

FAXED

PRODUCTIVITY COMMISSION

BROADCASTING INQUIRY

SUBMISSION

by

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Living Sound Broadcasters Limited

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Broadcasting Inquiry 1999

submission by

Living Sound Broadcasters Limited

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DIRECTORY

Organisation: Living Sound Broadcasters Limited.

Status: Community Aspirant operating on a Temporary Community
Broadcasting Licence.

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Introduction.

Living Sound Broadcasters Limited (LSB) is an aspirant community broadcaster that has been test broadcasting since 1985 in the Illawarra and Shoalhaven regions of New South Wales. Fifteen years (15) of test broadcasting and LSB has successfully complied with the Australian Broadcasting Authority (ABA) regulations. Currently operating under a Temporary Community Broadcasting Licence (TCBL), LSB represents and services the Christian community, family and friends.

Membership is currently over 900. Active community size, based on a thirty percent (30%) sample size conducted in 1996, is estimated at 60,000. According to the 1996 Australian Bureau of Census, some eighty percent (80%) of the population (over 300,000) nominated an allegiance to a Christian denomination. The tragedy here is that something less than three percent of all local broadcasting hours provide services to the Christian community and culture.

POSITION 1

Christianity is the largest sub cultural group in multicultural Illawarra and Shoalhaven that is unserved by the broadcasting media.

Culturally, Christianity is historically and currently established and expressed through Music (a thriving industry internationally), literature (a thriving industry internationally), Visual and performing Arts, Religion, Spirituality, Health foods, Welfare, Hospitals, Theology, Youth Services, Retirement Homes, Education (preschool to tertiary), Politically, and the various disciplines such as Law and Economics (albeit fledgling).

POSITION 2

The Media is an established leader in influencing the values and preferences of listeners. The Christian Community and culture has a right to be represented at ownership level and present responsible choices on values and preferences.

Industrial and social development of the Christian culture through the broadcasting media has been severely constrained by misrepresentation of what constitutes competition and efficiency in serving the balance of the social, cultural and economic dimensions of the public interest.

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This submission will follow the Issues Paper.

1. “harness (broadcasting) power to do ‘good’ and limit its power to do ‘bad’ for the community” [page9].

1.1 Broadcasting services in Australia has been instrumental in popularizing and promoting:

(a) abusive language such that it is becoming a common currency, on many broadcasts, particularly to influence the young. [See Appendix A] ;

(b) violation of the sanctity of life. Violence is becoming a common currency for many to perpetrate on the wider community of innocents;

(c) the blaspheming of Christ such that it has become both common and an abomination to the large Christian community that has no media voice. Consider the reaction of the Muslim community if a similar blasphemy was to be perpetrated against their god, by the electronic media owners. There would be an international reaction.

2. “What major developments do you anticipate in the broadcasting industry ?

2.1 Urgent removal of VHF channel 3 in Wollongong. Failure to do so appears to identify inefficiency and subsequent constraints on competition.

2.2 Digital technology providing the opportunity for increased competition and hopefully more flexible regulatory controls and less opportunity for lobby power by the commercials and the National against the local cultural and social preferences.

3. “What implications does technical convergence have for your business andbroadcasting policy? [page 10]

3.1 Increase capital cost of change over (to digital) and an opportunity to expand and to accommodate the multimedia approach.

3.2 Expect it to lower operating costs per unit of output across the various outlets.

3.3 Expect it to provide opportunity to potentially reach a larger market.

3.4 Optimistically, less regulatory constraints re economically, i.e. sponsorship time per hour.

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4. “What are some of the competitive advantages and disadvantages of the various sectors of the local (national) industry?” [page 11]

4.1. At the stroke of a political pen there is a network of JJJ national stations imposed on the communities, without local preferences being considered.

4.2 At the stroke of the political pen there is an increase (immediately after the 1996 Federal election) in the number of regional Commercial radio stations without local preferences being considered.

4.3 The Community sector can wait up to twenty two years before even gaining a temporary licence. Living Sound has been waiting fifteen years and is on a TCBL and it appears that this will be the situation for at least another twelve months, or more. This outcome is a disgraceful indictment on servicing the legislative objectives.

4.4 Competition may be said to exist intra commercial, intra national and inter commercial - national. However, there are severe explicit regulations imposed on the Community sector, that restricts competition and expression of local preferences.

4.5 Economic theory suggests that competition has many players and lower prices. If the Banking sector is an indicator of competition then the theory should be redefined. Banking service prices have escalated radically, profitability has soared and it is Government that has kept the price of money down. There is an apparent rapid and continuing redistribution of wealth from the poor to the rich. The broadcasting sector reflects a similar profile even now in a regulated environment.

5. “Implicit in the objectives is the notion that in the absence of government intervention, Australia’s broadcasting industry would not address these problems Do you agree or disagree?” [page 11]

5.1 Agree strongly. Even in the current regulatory environment, governments of both persuasions are seen to be pawns to the power of the “big end of town”.

