PO BOX 2731, ALICE SPRINGS NT 0871
10A WILKINSON STREET
P| 08 8952 6465
F| 08 8918 8100
M| 0437 798 076
E| manager@irca.net.au
ABN| 734 1355 0324

IRCA
Indigenous Remote Communications Association

IRCA Submission to the DBCDE Convergence Review

Response to the Emerging Issues Paper

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BACKGROUND ON IRCA

The Indigenous Remote Communications Association (IRCA), as the peak body for remote Indigenous media and communications, is pleased to respond to this inquiry. IRCA is well positioned to provide vital responses to this 'call for submissions'.

IRCA asserts, through its membership and Board, its authentic, specialist and direct representation of the media and communications interests of remote and very remote Aboriginal and Torres Strait Islander communities in Australia.

IRCA recognizes that remote indigenous media practice has an historical and proven role in the maintenance of language and culture, self–representation and community development; and that remote indigenous media organisations have played a pro–active and decisive role in the development of a remote media and communications industry. The

IRCA's sphere of activity encompasses discrete and diverse communities that continue strong traditions of language, Law and cultural practice; it specifically represents the unique needs of remote indigenous people far from urban and regional population and service centres whose media and communications practice is critical and essential for their well–being and cultural integrity, and whose needs and interests are not represented by any other organisation in a focused and dedicated way.

IRCA was founded in 2001, and has been operating now for ten years. It advocates on behalf of remote Indigenous people with regard to media and communications services. IRCA represents people within about 150 remote communities in Australia, supported by eight Remote Indigenous Media Organisations (RIMOs):

- Pitjantjatjara Yankunytjatjara (PY) Media
- Ngaanyatjarra Media
- Pintubi Anmatjerre Warlpiri (PAW) Media & Communications
- Pilbara and Kimberley Aboriginal Media (PAKAM)
- Top End Aboriginal Bush Broadcasting Association (TEABBA)
- Queensland Remote Aboriginal Media (QRAM)
- Central Australian Aboriginal Media Association (CAAMA)
- Torres Strait Indigenous Media Association (TSIMA)

RIMOs provide a range of support services to their RIBS network within their region, including: training and employment, production support, regional radio networks, technical support, regional coordination, other media programs (e.g. music, ICT, archiving), representation in the national forum. RIBS provide local radio and television production and re-broadcasting facilities where local Aboriginal people have produced programs and stories in local language(s) for broadcast either locally, regionally or nationally.

IRCA, through the RIMOs, serves 151 communities with Remote Indigenous Broadcasting Services. These communities are made up of populations of at least 80% Indigenous people. However IRCA is committed to the Media needs of all Indigenous people living in remote Australia. There are currently 1113 Indigenous communities in the Remote Sector.

IRCA is also committed to seeing the ongoing provision of Indigenous Community Television (ICTV) for remote viewers. With ICTV, IRCA also co-manages and moderates an online platform (www.indigitube.com.au) to provide appropriate content and provide Indigenous media producers with a showcase for the work.

In the last year, IRCA has hosted a Remote Digital Technical Forum to address key concerns in relation to the Digital TV Switchover and co-hosted the recent 'Broadband for the Bush' forum with Desert Knowledge Australia. IRCA has an Advisory Group made up of RIMO Managers and technicians working in remote regions.

BACKGROUND- 10 KEY PRINCIPLES (From Emerging Issues Paper)

Principle 1 [NEW]: Citizens and organisations should be able to communicate freely, and where regulation is required, it should be the minimum needed to achieve a clear public purpose.

Principle 2: Australians should have access to *and opportunities for participation in* a diverse mix of services, voices, views and information.

Principle 3: The communications and media market should be innovative and competitive, *while balancing* outcomes in the interest of the Australian public.

Principle 4: Australians should have access to Australian content that reflects and contributes to the development of national and cultural identity.

Principle 5 [NEW]: Local and Australian content should be sourced from a dynamic domestic content production industry.

Principle 6: Australians should have access to news and information of relevance to their local communities, *including locally-generated content.*

Principle 7: Communications and media services available to Australians should reflect community standards and the views and expectations of the Australian public.

Principle 8: Australians should have access to the broadest possible range of content across platforms, services *and device*s.

Principle 9: Service providers should provide the maximum transparency for consumers *regarding their services* and how they are delivered.

Principle 10: The government should seek to maximize the overall public benefit derived from the use of spectrum assigned for the delivery of media content and communications services.

EXECUTIVE SUMMARY

IRCA welcomes the Convergence Review and commends the Committee and contributors on the formation of the 10 Key principles. IRCA supports all of these Principles.

In line with principles 2,4,6 and 8, Indigenous and remote Australians should have the right to culturally and linguistically relevant media, on-line services and locally generated content within a convergent environment. An appropriate policy framework would help to maintain and develop a thriving indigenous broadcasting & communications sector in the convergent environment but without the necessary infrastructure and support, this development will not occur.

Under current infrastructure planning and regulatory frameworks, the digital divide for remote areas is likely to be widened not closed. Without adequate telecommunications infrastructure (high-speed broadband, last -mile delivery, mobile telephony), remote communities will not have access to many of the positive outcomes of convergence resulting a two-speed digital economy. For many remote Indigenous households, there is still no access to basic telephony, nevertheless ICTs or internet. Moreover, the planned introduction of digital television via a Direct-to home model will be at the expense of existing Indigenous television services- community broadcasting of locally produced content and Indigenous Community TV (ICTV). Remote Australia risks being left behind within an increasingly convergent environment.

The assumption that everyone will want the same array of services also needs to be tested. For many remote Indigenous people, convergence spells an increasing threat to their fragile linguistic and cultural world, with western media and values distracting young people from gaining cultural knowledge. They feel like a tsunami of mainstream media and communications is bearing down upon them via the internet, 16 channels of digital TV and new media platforms.

As in the1980s with the imminent launch of AUSSAT, a new struggle is underway, calling for policy consideration of Indigenous languages and culture amidst the fanfare of NBN, digital TV and on-line service delivery. The need for cultural maintenance programs, Indigenous language services and programming and access to cultural archive collections is increasingly important amidst this new wave of media colonisation.

However, the reality is that media convergence has been a steadily growing aspect of remote life for many years and has been built into the changing face of remote Indigenous media and communications. Computers and digital technologies are used in all aspects of media production, distribution and viewing, young people are creating and sharing media and accessing internet using mobile telephones, digital cameras and MP3 players are ubiquitous, digital archive projects are being developed in many regions, and on-line community access IT centres (telecentres, Rural Transaction Centres, PYKu centres, Indigenous Knowledge Centres) have become common in many larger remote communities.

Remote media organisations, youth programs and state libraries have been involved in supporting community access to IT facilities and developing appropriate on-line services and applications, promoting community uptake and using ICTs for language and cultural maintenance.

This submission seeks to outline the unique media and service delivery needs and challenges for remote Indigenous Australians and provides some proposals as to how these may be addressed within this Review. However, as many of the issues for remote indigenous communities do not relate directly to the questions raised in the Emerging Issues paper, this submission is presented in two parts:

- Part 1 provides a context for remote Indigenous communities and the remote media and communications sector and the type of unique issues and policy challenges relating to convergence for this sector;

- Part 2 addresses those topics and questions as they relate to the remote Indigenous media and communications sector and remote communities.

Further documents relating to this submission can be found on the IRCA Wiki website. IRCA is happy to provide any further information in support of this submission upon request. We look forward to the outcomes of this review.

KEY POINTS

Some key points relating to convergence for the Remote Indigenous Media Sector include:

- Remote Indigenous people are rapid adopters of digital media and communications technologies, actively participating as producers and consumers and developing a new "modality of culture" (Marcia Langton, 2010).

