

**Review of Australian Government  
Investment in the Indigenous  
Broadcasting and Media Sector**

2010

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## Letter of transmittal

The Hon Simon Crean MP  
Minister for the Arts

Senator the Hon Stephen Conroy  
Minister for Broadband, Communications and the Digital Economy

The Hon Jenny Macklin MP  
Minister for Families, Housing, Community Services and Indigenous Affairs

Dear Ministers

On behalf of the expert panel I am pleased to forward to you the attached report: *Review of Australian Government investment in the Indigenous broadcasting and media sector*.

The review has been shaped by the many submissions received and the national round of consultations that was undertaken. While submissions covered many areas, the review has generally concentrated on issues common across the sector rather than considering in detail particular organisations. I express my gratitude to the many people and groups who took the time to make submissions and to meet with the review team.

Our overriding conclusion is that Indigenous broadcasting and media is a powerful tool that needs to be more effectively harnessed to assist the Australian Government to realise its broad Indigenous affairs policy objectives, such as *Closing the Gap*. It also provides essential services for many Aboriginal and Torres Strait Islander peoples and has great potential to improve their self esteem and well-being.

To achieve that potential, change is needed and at the heart of that change is recognition of the Indigenous broadcasting and media sector as a professional sector in its own right, and an important part of the broader media landscape. It needs to be resourced and empowered to get on with the job and to be encouraged to take advantage of future developments such as the National Broadband Network (NBN) and the converging multi-media world. Importantly, it needs to be able to embrace new media technologies to attract younger people into the sector and to be part of the converging media world.

I have recommended that administrative responsibility for Indigenous broadcasting and media should move from the Office for the Arts (OFTA) to the communications portfolio. This change would acknowledge the role of Indigenous broadcasting and place it within the portfolio dealing with relevant issues such as the digital switchover, spectrum allocation, broadcast licensing and the NBN.

I have also recommended the introduction of Indigenous broadcasting licences, which would enable the regulatory regime to take account of the unique factors affecting the sector.

One matter that I have considered at some length is the National Indigenous Television Service (NITV). NITV was initially funded for a four-year period with funding extended for a fifth year pending consideration of this review. While substantive concerns have been raised with the review about the operations of NITV I have concluded that it is in the best interests of all Australians that it be retained

and that at some point it should be more widely available free-to-air. I have, however, recommended significant and early changes to its corporate structure and its content acquisition arrangements.

The review also notes that mainstream media is a crucial partner to the Indigenous broadcasting and media sector and integral to the government's Indigenous media initiatives. More Indigenous content on, and Indigenous involvement in, mainstream media would help to build self-esteem, provide a sense of identity, a sense of community and instil greater pride within Aboriginal and Torres Strait Islander communities. It would also contribute more broadly to Australia's national cultural identity.

If the recommendations in this review are accepted and implemented, some additional funding for the sector will be required. Depending on how and when changes are implemented, the total annual additional cost to government would be around \$12 million above comparable expenditure in 2010–11. This is a small per centage of the government's total investment in Indigenous affairs but would return significant benefits – both to the government and to Aboriginal and Torres Strait Islander peoples.

Central to the government's Indigenous affairs strategy is the need for early measures to reduce potential disadvantage in Aboriginal and Torres Strait Islander peoples and increased government expenditures in the future. Investment in Indigenous media and broadcasting can be one such highly effective and cost efficient measure.

I would like to acknowledge the significant commitment and contribution made by the review's expert panel, Ms Kerryne Liddle and Mr Laurie Patton. I would also thank the secretariat members for their support throughout the period.

Yours sincerely

A handwritten signature in black ink, appearing to be 'N. Stevens', with a long horizontal stroke extending to the right.

Neville Stevens AO

7 January 2011

## The reviewer

### Mr Neville Stevens AO

Mr Stevens has extensive experience in the development and implementation of policy in information technology and communications in Australia.

His 30-year career in the Australian Public Service included senior positions in the departments of the Prime Minister and Cabinet; Industry; and Communications, Information Technology and the Arts.