5.2 National and Community broadcasting sectors tend to service cultural, social adequately, but with an apparent bias against the Christian culture. The Commercials on the other, apart from the occasional self interest in a highly publicized welfare appeal, or a special on an individual’s need, appear to do little toward creative and positive cultural impacts.

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5.3 Expectations are that the wider competitive model now operating in Australia is a recipe for disaster in the broadcasting / multimedia sectors. The current wider competitive model impoverishes the rural sector, the “small person”, and redistributes wealth into the hands of the politically powerful lobbies. Without government intervention in the broadcasting sector, the cultural and social impacts are expected to increase both negatively and destructively as “greed” chases the lowest common denominator in values.

6. “From the consumers’ perspective which objectives are becoming more (or less) relevant..?” [page 12]

Objectives [Box 1]

6.1 (a) Historically, there has been no “promotion” of diversity to include the Christian culture with its entertainment, education, values and information. There is a need to strengthen the regulations to ensure a greater degree of diversity.

6.2 (b) Historically, it may be said that there is no “efficiency” in the allocation of frequencies when the majority go to the Commercials and the National. They impose their values upon a local community who do not have the financial resources, or lobby power, or timely information to provide an alternate option. Commercials in particular provide marginal diversity in programming and virtually ignore culture in its wider meaning outside music. The local cultures of multicultural Australia are ignored because of the inefficiency in constrained allocation of frequencies. Only the Community sector has the commitment, but few resources to service, the wide diversity of cultural preferences and social values.

Regulatory responsiveness is not seen to have operated in the local consumers interest. This may be due to inadequate resources at the ABA, and, or inappropriate and constraining legislation, and, or effective lobby power by the influential.

6.3 (c. & d) Pardon the analogy, but this area is a Shakespearean tragedy of Julius Caesar proportions. Only in this case Caesar is the government and the Senators are the influential media. Strengthen the laws, and expand the competition.

6.4 (e) “Promoting an Australian identity, character and cultural diversity” .The National has made a noble attempt. [particularly “Australia All Over “]. The Commercials have failed miserably. The Community sector is where the OZ identity exists but it has been severely constrained, or more likely squashed. Strengthen the regulations and support to specifically empower local cultural preferences through the Community sector.

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6.5 (f) Personally, there is no awareness of where and how the “promotion” of high quality and innovation programming occurs. This objective needs a greater degree of support so that the Community sector may benefit from the dissemination of information on encouraging training and on what resources are available.

6.6 (g) “Fair and accurate coverage of matters of public interest and significance by the commercials and community stations”. Another important objective that appears to be working acceptably, apart from the inevitable journalistic biases.

6.7 (h & j) “community standards.....protection of children..” Important and significant objectives that are literally challenged by each hour of broadcasting. Given the assumption that society has now become, in relative terms, “media junkies”, then it may be asserted that the current socially unacceptable state of degradation in society can be in part attributed to a failure to enforce these two objectives. It is a national disgrace and the National, SBS, and JJJ are in part notable contributors. Resources should be made available to provide broadcasting services to at least provide a choice and a countervailing position in support of community standards.

* Social Dimensions of the Public interest.

7. “Does the current broadcasting policy framework support access to adequate service..?” [page 12].

To wait for more than fifteen years for a Community broadcasting licence to provide meaningful services to, perhaps the largest unserved culture in multicultural Illawarra and Shoalhaven, is a clear statement of **inadequate access**.

Improve matters? **Recommendation:** That the Productivity Commission recommend to the Government urgent and immediate issuing of licences to TCBL’s such as Living Sound Broadcasters. Otherwise there is expected to be another two year wait. Concurrently, provide additional resources to the ABA to service this serious backlog of unserved clients.

7.2 “How important are media...as sources of potential benefit or harm to children?” [page 13]

Example only: As a TCBL, the station plays both contemporary Christian and mainstream music. A station volunteer was personally abused, by one young woman who had recently come out the drug scene, who argued that some of the mainstream songs we played had a negative impact on the behaviour of young people. We became more careful in the mainstream selection played. As a result we had other feedback from both parents and victims of the drug scene that our selection was very positive and helpful to rehabilitation. They now have a choice across the dial.

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7.3 “Does the existing framework of broadcasting policy meet the needs of Australian children?” [page 13]

It may be asserted that apart from music, radio offers very little to children. To the young (teens) there is both music and the occasional talk back, which at times adds little that is positive in value. Many children's TV programmes promote violence.

More resources are needed to develop creative and positive choice.

7.4 “Do different regulatory regimes and spectrum availability ..affect the ability of community groups to broadcast effectively?”

Definitely, Yes! Aspirant Community stations are constrained to transmit at 1 kw ERP. This unrealistic technical constraint provides unacceptable clarity of reception by the community who continually complain and or withdraw their support. It also limits the number of Community members who are able to receive.

