear" anything at all is paramount. We submit that this right must always be qualified in terms of potential harm to others, and not necessarily only harm to children. Adults, too, may be brutalised and conditioned to kill and rape by images and scenarios they view. Broadcasting has the potential to powerfully condition the human brain, for ill (and also for good). Like nuclear weapons, there should be international agreements and safeguards to ensure that whole communities do not lose their natural instincts against killing humankind.

Given the mounting evidence from Grossman and others about the powerful, potentially harmful impact of television, films and computer games on developing children and vulnerable adults - affecting their attitudes to both violence, sex, rape, marriage and divorce - the Government must take action to prevent this psycho-ecological disaster of the future.

ISSUES IN THE BROADCASTING ISSUES PAPER, MARCH 1999

The public interest and the objectives of broadcasting policy (p 11)

Is government intervention necessary to achieve the objectives of the Broadcasting Services Act? (p 11)

The answer to this question must be “yes”. All industries which influence the physical or mental or spiritual welfare of the community must be ultimately accountable to an elected government. The frailty of human nature requires independent checks and balances. Where the welfare of children is at stake, governments cannot and should not rely on parents alone to vet and censor every product that comes into the home.

It is not good enough to say that parents should do all the censoring of broadcasting: they cannot. Governments do not take this attitude with food and other safety laws - they do not say, for example, that the safety of children’s cots is a matter solely for parents to check out! Moreover, while responsible parents may restrict their children’s viewing to safe programs and may use “Net Nanny” or similar software to try to block harmful sites on the Internet, they remain unprotected from the violence and sexual violence of other children whose parents did not restrict family viewing.

Social dimensions of the public interest (p 12)

Does the existing framework of broadcasting policy provide adequately for community standards to be upheld? (p 13)

We believe the simple answer to this question is “No”. We receive many letters and phone calls from members of the public as well as our supporters, complaining that the general standards of television and radio broadcasting are deteriorating; boundaries of what is permissible are continually being pushed out, but the Australian Broadcasting Authority takes no action.

People tell us that the current system of “self regulation” is not working. There is no independent monitoring of radio or TV programs; complaints must be made in writing to the broadcaster, and only forwarded to the Australian Broadcasting Tribunal if the broadcaster has not replied to the consumer’s satisfaction within 60 days. The whole system seems designed to make most viewers and listeners give up - complaining is too hard, and only the most literate and determined persevere. Even then, the ABA generally dismisses most complaints. People often tell us they do not think complaining through official channels is worth all the effort.

Governments do not rely on self-regulation where public safety is at stake in other areas such as health and aviation. They should not rely on self-regulation and a biased complaints system to control the broadcasting industry. The ABA should independently monitor radio and television and allow phone complaints to be treated as valid, in the same way as letters - and the ABA should respond promptly. Sanctions against confirmed breaches of broadcasting standards should include immediate fines.

How important are media other than television as either sources of potential benefit or harm to children? Please explain and give examples. (p 13)

As explained above in the section, *The brutalising impact of broadcasting*, violent/sexualised films (which are then shown on television), some of the material available on the Internet and some computer games are harmful to children and vulnerable adults - but these media can also be used for pro-social learning. Schools and universities are already making significant use of the Internet to assist students. The challenge facing governments is how to preserve the good while removing harmful content.

Are there means other than content regulation for meeting the needs of children? (p 13)

Yes, but they are neither effective nor sufficient. The modern family usually has two parents working outside the home, as current taxation and other measures make it difficult for single income families to survive. It is very difficult for modern parents to provide adequate

supervision of all broadcasting “consumed” by their children.

Are there social objectives that are ignored or treated inadequately by existing broadcasting policy? (p 13)

Yes. We believe the codes of practice now operating for radio and television, and the new Broadcasting Services (Online Services) Amendment Bill, allow too much material which is violent or contains harmful sexual/adult themes, to be consumed by vulnerable members of the community - to society's detriment.