His most recent public service appointment was as Secretary of the Communications, Information Technology and Arts Department from 1993–2001. He was closely involved in telecommunications reform, broadcasting policy, and the development of the information technology industry.



Prior to this Mr Stevens served as Secretary of the Industry Department (1990–1993) following a five-year tenure as Deputy Secretary of the same department. During this time he was concerned with all aspects of industry policy including tariff reform, industry development policy and research, and development policy.

Since leaving the public service, Mr Stevens has participated in and chaired a number of boards and panels involved with the development of the information technology and communications industries.

He is currently Chair of the Australian Centre for Advanced Computing and Communications (AC3), Chair of the National Information and Communications Technology Australia research centre (NICTA); Chair of the Cooperative Research Centre Committee, member of the Australian Government's Information Technology Industry Innovation Council and member of the Australian National Maritime Museum Council.

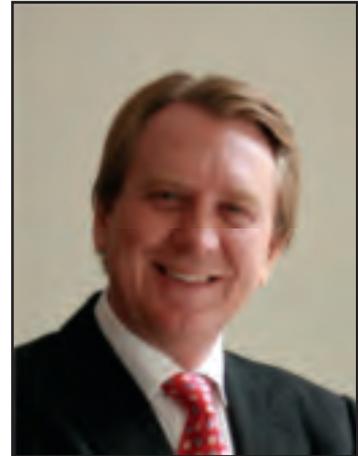
Mr Stevens is an Officer in the Order of Australia and a recipient of the Centenary Medal.

## The expert panel

### ***Mr Laurie Patton***

Mr Patton is a media industry executive and television producer with experience in free-to-air broadcast television, subscription television and community television. Until recently Mr Patton was the inaugural Chief Executive of TVS (Television Sydney) and Secretary of the Australian Community Television Alliance (ACTA).

On ACTA's behalf, Mr Patton negotiated with the Australian Government for the allocation of digital spectrum to the community television sector in late 2009. TVS subsequently became the first community station to make the switch to digital transmission. Mr Patton represented ACTA on the Australian Government's Digital Switchover Taskforce Industry Advisory Group.



Mr Patton has held senior roles in the Seven Television Network, managing both a metropolitan station (Seven Sydney) and a regional network (Seven Queensland). He created the highly acclaimed World Movies subscription television channel and was a founding director of the subscription television industry association, ASTRA. Mr Patton has served on a wide range of boards including Sky News Australia and the NSW Film and Television Office, where he was the inaugural Deputy Chair. He is a former journalist and producer and reported extensively in Australia and internationally.

### ***Ms Kerryne Liddle***

Ms Liddle has 23 years experience in the field of media and communications. Ms Liddle was one of the first Aboriginal cadets employed by the Australian Broadcasting Corporation (ABC) in news and current affairs and later moved on to work with several commercial television networks in Queensland and South Australia.

Ms Liddle has also worked in Indigenous media as a journalist, presenter and program producer with Imparja Television and the Central Australian Aboriginal Media Association (CAAMA) productions and on community radio on Indigenous radio programs.

Until late 2009 she had spent over 10 years working as a media and communications consultant specialising in developing and implementing communications and community consultation strategies. In 2009 she was appointed to SKM, a global engineering, science consulting firm, as the national practice leader responsible for Indigenous business development, its Indigenous Cadet Program and supporting development of Indigenous cultural competence with the company.



Ms Liddle has a Bachelor of Arts majoring in human resource development and management and will complete a Masters of Business Administration in early 2011. She has held a number of board

positions, including Chair of the National Aboriginal Cultural Institute – Tandanya, South Australia Housing Trust and has held director positions with the University of South Australia Council and Aboriginal Foundation of South Australia. She has also lectured in media studies at undergraduate and post-graduate level.

Ms Liddle is an Arrernte woman, born and raised in Alice Springs. She is also a recipient of a Centenary Medal for services to journalism.



