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**Submission to the Australian House Of Representatives
House Standing Committee on Communications, Information,
Technology and the Arts**

Date of Submission #2: 27th February 2006

Person making submission: Richard J. Newby

Qualifications:

- **Duke of Edinburgh's Gold Award.**
- **Voluntarily recording spoken books for the blind through the NSW Royal Blind Society.**
- **Broadcasting about 1600 hours live on air and about an equal amount of time preparing, voluntarily, on local community radio without production, secretarial or engineering support. This occurred between 1999 and 2004.**
- **Until 2003 I weekly broadcast two three hour long programmes of Australian Folkmusic - BIFCOA (see appendix A. "I am Folkmusic" and Appendix C. "BIFCOA Inc. Hello World") on Wyong Gosford Progressive Community Radio (PCR FM).**
- **From 2003 and largely in an effort to protect the position of PCR FM in its application for full-time licensing, I took up the role of the weekday morning broadcaster presenting a three hour programme relevant to the whole of the Central Coast's citizenry but targeted at our target market, the unrepresented, youth and multi-ethnic NESB. That programme primarily brought local organisations and government departments to the people and introduced the people to the organisations and their public servants. It was also used as a showcase for Folkmusic.**
- **About 100 to 150 hours voluntarily organising, planning, promoting, preparing applications, attending committee**

meetings and fighting inappropriate Australian Broadcasting Authority, ABA, decisions between June 2002 and today.

A lifetime of being inculcated with traditional heritage values, firstly in Great Britain and then in a country which largely devalues and refuses to recognise, preserve or inculcate the heritage values of all citizens (see appendix A. "I am Folkmusic" and appendix B. "Fellow Folkies").

Preamble: The House Standing Committee terms of reference that will be addressed in the submission are -

A. "threats to achieving a diverse and robust network of community broadcasters".

B. "the scope and roll of Australian community broadcasting across radio".

C. "content and programming requirements reflecting Australian character and cultural diversity"

Submission #2:

The following is published at -

<http://www.thepeninsular.net/news/03/03Jun03/NewbyLtr.asp>

Radio licence process defective

The Australian Broadcasting Authority advertised last year for applications for three community radio permanent licenses covering the Central Coast of NSW.

The closing date for submissions was 28 June last year and the ABA received submissions from five applicants. They were Radio 50+, Yesteryear, Hits & Country, Rhema Newcastle and PCR-FM.

As you may be aware the excellent long established and respected local community radio station 2CCC has been broadcasting to a target audience of people over 45 years old on a full license for several years.

The ABA granted licenses to Hits & Country and Radio 50+.

Radio 50+'s new licensed frequency is 93.3Mhz which was requested because it only necessitated the organisation to change one digit on its advertising board. Frequency 93.3Mhz had been used by Radio PCR-FM for many years.

The Broadcasting Act suggests that its aim is to supply broadcasting diversity to the whole of the local community.

It is therefore very hard to understand how the ABA justifies the granting of permanent licenses to the two broadcasters.

Radio 50+ has a target audience of people already catered for by the existing broadcaster 2CCC.

The other to be granted a license, Radio Hits & Country, is unabashedly a commercial station primarily playing American country and western music hits to its mainstream audience of middle aged listeners through what appears to be an automated computer system.

Radio Yesteryear has a target audience of people who enjoy 1930's to 1960's music played without or with little announcement and minimal sponsorship breaks. Yesteryear listeners have no expectation of new material ever being broadcast and fall mainly in the over 50-year-old age group. However, they do claim to have gained 20,000 signatures on a petition presented to the ABA in support of their application. Radio Rhema Newcastle in its test broadcasts on the Central Coast proved that its broadcasting was of non-local programs.

It merely relayed Newcastle transmissions and retransmitted them on the Central Coast. Rhema claims to play 100 per cent Christian music and present a Christian viewpoint. The broadcast viewpoint is not agreed with by many Christians let alone citizens of other faiths.

Radio PCR-FM is a multi-cultural, multi-ethnic and youth broadcaster that claims to give voice to the unrepresented and minorities of the Central Coast.