Advertising (sponsorship) is limited to four (4) minutes per hour. This is a sure policy to constrain finances and limit the ability to provide **quality** services to the community.

Section 81 of the Broadcasting Services Act is said to be unsustainable if invoked. Yet it is the only Section that provides hope for shortening the time horizon to a permanent licence for long term aspirants.

* Economic Dimension of the Public Interest

8. “Have government controls....restricted or promoted more diverse ..programming.. facilitated or retarded growth of the industry..?”

8.1 Broadcasting Christian culture is a major multi billion dollar industry in The United States of America and has been operating since about 1940. In Australia it struggles severely apart from a few long term services located in the capital cities.

8.2 Broadcasting Christian culture will add a significant programming diversity to the broadcasting industry in Australia and a positive choice for the populous. The simple reason is that the Christian culture has not been recognized or encouraged as being valid and therefore does not exist in any substantial created form on broadcasting services across the Australian population.

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8.3 Government controls which have continually put other claimants to a Community licence before the Christian community have dispirited and discouraged other communities in other towns and cities. When there are aspirants that have been waiting and operating for over fifteen years then there has certainly been a serious restriction and retardation of diversity and growth.

8.4 Increased competition with less regulation may be expected to bring about a degeneration of values to the lowest common denominator, predatory pricing, and consequently less competition in the market place. Only the wealthy survive and grow in the Australian definition of competition.

8.5 No, the answer is not more competition per se , but greater flexibility and scope within the regulations and increased rights to responsible aspirants.

8.6 Also the Regulator needs more resources to provide efficient and effective services to its clients. The Regulator is extremely constrained by the regulations and or political priorities, such that it has provided an inadequate service to the Community Sector which is the main proponent of diversity, culture and social objectives.

Conclusion

Microeconomic reform and economic efficiency in the electricity industry has been gained at a terrible social cost. Staff, customers and the "small" have paid a greater price than any reduction in the price. The competitive model requires government initiative to pick up the pieces. This has not and is not expected to happen.

The changes in the Broadcasting Services Act 1992 were expected to advance the planning and issuing of licences. This occurred with JJJ and regional commercials by 1996 (four years). However the Community sector, without any lobbying power equal to the National and the Commercials, is simply asked to wait for the process of time and to suffer when political priorities are changed.

Community is where the culture exists. Community is where the social responsibilities and costs are borne. Community sector rights and financial viability should be upgraded in the new legislation. Increased competition with less regulation is expected to degrade the achievement of social and cultural objectives.

DISCLAIMER

The views and comments expressed in this submission are solely those of the author and do not necessarily represent the views of the membership and or the Board of Living Sound Broadcasters Limited.

Appendix A

DJ's apology to Howard

PM prank: police called in

SH 9.5.99

By DANIEL DASEY

A RADIO DJ has been reported to the Australian Federal Police after he called the Prime Minister's office and verbally abused a receptionist for an on-air prank.

In the second run-in between John Howard and a DJ this year, police are investigating Triple M announcer Tony Moclair over the incident.

As part of the prank Moclair, who co-hosts the *Crud* show, called Mr Howard a "short-arsed little dickhead" and persisted in ringing a staff member despite being hung up on twice.

A spokesman for Mr Howard confirmed the AFP had been contacted over the DJ's behaviour.

The incident occurred on April 13 during a part of a regular segment in which Moclair rings a business or individual and plays the part of Guido Hatsis, a belliger-

ent Greek body builder.

In the role, Moclair makes unreasonable and absurd demands, often prompting his targets to hang up on him.

The call to Mr Howard's office followed media reports that the Prime Minister's residence, The Lodge, was in disrepair.

Moclair began the conversation with Mr Howard's receptionist by saying he had read in the paper that the Lodge was a "shithouse".

He then offered, in the role of Hatsis, to let Mr Howard stay at his house:

Moclair: Mate, they say the house he lives in is crap. So, what I do, I ring up to offer him to stay at my place.

Receptionist: You're offering your house to the Prime Minister?

Moclair: Yeah, mate. That short-arse little dickhead can come stay with me, right.

This prompted the receptionist to hang up.

He rang again and

repeated his offer, saying Mr Howard could stay with him but had to: "Wash my car, do the dishes and wax my nan-na's back occasionally ...". The receptionist again hung up.

Moclair called again and warned the receptionist he would report her behaviour to Mr Howard. The receptionist warned Moclair if he persisted he would be reported to the Federal Police.

When he called Mr Howard a "stupid little man" the receptionist again hung up.

In a statement read to air on Triple M last Monday Moclair apologised.

"I understand that the lady in question was offended by my language and by my derogatory references to the Prime Minister," Moclair said as part of the apology. "I unreservedly apologise."

A spokesman for Mr Howard said the PM's office would not take the matter further.