# Table of contents

- 1. Executive summary**.....1
- 2. Recommendations** ..... 13
- 3. Consideration of issues**.....20
  - 3.1 How the Indigenous broadcasting and media sector can contribute to *Closing the Gap* .....20
  - 3.2 Improving the administration of the sector .....25
  - 3.3 New Indigenous broadcasting licences.....29
  - 3.4 Building on the Indigenous Broadcasting Program (IBP).....33
  - 3.5 The future of Indigenous television .....47
  - 3.6 More effective government communication .....58
  - 3.7 Better governance .....60
  - 3.8 Integrating the reporting and performance framework .....65
  - 3.9 Building individual capacity and sector capability through employment and training .....69
  - 3.10 Enhancing Indigenous content on mainstream media .....77
  - 3.11 Preparing for future technology.....81
- 4. Appendicies** .....86
  - 4.1 The review process.....86
    - 4.1.1 Review scope .....86
    - 4.1.2 Stakeholders .....86
    - 4.1.3 Consultation.....86
  - 4.2 Terms of reference .....88
  - 4.3 Review Issues paper.....89
  - 4.4 List of submissions .....97
  - 4.5 Glossary.....98



## 1. Executive summary

Many past reports – notably the *Royal Commission into Aboriginal Deaths in Custody* (1991), the *Productivity Commission Report on Broadcasting* (2000), the *National Report on Racist Violence* (1991), *Out of the Silent Land* (1984) and *Digital Dreaming* (1999)<sup>1</sup> have identified the potential for a well resourced and skilled Indigenous broadcasting and media sector to:

- engage Aboriginal and Torres Strait Islander peoples in the broader economy through greater access to information
- enhance self-esteem, sense of identity, sense of community, social inclusion and pride in communities
- provide positive role models to Aboriginal and Torres Strait Islander young people
- provide positive representations of Aboriginal and Torres Strait Islander peoples
- provide training and employment opportunities, and
- be a vehicle for maintenance and transmission of language and culture.

These findings are supported by detailed recent research such as the 2010 Report by the Australian Council for Educational Research on the impact of television on improving learning opportunities for Indigenous children<sup>2</sup>.

This review strongly supports these viewpoints. The Indigenous broadcasting and media sector has great potential to improve the wellbeing of Aboriginal and Torres Strait Islander peoples and to support the Australian Government's policy objectives in Indigenous affairs, in particular the Council of Australian Governments' (COAG) *Closing the Gap* initiatives. However, while the sector has grown considerably over the past 25 years it is still under-developed and therefore cannot and is not currently meeting that potential.

Despite the large number of reports and reviews into the sector over the past decade, the Australian Government's investment in the Indigenous broadcasting and media sector still lacks a well articulated forward-looking strategy that takes into account both the potential of the sector and the rapid changes in technology. The sector is not appropriately recognised as a professional component of the broader broadcasting and media sector that provides an essential service to all Aboriginal and Torres Strait Islander peoples whether they live in urban, regional or remote locations. It is under-resourced, lacks critical capacity and skills and suffers from being administered across a range of portfolios.

A report of the Commonwealth Ombudsman<sup>3</sup> published in December 2010 pointed to systemic problems in the administration of the Indigenous Broadcasting Program (IBP), which is the primary

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<sup>1</sup> The *Royal Commission into Aboriginal Deaths in Custody* 1991, National Report, ; *Productivity Commission Broadcasting Report*, 2000 ; Racist violence : report of the *National Inquiry into Racist Violence in Australia* / Human Rights and Equal Opportunity Commission 1991.; *Out of the silent land: report of the Task Force on Aboriginal and Islander Broadcasting and Communications*, 1984; and *Digital dreaming : a national review of indigenous media and communications* / ATSIIC 1999.

<sup>2</sup> "Using television to improve learning opportunities for Indigenous Children" July 2010, Australian Council for Educational Research.

<sup>3</sup> Commonwealth Ombudsman—Office for the Arts, Department of the Prime Minister and Cabinet: Administration of funding agreements with regional and remote Indigenous organisations, Report No 16, December 2010.

funding vehicle for Indigenous broadcasting and media organisations. The Ombudsman's recommendations both echo and are supported by this review.

