

**SUBMISSION ON THE DRAFT REPORT OF THE PRODUCTIVITY COMMISSION
BROADCASTING - OCTOBER 1999**

This Association is mainly concerned with the impact of broadcasting in all its forms on homes and families.

5 Australia's diverse Broadcasting Services

- [1] We agree that the ABA should retain the responsibility for issuing licences to broadcast.
- [2] The continuing operation of ABC and SBS services is absolutely imperative.
- [3] Community Broadcasting should remain in the control of the ABA as it appears to us that any move to Local Council involvement would not be appropriate - local government has enough to do and lacks expertise.
- [4] Grant of a licence should be merit based and the ABA is qualified to judge this matter consistently.
- [5] Indigenous broadcasters would benefit from recommendations 5.2 and 5.3
- [6] Narrowcasting should be redefined. Multiple licences indicated in Box 5.5 and loopholes presently being exploited should be closed so that hoarding could not occur - the "use it or lose it" option.

7 Regulatory restriction on entry into Broadcasting

7.1 [7] Perhaps some increase in the number of Broadcasters would be an advantage. The present concentration of television in the hands of few people does appear to be a limiting factor on diversity and opinion. With the comparatively small population concentrated as it is in cities, the present limitation has been effective.

[8] Broadcasting is such specialised public service that just leaving the number of Stations to "the market" would not necessarily be an improvement. The funds available from advertising which supports "free-to air" television may not necessarily expand to adequately fund a number of new stations. If "free-to-air" services deteriorate, more people will go to subscription or other services. This will reduce advertising profitability. People who cannot afford extra services or technology will be further disadvantaged. Australia has become divided on economic and social levels and this would increase the gap in terms of access to information for a significant number of people.

8 Ownership and Control

8.1 [9] The reason broadcasting is "particular" and not "general" regarding foreign investment and ownership and control is because of its immense power to influence governments and the populace in subjects which range over the whole of the human condition. Powerful media interests, very often individuals who are undemocratic and non-elected may wield too much power over political events. This News Report in the Sydney Morning Herald November 27 states clearly how journalists see the media proprietors (one of them foreign):

"the two men who masterminded John Howard's ascension to Prime Minister are now turning their political tactics back on him, over a decision pitting Australia's biggest media moguls against each other - the carve up of the new digital airwaves."

[10] This statement of their own perceived "influence" seems to us a good reason to have very secure legislative controls. We believe it is clearly in the national interest to have definite limits to foreign ownership and control. It is no accident that when a government is overthrown the first target for control is the broadcasting facilities. Australia has no charmed life and would be foolish to trust global markets with such a valuable national resource. Other countries are similarly protected. Population size means we are vulnerable.

[11] **8.2, 3, 4 We do not agree.** Section 54 of the BSA should be retained and amended to cover all the various media forms so that real control can be maintained. There will be loss of Australian influence if global media monopolies expand in this country. Even if monopolies within Australia occur, these are preferable to foreign ownership and control. Australian control and content are crucial to our national identity and our entertainment industry.

[12] **We believe the non-media business links held by the main media proprietors are a source of concern.** It seems to us there is an inordinate amount of gambling advertising and excessive coverage of sports owned by the media proprietors. Perhaps all their business interests should be looked at, not only cross media but serious consideration of conflicts of interest which might disqualify some. Gambling is a particularly insidious and fast growing public evil affecting increasing numbers of families. Advertising should be stopped altogether.

9 Content regulation, consumers and competition

9.1 [13] **Removal of the (Australian) limitation on non creative staff** may simplify the production on overseas locations. However, if it means that Fox Studios can import technicians to work on their productions in Australia and **so avoid training Australians to do the job, it is certainly not appropriate.**

9.2 [14] **We agree. The Children's Program Content must be at least retained.**

9.3 [15] **We agree. All content quotas should be subject to review** and public evaluations against the social and cultural objectives of the content requirements. The ABA should be required to have an independent committee to oversee these evaluations and that complaints be listened to and acted upon. What are the "social and cultural objectives" and do they benefit the advertisers, the television stations or the viewers? Diversity is very hard to define or to find. We believe there is a lack of diversity in the present programming of commercial television channels. Not only is the Sport emphasis excessive, the type of programming is very much the same. Endless detective or murder programs. Many people are switching off. How will Australian quotas for adults be "better targeted"?