- Convergence can help to enable social and economic benefits for remote people and enrich Australia's cultural diversity.

- People in remote areas should have equivalent level of access to services and locally generated content as other parts of Australia.

- Indigenous people should have access to media and on-line services in their own language/s (audio-visual rather than text-based) as free-to-air services.

- Sufficient broadband capacity should be provided to remote areas to enable high-bandwidth applications such as IPTV, on-line archive access and videoconferencing. Broadband services should be high-speed, symmetric, affordable, reliable and ubiquitous. Effective communications will support the sustainability of remote communities and avoid a widening digital divide.

- Access, affordability, relevance and user-friendliness are the keys to remote engagement with ICTs and new digital platforms. For effective uptake and benefit, connectivity needs to be rolled out in conjunction with training, on-line content development and technical support as part of a broader recurrent program.

- Access facilities for digital media and ICT are crucial, providing alternative 'learning spaces' (Kral and Schwab 2010) to formal schooling and training institutions.

- Mobile telephony should be provided as a primary service in remote areas where there is still huge unmet demand for basic telephony services, largely due to lack of last mile copper networks. Mobile telephony (3G/4G) provides a platform for communications, internet access, media creation and sharing.

- Wireless internet should be made available to remote communities for last-mile distribution to enable indigenous people to access on-line services and communications (eg- internet, Voice-over IP telephony) from home and outside office hours.

- Digital TV should include Indigenous services that are relevant to the audience (ie- recognise linguistic and cultural diversity).

- Future digital radio services to remote areas need to be broadcast, not limited to households through direct-to-home delivery.

- Different living situations, levels of access to IT facilities need to be considered in determining distribution/access modes.

- Not all media is intended for public access; capacity should be provided for local or private networks with limited access.

- There is a need for local involvement/ advisory role in assessing programs of 'public interest' relating to Indigenous peoples.

- Archiving and preservation programs are critical to retaining the significant social and cultural heritage collections (mostly on analog media), and to ensure community access to their local historical records.

PART 1- CONTEXT & ISSUES FOR REMOTE INDIGENOUS COMMUNITIES

1. Demography

Typically, people in remote communities do not have access to the basic services available in regional towns and cities. Despite this, they choose to live in these communities in order to maintain connections with custodial country and homelands, family, social and cultural networks and customs. While travel to and from regional centres for services and visits is common, relocation is rarely an aspiration due to language differences, 'foreign country', and the higher incidence of social issues caused by limited employment, lack of housing, access to alcohol and racist attitudes. While remote communities differ in terms of size, population, distance from regional centres, services provided, and social, cultural and historic influences, there are unique needs and challenges for many Indigenous Australians living in remote Australia.

Some of the unique challenges include:

- Low socio-economic conditions with primary income for most people from CDEP or welfare;
- Higher cost of basic items such as food as fuel, leaving little disposable income;
- Limited access to secondary education (many schools only to primary level);
- Indigenous languages often spoken at home, with English a secondary language;
- Limited access to banking or government services, such as post office, police, hospital, child welfare or youth services, legal support;
- Limited employment opportunities or work options (being further eroded by abolition of CDEP);
- Limited adult education, training opportunities or access to library services;
- High incidence of chronic disease (diabetes, renal failure, heart disease, mental health disorders etc) and significantly lower life expectancy (up to 20 years);
- High rates of incarceration with young Aboriginal people up to 28 times more likely to be detained than non-indigenous juveniles (source: ATSIA Committee Inquiry);
- Lack of housing, leading to overcrowding and social issues[1];
- Indigenous people often live outside of a house, making fixed telephony or media services inappropriate;
- Unreliable water and power supply[2];
- Long unsealed roads with high incidence of accidents and wear and tear on vehicles;
- Roads subject to flooding and closure, disrupting supplies and service provision;
- Reduced local governance and community input into decision-making;
- Reduced municipal funding for local maintenance equipment and materials;
- Outsourced essential service provision to external service providers and contractors.

In terms of media and communications services, the unique needs include:

- Media and on-line services are needed that recognise the linguistic and cultural diversity of indigenous Australia;
- Indigenous community media services are often a primary service, not a secondary service (as recognised by the Productivity Commission report into the Indigenous broadcasting sector 1999 and the Digital Dreaming report 1998);
- Indigenous community-generated media content/ information is often intended for local or regional distribution only, not for broader networks. Limited access to equipment and

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[1] Shared housing also makes billed phone services problematic as many people use the phone but the bill is an individual's name. Pre-paid phone services are not currently covered under the USO with many requests for installation not met as a result.
[2] Pre-paid power card meters have been installed in Indigenous households in WA communities.

training may also limit production quality despite content having high 'value' to its audience. Capacity is needed for local or private networks with limited access;

- Cultural restrictions around the distribution of certain information, Jukurrpa (stories), images and performances as well as images or names of deceased persons; also Need for cultural authority/ verification in the telling of certain information or stories;

- Highly dispersed and mobile populations, regular changes of address/community, with extensive travel for family, cultural and 'sorry' business.

These factors impact on the selection of appropriate communications technologies and media service delivery models.

2. Telecommunications

For remote Indigenous people to be included in the benefits and capabilities of convergence relies on access to adequate telecommunications.

Telecommunications in many remote areas is still desperately inadequate, with some communities still unable to access reliable phone services or internet. IRCA see the rollout of the National Broadband Network as a critical time for the communications needs of remote communities to be addressed. Telecommunications provide a key role in service delivery to remote communities, with services increasingly going on-line, including health, education, banking, Centrelink, justice, and emergency services. The future viability of communities will be largely determined by the quality of communications infrastructure connecting them.

Communications and media are essential services in remote Indigenous communities[3], but this has still not been turned into policy. This has severely impacted on the prioritisation of providing communications infrastructure to remote communities, as well as the funding to establish and maintain these services.

With convergence of media and ICT, the ability of remote media organisations to deliver media services and training, and connect communities to regional communication networks (intranet, radio broadcasting, IPTV, videoconferencing) is determined by the quality and affordability of broadband services. However, currently some community radio studios cannot link to regional radio networks due to poor line speed or lack of phone line availability.

RIMOs have increasingly become involved as 'regional agents' in lobbying for telecommunications in their regions as this is fundamental to delivering media and communication services. Some RIMOs have also been involved in setting up communications infrastructure, including public phones, home phone services, broadband satellite equipment, UHF radio networks, and community WiFi networks.

2.1 Internet Services and Access

Most remote Indigenous people currently have limited access and usage of ICTs, particularly within Indigenous households[4]. IT and Internet access is commonly available only via workplaces (office, store, media centre, art centre, service providers offices), school/ TAFE, or shared access facilities (eg- Telecentres, Rural Transaction Centres, Indigenous Knowledge Centres). Public access on-line computers have been provided to communities under a range of government programs since the early 2000s but have varied levels of public access.

While fibre optic cable has been rolled out in some regions enabling ADSL capability, most internet access in remote communities is currently via satellite services installed by internet service providers under government subsidy programs to improve internet access (eg-Telstra Extended

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[3] ATSIC identified communications as "central to the future of the Indigenous economy" and urged that it "must be treated as the essential fourth service (after housing, power and water)." (p17, ATSIC submission to Regional Telecommunications (Estens) Inquiry 2002)

[4] See 'Home Internet for Remote Indigenous Communities' report (2011) of research being undertaken by ARC Centre of Excellence for Creative Industries and Innovation, the Centre for Appropriate Technology and the Central Land Council.

Zones program under USO, HiBIS, Australian Broadband Guarantee). However, Internet access is currently not included under the USO.