What challenges do the new broadcasting technologies pose for achieving Australian social objectives? (p 13)

New broadcasting technologies, such as interactive and cable TV and above all, the Internet, present an enormous challenge to achieving social objectives such as a peaceful community of stable, cohesive families with happy, well-adjusted children. As our submission to the Senate Select Committee on Information Technologies, May 1999, said (in part):

The federal government must recognise that the Internet is not like a sex shop, from which children can be excluded at all times, nor a cinema, where children can be excluded from “R” or “MA” films, nor is it like television, where programs unsuitable for children can be limited to late hours between say 9 pm and 5 am. Pornography, gambling, violence, drug and weapon information and promotion is available on the Internet and accessible by children at all hours of the day, at home and at school, where adult supervision may be insufficient to prevent access. Such material is not only “highly offensive” (as Communications Minister Senator Richard Alston described it in his media release of 19/3/99) - it is also potentially highly dangerous.

The federal government has a duty of care to all citizens to protect them from harmful influences, and a particular duty of care to protect children. Regulation of the “information industry” is as much a part of that duty of care as regulation of the food industry, factory emissions and the waste disposal industry. Content standards or a “Code of Practice” for Internet service providers need to be stricter even than for television, because the Internet is so readily available to young children and may be a required medium for use in school projects. The Minister's media release (19/3/99) assumes that Internet content would be classified in a self-regulated manner similar to the current TV Code of Practice, and that only “X” (NVE?) or “RC” (Refused Classification) material would be prohibited. This policy would not give children the protection they need.

Moreover the new Internet regulation legislation is said to work only on a “complaints-response” basis with no independent monitoring, and has been watered down so that service providers need only take “reasonable steps” to block offensive sites, where “technically feasible and cost-effective” (*Sydney Morning Herald*, 22/4/99, p 5). The Minister's media release (19/3/99) suggests that there will be no effective sanctions against service providers who continue to allow, or are tardy in removing, dangerous material from their clients' sites. This is not good enough!

We recommend that the Senate strengthen the Broadcasting Services Amendment (Online Services) Bill introduced by the Minister on 21 April so that it addresses more effectively the need to protect children and others from material which may be harmful to them, or which may be used by them to harm others. (1)

We recommend that in order to protect children, only material equivalent to programs rated “G” or “PG” on television should be allowed on the Internet. (2)

We also recommend that penalties for breaches of Internet content regulations should be similar to those for breaches of anti-pollution laws. (3)

The Internet has been of great benefit to the growing number of Australians who now use it - currently estimated to be nearly a quarter of all households. The Internet gives access to all kinds of information from local and overseas sources, enabling in-depth research by school students and others on a scale never before possible. However while this valuable information is available, there is also unproven information, false information and potentially harmful information on the World Wide Web. Internet "chat rooms" have enabled many people to form new friendships, but they have also enabled paedophiles and others to use this amenity for sinister purposes.

A big problem with Internet regulation by Australia is that so much material comes from overseas sources, and how do you begin to control interactive communication in chat rooms? However with the great strides made in Internet technology in recent years, we believe greater control will eventually become available. As anyone will tell you who has recently typed a few innocent words into their search engine and come up with photos of child porn, bondage and bestiality after a couple of clicks on the computer mouse, our children need protection - now!

We recommend that Australia immediately consult with other national governments to facilitate international Internet content regulation. (4)

We recommend that Australia immediately sponsor research into ways of selectively blocking Internet input to Australia from those overseas countries known to be a source of harmful Internet material. (5)

We recommend that service providers in Australia be prosecuted and liable to heavy fines if they do not take prompt action to remove harmful material from their services once they have been notified of its existence by a regulatory body such as the Australian Broadcasting Authority. (6)

We recommend that the Australian Broadcasting Authority deal with Internet content complaints via a free hotline - and that all phone complaints be recorded, investigated and referred to appropriate service providers for action as rapidly as possible, with heavy fines as sanctions against non-compliance. (7)

