

SUBMISSION TO

PRODUCTIVITY COMMISSION IN RESPONSE TO BROADCASTING DRAFT REPORT NOVEMBER 1999

1. This submission responds to the Commission's report from the viewpoint of a national community organisation which has a longstanding interest and involvement in "practical courses of action to improve the interests of consumers".
2. This submission addresses the following sections of the Commission's report:

Chapter 9 Content regulation, consumers and competition
Chapter 10 Codes of practice and compliance

3. **Chapter 9**
Section 9.4

- 3.1 YMA has been a long time supporter of the cultural benefits for Australian children flowing from the C and P quotas. We are happy to expand on this viewpoint at the forthcoming public hearings

In particular, we cannot share the views, often expressed by the industry, that the 5 criteria which have to be met for programs to gain a C or P classification, are restrictive and result in programs that children aren't interested to watch.

These criteria are very broad, and any producer worth his salt and who is really in touch with the interests of Australian children could produce programs to meet the criteria and engage the audience. It has been a longstanding myth that the criteria are the problem. More often than not, the problems are to do with a lack of willingness to commit adequate budgets and to find creative talent who can, and who really want to relate to the audience. These choices are in the hands of the networks, as they should be. It is these choices that govern program output, not the criteria.

We therefore reject the views of the Seven and Prime networks as quoted in the Commission's report, viz 'the subjective, excessively interventionist and determinist nature of these standards has distorted program outputs...' (Seven) and "we've been terribly ineffective...because all we've ended up doing is produce three programs that look the same, sound the same, and the kids aren't entertained by it" (Prime)

- 3.2 We therefore support the section of Commission's Draft recommendation 9.2, which deals with quotas for children's programs.

However, we reject the section which deals with P classified programs, viz "the requirement that all of the P program subquota must be filled with Australian programs be reconsidered.

- 3.3** YMA strongly opposes the recommendation that not all of the P quota be required to be Australia.

YMA strongly advocated for the introduction of this requirement only a few years back (4-5). At this time, there was good evidence that foreign made preschool programs were threatening the viability of those made in Australia.

Preschool programs require the development of particular production skills. The continued existence of experienced preschool units producing material for the very small quota of 5x1/2hrs per week, (and which can be repeated 3 times in 5 years), depends on a continuing demand. This demand is diminished, and expertise lost, if foreign programs can be accepted for the quota.

The cultural benefit to preschool children (the audience most in need of seeing Australian faces, places and voices on television) of continuing access to seeing quality Australian preschool product TV) is thereby threatened.

We would like to expand on these views at the hearings.

- 3.4** YMA is concerned at the lack of similar quality and quota regulation for Australian children's programs on Pay TV. However, we note that at this time Pay TV is only in 1m Australian homes, and cannot be considered to be a mainstream experience for Australian children as yet. Certainly, Australia is not at the stage where Pay TV could be expected to make up for the deficiencies of the free-to-air stations in children's programming. "Let them eat cable" would not work in Australia.
- 3.5 P231** YMA wishes to comment on the issue of the "commercial disincentives for broadcasters to show children's programs". There is an issue here in regard to level of advertising and commercialism that is evident in children's programs (other than C programs) that contradicts industry statements in this regard.
- 3.6 Evaluation (p237)** YMA supports the Commission's recommendation 9.4, that the ABA should conduct regular and public evaluations against the social and cultural objectives of the content requirements.

4. Chapter 10

4.1 Objectives of the Broadcasting Services Act

YMA urges the Commission to explore the issue of the evaluation of Objective J. of the Act. YMA believes that there are not sufficient indicators that providers of broadcasters "place a high priority on the protection of children from exposure to program material that may be harmful to them'.

Further, there is not agreement on what constitutes "program material that may be harmful" to children, nor what harm and at what ages.

YMA wishes to canvass some of the facets of this matter, including the impact of violence and advertising, for example, on children of different ages.

YMA recommends a review of this issue (of harm), which is one of great concern to parents, who believe that children are not being protected from harm .

4.2 10.3 Consultation YMA strongly supports the Commission's recommendation 10.2, particularly in relation to the support for community consultation.

4.3 Draft Recommendation 10.3 YMA believes that these recommendations will enable the community to be more effective in lodging complaints.

However, we believe that an even better recommendation would be the establishment of a broadcasting Hotline where consumers could lodge complaints that would be directed to the appropriate agency, rather than the consumer having to work out to whom to direct their concerns.

Further, co-regulation would work more effectively and equitably, if consumers were given more assistance to understand the codes and systems, and what they have a right to expect. This is a function that could be performed by community groups if funding were available to support consumer interests in broadcasting .

YMA would like to address the Commission on this matter.

4.4 Draft Recommendation 10.5 YMA supports this recommendation , but urges the Commission to add that the review should encompass the success for consumers of the scheme and of the NetAlert initiative, associated Hotline and community education campaigns.

YMA would like to address the Commission on this issue.

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