In determining distribution/access modes for remote areas, there are numerous unique considerations:

- Different living situations (eg-not living in a house, communal housing, grey nomads/campgrounds);
- Low IT literacy;
- limited access to IT facilities, mostly via shared facilities open only during work hours;
- lack of existing access equipment (eg-computers, smartphones) in Indigenous households;
- lack of mobile telephony or alternate internet access services.

The limited access to IT facilities, training, relevant on-line content and service delivery, and affordable broadband services will increase the digital divide as the rest of Australia is linked up to fast broadband with the rollout of the NBN. The ongoing viability of remote communities will increasingly depend on broadband access.

Where access is provided, Indigenous people tend to be rapid adopters of new technologies and active content producers. Affordable broadband access, combined with support for ICT facilities, training and applications, will build the capacity of remote Indigenous Australia and help to bridge the divide with the broader Australian community.

IRCA and ICTV have set up an on-line platform for remote media called Indigitube (www.indigitube.com.au), which showcases radio broadcasts and video content from remote communities. There are numerous other on-line media delivery platforms developed for Indigenous community access around the world[5]. Without broadband access, viewing or participation in programs such as these (as well as Youtube, ABC's iView an other mainstream sites) is not possible.

Broadband and on-line streaming (like ABC's iView) are increasingly becoming the way community media and Indigenous media service are expected to reach their audience. Currently IRCA and ICTV are working with remote communities to develop strategies for distributing remote video content after 2013, with the planned direct to home delivery of digital television, making BRACS local broadcasting obsolete. However, on-line delivery and IPTV will only be feasible if communities have high-speed broadband capacity and affordable access.

Low English literacy levels is a key factor influencing types of ICT applications being used, with many users tending toward audio-visual, icon-based and media applications – music, digital photography, video production, music recording, digital archives, interactive games – rather than text-based applications. Additionally, with MP3 players, digital camera, mobile telephones and even laptop computers becoming more affordable, remote Indigenous people are increasingly purchasing these tools for media creation, storage and viewing/listening. Young people are becoming engaged in and wanting to develop further media and ICT skills and actively produce their own media.

IT is a powerful tool for youth engagement and learning, with young people developing technological competence using the new digital tools and using this to re-engage with language and culture. They are developing a role as mediators for old people, using new technologies to preserve culture and build social capital for the future.

2.2 The Challenges of Broadband in Remote Communities

With technological and ideological change happening very quickly, many senior people in remote communities are concerned about the potential negative impacts of ICTs on cultural authority and

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[5] These include: Sunchild Cyber School in Canada (www.sccyber.net) which provides an online interactive indigenous schooling platform leading to tertiary education; Inuit television and film (www.isuma.tv); Ngapartji Ngapartji online Pitjantjatjara language course and videos (www.ngapartji.org); Us Mob (www.abc.net.au/usmob); Deadly Mob; Ara Irititja Archival Project (going on-line soon) and many more.

language. The increased exposure of young people to western media, values and commercialism can increase the generational divide as their interest in the traditional culture of their grandparents wanes and they aspire to the 'universalist youth culture' portrayed through mainstream media and internet (Kral 2010).

The key challenge for RIMOs in promoting broadband and ICT infrastructure into their regions involves balancing a complex set of agendas:

- Raising awareness of the pros and cons of internet access in communities through consultation and training, so that remote Indigenous people are empowered to be active 'drivers' for the rollout and can decide if or when to take up internet access;

- Providing community access to ICT services and facilities, through locally run on-line media centres and free or affordable access to broadband;

- Ensuring that broadband rollout clearly addressed community concerns and needs, including telephony, access to local media content, internet banking;

- Reducing the social and cultural risks of broadband and ICTs via content filtering, anti-virus software, and training and awareness;

- Creating appropriate on-line resources, training tools and local content;

- Staging the roll out of new technologies at a pace that people felt comfortable with and could engage with;

- Providing regional coordination, training and technical support;

- Designing programs to fit with the overall RIMO objectives.

2.3 Broadband Infrastructure

Under current NBN planning, 93% of Australians will have access to the fibre-to-the- home solution with symmetric speeds of up to 100Mbps, while 3% of Australians living in remote areas of Australia will receive a satellite solution at asymmetric rates of 12/1Mbps and 4% in the vicinity of regional centres receiving a wireless solution also at 12/1Mbps. There is real concern that this discrepancy will lead to a two-speed economy, reducing the ability to provide two-way applications used in health, education, justice and media, would exclude mobile telephony in remote areas, and would effectively limit economic and social development opportunities in remote Australia.

Equivalent levels of infrastructure are the key to equivalent access and reducing the digital divide. Without adequate infrastructure in place the potential usage of Networks, Content/Applications and Devices is significantly compromised (see diagram from p.12 of Emerging issues paper) and people in remote areas will not be able to access on-line and tele-visual services available to other Australians and necessary for remote service delivery.

Broadband services should be "high-speed, symmetric, affordable, reliable and ubiquitous" (Dr Ian Opperman, CSIRO). Broadband delivery to remote should enable symmetrical upload/download and sufficient speed for two-way real-time applications such as videoconferencing.

IRCA has urged that NBN provide the best possible broadband solutions for remote Australia by utilising and extending existing terrestrial infrastructure (fibre optic or wireless) rather than relying on satellite delivery as the only solution. The key issues with satellite delivery are:

- latency (delay time due to signal travelling 28,000km each way affecting real-time and server-access applications);

- Speed- the12Mbps down, one Mbps up- these are peak speeds and will be significantly slower in reality once contention increases;

- lack of symmetry- reduces ability for use of two-way applications and slows access to remote based servers;
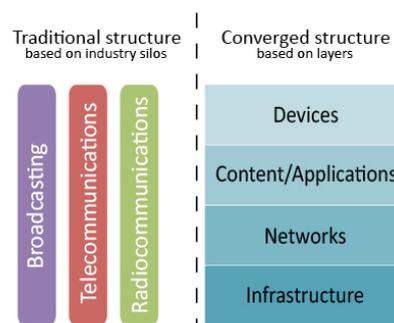
- cost (while wholesale rates for basic service costs are fixed, the download costs will be significantly greater when using high-data application such as videoconferencing, IPTV, movie downloads and so on);
- loss of signal in heavy cloud, cyclones, smoke or dust; and
- more likely outages and delays while awaiting maintenance.

Fibre optic cable (owned by Telstra) is already rolled out to many remote communities in central Australia (e.g. communities in APY and Ngaanyatjarra lands, Papunya Yuendumu, Lajamanu), Cape York in north Queensland and Arnhemland providing capacity for ADSL 2+ services in these communities as well as Next G mobile telephony in some larger communities. Currently, much of this existing fibre optic cable to remote communities is not included in the NBN plan to upgrade to 100Mbps, with these communities to be moved back to a retrogressive satellite solution.

IRCA urges that existing fibre optic networks in remote areas should be added into the NBN planning to extend the reach of terrestrial broadband. The coverage area of terrestrial broadband could be extended further by branching out from hub sites using wireless technologies.

For more information, see the press release from the 'Broadband for the Bush' forum hosted by IRCA in conjunction with Desert Knowledge Australia on 30th June 2011.

2.4 Last Mile Distribution

Due to incomplete copper networks in many remote communities and homelands, wireless transmission (WiFi, WiFi Mesh or WiMax) would provide effective last-mile distribution and enable affordable access to online services in remote communities. The small size of most remote communities, with existing central broadcast towers, makes them ideally suited to wireless internet delivery.

Shared WiFi networks are being trialled in the Ngaanyatjarra Lands with successful outcomes, including an increase in home computer usage, connection using smart-phones, and increased ICT awareness and skills. Shared WiFi enables after-hours access to internet services and provides access for visiting support staff in community, who would otherwise have no connectivity for email or on-line services.

