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Sent: 26 November 1999 12:36

To: broadcasting@pc.gov.au

Subject: Anti-Siphoning & broadcasting and polling for informing and direct feed-back from the listening and viewing public

Dear Sirs

[1] Your inquiry about advising the Government on practical courses of action to improve competition, efficiency and the interests of consumers in broadcasting services, is timely in light of both domestic and international developments; as well as the awesome growth of the Internet as a domestic and international 'broadcaster' beyond effective regulation.

[2] Having read the Overview, Summary of recommendations, and key sections of your draft report, with its extensive lists of submissions and references, my 1st thought is that commissioners will barely have time to scan further written submissions, even quite brief ones like this. My 2nd thought is that so far the bulk of submissions are not from the listening and viewing public. This is understandable when most would be unaware of the inquiry, and have little time to respond with written submissions, or even to attend hearings. Conversely if you did receive lots of submissions from the listening and viewing public, how could you use such diversely presented written and oral submissions to "*identify the nature and magnitude of the social and economic problems that the legislation seeks to address*"?

[3] This submission is a response to the above, and to one tiny aspect of broadcasting; which I became aware of by reading **9.6 Consumer access to sports programs**. After reading that anti-siphoning was imported from the UK, I am puzzled, and probably missing something, but it seems a simple example to start with, and you have explicitly asked for further discussion of this issue. My starting point is sports fans who follow specific clubs and competitions, and the relevant owners or managers of these clubs etc. If such sports fans can't watch events free to air because rights holders refuse or fail to sell to free to air broadcasters, can they take it up directly with rights holders? I expect so, but I can't see that these parties are even contributing to the inquiry. I wonder if the report has been drawn to their attention. If not surely it could be by alerting various tv (and radio?) sports programs. Maybe this has happened, and if so I congratulate commissioners on their innovation. If not, perhaps you could involve Roy and HG, or more conventional sports programs!

[4] While there may be no links, the demise of established clubs with many loyal followers does seem to have increased since pay tv and anti-siphoning laws. A basic question could be: "Even if exclusive subscription operators are paying well above the total which would be paid for non-exclusive rights, why would rights holders risk losing established and potential fans to their competitor clubs, codes and sports?" However I expect people like Roy and HG could generate a more direct, lively and productive debate than just this if invited by Commissioners.

[5] Broadcasting with audience polling is already familiar to listeners and viewers, and seems appropriate to most aspects of your inquiry requiring consultation with the major groups to be consulted - the various classes of listeners and viewers. Anti-Siphoning seems a simple and suitable topic for the inquiry to test and develop such innovations, both more generally in this broadcasting inquiry, and in other inquiries. It would be appropriate if the Productivity Commission could come up with better and more productive ways of inquiry!

[6] Hope these suggestions at least help with anti-siphoning, and I would like to develop them more, before and at the Brisbane hearing once I know we, (including some sports broadcasting people?), can participate. I will also attempt a more important submission in time for the Brisbane hearing.

Yours sincerely

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