

SUBMISSION

to

THE SENATE INQUIRY

into

**THE EFFECTIVENESS OF BROADCASTING
CODES OF PRACTICE**

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Effectiveness of broadcast codes of practice within community
radio

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1) EXECUTIVE SUMMARY

Central Coast Community FM Radio Association Inc. (Coast FM) is a community based radio station servicing the Central Coast region of New South Wales. As a participant in the broadcasting codes of practice and procedures, Coast FM feels that the Senate's 'Inquiry into the effectiveness of broadcasting codes of practice' is essential in order for the community to forge stronger bonds. At Coast FM we feel these bonds are a result of a system of shared morals and beliefs which are heavily influenced by the industry of broadcast.

As a result of self-regulating policies and procedures implemented by Coast FM, we feel that a level of autonomy regarding codes of conduct should become more widespread among individual broadcast organisations. Such autonomy would allow for a reduction of reliance on government regulatory bodies allowing for more resources to be allocated to other areas of the government and broadcast industry for improvement.

As a community based radio station with an interest in the success and prosperity of our district and local area, Coast FM feels that the current codes of practice need to be reviewed and, perhaps, harsher penalties imposed on organisations for breaches of the codes despite the level of effectiveness the current standards may have. As a part of this review into the codes of practice, Coast FM feels that compliance and non-conformity within broadcast organisations need to be assessed by both government and internal regulatory bodies in order to create a level of independence and involvement among the broadcast community. We feel that this level of involvement may hopefully generate similar standards and ideologies thus forging a stronger union among the industry which may transcend to the broader

community.

2) INTRODUCTION/BACKGROUND

Central Coast Community FM Radio Association Inc. (Coast FM) is a community based radio station located in Gosford on the New South Wales' Central Coast. Coast FM is a division of the broadcast industry and is, therefore, intrinsically linked to The Senate's 'Inquiry into the effectiveness of broadcasting codes of practice'. Any changes made to these codes of practice will either directly or indirectly impact on Coast FM and we feel that our input into the current effectiveness and potential improvements to the current broadcasting codes of practice will fundamentally benefit both the community and associated companies and organisations.

Coast FM are required to follow the codes of practice established by the Australian Communications and Media Authority (ACMA) and are legally obligated to regularly submit reports regarding programme material to the ACMA. As a result of Coast FM's constant involvement and compliance with the ACMA, we feel that the key public policy matters to be addressed within The Senate's inquiry include the current functions of the broadcasting codes of practices which we feel are adequate, but would prefer a level of broadcasting autonomy for individual organisations and their employment of the current codes of practice.

As a community based organisation, Coast FM's feels that the current codes of practice do need to be reviewed as they benefit and protect the community from anti-social behaviour. We feel that, as a result of the popularity and diversity of broadcast, the industry's codes of practice and its authority need to be constantly reviewed as

broadcast provides the foundation for acceptable behaviour and attitudes in today's society which is in a constant state of flux.

Among the issues previously noted, Coast FM would like to focus on the implications and penalties that arise from the compliance or nonconformity of the broadcasting codes of practice and its consequent impact on the community in general.

3) KEY ISSUES

Coast FM is obliged to follow several codes of practice in order to possess and maintain a government approved broadcasting license. These particular codes of practice according to the Community Broadcasting Association of Australia (CBAA) include prohibitions relating to broadcast material which may 'incite, encourage or present for their own sake violence or brutality', 'simulate news or events in such a way as to mislead or alarm listeners' or 'present as desirable the misuse of drugs including alcohol, narcotics and tobacco' (CBAA 2008). As adherents to the broadcasting codes of practice, Coast FM feels that these particular codes of practice are effective within their current organisation due to a discerning and open-minded population of listeners.

Despite many radio stations' conformity to these particular codes of practice, Coast FM would like to highlight situations where the codes of practice have been violated and consequent action has been taken by the ACMA.

Example 3.1 - In August 2006 talkback radio station 2UE violated both the *Broadcasting Services Act 1992* and the *Commercial Radio Codes of Practice 2002*

by failing to provide the ACMA with written notification of a commercial agreement between 2UE and Telstra T3 regarding the privatisation of Telstra. Although an investigation was undertaken as a result of this breach, it appears that the violation was not reprimanded and 2UE remained relatively unpunished.