WiFi 'hot spots' enables affordable community access to internet services, with users paying for what they use (with pre-paid time or download allocation) rather than pay monthly bills and risk disconnection.

If there is sufficient bandwidth, reliable throughput ('Busy Out Throughput') and affordability, this would also enable mobile communications using Voice-over IP telephony (VoIP) - a key communications mode in the future.

2.5 Telephony

There is still huge unmet demand for basic telephony services in remote Australia, which is not being factored into the NBN rollout. The primary telephony access in most remote communities (under the USO) is still via public phone, with equipment failure leading to a regular lack of access to basic telephony.

Mobile telephony (3G or 4G) is more appropriate than fixed line telephony for remote areas because:

- lack of last mile copper networks and lead-in to many households;
- high mobility of remote people (enables portability of phone/contact);
- allows an individual phone number rather than shared phone/ bill in large households;
- provides a platform for communications, internet access & on-line services (eg-banking), media creation and sharing;
- can be on a pre-paid service rather than monthly bills;
- limited access to ICTs and internet connectivity.

In remote communities where mobile telephony has been installed, it tends to be more popular and utilised than fixed phone services. However, the primary issue with mobile telephony is the high cost of usage. Recent research by Laurel Dyson undertaken in Hopevale where a mobile tower had been installed in 2008, indicated that 55% of people owned or shared a mobile phone. The average monthly usage costs were $378, compared with about $47.95 for a fixed line phone for the same number of calls, or about $45 using the public phone. For remote Indigenous people, the high costs of mobile are prohibitive, with many people owning phones but not able to afford recharge cards.

IRCA proposes that mobile telephony be included under a USO arrangement to ensure affordable access and capped call rates and free mobile calls to 1800 numbers. This would ensure that telecommunications companies provide services for people living in remote areas even where there is no commercial incentive for them to do so.

Mobile telephones are also affordable multi-media devices. Even in sites where there are no services there is high uptake of mobile phone handsets for use as a media storage tool and for accessing Internet via WiFi. As observed by researcher Dr Inge Kral (2010), mobile phones are being used for more than just communications, but also for media creation, viewing/listening and content sharing via Bluetooth. The next generation of media makers will be using mobile phones for creating ICTV content, uploading web stories and media, communicating via social networking sites and creating iPhone applications.

IRCA also urges that the backhaul infrastructure needs for telephony be considered as part of the planning for the NBN delivery for remote areas.

3. Media Production and Broadcasting

3.1 Stevens Review

On 8th July 2010, a review of the 'Australian Government's Investment in the Indigenous Broadcasting and Media Sector' was jointly announced by the Ministers responsible for three government departments - DEWHA, FAHCSIA and DBCDE. A Review team, headed by Mr Neville Stevens AO, outlined key topics in the Terms of Reference for submissions. Among these were question on the impacts of convergence and new digital platforms, future of NITV, and future challenges for the sector.

IRCA's submission to the Review, entitled '*Joining the Dots: Dreaming a Digital Future for Remote Indigenous Media*' included 54 Key recommendations, calling for: increased resourcing to the remote sector; broadening the scope of the Indigenous Broadcasting program (IBP) from radio-only to include video, multi-media and other activities (see diagram below), providing a digital satellite channel for ICTV, seeking to continue community broadcasting after digital switchover (end of 2013), and funding for archiving and technical services.

Community Media Centre

Radio Broadcasting · Video Production & Digital Photography · Community Access On-line computers · Music recording · Archive Computer · Videoconferencing & Meetings

Supported by Regional Media Organisation with:
Media & ICT Training · Employment · Media Production · Language & Culture Programs · Radio, TV & Communications Networks
Resourcing · Events & Festivals · Repair & Maintenance · Business Development · Regional Coordination · Promotions · Advocacy

The final Stevens Review report was release in April 2011, and its 39 recommendations included:

- Restructure of the IBP to include multi-media activities;
- Increased IBP funding to the sector and creation of an Indigenous content and project fund;
- RIMOs be recognised and appropriately funded as the key provider of support for Remote Indigenous Broadcasting Services (RIBS) and as a cost-effective multi-media hub;
- The continuation of NITV with a more transparent governance model, increased remote and regional content, and free-to-air distribution, including on the VAST network;
- Creation of an Indigenous broadcasting license category;
- Distinction of indigenous broadcasting from community broadcasting.

While the Review report was welcomed by the remote sector, IRCA submitted a [response to the Review](#) to raise some concerns, including:

- the looming issue of Direct-to-Home (DTH) satellite delivery for digital television at the expense of local broadcasting being left to the Digital Switchover Taskforce to determine, with the rollout already underway;

- a proposal that Indigenous Community Television (ICTV) be an on-line service only (IRCA urged a dedicated channel on the VAST satellite platform);

- need for remote sector input into new NITV commissioning processes to ensure they are accessible to remote producers;

- lack of attention to areas of technical services, archiving and preservation, capital upgrades and the need for an updated Indigenous Media and Broadcasting policy.

As a result of the review, the Government announced in May 2011 the relocation of IBP to DBCDE and one year additional funding of NITV, with a planned merger of NITV with SBS. The sector is awaiting a full response from the government to the Review.

3.2 Television Services

Currently, remote communities supported by RIBS facilities (formerly BRACS) have free-to-air access to up to three Indigenous television service options (NITV, ICTV or local broadcasting of community-generated content) as well as up to four mainstream TV services. Under current planning for digital TV, they will have 16 channels of mainstream TV and no Indigenous services.

3.2.1 Community Television Broadcasting

The BRACS Scheme, established in 1987 as a response to the introduction of mainstream TV via the of AUSSAT satellite, provided the ability for 103 communities (now over 120) to produce local video programs and insert these over incoming television services. BRACS was intended to reduce the likely erosion of Indigenous language and culture in communities.

Initially, without a dedicated community transmitter, the insertion was mostly over the ABC service. In 2006, dedicated RIBS TV transmitters were installed in 147 remote communities by RIMOs (thanks to Federal funding) to broadcast ICTV and locally inserted programming.

With new user-friendly digital play-out and switching systems now available, there is a resurgence beginning in remote community broadcasting.

3.2.2 Digital Switchover

Under the government's digital switchover policy of direct-to-home (DTH) reception for remote areas, Indigenous communities will no longer be able to undertake community broadcasting as established under the BRACS program in the late 1980s.

Under the Digital Television Switchover, due for completion by the end of 2013, all remote communities are planned to be transferred to Satellite Direct-to Home (DTH) digital TV, providing 16 channels of mainstream television services via VAST (Viewer Access Satellite Television). However, with the current analog broadcast services (UHF band) being switched off, there are

currently no plans in place to provide <u>any</u> of the existing Indigenous services via the VAST network. If the current policy is implemented, Indigenous people will lose their primary TV services in exchange for a suite of mainstream services, which have limited appeal and will further erode cultural and linguistic diversity and representation. This runs counter to Key Principle 6.

In remote communities, television viewing is often outside of a house and viewed by groups of people. The shift to DTH would limit television viewing to being inside a house and restrict to a single television access per household (unless additional outlets and set-top boxes are purchased-only one service is covered under SSS). People without houses or staying outside of the community (e.g.- in sorry camp) will no longer be able to access television.

While the Satellite Subsidy Scheme (SSS) is planning to install satellite dishes in remote communities for free, upgrades to digital television sets and ongoing maintenance costs are to be borne by the consumer. The transfer to DTH is already underway in Queensland with South Australia and NSW starting soon. RIMOs are being advised to not repair or upgrade faulty analogue broadcast equipment in these regions. Under digital switchover, all analogue transmission equipment will become obsolete.

Under current planning for digital TV switchover, there is significant concern among remote media organisations that the Direct-to-Home (DTH) model of digital TV delivery will have a major impact on Indigenous languages and culture in remote communities through the loss of localised Indigenous community broadcasting.