We recommend that the ABA, in addition to responding to complaints, also employ staff to monitor a wide selection of Internet sites on a regular basis. The ABA should maintain a list of overseas sites containing illicit or harmful material, and distribute the list to service providers with instructions to refuse access to these sites. Groups which believe they have been wrongly refused service should have the right to appeal to the ABA. (8)

We recommend this system of complaints and monitoring for television and radio broadcasting also. The current "self-regulation" system favours the broadcaster (service provider) at the expense of families with children; there is no independent monitoring of TV and radio stations, and only the most persistent and literate viewers and listeners are able to persevere with their complaints to the ABA. Moreover, even if a complaint about a breach of the TV Code of Practice is upheld by the ABA, there is no effective sanction such as an immediate fine.

We recommend that Internet service providers be required to ensure, through written agreements with clients and other means, that only material equivalent to "G" or "PG" television classification is placed on web sites. (9)

There has been much controversy about requirements for service providers to use filtering devices to block harmful sites. Articles in *The Australian* (27/4/99, "Fury at Alston Net Bill", pp 33, 34, "Load no evil", pp 53, 58) note concerns by the CSIRO and others that current techniques for blocking harmful web sites are inefficient - they may allow some harmful sites to slip through, and block some innocent sites, especially if the

software works by looking for certain key words. Research to find more efficient filters should be given high priority, but some degree of inefficiency may be part of the price society has to pay in order to avoid the far greater penalty which “open slather” on the Internet would impose on us. This penalty has been ignored by libertarian lobby groups such as Electronic Frontiers Australia (EFA) which is quoted in *The Australian* articles mentioned above as opposing any Internet regulation, claiming it is an “assault on free speech”. Free speech has never been an unfettered right in civilised societies - it has always been qualified by defamation and other laws enacted to protect the public interest.

We recommend that the federal government fund research into efficient Internet filtering software and that service providers be required to use the most efficient software available to help eliminate harmful content. (10)

We recommend that service providers be required to implement written agreements with clients, wherein the clients pay a bond and undertake not to place any material on their web site which is contrary to regulations; that the penalty for any such breach of contract be cancellation of the service for a minimum of 12 months, without refund of any service fee and with automatic loss of the bond money. (11)

We are not sure how Internet “chat rooms” can be regulated - but they certainly need to be monitored for paedophiles using them to lure children. Police report that paedophilia in Australia has now reached “epidemic” proportions (*The Advertiser*, 10/4/99, p 60). The *Reader’s Digest* had a article within the last year or so about children who innocently gave identifying information to strangers on the Internet, enabling paedophiles to track them down. Quite apart from this danger is the way some strangers feel free to use foul language and descriptions. One father told us he has now banned his children from using teen chat rooms because “what is depicted and spoken about could make even a truckie blush!” However many other parents have no idea what is going on in the chat rooms and do not supervise their use. In our modern society where single parents or both married parents are often in the outside workforce, many teenagers are able to access the Internet at home after school or at night in their bedrooms, without any adult supervision. Special ABA-monitored, relatively “safe” chat rooms could be one solution to this problem

We recommend that the federal government immediately issue media warnings to parents about the dangers to children of Internet chat rooms. (12)

We recommend that the Australian Broadcasting Authority monitor a number of chat rooms which could then be promoted by service providers as being relatively safe for children to use. (13)

Why certain material is harmful to viewers

Media violence

The enormous harm caused by TV and film violence - and by implication, violent images on the Internet - has been graphically demonstrated by former US army psychologist David Grossman, whose lecture was reported by *News Weekly* (24/4/99, pp18-20).

Grossman says that the US per capita murder rate doubled between 1957 (when the FBI began keeping the data) and 1992. This doubling has occurred despite vast improvements in medical science which have saved many modern victims. A more accurate measure of the increase in US violence is the aggravated assault rate per 100,000 - which has gone from around **60** in 1957 to over **440** in the mid 1990s.

While the prevalence of guns may be a factor, violence is rising in many nations with

tough gun laws. There is only one new variable in each of these countries - media violence presented as entertainment for children.