The recommendations of this review are founded on three key principles:

1. That Indigenous broadcasting and media is a powerful tool that needs to be harnessed more effectively to assist the Australian Government to realise its broad Indigenous policy objectives.
2. To maximise the effectiveness of the Indigenous broadcasting and media sector, fundamental changes need to be made to the mechanisms whereby the sector is funded, administered and regulated.
3. Success is ultimately dependent on empowering and building the capacity of the Indigenous broadcasting and media sector.

If Indigenous broadcasting and media is to assist in *Closing the Gap* and contribute to the reconciliation process, then comprehensive management, strategic and funding reforms are required. At the heart of these reforms is the need to create an environment whereby Aboriginal and Torres Strait Islander peoples are empowered and resourced to get on with the job. Hand in hand with greater empowerment is the need for more attention to governance by ensuring boards of Indigenous media organisations are both properly trained and have the necessary skills sets.

In the Indigenous broadcasting and media sector a "one size fits all" approach will not work given the significant differences between communities resulting from geography, history and custom. The government's investment in and strategy for the sector must be flexible. The overriding objective must be building the capacity of the sector and giving it the tools to enable it to adapt and take advantage of rapidly converging broadcasting and communications technologies, the looming digital switchover and the enormous opportunities that are being opened up with the rollout of the NBN. A key outcome must be to engage the creativity and energy of younger Aboriginal and Torres Strait Islander peoples.

The review strongly indicates that in addition to a core focus on Indigenous broadcasters, participation by Aboriginal and Torres Strait Islander peoples in mainstream media has a vital role to play in *Closing the Gap*. More Indigenous content on, and Indigenous involvement in, mainstream media and positive representations of Aboriginal and Torres Strait Islander peoples on mainstream television and radio networks would help to build self-esteem, provide a sense of identity, a sense of community and instil pride within communities. It would also help to break down misunderstanding and prejudice in non-Indigenous Australia.

In all its forms, mainstream media is a crucial partner to Indigenous media. Having trained, professionally competent Aboriginal and Torres Strait Islander peoples in mainstream media challenges stereotypes. By placing them in newsrooms, studios and production areas they can help shape representations and perceptions by all Australians. There is an emerging global Indigenous media alliance based on precisely this realisation.<sup>4</sup> Likewise, governments, the United Nations and

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<sup>4</sup> World Indigenous Television Broadcasters Network, 2008, Taiwan. See <http://www.witbn.org> for more information.

media researchers around the world agree that the exclusion of Indigenous representation in a country's national media acts to the detriment of both Indigenous and non-Indigenous citizens.

Mainstream media employment and training also increases the depth and capacity of Aboriginal and Torres Strait Islander media professionals which flows through to the Indigenous broadcasting and media sector. It is no coincidence that the review found that the better performing Indigenous media organisations are most often staffed by people trained in mainstream media, frequently the ABC and the Australian Film, Television and Radio School (AFTRS).

The review makes a range of recommendations designed to encourage all broadcasters to include more Indigenous material in their programs and to train and employ more Aboriginal and Torres Strait Islander peoples in mainstream roles. The review recommends that the ABC and the Special Broadcasting Service (SBS), as publicly funded broadcasters, should be increasing both their employment of Aboriginal and Torres Strait Islander peoples and their levels of production of Indigenous programs, especially those created by Indigenous producers.

Turning to the Indigenous broadcasting and media sector itself, the review has formulated an overall strategic approach that:

- recognises the importance of the sector and the essential services it delivers by recommending the introduction of Indigenous Broadcasting licences and placing administration of the sector with other media sectors within the Broadband, Communications and Digital Economy portfolio
- strengthens the IBP by increasing core funding for the operating costs of radio stations, and expanding the central role of Remote Indigenous Media Organisations (RIMOs) in developing into multi-media hubs in their own right and in providing essential programming, administrative and technical support for smaller remote Indigenous broadcasters
- recognises the growing importance of new media, particularly among young Aboriginal and Torres Strait Islander peoples by incorporating multi-media activities into the IBP and creating an Indigenous content and project fund within the IBP
- creates a governance, administrative and performance framework that empowers organisations and enables them to undertake forward planning through triennial funding with a process that reduces unnecessary reporting and focuses on strategic outcomes while improving governance within the sector
- builds capacity in the sector and assists the Australian Government to distribute its messaging more effectively – especially in health and social policy – by increasing the proportion of existing government advertising placed with Indigenous broadcasters and, where possible, involving Indigenous media groups in creating those messages
- builds on the development of the existing NITV by better linking it to regional and remote content providers, moving to a publicly owned corporate structure, establishing it as a continuing program with triennial funding and recommending that more widespread free-to-air