[16] **Australia should be promoting our own industry, culture and creative capacities at every single opportunity. Broadcasting is not dealing with clothing, food or goods made overseas. Australian beliefs, standards and sensitivities are involved. We do not wish to be engulfed by global mannerisms, sense of humour and proprieties. We are justifiably proud of our sense of fair play and moral code and it is not quaint or insular to defend and promote these. However it is becoming difficult to find these qualities on Australian television as our media tries to ape all things US. Much of it is anti-cultural.**

9.4 [17] **The social and cultural objectives necessitate regulation to ensure Australian film is used.** The television stations claim that viewers respond better to film which has succeeded in another market and will watch this in preference. Viewers' expectations of a program are built by promotion which is entirely in the hands of the television station. This is another example of people being manipulated by particular information given out. Without quotas there would be no reason to even try more expensive or unknown Australian film. The quotas should apply not only to drama, but to other diverse entertainments - games children's programs etc even advertising. News programs are a particular interest to many people. The Journalist's Code of Ethics is very good, but one wonders if it is always kept in mind by presenters of News. If children's programs are worth less for advertising revenue this should be balanced by the profitability of the rest of the time. Profits have been increasing notwithstanding. Subscription television needs to also be covered by an Australian content standard for screening.

9.5 [18] **The funding options** are complicated, however, there is clearly a need for encouragement and investment in the film industry, properly targeted by government.

10 Codes of Practice and compliance

10.1 [19] **The Influence of the Media**

The unfolding saga of the Radio Announcers who received amounts of money up to \$500,000 a year to mention certain Companies' particular interests favourably, indicate that the influence of free to air media is particularly powerful. Ten or more such payments may have been received by each presenter. There should be no confusion now in estimating how influential opinions become when broadcast, particularly by known personalities. Talk back radio may well solve the provision of programming for Stations, but it is a destructive and manipulative process for the public. The direction of companies and of government policies can be influenced unfairly or manipulated by innuendo. Whether the trigger for this manipulation is payment or personal political opinion it has the same effect. There are subtle ways to insert doubt and distrust in matters of public policy. There are many people do not realise that their opinions are being formed for them.

10.2 [20] **We do not agree to adding the words "to promote the public interest in freedom of expression"**

Already Television has freedom within the constraints of the Codes and classifications. The addition of the phrase "freedom of expression" in legislation would ensure that complaints could not cause a program to be removed. The community standards on language and acceptable program content have been stretched already. For example "Sex in the City" and some comedy material are so unsuitable to broadcasting that they should not be contemplated by television channels. When the carefully worded Codes are in place people should not have to "complain". Humour has degenerated to stringing together offensive words and concepts and adding canned laughter. There may be some wit, but it is hard to listen and find it. If the Broadcasters knew that there would be random monitoring by the ABA of material broadcast, there would be more attention given to following the Code rather than what they will "get away with".

10.3 [21] **These recommendations would improve the situation with regard to complaints.**

10.4 [22] **News coverage** is also a great concern. The Journalists' Code should be used as well to encourage ethical reporting. We find it surprising that legal advice could be to not admit to mistakes on air. We believe mistakes should be corrected at the earliest time on air. If something is actually wrong it is not made more wrong by admitting a mistake. Any damage to reputations is increased by the amount of time it remains publicly uncorrected.

10.5 [23] **We support the Government's efforts to control the Internet.** The fact that there are difficulties is not a good reason to do nothing. Once more there must be requirements for Providers to let their clients know the Code and understand that access will be removed if the Code is broken. Offensive material should be clearly seen and known to be unacceptable and punished where possible. Certainly a review should be undertaken and the system improved.



Marion Smith, Convener

November 27, 1999

40 Makinson Street, Gladesville NSW 2111

Phone 02 9817 3087

Email knmsmith@ozemail.com.au