At the closing date for applications for the permanent license, it was the only applicant that owned its own transmission equipment, studio equipment and transmitter tower. In addition, according to its license application, it had the funds to continue operation for at least 12 months.

The ABA however seems to have been unable to take this information into account. The ABA spawned a series of facetious or derogatory questions, particularly its inference that PCR-FM would not be able to raise funds the same as other stations or that no one would want to listen to Australian traditional music.

PCR-FM was the only community radio broadcasting to citizens other than the over 45 year old locals listening to the licensed community radio stations.

PCR-FM gave voice to a range of local, state and federal government and community organisations.

According to news reports PCR-FM has had to take costly legal action against the ABA in the Federal Court because its chairman, Mr David Flint allowed a new entity, Gosford Christian Broadcasters Ltd, make an application for the unallocated permanent license five months after the closing date.

Justice Wilcox of the Federal Court found against the ABA in his January 31 judgement. The ABA, through its acceptance of the decision, has obviously accepted that it used a defective process to issue a license to Gosford Christian Broadcasters Ltd.

This, however, is the same process that was used to allocate the licenses to Radios 50+ and Hits & Country.

Logic suggests that the licenses issued to Radios 50+ and Hits & Country are equally invalid and should be immediately cancelled.

The status quo should be returned to the situation before 28 June last year, excepting the presence of the non-local radio station (Rhema) and the internet broadcaster (Yesteryear).

Richard Newby, Woy Woy

The Responses:-

are published at <http://www.thepeninsular.net/news/03>

Seniors entitled to two stations

Richard Newby claims Radio 50 Plus has the same target audience as CCC.

This may be true, but surely we seniors are entitled to two radio stations after all there are three commercial rock stations. I know little about CCC, but Radio 50 Plus has the greatest mix of music on the Coast, no doubt in Australia.

Xxxxx XXXXXXXXX1 Woy Woy

And

Radio licence was appropriate

In response to your correspondent Richard Newby (Peninsula News, June 3), I would point out that 2CCC has a general community radio licence, that is, its programs are for the whole of the community, not just a specific few.

Therefore it was quite appropriate to issue a licence to Radio Five-0-Plus for the specific audience of the 50 and over.

The fact is that Radio Yesteryear's application to play music of the 1930s to 1960s meant that it targetted a similar audience, but for reasons to do with the detail provided in it's application, the ABA evidently gave preference to Five-0-Plus for this audience group.

Three applicants gave 93.93 FM as their first choice and since Five-0-Plus were the first station approved, they were given that frequency.

No matter what you or I may think of the broadcasts of Hits and Country, they are subject to the same conditions as any other community station, including the requirement to play not less than 20 per cent Australian content, and to have the support and involvement of the local community.

With regard to PCR-FM, according to their application, most of their funding came by way of government grants, which may or may not continue.

Therefore they were required to establish a case for private funding.

It would appear that they did not do that to the satisfaction of the ABA so they were refused.

Incidentally, they were not the only applicant to own their own equipment.

Quite correctly, the ABA were found to be in error in issuing a licence to Gosford Rhema in breach of the application conditions.

Mr Newby's call for the recall and re-allocation of all licences is quite spurious.

X XXXXXXXX2, Umina

This is the nearest thing to robust diversity of opinion expressed in the local community (but only reported in one local newspaper) for a long time. Sadly however the responses perpetuate the erroneous beliefs created by the Parliament, Government Minister and the autonomous body the Australian Broadcasting Authority.

- Mr XXXXXXXX1's response partialy explains why I found it necessary to make the closing remarks in my submission #1 regarding elderly ruling committees. He brags of Radio 50+ having the best music mix in Australia but admits that he has not even listened to the other local community radio station's music let alone that of every other station in Australia.**

Perhaps this is the same logic and selective sight employed by the ABA. and my local member.

