

**SUBMISSION
BY
AUSTereo PTY LIMITED**

TO

**SENATE INQUIRY INTO THE EFFECTIVENESS OF THE
BROADCASTING CODES OF PRACTICE**

in response to the

SUBMISSION OF THE AUSTRALIAN CHRISTIAN LOBBY (ACL)

May 2008

INTRODUCTION

Austereo Pty Limited ("Austereo") welcomes this opportunity to comment on the submission made by the Australian Christian Lobby ("ACL") to the Senate Inquiry into the Effectiveness of the Broadcasting Codes of Practice (the "Inquiry").

Austereo is the owner of commercial radio licences under section 14 of the *Broadcasting Services Act 1992* (Cth) and in particular, it is the operator of radio station in Perth known as 92.9 through its company, Consolidated Broadcasting Systems (WA) Pty Limited.

SUBMISSION

It is Austereo's submission to the Inquiry - in response to the submission made by the ACL - that the Commercial Radio Codes of Practice (the "Codes") operate in an effective manner to ensure that all content meets standards that are acceptable to the community.

Austereo is a member of Commercial Radio Australia ("CRA") and as such, we endorse and support the submission made by CRA and will not seek, in this submission, to reiterate the comments made by them. Instead, we will take this opportunity to address the specific issues raised by the ACL in relation to the cited on-air activity on our station 92.9.

The segment on 92.9 referred to in the ACL submission related to an on-air discussion between the breakfast announcers, known as "Em and Wippa", about claims that eating particular cookies would have the effect of increasing the size of a woman's breasts. In the segment, the breakfast announcers were keen to test the claim made by the cookie manufacturer.

A box of "F-Cup Cookies" had been sent by a listener, based in the United States, to one of our 92.9 breakfast announcers, Emelia Rusciano. Ms Rusciano is a mother of two young children. She breastfed both her babies and has from time to time, as part of the program, mentioned the impact that she believes breastfeeding has had on the size and shape of her breasts.

As part of the segment, Ms Rusciano discussed her own self esteem issues and body image. Ms Rusciano and her co-host then canvassed listeners to speak to the topic and to participate in the experiment to test the veracity of the claims made by the cookie manufacturer. The station received a strong response; indeed most of the young women who called 92.9 to discuss the issue also mentioned that breasts were linked to their self esteem. Discussions, such as these, relating to body image concerns of young women in particular are in our view, not only topical, but are also relevant to the community, and we believe are of public importance.

Whilst this is a serious topic, it is important to remember that FM breakfast radio, by its very nature, is primarily light-hearted entertainment. The playing of a 10 second excerpt from a song with a line about "boobies" was not meant to offend our listeners nor was, in our opinion, sexual in any way. Furthermore, following the playing of the song, Ms Rusciano chastised her male colleague for belittling the debate.

We feel that the segment met contemporary standards of decency, as evidenced by the positive response from our audience, particularly women. At all times the segment

was, in our opinion, presented reasonably and in good faith and in no way do we believe that the segment was in breach of the Codes. To the point raised in the ACL submission relating to the portrayal of women, there are guidelines relating to the portrayal of women on radio however, to clarify, these do not form part of the Codes. Notwithstanding that, Austereo does not believe that the segment promoted or endorsed inaccurate, demeaning or discriminatory descriptions of women and the overall discussion did not contain overt sexual references in relation to a woman's physical characteristics.

CONCLUSION

Austereo conducts six-monthly compliance training of all on-air staff to ensure compliance with the Codes, the Standards and the *Broadcasting Services Act*. We comply with the complaints procedure contained in the Codes and conduct regular research of, and seek feedback from, our audiences to ensure that our programming meets the standards appropriate to our listeners.

It is Austereo's submission that the co-regulatory regime, in which the commercial radio licensees and the ACMA develop the Codes, and the complaints handling process that is presently in place for commercial radio, are both effective mechanisms.

The Committee should feel free to contact Emma McDonald, General Counsel, on (02) 9375 1534 if it requires any further discussion on the matters raised in this submission.