carriage be considered by the Australian Government in the context of the digital switchover and allocation of new spectrum following the “re-stack” of broadcasting spectrum

- positions Aboriginal and Torres Strait Islander peoples to take a technological leap forward by using the NBN as a cost effective and flexible means whereby local communities can produce, view and exchange audio visual material of a cultural or informational nature, and
- builds a strong national peak body capable of providing a powerful voice for all Indigenous media organisations and supporting those organisations whether they are based in city, regional or remote areas.

### **Administration and licensing**

The review received submissions that overwhelmingly proposed moving the administration of the Indigenous broadcasting function from the OFTA, Department of the Prime Minister and Cabinet (PM&C) to the Department of Broadband, Communications and the Digital Economy (DBCDE). The review supports this change as it would recognise the sector as an essential component of the overall media landscape and place it within the portfolio responsible for issues such as the digital switchover, spectrum allocation, broadcast licensing, media convergence and new technologies and communications infrastructure. All these policy areas affect the sector and therefore being within the DBCDE portfolio would allow for greater recognition of the sector’s unique circumstances and ultimately result in better consideration in policy formulation.

A concern expressed to the review, and one it shares, is that simply transferring the Indigenous broadcasting and media sector to DBCDE in the absence of the creation of a dedicated Indigenous broadcasting section within the department would prove counterproductive. In addition, new interdepartmental administrative arrangements will be required in relation to associated programs that will continue to be managed by other departments –particularly those in the arts portfolio. Moreover, existing DBCDE staff will need to be supplemented with the appointment of officers who have knowledge and experience in Indigenous media.

The review recommends securing the ongoing assistance of OFTA through a service level agreement between DBCDE and PM&C. OFTA’s national network of staff based in Indigenous Coordination Centres in metropolitan and regional locations around Australia delivers a range of Indigenous arts and culture programs. Such an agreement would maintain the essential linkages between media organisations and specific arts programs aimed at Indigenous language and culture and the whole-of-government *Closing the Gap* agenda. It would also provide DBCDE with representatives who could act as its agents in the field.

The Indigenous broadcasting and media sector needs to be recognised within the overall media landscape as a professional sector delivering an essential service. However, it is currently licensed under the community broadcasting sector of the *Broadcasting Services Act 1992* (Cth) (BSA). The review finds that Indigenous broadcasting is fundamentally different to community broadcasting and should be treated separately and be regulated differently.

In its report on broadcasting in 2000, the Productivity Commission<sup>5</sup> recommended the creation of a new category of broadcasting service licence specifically for Indigenous broadcasters. The review agrees that this initiative would assist the development of Indigenous broadcasting and media by giving it appropriate status and enabling the regulatory arrangements to take account of the unique factors affecting the sector. The review recommends that Indigenous broadcasting licences should be issued as permanent licences for a five-year renewable period. In the past the development of new Indigenous radio stations has been hampered by their having been only issued with temporary licences – thus limiting their ability to engage the support and assistance of key stakeholders in the broadcasting area and local communities.

### **Indigenous Broadcasting Program (IBP)**

OFTA currently provides IBP funding support for Indigenous radio stations and media organisations. For many regional and remote Aboriginal and Torres Strait Islander communities radio remains a critical communications tool. Radio provides a medium whereby Indigenous music, culture and local messaging can be distributed very cost effectively. It also has the ability to play a powerful role in communicating the Australian Government's essential messages in health, education and social policy.