- With age Mr Xxxxxxxx1 seems to have missed the changing demographics of the local population. His comment suggests an insularity of the group he purports to speak for - are the elderly not part of society? An attitude such as this will not elicit sympathy when they die alone, forgotten and unfound for months.
- Mr Xxxxxxxx2 identifies that the Community Radio CCC has for many years been broadcasting to less than the market that it was licensed for but again it was run by an ageing committee. If this statement of Mr Xxxxxxxx2 is correct then I suggest that the regulatory bodies (ABA plus Government Auditor plus Standing Committee?) have been totally derelict in ensuring that the licensing terms are complied with. Many have quite rightly stated that community radio is a valuable National Resource. It is however too valuable a resource to be left in the sole control of an autocratic unaccountable (for all practical purposes) entity such as the ABA. or any replacement body working under the same rules or lack thereof.
- Mr Xxxxxxxx2 goes on to try and differentiate between his station 50+ and yet another aspirant largely targetting the same audience. This other station primarily worked on the basis of being a perpetual jukebox for the old popular music going back to 1930. It advertised that it ran on a proverbial “smell of an oily rag” and therefore had fewer sponsorship announcements, its announcers or DJ's played more music and spouted less hot air. An admirable sentiment but again merely an emulation of the pap broadcast by a lot of commercial radio stations. One wonders how it helped to promote Australian entertainment industry. In fact I have now been told that it is issuing copies

of recordings that have expired the period of their 50 year copyright protection. I also note that like a politician's promises, once empowered they are often broken or not fulfilled, the validity of the oily rag can instantly change.

- Surely a prerequisite of any community radio is that it has a local community running it. Not absentee landlords, franchised companies, foreigners, evangelists trying to impose their religious dogma, specific political parties, mendicants or companies out to further their financial wellbeing through begging and rank commercialism. Again this comment points to the ongoing failure of the administration to ensure that the substance of an application for a license was not only valid but can still be validated down the track.

- The argument made about PCR FM being required to make a case for private funding smacks of discrimination, bigotry and sour grapes which suggests either contempt of parliamentary decision to make specific grants for specific purposes, deliberate discrimination against new-Australians, youth and the unrepresented. If it is discrimination, who instigated it? That such comment not only be put in a license application but also not be commented on by the ABA indicates its bigotry through accepting community divisive statements and failing to uphold Australian law. Subsequent events proved that PCR FM unlike other local community radio stations was able at horrendous expense to overcome the inadequacy of the Parliament's governance and have the Federal Court overturn the ABA decision. No community organisation or individual member should have to bear that expense. The situation identifies the failure of successive governments to provide the people with protection through either a comprehensive legal aid system or other affordable redress.

• I seem to recall that it is a requirement of licensing that **community radio stations facilitate training of the young, disadvantaged and disabled.** I have noted from local newspaper reports over the years that on the rare occasions that this has occurred (Radios CCC and Hits & Country) the trainees have all bitterly complained that when let on air, they are not allowed to play the music that they wish to. In the case of the other two licensed stations, 50+ will be either not complying with the act or its own charter which only allows for broadcasters over 50 years of age. Rhema of course censors everything that is broadcast, even listener requests which have to be referred from the Gosford "autonomous" station to Newcastle for approval and authorization. I believe that it is a tenet of Australian law and CBAA rules that censorship not be applied to broadcasts. Again this is evidence of administrative failure.

I suggest that an Office of an Australian Community Radio Ombudsman be set up, that the government ensure that its administration comply with its legislation and orders and thirdly that a Royal Commission be instituted into the Central Coast licensing process.

Submission number #3 continues the issue of the inadequacy of law, federal representation, newsprint media and of course the ABA. and courts to enable citizens to obtain redress.

Yours sincerely, Richard J. Newby

Appendices A,B,C Follow

APPENDIX A ~

Bifcoa Inc.

(Bloody Incredible Folk-music Covering Our Australia)

Preserving & Promoting Australia's Multicultural Musical Heritage - Traditional and Folk Music For Harmony

ABN 54208764947

8 August 2005 revised 22 January 2006

To anyone who cares and will read on: ~

I am commonly & often disparagingly called "Folk music". This however is just like calling Zeus, Satan, Jesus Christ, Buddha or Mohammed "men". **I bear my name with modest honour.**

- I am thousands of years old.
- I spring from humanity with heartfelt truth.
- I am not religiously, politically, racially or socio-economically based even though many have tried to subvert me to their views and claim me for their exclusive ownership.
- I am enjoyed by all from the simple minded to the genius.
- I know no boundaries.
- I am simply complex.
- I mainly live through loving open-minded tolerant people.
- People have been assassinated to try and suppress me.
- I am your history, social or interrelationship commentary, your dreams and much more.
- If you let me, I will give you a lifetime of real pleasure.
- I belong to you, you, you and you. I am your heritage.