While this was raised as a major issue when the AUSSAT satellite was being launched 30 years ago, leading to the BRACS community broadcasting program (now RIBS), it is virtually not a consideration under the current digital switchover policy which will effectively abolish RIBS community TV broadcasting. Remote communities are not being given the option to upgrade their analog self-help transmission services to digital.

In July 2010, IRCA hosted a Digital Technical Forum in Alice Springs to explore options to enable the continuation of community broadcasting. IRCA issued a press release following that forum urging that that "communities should be able to make the choice between Digital Terrestrial broadcast versus Direct to Home" and that "pooling of the installation subsidy be allowed to achieve this".

Models were put to the Stevens Review to upgrade local self-help facilities to enable digital terrestrial retransmission of the 16 mainstream TV channels as well as NITV, ICTV and local content insertion.

The Stevens Review report made the following recommendations with regard to Digital Switchover:

> *Recommendation 36: The Digital Switchover Taskforce consider whether for large remote Indigenous communities it would be more cost effective for the SSS to be pooled and the money used to fund the establishment of a full digital terrestrial retransmission facility. In considering this option, the Digital Switchover Taskforce ensure that all households receive the same level of service, including the same number of channels, irrespective of whether they receive VAST or a digital terrestrial service.*

> *Recommendation 38: Remote Indigenous communities that receive their television services via VAST have their equipment provided, installed and maintained for free.*

However, the Minister has ruled out providing any financial support for communities that choose digital upgrade of self-help transmission facilities or allowance of the pooling of the Satellite Subsidy Scheme (SSS).

There is currently no allocation for ongoing maintenance costs of satellite equipment beyond the rollout. While the installation of satellite equipment will be free under the SSS, any additional connections or further maintenance are to be at the expense of the household users.

Remote media organisations are very concerned about the ongoing maintenance needs with no allocation under IBP funding for technical services for television. In a remote community, the costs of getting a contactor to travel out from a regional centre to undertake repairs could be several

thousand dollars. While viewers in urban and regional centres will continue to have free transmitted television, remote users will be required to pay a premium to maintain their services.

3.2.3 ICTV

Further, the introduction of digital TV currently spells the end of the very significant remote TV service Indigenous Community TV (ICTV), which will no longer be available when communities are switched to DTH.

ICTV began broadcasting in 2002 (following several trial broadcasts since 1998) and provides an aggregated play-out of remote community produced content for remote community audiences, primarily in Indigenous languages. Having previously operated as a full-time service on the Imparja second channel 31, ICTV lost the use of this channel to the newly created NITV in 2007 (which was not allocated a dedicated channel).

Since 2009, ICTV has been transmitted as a weekend service via the WA Government's Westlink channel (23) on the Aurora network. Several RIMOs have installed automated switchers into communities to access the ICTV service, with over 60 communities now regularly accessing the weekend service.

ICTV is highly valued by remote Indigenous audiences, particularly due to its unique language and cultural content, remote Indigenous people and stories, and community involvement in all aspects of production. This was verified in the Griffith University-led qualitative audience study for community broadcasting *Community Media Matters* (Meadows et al, 2007). For background on ICTV and NITV, see the article *'The potential diversity of things we call TV': indigenous community television, self-determination and NITV* (Rennie and Featherstone, 2007).

The remote Indigenous broadcasting sector is urging the inclusion of a dedicated channel for ICTV on the VAST satellite platform to meet the language and cultural content needs of remote Indigenous audiences and sharing of content by remote producers.

The Stevens Review proposed that ICTV would be funded as a content aggregator and delivered as an on-line service (rec 19). IRCA does not support the proposal of on-line delivery only as it severely limits the access to ICTV by its primary target audience. While an on-line portal site IndigiTUBE is already established, a dedicated free-to-air channel for ICTV is the only option for reaching the majority of audience in remote communities. This is likely to be the case for many years to come.

3.2.4 NITV

The National Indigenous TV service (NITV) was established in 2006 following a government inquiry to provide Indigenous content to national audiences. It was funded $48.5miion over 4 years to 'build on the existing ICTV service' and began broadcasting in July 2007, however without a dedicated delivery platform it actually replaced ICTV on the Imparja second channel 31. NITV later was broadcast via the Foxtel and Austar pay-TV platforms and via a community TV test broadcast in Sydney, but was never been granted a dedicated free-to-air platform.

The National Indigenous TV Service (NITV) offers mainstream-style Indigenous programming which is targeted primarily at urban and regional audiences, both Indigenous and non-Indigenous. NITV tends not be popular in most remote communities with the programming, typically in English with urban presenters, not regarded by remote viewers as reflective of their experience, views and cultural identity. Despite a requirement of NITV to "carry substantial programming intended for remote area audiences and made in remote communities", the content commissioning model effectively excluded remote Indigenous producers, resulting in very little of the nearly $80million investment to date going to the remote Indigenous media sector.

The Stevens Review recommended that the "Australian Government consider providing for the wider free-to-air distribution of NITV following the digital switchover" (Rec 16). While proposing ongoing funding on a triennial basis (Rec 17), the Review team recommended that there be a "restructure [of] NITV into a government owned company within the next triennial funding period." (Rec 13).

Following an announcement in May of continued funding for NITV for 2011-12, on September 1st 2011 Minister Conroy issued a media release inviting NITV and SBS to enter into discussions about establishing a free-to-air national indigenous TV service. While the details of this arrangement are yet to be determined, this partnership would ensure the continuation of a national Indigenous TV service, which was in doubt with the Minister consistently ruling out NITV as a third public broadcaster.

If the Stevens review recommendation that "NITV allocate a greater proportion of its existing budget to source content from regional and remote Indigenous producers" (rec. 14) is taken up as part of the negotiations, it is hoped that a proportion of NITV's production/commissioning budget will be directed to the remote production sector.

However, with the majority of remote content produced for local audiences in local languages and without the restrictive production values of mainstream television, NITV is not seen as an alternative outlet to community broadcasting and Indigenous Community TV, which are both aimed at remote Indigenous audiences.

3.3 Radio Services

Currently there are eight regional Indigenous radio networks distributed via the Aurora satellite (eg- CAAMA, 5NPY, TEABBA, PAKAM, PAW etc) to 158 self-help re-broadcast sites across Australia, including over 120 licensed RIBS sites set up for community broadcasting and to contribute to regional radio networks.

Most remote communities broadcast between two and four radio services, including an Indigenous radio service. The community services, in local language and with local music, stories and presenters, are invariably the most popular services with Indigenous audiences.

The transmission is mostly low-powered (up to 20W) reaching only the immediate community and surrounds. Access to radio services is mostly via car radio and portable receivers. There are currently no radio services on the roads between communities in most regions. These massive black spots may be addressed by long-range AM or new digital broadcasting technologies. However, regional Digital networks would require an allocation of spectrum, possibly from that allocated to the 6th national channel.

There are plans for the radio services in the Aurora network to be transferred to the VAST digital platform, however no plan at this time for a switchover to digital broadcasting within communities. If this was to occur, it would require all receivers to be digital, with that cost to be borne by the consumer. The continuation of analog radio services means that existing RIBS broadcast facilities need to be maintained into the future.

IRCA urges that all radio services should continue to be broadcast-delivered in remote communities. If radio services were delivered as Direct-to-Home services only, this would be a significant reduction of current services. It would severely restrict the access to radio services to being via the same television that is used to receive and view TV services, and would not enable access via car or portable radios. Similarly, on-line service delivery of radio services would significantly limit access in remote communities.