Grossman says: "Before retiring from the military, I spent almost a quarter of a century as an army infantry officer and a psychologist, learning and studying how to enable people to kill. Believe me, we are very good at it. But it does not come naturally; you have to be taught how to kill. And just as the Army is conditioning people to kill, we are indiscriminately doing the same thing to our children, but without the safeguards.

"After the Jonesboro, Arkansas, school killings, the head of the American Academy of Pediatrics Task Force on Juvenile Violence came to town and said that children don't naturally kill. It is a learned skill. And they learn it from abuse and violence in the home and, most pervasively, from violence as entertainment on television, the movies and interactive video games."

Grossman goes on to illustrate how effective/disastrous this conditioning by "entertaining" violence can be. He says, "The *Journal of the American Medical Association* published the definitive epidemiological study on the impact of TV violence. The research demonstrated what happened in numerous nations after television made its appearance as compared to nations and regions without TV. The two nations or regions being compared are demographically and ethnically identical - only one variable is different: the presence of television. In every nation, region or city with television, there is an immediate explosion of violence on the playground, and within 15 years there is a doubling of the murder rate. Why 15 years? That is how long it takes for the brutalisation of three-to-five year olds to reach the "prime crime age". That is how long it takes to reap what you have sown when you brutalise and desensitise a three-year-old.

"Today the data linking violence in the media to violence in society are superior to those linking cancer and tobacco. Hundreds of sound scientific studies demonstrate the social impact of brutalisation by the media."

Media sex

Grossman and others have received considerable media coverage for their demonstration of the need to regulate media violence, leading to wide public acceptance for censorship of violence. However there has been very little media coverage of similar studies showing that reports of rape, attempted rape and child sexual abuse have risen alarmingly since the widespread availability of pornography.

The conditioning mechanism for media sex is the same as for media violence. Chapter 13 of the 1988 Report of the Australian Parliamentary Joint Select Committee on Video Material documents studies showing that exposure to pornography, even for only a few weeks, increases the likelihood of rape, trivialises the offence of rape, undermines marriage and increases aggression. It is likely that the explosion in pornography during the last three decades has been a factor in the increasing incidence of marriage breakdown and youth suicide currently causing such community alarm and pressure on the welfare dollar.

In particular, we are now seeing much more child sexual abuse in the community (see for example *The Advertiser*, 10/4/99, p 60 and *Sunday Mail*, 18/4/99, p 15) and part of it is children abusing other children. The young abusers are being exposed to explicit sex scenes via videos and TV - and these days, possibly also via the Internet - and are acting out on other children, just as they act out scenes from violent films. Only last week a parent told Festival of Light of the inappropriate sexual behaviour of two boys (aged 6 and 8) in a neighbouring family - behaviour that would never have been observed in such young children a generation ago. Other parents have complained of children obtaining discarded pornographic magazines in parks and public toilets, and copying actions in the magazines on other siblings. The easy access of the Internet, including by children at

schools, makes similar accidental viewing of pornography even more likely. The government must take strong action to protect children from this exposure.

This week, typing the simple, topical word “Lolita” into a search engine produced nine hard core porn sites including child pornography, bondage and bestiality. The photos and written descriptions instantly accessible were bad enough, but viewers were encouraged (via obscene language) to click for more explicit photos if they were 18 or over - and all they had to do to prove it was to type in a credit card number - not hard to for a creative child to accomplish!

Clearly, the Minister’s intention to eliminate from the Internet only material which would be refused classification or “NVE” would not eliminate the photos and language available after a few clicks today. Action is urgently needed, especially as computers are so widely used in primary and high schools throughout Australia and there are not enough adult staff to provide adequate supervision of “web surfing”.

Gambling

There have been a number of gambling studies in recent times, all showing the extraordinary addictive effect of new electronic gambling forms such as poker machines. The number of Australians with serious gambling problems has risen alarmingly as these machines have been installed in convenient locations close to home. We believe that home gambling via the Internet or interactive cable TV would be disastrous for this country. Not only would there be no way to protect children from this vice, there would be no way of isolating gambling addicts from their addictive substance at any time of the day or night.