A wise man once said -"Only a fool discards or allows his heritage to be sold without learning its dimensions, composition, function, worth and true value". Are you a fool?

Today we have largely failed to properly share this heritage with our own children let alone with each other. Australia's population is sourced from about 200 different cultures. We each own and contribute part of that musical heritage. If we are wise, we will share it with our fellow citizens. December 2005's violent events in Cronulla &

other parts of Australia showed reality and that no one heard or heeded our simple message.

Recent Australian governments, including today's, fail to protect our heritage allowing it to be overridden and replaced by commercialised homogenised pap. An uneducated Australia Council not long ago determined that Australia does not have its own folk music heritage!

Our schools no longer include heritage music within the curricula. Indeed many of today's music teachers are hard pressed to name a handful of our song titles.

Australia cannot, despite the belated late comments of Prime Minister Howard, genuinely claim multiculturalism whilst it continues to ignore our multicultural music heritage. Several government departments have in recent times reported on the significance and importance of recent migrants' musical heritage. Ask your MP why these common-sense findings continue to be ignored – they are also equally applicable to first and later generations of Australians.

Recognition, respect & appreciation of our musical heritage helps to create mutual respect, national identity, character growth and community harmony.

Folk music belongs to everyone not just a few who wish to exploit it for their monetary profit. Furthermore Australian folk music is not, as some claim, limited to anglo-celtic and aborigine music.

Thank you for reading this far. I hope that you can enjoy listening today, and every day, to genuine Australian folk music sourced from the more than 200 ethnicities.

Sadly most radio stations play commercialised pap sourced from one location. So good luck, your chances are small. RJN.

Authorised by Richard J. Newby, Public Officer, BIFCOA Inc. 03.08.2005 revised
22.01.2006

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Revision

Ref: I am Folkmusic 22012006

APPENDIX B ~

6 Feb 2006

Dear Fellow Folkie,

Federal government inquiry into community broadcasting.

Submissions to the inquiry have to be in by the 17th March 2006. This may be your last chance for the next 35 years to have your say about the lack of Folkmusic on radio. Details can be got from:

- <http://www.aph.gov.au/house/committee/cita/>
- committee secretariat 02 6277 4601 or
- e-mail cita.reps@aph.gov.au.

We have already had national governments sell out our musical heritage in favour of commercialised homogenised musical pap from foreign sources. Most commercial development of local musical talent is designed to emulate un-Australian commercialised pap. I can only restate that "idolatry now creates idleness".

In other words our heritage, sourced from over 200 ethnicities, is being flushed down the toilet and a true multicultural Australian musical "today-heritage" will never be allowed to develop.

Please do not rely on everyone else to say something to the parliament. The usual suspects and their stooges will already have the word-processors churning out their specified party line. That line may be strident intolerant religious dogma continuing to promote an opiate for the

masses, for example gospel music, in itself an expression of terrorism against inhuman behaviour by Muslim slavers and Christian slave owners. Others with profiteering motive will promote lines such as "buy our country ersatz music heritage or if honestly stated, our commercial pap".

Most peak bodies are no more representative than politicians representing the party rather than the people. Some peak bodies lobby for intolerance and tyranny to create racial, ethnic or religious purity and advantage. One example: those who want world homogeneity so long as it is based on United States of America ruling ideals. **The collateral damage of the genocide of your Australian uniqueness is intentional.**

Some performers may applaud the principal of only performing American based music however it is like pyramid marketing. A favoured few ride on the backs of the masses. Morris Rosenfeld succinctly wrote "For Hire" more than 100 years ago -

**Work with might and main,
Or with hand and heart,
Work with soul and brain,
Or with holy art,
Thread, or genius' fire—
Make a vest, or verse—
If 'tis done for hire,
It is done the worse.**

As a performer or a listener what do you think of rules that, if adhered to, do not allow more than three tracks from a given performer to be played on the same programme but those same three tracks can be played every day for a year. For example the Settlers songs of the Snowy Mountain scheme cannot be played in one programme according to the CBAA however Achy Breaky heart can be played every day for a century. When performing at a club or festival you are usually

required to perform for more than 30 minutes which enables a decent audience time to evaluate not only you but also your material.