3.4 Indigenous Community Broadcasting

Indigenous broadcast media provides a primary media service for many Indigenous people, especially in remote and regional areas. The 2007 *Community Media Matters: An Audience Study of the Australian Community Broadcasting Sector*[6] identified that remote Indigenous audiences prefer local Indigenous radio and TV services (such as community broadcasts, regional radio networks and ICTV) as their primary service. Audiences of Indigenous radio and television, both Indigenous and non-Indigenous, identified the following key attractions:

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[6] Research team from Griffith University comprised Chief Investigators Associate Professor Michael Meadows and Dr Susan Forde, Dr Jacqui Ewart, with Dr Kerrie Foxwell, Mr Derek Flucker, Ms Heather Anderson, and Ms Christine Morris

- *"They feel Indigenous media offer an essential service to communities and play a central organising role in community life;*
- *Indigenous media help people to maintain social networks;*
- *Indigenous media are playing a strong educative role in communities, particularly for young people;*
- *They offer an alternative source of news and information about the community which avoids stereotyping of Indigenous people and issues;*
- *They are helping to break down stereotypes about Indigenous people for the non-Indigenous community, thus playing an important role in cross-cultural dialogue; and*
- *The stations offer a crucial medium for specialist music and dance."* (p.1)

All of these points apply for remote Indigenous audiences, who also want:

- Access to the same symbolically powerful tools for self-representation- cameras, microphones, computers, phones- to promote empowerment;
- Content that relates to them- local language, people, places, stories, news and music;
- Programming that maintains community values, language and cultural integrity;
- Equal status with other mainstream services- not relegated to on-line or restricted delivery;
- Programs that teach the young people about cultural, social and political knowledge; TV and radio are increasingly being seen as contemporary tools for conveying information and knowledge from the elders;[7]
- Information about current issues and meetings (radio is used as a form of 'meeting place')[8]
- Programming that links up family members and friends across large regions;
- Access to tools and training to create their own programming, to communicate with the broader national and global community;
- Entertainment and a sense of cultural safety and wellbeing (sound mental health).

Indigenous people should have access to relevant media, news and information, and on-line services (as per Principle 6) presented by Indigenous people in their own language as free-to-air services. Indigenous broadcasting is crucial as text-based media (print or on-line) may not be accessible for people with low English literacy levels.

3.5 Archiving and Digital Conversion of Analog Records

A key consideration of convergence to digital media platforms is what happens to content created in analog formats. In order to provide community access to existing content in new digital platforms, there is an urgent need for funding programs to support the digitalisation of the vast collections of culturally significant analog recordings (e.g. VHS, S-VHS, Hi8, audiotape etc) held by RIMOs.

Archival programs for Indigenous records should include preservation, storage, backup, repatriation of records, cataloguing/meta-tagging (with inter-communicability between databases), cultural protocol management (deceased content, men's/ women's business, cultural sensitivity etc) and development of appropriate distribution platforms to enable community access to their local historical records. Also, with a proliferation of digital video, audio and photographs being recorded, there is a need for robust systems for ongoing cataloguing or meta-tagging of these media assets. The remote Indigenous media sector is seeking to develop best practice archiving systems for managing community collections but requires funding to achieve this.

These archives should be community-owned and controlled, with Indigenous ownership and involvement at its core with skills transfer and employment of remote media workers central to the

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[7] Aboriginal academic Marcia Langton described this at the recent 'IT and Indigenous Communities' symposium in Canberra, saying that media has become "the new modality of culture"
[8] p56, 'Community Media Matters' report

process. Archives play a significant role in inter-generational knowledge transfer and maintenance of language and cultural practice. Without this urgently needed archive program, a large proportion of the important cultural and social heritage recordings created under the BRACS program risks being lost to future generations.

There is also a need for delivery platform/s to enable community access to archived audio-visual materials in their respective communities/ regions (eg-Ara Irititja Archival Project, Traditional Knowledge Revival Pathways, HitNet kiosk modules, etc).

RESPONSES TO EMERGING ISSUES QUESTIONS

Emerging Issues: New market structures, regulatory parity & cross-border services (p.11-14):

▪ *Should regulatory parity underpin any new policy framework? In what circumstances should regulatory parity not apply? What might such a framework look like?*

▪ *How should internet services be recognised within a new policy framework—what features or characteristics of an internet service should qualify that service for recognition within such a framework?*

Regulatory policy underpinning the existing regulatory regime (p.14-17)

▪ *Is the degree of influence principle still a useful way to distinguish between levels of regulatory intervention by government for media and communications?*

▪ *In what circumstances should the business model of a communications or media service be relevant in a converged policy framework?*

▪ *What are the appropriate regulatory approaches for government in a converging media environment and what are the critical factors in determining which approach is most suitable?*

IRCA Response (to 1 and 2)

- Without regulatory frameworks in place, there is significant risk that remote people will miss out on many services due to the small populations and low commercial returns to commercial providers. In particular, the USO and Australian Broadband Guarantee provide a safety net for remote communities to ensure they receive a minimal level of service. Similar regulatory safety nets and monitoring/ needs analysis need to be in place to ensure that adequate level of access to media and communications services are available to remote Australia.

- Indigenous media providers who transmit/broadcast radio or video should be allocated a new class of license, an 'Indigenous broadcasting license', to acknowledge their status in providing a primary broadcasting service (distinct from the community broadcasting sector, as per Recommendations 4-6 of IBMS review report).

- Digital radio service delivery in remote communities still needs to be via local re-broadcast, not via VAST (satellite) platform to households. Most radio access is in vehicles or via portable receivers. Transition to digital radio should enable continued community broadcasting and regional radio networks.

- IRCA also urges that the Universal Service Obligation be expanded to address internet access, mobile telephony and pre-paid telephony and broadband services. The USO currently only covers fixed-line telephony and emergency services. With increased commercialisation and competition within the telecommunications industry, the low rates of return in remote areas mean that these areas are more likely to fall through the gaps in service delivery without an expanded safety net under the USO.

Australian content (p.18-23)

▪ *In a convergent environment, are content quotas still an appropriate mechanism for Australian content, including music, and children's and local content?*

▪ *Are there alternative mechanisms which would more effectively encourage the production and distribution of this content to the Australian public?*

▪ *If consumer demand is a motivation for the continued production of Australian content, would the use of code-based system (or other co-regulatory model), rather than mandatory quotas, diminish the amount of high-quality Australian drama shown on Australian free-to-air networks?*

IRCA Response

- Australian content standards should be maintained to protect the unique and diverse nature of Australian culture. This should apply across all media platforms to the extent that this is achievable, while recognising the different target audience makeup for various media and broadcasting forms –public, commercial and community- and platforms. In particular, community broadcasting reflects the views and interests of more specific or localized audiences with niche programming to suit that audience. People should have access to news and information that is relevant to their local communities.

- IRCA urges a Policy Framework that both:

  o stimulates production of Australian content

  o supports transmission and distribution of Australian content

- Indigenous culture should be seen as central to Australian culture with Indigenous content included as a specific quota for all broadcast media and content development funding.

- In developing policy around convergence, the diversity of audiences and the breadth of interest of general audiences need to be considered. While the tendency will be to move niche programming to on-line delivery, this will effectively homogenise mainstream media. Diverse programming makes TV and radio more interesting and allows all branches of society to feel valued and represented within dominant media.

- Increasingly, new media is becoming a two way interactive communication, with audiences as much producers or contributors of content (eg- Youtube, Facebook, social media) and commentators (SMS or tweeting to live TV shows). This requires that audiences have sufficient access to capacity to upload (contribute/transmit) content, not just download (receive).

- Public resources previously supporting Indigenous radio and television should be rebadged to accommodate the converging environment and local platforms, social media, online spaces etc.

