

Sub. No. 1942
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Reformed Churches of Australia - Classis WA

Classical Committee for Social Responsibility

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Productivity Commission
LB2 Collins Street
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Submission

BROADCASTING INQUIRY

Our organisation is pleased to comment on your Draft Report. Unfortunately, we have closed down this committee for the year 1999, so will be unable to appear in person at public hearings or join in via video conferencing. Nevertheless, our comments will, we trust, be of some value.

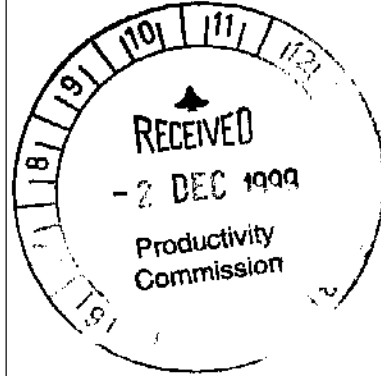
Chapter 10. **Codes of practice and compliance.**

Care should be taken in Draft Recommendation 10.1.

A further objective 'to promote the public interest in freedom of expression' should be added to the objectives in s.3 of the Broadcasting Services Act.

The whole of censorship, right across the board is based on the premise "that all people have the right to read, see and hear what they wish". In our opinion this is a false statement on which to base a belief. Although many people throughout the community uphold this belief strongly, we would oppose this view. We are as members of a community responsible to one another in all our actions and therefore are responsible for whatever we do, to see that we set a good example and protect one another in all areas of life. 'Freedom' is a strong word when taken in the context of public viewing or listening in to 'free - to -air' broadcasting.

In paragraphs p.242 "**Respecting freedom of expression**" we see your desire to protect the interests of consumers against the desire of service providers. We must not allow our rights as members of a democratic society to be overpowered by the rights of media presenters who see no harm in offering programs containing violence, sex and nudity, bad language etc. Finding a balance is near impossible - so often our needs are poles apart from those of the providers. For example FACTS The Australian Federation of Commercial Television in presenting its G classification insists on maintaining headings of Violence, Sex and Nudity, Language, Drugs, Suicide, Social or domestic conflict, Imitable and dangerous behaviour, Other (where



special effects and camera work are used to create an atmosphere of tension or fear, care must be taken to minimise distress to children. Any of the above headings should not be presented in G programs. Parents should be able to safely leave their children unsupervised in G programs. How can they with headings like the ones above

Self Regulation

Self regulation has never been successful. The previous Aus. Broadcasting Tribunal regulated programs in a certain manner and the present Aus. Broadcasting Authority has even less authority. The ABA has constantly rejected our complaints because we don't fit in with community standards. The writers of the various Codes of Practice develop their own codes to suit their own desires. They are supposed to consult with the community before submitting them for the ABA's consent. The submission by Young Media p.250 (Draft) voiced precisely how we felt at the time because that is exactly what happened to us regarding FACTS codes of 1999. How can the Federation of Commercial Television claim that there were three rounds of public consultation before the final draft was submitted for registration (ABA 1998a p 65). We didn't hear about the 2nd round. We obviously came in again in the 3rd round. Why were certain organisations excluded from the 2nd round?

Community Values.

Who assesses community values? We are told they are continually changing. How are community values assessed? The community should have more say in how questionnaires are worded. How often are the groups used for assessment purposes being changed so as to be spread more throughout the community in order to obtain a more balanced view of what the whole community expects. Present methods used give an opinion held by a small section of the community only.

The ABA is required under the BSA to research community values and pass on concerns to the industry. It appears that their concerns are drawn from complaints received from the public. Since the majority of complaints are rejected we must presume that there wouldn't be many concerns passed on to the industry.

The Office of Film and Literature Classification is seen as the measuring stick for classification. There is now a uniform system of classification across films, television and videos. We were extremely interested in studying closely the OFLC's Community Assessment Panels Report June 1998. The methodology used was to select 20 members from the public through a specialist agency. The participants in the Sydney panel ranged from 15 to 69 yrs. Of this group 2 were living in a de facto relationship - with no children ;4 were single the remainder had children but we weren't told whether they were married or not. Apart from that, each attended a briefing /training session then viewed a film. Next the panellists were asked to fill out a questionnaire which sought their initial responses to the film including their choice of classification. Finally, after another briefing they recorded their final classification. Needless to say each participant changed their original classification assessment. There appeared to be a degree of manipulation here. Is this method a true

measurement of community standards?