Similarly, some will maintain that only Waltzing Matilda music is folk music but that the music for the varsovienna, the polka, the sword dance, the mazurka or the waltz is not. Thank you Italian, Chinese, Greek, Scot, Scandinavian, German, Finn, et al, for your industry but forget your heritage music!

Whether you are a full-time performer, part-timer, groupie, "once-a-yearer", organiser, collector, club member, festival goer, instrument maker, radio presenter or audience member put pen to paper. Let them know that you want your folk music heritage protected & that you want to be able to hear it played on radio 24/7.

Let the philistines know that there are some who put great value in folk music and New Australian heritage.

As I have very limited resources will you please forward this on to your e-mail list of folkie friends. I also print overleaf the recent BIFCOA Inc. "I am Folkmusic" pamphlet.

Yours in Folkmusic, Richard John

Enclosure: BIFCOA Inc. 22.01.2006 I am Folkmusic.

APPENDIX C ~

BIFCOA INC.

(Bloody Incredible Folk-music Covering Our Australia)
Preserving & Promoting Australian Heritage - Traditional and Folk Music with Multicultural Harmony
ABN 54208764947

From: The BIFCOA Committee, Management and Members.
To: All Lovers of Traditional & Folk Music.
Copy to: Please help us by recycling this leaflet or make a copy

and send it to your family, friends, neighbours and anyone who will support us. You will not only be doing yourself a favour but also us and your fellow citizens.

Date: 12th March 2004

Subject: An Introduction or "Hello World" Message

ere, not long ago, traditional and folk music was routinely taught in primary Hschools. Commercial radio and record companies promoted and helped to maintain our culture and heritage. Unfortunately a song or tune popular for a hundred years or more does not make the repeatable profits of short lived (unmemorable?) entertainment & so was dropped. This sorry state of affairs is not helped by community radio programmes devoted to non-current commercial music and biography, jazz or evangelistic fundamentalist religious money raising programmes. The American free trade agreement will probably exacerbate the situation.

mmigration to Australia has resulted in the oral, record, tape and CD recording transference of traditional music to our heritage. Australia sources its population from about 200 ethnicities. We are probably the premier world location for the treasure trove of music and song heritage. Australia is also a melting pot for the formation of "today" heritage to be developed and passed on to future generations. We will be remiss if the future concludes that we have left a cultural desert or allowed the extinction of our heritage.

BIFCOA strives to overcome racial exclusivity and sexism. We are aware that a few traditional songs and music are jingoistic or help promote racial exclusivity and sexism. This can be overcome with appropriate contextualisation and explanation when addressing progressive audiences. We do not want enmity or prejudice between peoples. We look to the development of understanding, tolerance and harmony acquired from the genuine sharing and appreciation of this music.

we have the interesting situation of many 1st, or 2nd generation Australians who do not have fluency in their ancestor's native language. Today Many want to gain familiarity with their roots. BIFCOA musically provides that exposure to the individual's culture and heritage. We also enable all people to hear, share, understand, enjoy and support each other's pride. **This ancestral traditional music and song is now our Australian traditional folk culture and heritage.** Our broadcasts,

using Australian English as the lingua franca, achieve our goal of enabling cross cultural participation. In this, we long preceded the NSW legislation In "Principles of Multiculturalism Act 2000". To date, broadcast on Wyong-Gosford Progressive Community Radio, **the programme BIFCOA has broadcast over 1000 hours of music & songs sung in more than 70 languages.**

This diversity compares favourably with both SBS and the variety of ethnicities within the National Ethnic Broadcasters (NEMBC). We are now like minded people, who are fluently bilingual, and interested in presenting Asking programme segments to contact us. You can also help if you have material to share.

*~ Yours in folkmusic for harmony,
Richard John*