This particular example highlights the need for the broadcasting codes of practice and displays its relative ineffectiveness in response to breaches. Coast FM feels that in order for a regulatory body in any industry to exist, there must be penalties that genuinely affect organisations coupled with some form of redress for those that are in breach of their licence's codes of conduct.

Example 3.2- In November 2005 2Day FM breached the Commercial Radio Codes of Practice by 'broadcasting inappropriate sexual material in the *Lowie's Hot 30 Countdown* program' (ACMA 2007). As a result of this, 2Day FM were required to undergo intensive retraining on the requirements of the Commercial Radio Codes of Practice with particular attention to "contemporary standards of decency". A commitment from 2Day FM was also received stating that all interviews of a precarious nature were to be pre-recorded so that appropriate editing could be done if necessary.

While Coast FM feels that the action taken in this case was much more effective than the previous example, there should still be elements of redress that affect the organisation in a way that will deter recurrences of similar situations. Suggestions include practical, financial or social consequences.

As a result of the many breaches of the broadcasting codes of practice, Coast FM feels that autonomy among individual organisations is necessary in order for the establishments to adhere to and effectively monitor and deal with the complaints process from the community. Benz & Frey (2003) state that 'autonomy is valued beyond outcomes as a good decision-making procedure' and 'is appreciated because it is associated with the possibility of working independently'.

Although Benz & Frey highlight how crucial autonomy is among self employed workers, autonomy is still an effective tool when considering organisations on a larger scale. Coast FM feels that a level of independence among broadcast companies would allow for strict adherence to the codes of practice as they are involved in the decision and solution making process. Organisational independence coupled with an external regulatory body such as the ACMA would ideally result in several associations with the intentions of carefully monitoring current broadcasting codes of practice and consequent breaches. These regulatory bodies would ultimately protect our community from discourteous material such as the use of offensive language and indecent sexual references.

The reason for Coast FM's stance on such strict implementation for these codes of practice is due to the impact that these breaches have on the community as a whole.

Example 3.3- A demonstration of the influential nature of media and its impact on society can be found in a case study where youths aged 12-15 were exposed to television and radio in response to anti-smoking campaigns. The study revealed that 'those reporting baseline exposure to television and radio anti-smoking

advertisements were less likely to progress to established smokers' (Siegel & Biener 2000).

It is a result of this influence on our youth and community in general that Coast FM holds a 'No Swear on Air' policy. We acknowledge that this policy may not be relevant to all broadcast organisations and that swearing is very commonplace in the wider society. However, through the implementation of the 'No Swear on Air' policy we feel that we are benefiting the community by catering to members who may find swearing offensive and tasteless. Coast FM seeks to meet the needs of this section of the community until directed by the wider population to change, as we feel that society will often reflect what is visually or auditorily broadcast to them.

4) CONCLUSION

Coast FM feels that despite the effectiveness of current broadcasting codes of practice, the consequences for breaching the codes of practice must be of more detriment to the offending organisation. These sanctions are not intended to be draconian and are in no way designed to breach Article 19 of the Human Rights Act (1968) which states that 'everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers'. Coast FM feels that in order to build and maintain stronger relationships within the community, courtesy and respect must be shown for all citizens with particular regard

to the youth. We feel the youth in our society are tremendously impressionable and should be cared for and fostered as they are our future.

5) RECOMMENDATIONS

5.1 That the Australian Communications and Media Authority implement harsher penalties to organisations choosing to breach their licence and constituted codes of practice.

5.2 That the broadcasting organisations are provided with a level of autonomy to actively involve them in the development and/or implementation of current and future broadcasting codes of practice.

5.3 That the broadcasting organisations implement harsher penalties on employees choosing to breach the codes of practice.

5.4 That the Senate generally review the current broadcasting codes of practice in relation to existing societal values.

5.5 That individual organisations have appropriate procedures to deal with breaches of codes of practice and consequent public reaction or backlash.

5.6 That all radio hosts and employees undergo intensive and regular training and accreditation regarding broadcasting codes of practice and acceptable on air behaviour and language.

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