- IRCA urges that the Stevens IBMS Review recommendations 32-34 be adopted with regard to 'Enhancing content on mainstream media'. These are:

  32. The Australian Government consult with Indigenous and non-Indigenous content providers and relevant industry bodies to develop an appropriate definition of 'Indigenous program' for inclusion in the BSA and for other relevant purposes.

  33. The Broadcasting Services (Australian Content) Standard (ACS) be amended to include Indigenous program production incentives. Wherever there is reference to points in determining the acquittal of content obligations, the production of Indigenous programming should attract a 50 per cent bonus points rating. Wherever there is a reference to a number of required hours in determining the acquittal of content obligations, five per cent of those hours should be allocated to Indigenous programming.

In the event that changes are made to the ACS, taking into account the establishment of the new digital multi-channels and other emerging technologies, the government should ensure that these principles are encapsulated in any new standards.

34. The ABC and the SBS increase their commitment to Indigenous programming, especially programs made by Indigenous producers and set reasonable and achievable goals as part of the 2012–15 triennium funding review. The ABC Open project strengthen partnerships with Indigenous broadcasting organisations and work with Indigenous broadcasters to access, use and contribute to the material.

- Further to Recommendation 32 seeking an appropriate definition of 'Indigenous program', the definition of *remote Indigenous content* and *regional Indigenous content* need to also be clarified, especially in light of the proposed SBS- NITV deal for a free-to-air Indigenous channel. As per the Stevens Review recommendation 14 (which proposes increased content on NITV from remote and regional Indigenous producers), IRCA urges that *remote Indigenous content* be defined as media created by remote Indigenous producers and not just content about remote Indigenous people, stories or locations produced by outside production companies.

- The deregulation of the advertising and music production industries (undertaken in 1990s) should be reviewed and quotas for media production be returned for Australian markets in order to build the domestic media and music production industries.

Market structure and media diversity (p.24-29)

▪ *In a multi-platform environment, are cross-media ownership rules still necessary to ensure a diverse media sector?*

▪ *Should cross-media provisions extend to cover new media services, such as IPTV and internet-based media and enterprises?*

▪ *Under what circumstances is managed entry to broadcasting services still appropriate?*

▪ *Does the success of new digital channels indicate a case for reducing restrictions (for example, licensing) on entry?*

▪ *To what extent do the current diversity rules impact on innovation in media and content services?*

▪ *Should cross-ownership rules be relaxed or removed in favour of a public interest test?*

▪ *Are the current merger provisions of the Competition and Consumer Act 2010 sufficient to ensure media diversity in Australia? What changes might be required?*

IRCA Response

- IRCA does not wish to weigh into the debate over cross-media ownership and diversity of players within the market, except to say that the maintenance of *public* and *community* broadcasting and media platforms are crucial to providing 'public interest' content, non-mainstream views and content relevant to Indigenous audiences.

- There is a need for portals across all platforms aimed at Indigenous audiences/users and created by Indigenous people, providing a space for indigenous views, stories and representation. This is an equity and human rights requirement, but also a way of bridging cultural barriers.

- IRCA supports the use of a Public Interest Test. This would be in the interests of the remote sector where many of its stakeholders speak Indigenous languages. It would promote diversity of ownership and diversity in sources of opinion and information.

Content rights acquisition (p.30-31)

- *Are there issues with competition that arises from the exclusivity of content in the market?*

- *Do exclusive content arrangements have the potential to limit platform-based competition by restricting content available to new market entrants?*

- *Should policy incentivise investment in content production and distribution and ensure that new platform entrants have access to premium content?*

- *Do independent producers face difficulties in negotiating content deals with broadcasters and distributors? Why?*

IRCA Response

- IRCA contends that acquisition or commissioning of Indigenous-specific content should primarily favour Indigenous producers and media organisations. This aims to build capacity within the Indigenous media production sector, level the playing field in access to production funding and timeslots, and ensure Indigenous people get to tell their own stories and maintain the ownership. While this approach may raise criticisms of exclusivity or 'positive discrimination', it is seeking to re-balance a long history of media dominated by non-Indigenous viewpoints and colonial discourse, with limited access by Indigenous media practitioners.

- Non-indigenous free to air broadcasters should be incentivised to show Indigenous content by adding points for Indigenous content, and to partner with Indigenous broadcasters and producers to access, use and contribute to the material (see Rec , IBMS Review 2011).

- Remote indigenous producers face difficulties in negotiating content deals with mainstream broadcasters and commissioning agencies, including NITV, or gaining production funding. This is due to language and cultural barriers, limited opportunities for gaining professional production experience, lack of access to broadcast-quality production facilities, and stringent commissioning guidelines. There are very few 'brokers' available to assist in these negotiations and support remote producers in production outcomes and delivery requirements.

- The Stevens Review encourages increased training and employment opportunities within mainstream media organisations (Recs 28,29,31) and within Indigenous media organisations (Rec 30).

Community standards and public expectations (p.32-35)

- *Should a policy framework seek to apply community standards to all content regardless of origin or method of delivery?*

- *Is it preferable to impose standards (by cooperation or by regulation) when enforcement is limited or impractical?*

- *How should community standards be determined?*

- *Is self-regulation by content services an effective means of protecting community standards?*

- *How can consumer education and awareness initiatives help? Are there practical improvements relevant to a converged media environment?*

- *Are consumer complaints a good way to ensure inappropriate content is not shown?*

- *How can children and young people be protected from unsuitable content in a converged media environment?*

- *Are there specific areas of content regulation where government intervention is warranted?*

IRCA Response

- Community standards and cultural values in remote Indigenous communities can differ widely from those in other parts of the broader Australian community. In particular, this can be in relation to showing of deceased content (a warning in English language at the front of a program is not sufficient for images of recently deceased persons or for audiences with limited English literacy), culturally sensitive material and overtly sexual content. However, it can also relate to programming being entirely in English, being dominated by white people with little or no Aboriginal representation.

- Negative stereotyping, vilification, misrepresentation and value judgments placed on remote Indigenous people and communities causes great distress. Codes of practice with regard to representation, working in Indigenous communities, providing interpreters to enable Indigenous people to speak from themselves and greater cultural awareness by journalists/media producers are essential to reduce perpetuation of these common traits of mainstream media. Increased employment of Indigenous journalists and media practitioners, cultural awareness training and working closely with remote media organisations can help to reduce misrepresentations and ensure cultural protocols are not breached.

- Effective content filtering of internet services has been identified as critical in remote Indigenous communities, where pornography and violence can have a very detrimental effect. While filtering can be set up on individual computers or managed networks, there is currently no filtering by telecommunications providers (eg-Telstra) for mobile-delivered internet access or by ISPs.

- The Remote Indigenous media sector can play a role in identifying and meeting community standards and public expectations for remote Indigenous communities by driving 'media literacy campaigns' to educate, make aware and inform stakeholders of potentially offensive or inappropriate content and so on.

- New media platforms could incorporate interactive community standards tools by enabling 'input of users' to identify inappropriate content (e.g. like YouTube's flag system for inappropriate content).

Spectrum allocation (p.36-40)

- *Does the designation of broadcasting spectrum remain a useful approach in the era of convergence?*

- *Are the current broadcast licence fees set at the right level?*

- *Should the value of spectrum used for broadcasting be reflected in the broadcast licence fees?*

- *Should the sixth television channel spectrum be utilised? If so, what services could it deliver on its multichannels?*

- *Should the Minister have powers to reserve spectrum for other public purposes in addition to national and community broadcasting?*

- *How might diversity, competition and innovation be promoted in the market allocation of spectrum?*

- *Should such licences for spectrum be for fixed terms and be contestable on a regular basis?*

IRCA Response

- There should be dedicated spectrum allocation for public, community and Indigenous, especially on platforms that have limited spectrum such as digital TV.