While data is limited, the review has had access to audience survey material prepared in 2010 by McNair Ingenuity Research. This found that six per cent of all Australians had listened to an Indigenous radio station in the last month and more than half of all Aboriginal and Torres Strait Islander people polled had listened in that period. For the Northern Territory (NT), the figures were 45 per cent and 73 per cent respectively. These audience numbers demonstrate the reach of Indigenous radio and are indicative of the importance radio plays in Indigenous communities.

The review has concluded that the IBP is substantially under-resourced for what it is attempting to achieve. Its funding allocation has remained relatively static over many years despite supporting the introduction of new radio services, increases to employee wages to comply with new award rates and the need to fund replacement and upgrading of equipment and facilities. A particular source of frustration to many organisations expressed to the review was a decision made in 2007 to restrict IBP funding to radio, thus hindering organisations wishing to take advantage of emerging new media technologies.

The review has recommended a significant increase in core operating funding for Indigenous radio stations under the IBP – to be phased in over the next two years. It also recommends allowing this core funding to be used for funding multi-media equipment, training and content creation to enable Indigenous producers to follow the lead of mainstream broadcasters into the developing world of convergent media.

This review strongly supports the role played by RIMOs in providing support and assistance for remote broadcasting and Remote Indigenous Broadcasting Services (RIBS). The review recommends an expanded role for RIMOs and for them to become multi-media hubs for their communities. Currently some RIBS are supported by shire councils. The review considers that a better outcome for

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<sup>5</sup> *Productivity Commission Broadcasting, Report, 2000.*

Indigenous broadcasting would be for an expanded RIMO network to replace the role played by shires.

A large number of organisations noted the negative impact of annual funding on their ability to forward plan and therefore on their overall performance. The review agrees with them and recommends that Indigenous broadcasters be provided with triennial operational funding based on revised benchmark funding levels and taking into account the need to expand into multi-media activities. Eligibility for triennial funding should be tied to the issue or renewal of Indigenous broadcasting licences and no longer be part of the competitive, whole-of-government, Indigenous grants funding process. It should also be linked to satisfactory operating and governance performance.

The review notes that funding for Indigenous broadcasting and media organisations is currently split across a number of programs. It believes that there should be consolidation of funding through the IBP and that, for example, current funding that goes to radio stations run by Indigenous organisations through the Community Broadcasting Foundation (CBF) should be moved to the IBP. In addition to making for a more efficient process providing Indigenous funding through the IBP rather than the community radio focussed CBF would send a strong and positive message to the Indigenous broadcasting and media sector that the Australian Government understands its special role and its unique needs.

As part of this consolidation, the review recommends the creation of an Indigenous content and project fund within the IBP. This should be competitive and open to application from Indigenous organisations. It should be available for activities as varied as content creation, capital equipment, training and innovative and experimental applications. Funds previously provided through the CBF should be reallocated to this fund.

### **National Indigenous Television (NITV) service**

The review team spent a considerable amount of time reviewing both the purpose and the current operational status of NITV.

The review recognises the role that a ubiquitous Indigenous television channel can play in supporting the government's Indigenous affairs strategies. It can also play an important part in protecting and enhancing Australia's Indigenous cultural heritage, assisting self esteem and pride and in promoting understanding and respect for Aboriginal and Torres Strait Islander peoples in the wider community.

However, the consensus of opinion among those consulted by the review was that NITV is yet to fully meet the expectations of its stakeholders and to fulfil its potential. The review agrees with this view and considers that crucial changes need to be made to its corporate structure and to its content acquisition policies and practices to justify ongoing Australian Government funding.

Many submissions pointed to a failure to source sufficient content from regional and remote organisations. There was widespread concern about this, even among those keen to see NITV continue. While the review recognises that NITV has made efforts, particularly in recent times, to establish better relationships with regional and remote producers it considers that still more needs to be done. Indeed it will be some time before it can be determined that these efforts have been successful.

Accordingly, the review recommends that the government's funding agreement with NITV should require it to source the majority of its content from not-for-profit Indigenous groups, in particular those located in regional and remote Australia. This would make for a better NITV from a viewing perspective while also increasing employment opportunities in regional and remote Indigenous communities. It should also enable NITV to source more relevant first run material at a lower overall cost.