Those people who find they must complain about television programs, videos and films must surely be expressing their standards and ought to be heeded. In our experience that for each person who lodges a complaint there are 100 who would like to but for some reason fail to do so.

Draft Recommendation 10.2

This draft may go part of the way to balance the codes of practice to cater for the industry and the consumer. What more can the consumer do to have the industry take more notice of what is being said by the consumer?

Complaints

We have already in our initial submission expressed our concern over the complaints mechanism. It appears we are not alone when stressing the lack of understanding of the codes of practice by the general public. We are pleased to see that the Productivity Commission has taken notice of the difficulties outlined by many submitters and are prepared to offer suggestions to make complaining an easier task for people who wish to complain about programs and advertisements that cause them concern.

Draft Recommendation 10.3.

We agree that these changes will improve the complaints procedure. The ABA will be able to impose penalties for all breaches of codes of practice.

Regulation of online content.

We appreciate the fact that the government has taken steps to block offensive material from the Internet. Whether the attempt is successful or not, only time will tell. We agree that blocking certain material may be difficult. When a 12 year old seeking information for a set project types in the word "zoo" and finds material on bestiality, one wonders what kind of person would include such material in that block of information. It appears that content, which any parent would expect to be educational and useful to a student carrying out an exercise set by a teacher, can be laced with obscene information.

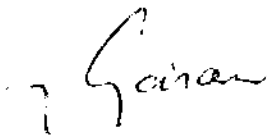
Draft recommendation 10.5

The recent amendments to the Broadcasting Service Amendment (On line Services) Act 1999 establishing a regulatory regime designed to deal with Internet complaints about content was a good move. Your suggested revised extension to cover access to objectionable material shows us that the government is prepared to take further steps to deal with the situation. Just how far control will be allowed to go is the question. There will always be those providers who will insist on freedom of expression as their right even though the material would be objectionable or even harmful in the eyes of many of us. It is true that parents are responsible for what their children are exposed

to in all areas of broadcasting and on the Internet. However, we have seen repeatedly that there are far too many parents who are not prepared to take on this responsibility. This is when some one else, namely the government, must be given the right to protect children in society. This idea may not appeal to those who firmly hold to the "freedom of expression" right, but then we do not live in a perfect world. That is the only circumstance where "freedom of expression" would work.

Thank you for allowing us the opportunity to have our say in this matter.

Members of the Classical Committee for Social Responsibility
Reformed Churches of Classis Western Australia.

A handwritten signature in cursive script, appearing to read "J. Gairan".

Chairman

The Children's (C) and Preschool Children's (P) Classifications



- 2.10 Material classified C or P must satisfy the requirements of the Australian Broadcasting Authority's Children's Television Standards. C and P classification zones are movable within bands laid down in the Children's Television Standards. These zones overlap other classification zones, and have precedence over them.

The General (G) Classification



- 2.11 Material classified G is not necessarily intended for children but it must be very mild in impact and must not contain any matter likely to be unsuitable for children to watch without supervision.
- 2.11.1 **Violence:** Visual depiction of physical and psychological violence must be very restrained. The use of weapons, threatening language, sounds or special effects must have a very low sense of threat or menace, must be strictly limited to the story line or program context, must be infrequent and must not show violent behaviour to be acceptable or desirable.
- 2.11.2 **Sex and nudity:** Visual depiction of, and verbal references to, sexual behaviour must be brief, infrequent, contain little or no detail and be strictly limited to the story line or program context. Restrained, brief and infrequent visual depiction of nudity only when absolutely necessary to the story line or program context.
- 2.11.3 **Language:** Mild expletives or language which may be considered socially offensive or discriminatory may only be used in exceptional circumstances when absolutely justified by the story line or program context.
- 2.11.4 **Drugs:** Visual depiction of, or verbal reference to illegal drugs must be absolutely justified by the story line or program context, contain very little detail and be handled with care. The program must not promote or encourage drug use in any way. The use of legal drugs must also be handled with care.
- 2.11.5 **Suicide:** Only limited and careful verbal reference to suicide is acceptable, when absolutely justified by the story line or program context, and provided that it is not presented as romantic, heroic, alluring or normal.
- 2.11.6 **Social or domestic conflict:** Themes dealing with social or domestic conflict must have a very low sense of threat or menace to children.
- 2.11.7 **Imitable and dangerous behaviour:** Imitable and dangerous behaviour should only be shown when absolutely justified by the story line or program context, and then only in ways which do not encourage dangerous imitation.
- 2.11.8 **Other:** Where music, special effects and camera work are used to create an atmosphere of tension or fear, care must be taken to minimise distress to children.