We appreciate that no government likes to be known as a “censor” - but this is semantics. Governments censor citizens all the time - they curtail our freedom to speed on the roads, to build homes in designs considered unsafe or offensive to neighbours, to buy guns, etc etc. Most laws could be considered “censorship”: their only justification is that they are perceived by the lawmakers to be necessary in the public interest.

We recommend that Internet gambling be prohibited via the Broadcasting and Telecommunications Act. Australian credit card providers should be required to refuse to honour commitments made to overseas or local Internet gambling agencies. (14)

Weapons and illicit drugs

The Internet includes information on how to make dangerous drugs, how to grow marijuana, how to make bombs and other dangerous chemical mixtures. This week a few brief words typed in a search engine on “how to make a bomb” elicited several sites providing recipes for homemade bombs using chemicals from local supermarkets, such as “Drano”, and fertilisers.

We phoned the Australian Broadcasting Authority on 23 April, and Mr David Smith of the ABA informed us that there is no specific prohibition of this type of material in the TV Code of Practice. There is a general prohibition against encouragement to use drugs, but not against information on how to grow or manufacture drugs. There is no prohibition against information on how to make or use weapons. In the light of the growing epidemic of massacres by school students in the Western world, we believe the federal government should act quickly to introduce effective sanctions.

We recommend that information on how to produce weapons or illegal drugs should be prohibited and all efforts made to eliminate it from the World Wide Web. (15)

Chat rooms

A parent told us that chat room users often use free email addresses so they cannot be identified. Naive children may believe they are talking to another child their own age, not realising that the friendly “child” is really an adult who is trying to win their trust so that, some weeks or months down the track, he may arrange a personal meeting. Parents need to know that chat rooms are “no go” areas for their children - and children need to be taught the dangers also.

CONCLUSION

Libertine groups such as the Eros Foundation (the ACT porn and prostitution lobby) ignore evidence of harm from pornography. They are trying to persuade the public that Internet regulation is “impossible to police” and hence not worth doing. They quote people such as CSIRO electronic commerce adviser Dr Phil McCrea, who says that filter mechanisms would “never be 100% effective”(The Advertiser, 15/4/99, p 12).

Gun laws are never going to be 100% effective either - but that is no argument against having such laws. The damage done by uncontrolled Internet content to vulnerable children and adults is such that governments around the world need to treat Internet regulation as a matter of the highest priority, and to fund immediate research on ways to facilitate it. Australia should lead the way.

Can the cultural and social objectives be met with less regulation of competition? Or is more regulation of commercial broadcasting necessary to achieve them? (p 15)

More regulation is needed - but not only of commercial broadcasting. Feedback we are getting from the public indicates that ABC television and radio (particularly Radio Triple J) and SBS television offend in the area of social objectives more than most commercial broadcasters. We recommend that all broadcasters, including those receiving funds from the taxpayer, be subject to tighter regulation.

The role of the Australian Broadcasting Authority (p 23)

What are the strengths and weaknesses of the current system of self-regulation? (p 25)

No doubt the industry applauds self-regulation, since it gives them more freedom. We believe that the public has suffered as broadcasters, without adequate restraints, continually “push out the boundaries” of taste and decency in order to achieve more sensation and hopefully higher ratings. Despite assurances of lower sex and violence levels in programs, children are now being exposed to higher levels than ever before.

A case in point is the *Scarlet Pimpernel* series now being shown on ABC TV on Sunday nights, rated “PG”. The Commercial Television Industry Code of Practice (to which the ABC pays lip service, but is not legally bound) requires on page 15 :

“2.13.1 **Violence:** Visual depiction of violence must be inexplicit, restrained, and justified by the story line or program context. More leeway is permitted when the depiction is stylised rather than realistic, but all violence shown must be mild in impact, taking into account also the language, sounds and special effects used.”