NITV is currently structured as a private company. While this may have been seen as appropriate during its trial phase, the review does not consider it optimal in the longer term for a predominantly publicly funded Indigenous television service with aspirations to be available free-to-air to most Australians.

Ultimately it would be appropriate for NITV to be a statutory authority with its own legislation. However, this is arguably some years off and as a first step the review recommends that NITV should be restructured as a government owned company as soon as possible during the next triennial funding period. This would include establishing a board of directors appointed by the relevant minister through a merit and skills-based selection process similar to that applying to ABC and SBS board appointments. At least 75 per cent of the board should be made up of Aboriginal and Torres Strait Islander peoples, including the chair.

The review emphasises though that this proposed change in corporate structure should be designed to ensure continuing Indigenous editorial control of the channel. This editorial independence is crucial for NITV.

Submissions to the review supported the need for NITV to be made widely available free-to-air across the country, including the capital cities. The review supports this objective but believes that any extension of NITV's transmission capability should occur following the corporate re-structure referred to above. It recommends that the government consider providing a mechanism for more widespread free-to-air transmission of NITV in the context of the digital switchover and be timed for introduction post 2013.

The review also considered the National Indigenous News Service (NINS). The review believes that it would be more effective for the government to invest in one Indigenous news and current affairs service for both TV and radio by redirecting NINS funding to NITV. This would require NITV to make an audio feed of its news and current affairs material, including unedited source material, available to all Indigenous radio stations. Such an arrangement would be in keeping with the emphasis many stakeholders laid on the sector's engagement with multi-media and its ability to mirror mainstream trends towards convergence. Any national news service through NITV must routinely include news gathered and sourced widely from outside of New South Wales – NITV's headquarters. Apart from any reasonable costs of delivery, this NITV-managed news and current affairs service should be provided for free to licensed Indigenous broadcasters.

Imparja Television is currently funded via the IBP to provide transmission and engineering services to NITV and to some Indigenous radio stations and RIMOs. It is also funded to produce Indigenous content.

As a result, NITV and the RIBS and RIMOs that require its services do not have a direct purchasing relationship with Imparja. The review recommends that IBP funding currently going to Imparja be provided directly to NITV so it may contract its own satellite services and engineering support, either with Imparja or possibly directly with the satellite owner. NITV should also be funded to secure access to the Viewer Access Satellite Television (VAST) service on an unencrypted basis, as will be the case with the ABC and SBS, in order that it be available post the digital switchover.

However, the review recommends that in relation to RIBS and RIMOs, the most cost effective outcome for the Australian Government for the immediate future is to continue to fund Imparja to manage the contract for their satellite services.

Given the recommended introduction of an Indigenous content and project fund, the review does not believe that Imparja should continue to be funded directly for content production. It recommends that content production funding currently going to Imparja be redirected to the fund, with Imparja eligible to bid for these funds along with other Indigenous broadcasting and media groups.

The review sees the role of NITV and other Indigenous broadcasters as complementing rather than replacing the ABC and SBS as producers of Australian Government-funded Indigenous content. No matter how successful NITV might become it cannot be expected to match the audience potential of the primary television networks. Therefore, in order that Indigenous program content is accessed by mainstream viewers – which should be an essential element of the Australian Government's Indigenous broadcasting and media policy – it is recommended that the ABC and SBS broadcast more Indigenous programming, especially programs produced by Aboriginal and Torres Strait Islander peoples. The review has also made recommendations designed to encourage the commercial networks to increase their commitment to Indigenous program production.

### **Governance**

IBP guidelines state that organisations that receive ongoing funding must have a strong track record of achievement in the Indigenous broadcasting sector and a history of sound financial management. However, across the country the review found inconsistency in the quality and performance of governing boards and of senior executives. Some organisations clearly benefited from the contribution of strong and well qualified board members and were leveraging significant benefits from access to their advice and guidance. In other cases the appointment of board members seemed to be based less on skills and experience and the organisation was consequently disadvantaged as a result.