- The current plan to switch off RIBS community satellite-delivered terrestrially-retransmitted TV (which enables insertion of locally produced language content in around 147 remote

communities), and replace it with Direct-to-Home VAST satellite delivery of only mainstream TV services runs counter to Principle 6 for the CRC.

- IRCA urges that Indigenous Community Television (ICTV) be provided free-to-air delivery via VAST to reach remote Indigenous audiences as a full-time television service, due to its unique role in providing Indigenous language programming, community-generated content and relevant information.

- National Indigenous Television (NITV) should be allocated a free-to-air channel to reach national audiences, including via VAST (as per Recs 16 & 17, 42 IBMS Review 2011).

- IRCA understands that the vast majority of the 147 remote Indigenous communities which have analog terrestrial self-help facilities to transmit ICTV and/or NITV and local content would desire to upgrade their current analog terrestrial facilities to digital terrestrial transmission facilities if given this option. Models were put to the Stevens Review to upgrade local self-help facilities to enable digital terrestrial retransmission of the 16 mainstream TV channels as well as NITV, ICTV and local content insertion.

- National cultural policy goals and media diversity should to be taken into account in development of new policy framework for allocating spectrum to ensure its use is in the public interest.

- See further notes below relating to this question, but elaborated in a subsequent Issue Paper.

RESPONSE TO CRC SPECTRUM MANAGEMENT AND ALLOCATION ISSUE PAPER

In accordance with CRC Principle 10 we believe a number of clarifications concerning the Ministerial Guidelines governing Digital Dividend planning by ACMA should be considered. We believe the following clarifications are technically possible and would substantially improve the prospects of optimising outcomes in respect of CRC Principles 2, 3, 4, 6, 8 and 10. In particular the clarifications sought could remove conflicting use of the 'national' 6th frequency for TV or extending digital radio. These clarifications are:

- o The potential for the 6th frequency to be "national" as outlined on page 38 of the Emerging Issues Paper should be confirmed through alteration to the current 9 July 2010 Ministerial Directions governing ACMA Digital Dividend and restacking planning activity. Currently there is no certainty that such a frequency will be allocated in the Metropolitan Markets and no mention of such a frequency at all in regional areas within the Directions.

- o Reconsideration of the current Ministerial Direction which requires the potential 8 frequencies in the Metropolitan Markets (up to 6 for TV and 2 for digital radio) to all be in the VHF spectrum should be requested. If the 6th TV frequency was to be in UHF that a 3rd digital radio frequency could be accommodated and hence greater opportunities for comprehensive digital radio expansion into regional markets. The current temporary digital allocation of spectrum to CTV and to both SBS and CTV in analog are in UHF spectrum so there are no problems concerning home aerial systems spanning both UHF and VHF frequencies if the 6th frequency was in UHF.

- o Further to the above, ACMA be asked to expedite its report on the use of channel 27. Channel 27 would need to be part of the Broadcasting Services Bands (to provide the 'space' for the 6th 'TV' multiplex to be accommodated in UHF).

- In accordance with the above clarifications and actions a 6th 'national' frequency to be assigned for digital terrestrial TV purposes and a 3rd frequency allocated to digital radio.

- In respect of the 6th 'national' TV frequency, and if the current discussions between the SBS and NITV are not successful, that National Indigenous Television (NITV) be a must carry service for whomever is allocated the licence for the multiplex (as per Recommendations 16 & 17, 42 of the Stevens IBMS Review 2011).

- In respect of a 3rd digital radio frequency, we understand this would enable comprehensive rollout of digital terrestrial radio across regional areas. In turn more wide ranging community / Indigenous existing radio services (such as in the regional areas of far north of Queensland) could have extensive terrestrial radiated coverage in adjoining remote areas. Accordingly we support the ACMA 7 October report on digital radio technologies where it suggested DRM technology be adopted for situations where current FM Indigenous community radio services do not provide for sufficient coverage of target audience communities.

- Models were put to the Stevens Review to upgrade local self-help facilities to enable digital terrestrial retransmission of the 16 mainstream TV channels as well as NITV, ICTV and local content insertion. We understand that around 30 non-Indigenous analog self-help licensees in remote and regional Queensland have decided to upgrade their facilities to digital and forego DTH VAST satellite reception of free-to-air digital TV. More are considering this action in remote South Australia before the Satellite Subsidy Scheme is rolled out there from January 2012.

- As much as possible and to lessen the cost of self-help digital terrestrial facilities, ACMA should closely consider:

  o whether there is any real need to clear frequencies between 'channels' 52 and 69 where these are currently used for the analog self-help transmissions for remote Indigenous communities; and

  o the use of the more spectrum efficient Mpeg-4 compression technology being allowed in such digital TV 'greenfield' environments (i.e. minimal legacy Mpeg -2 only consumer devices are present).

- In accordance with the above 2 points it would be desirable for Indigenous Community Television (ICTV) to gain access to a channel on the VAST satellite platform (where adequate capacity is available) to allow ICTV to be delivered to such digital terrestrial upgraded self-help facilities due to its unique role in providing Indigenous language programming, community-generated content and relevant information. This would also make ICTV available to the relevant VAST DTH homes and businesses.

- The above maintenance of self-help digital TV retransmission facilities would assist economical retention of local terrestrial analog or digital radio transmissions or retransmissions together with important facilities for disseminating locally specific emergency services information. Most radio access is in vehicles or via portable receivers.

ACRONYMS

ABC	Australian Broadcasting Corporation
ACMA	Australian Communications and Media Authority
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
AICA	Australian Indigenous Communications Association
ATSIC	Aboriginal and Torres Strait Islander Commission
BRACS	Broadcasting for Remote Aboriginal Communities Scheme
CAAMA	Central Australian Aboriginal Media Association
CBF	Community Broadcasting Foundation
CRC	Convergence Review Committee
CTV	Community Television
DBCDE	Department of Broadband, Communications and the Digital Economy
DEWHA	Department of Environment, Water, Heritage and the Arts
DEEWR	Department of Education, Employment and Workplace Relations
DRM	Digital Radio Mondiale
DTH	Direct-to-home
EPG	Electronic Program Guides
FaHSCIA	Department of Families, Housing, Community Services And Indigenous Affairs
FM	Frequency Modulated
HiBIS	Higher Bandwidth Incentive Scheme
IBMS	Indigenous Broadcasting and Media Sector (2010 Stevens Review)
IBP	Indigenous Broadcasting Program
ICT	Information and Communications Technology
ICTV	Indigenous Community Television
IRCA	Indigenous Remote Communications Association
IPTV	Internet Protocol Television
ISDN	Integrated Services Digital Network
ISP	Internet Service Provider
NBN	National Broadband Network
Ng Media	Ngaanyatjarra Media
NITV	National Indigenous Television
PAW Media	Pintubi Anmatjere Warlpiri Media and Communications (formerly Warlpiri Media Association
PAKAM	Pilbara and Kimberley Aboriginal Media
PY Media	Pitjantjatjarra Yankunytjatjara Media Aboriginal Corporation
QRAMAC	Queensland Remote Aboriginal Media Aboriginal Corporation
R&M	Repairs and maintenance
RIBS	Remote Indigenous Broadcasting Service (formerly BRACS)

RIMO	Remote Indigenous Media Organisation
SBS	Special Broadcasting Service
SSS	Satellite Subsidy Scheme
TAFE	Technical and Further Education
TEABBA	Top End Aboriginal Bush Broadcasting Association
TSIMA	Torres Strait Islander Media Association
UHF	Ultra High Frequency (Radio)
USO	Universal Service Obligation
VAST	Viewer Access Satellite Television
VoIP	Voice over Internet Protocol
VHF	Very High Frequency
WiFi	Wireless Fidelity
WiMax	Worldwide Interoperability for Microwave Access