Yet the first episode of *The Scarlet Pimpernel*, which screened on 9 May, began with a graphic scene of two people being hanged. It clearly showed the method of hanging: the gallows, the nooses around the necks, the boxes they were standing on being kicked away, and the bodies left dangling. We believe such detail is not appropriate in a “PG” program watched by children and teens at a time when hanging is increasingly being used as a method of suicide in this country.

Moreover, as the program began, it continued - with graphic shots of blood and shootings. Unlike an earlier film version of Baroness Orczy's novel in the 1980s, the new television version is far more violent and sexually suggestive. It is not in tune with the book. We believe it should have received an "M" rating - but the ABC is a law unto itself in this area, and commercial stations are given great freedom to classify programs as they see fit, also.

Another example of the failure of self-regulation was the screening by Channel 7, some years ago, of the disturbingly violent film, *Silence of the Lambs*. At first rated "R" by the OFLC, the film was edited by Channel 7, allegedly to make it fit the criteria for an "M" rated TV screening, and shown at 8.30 pm. Mrs Barbara Biggins of Young Media Australia videoed the Channel 7 edited version of *Silence of the Lambs* and compared it with the original version. She found that only about 40 seconds had been edited from the original to make the TV version. Virtually all the explicit and disturbing violence had been retained.

Program standards and content regulation (p 28)

What are the strengths and weaknesses of the public consultation processes in the development of codes of practice by industry associations? (p 28)

From our point of view, the codes seem to be written in such a way to make it very difficult for broadcasters to be found guilty of any breaches. In the example given above of the TV code requirements for violence in "PG" programs - the wording is vague, and any violence is effectively allowable if stylised and needed for the story line! We have consistently argued in submissions over many years that "G" and "PG" storylines should not require nudity, sex and violence to be shown - but in vain.

Do the codes achieve the objectives of the BSA? Do they adequately reflect community attitudes toward appropriate broadcasting?

No. We believe that the codes, by allowing broadcasters to push boundaries of taste and decency, to wear down public attitudes in a way that ultimately has harmful consequences. A TV commercial for Toyota which frequently used a swear word, has been considered acceptable for viewing after 8.30 pm in spite of many complaints from viewers. The word has never been used on TV with such frequency before, and the ad is being shown repeatedly, even though the swear word is considered by many to be offensive and assaultive. Yet another case of "pushing the boundaries", and community attitudes ignored. Where will it end?

Complaints (p 28)

Is the service provider the appropriate first contact for complaints about program content and codes of practice? (p 29)

In an ideal world, yes. In practice, we have been most frustrated by the current system. Literacy surveys show that up to half of all adult Australians have mild to severe difficulty writing letters - yet phone complaints to the service provider are not recorded or responded to. We believe that a first step towards much needed improvements in the complaint-handling system would be to require broadcasters to take down names, addresses and other details from phone complainants and respond to them in the same way as a written complaint. We believe that complainants should also be able to phone the ABA via a free hotline in the first instance.

Is there sufficient transparency in the handling of complaints? Should complainants be notified of reasons as well as results of ABA investigations? (p 29)

"No" to the first question; "yes" to the second. We have been most disappointed and frustrated by the way broadcasters and the ABA have handled what we believe to have been valid complaints. Please note our comments on this subject on page 5 of this submission.

Is there a better approach to dealing with complaints? (p 29)

Yes! The ABA should set up a hotline - as used to operate under the old Broadcasting Tribunal - so that viewers and listeners can phone the ABA (possibly in addition to the service provider) as soon as an alleged breach of the code of practice occurs.

The ABA should also conduct independent monitoring of programs in addition to considering consumer complaints. Reasons for dismissing viewers' and listeners' complaints should be subject to public scrutiny.

Confirmed breaches of the codes of practice should be penalised by heavy fines.

CONCLUSION

Broadcasting, an invention of the 20th century, has made a vast difference to our way of life - for good as well as for ill. We trust that the recommendations in this submission may be accepted and lead to more good and less ill!