In its consultations, the review found that Indigenous broadcasting and media organisations that were identifiably better performers were far more likely to have people on their boards with skills in accounting, marketing, business, legal and technical areas and practical experience in broadcasting. Accordingly, the review recommends that funding criteria for all Indigenous broadcasting and media organisations that receive IBP funds (except RIBS) require the board chair, deputy chair, treasurer and secretary to participate or have participated in an approved governance training course. In the case of RIBS, a simpler more managerial style of oversight is likely to be sufficient given the small scale of their operations – provided that they are effectively supported by their RIMO.

## **Performance and reporting framework**

The review has concluded that there is too much paperwork associated with applying for and acquitting funding under the IBP and this can be out of proportion to the amount of funding involved and the risks associated with that funding. Reporting was sought too frequently and it was clear that at least some of the information being sought was not used by the collecting department for any significant purpose. This view of the IBP was also made by the Ombudsman in his report of December 2010.<sup>6</sup>

The review found that despite this reporting burden, there is no overall framework in place to properly measure the IBP's intended and actual performance against the program's aims and broader Australian Government policies. The review considers that the government's Indigenous broadcasting and media policies would be more successful if the IBP better empowered the groups receiving the funding and allowed them to concentrate on running their organisations. Indigenous broadcasters themselves should be allowed to determine how best to service their communities and the IBP reporting mechanism should simply monitor the delivery of services in accordance with the strategic priorities determined by funding recipients in their applications. This requires a broader, more sensitive approach than simply collecting data from grant recipients and should be developed by the administering department in consultation with the peak Indigenous media body.

## **Training and employment**

Training – and through training, the creation of real jobs – will be a key to realising the full potential of the Indigenous broadcasting and media sector. It is also a key element in the sector's contribution to *Closing the Gap*. Accordingly, the review has recommended a number of strategies to assist Aboriginal and Torres Strait Islander peoples to access existing programs to obtain the skills and qualifications needed to secure employment in both Indigenous and mainstream media.

For Aboriginal and Torres Strait Islander peoples, quality training that leads to secure employment within professionally operated and managed organisations will not only provide a real job and much needed income, but is vital to social, economic and emotional well-being. This has a positive flow on effect from the individual, to the family, to the community.

Training needs to take place in both Indigenous and mainstream broadcasting and media organisations. The review recommends that the Australian Government provide additional incentives for mainstream broadcasters to undertake training and employment of Aboriginal and Torres Strait Islander peoples. For example, the 12 weeks per annum employer contribution requirement of the Indigenous Cadetship Support (ICS) initiative should be removed so as to increase the number of Indigenous employees able to secure training in mainstream media organisations.

Concurrently, the government should trial a training and employment program within a willing mainstream broadcaster that assists the host organisation to navigate the job ready, training and employment programs available through government programs and to use this trial to develop more effective strategies to encourage take-up of training programs that benefit Aboriginal and Torres Strait Islander peoples.

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<sup>6</sup> Commonwealth Ombudsman. Op cit.

Significant reforms have recently been made to the Community Development Employment Projects (CDEP) program including the creation of employment for eligible Aboriginal and Torres Strait Islander peoples through the National Jobs Package (NJP). This includes roles such as broadcasting officers, arts administrators, cultural workers and language assistants. The rollout of these jobs has been highly successful, with the number of arts and culture positions increasing from 82 positions funded in 2007–2008 to 564 positions funded in 2009–2010. More than 170 of the 564 positions are in the broadcasting sector – in roles such as broadcasters, technicians and cadet journalists – and provide a valuable avenue to enable media organisations to increase their paid employment. While these numbers may appear significant, they represent a small fraction of the available talent within Aboriginal and Torres Strait Islander communities, especially those in regional and remote Australia. The review therefore recommends that the government substantially increase the number of NJP positions allocated to the Indigenous broadcasting and media sector in all regional and remote areas where there is a high demand for such positions.

### **Preparing for future technology**

The review has considered the long-term future of the Indigenous broadcasting and media sector in the context of the NBN. Recommendations are made that will maximise the benefit of the NBN to Aboriginal and Torres Strait Islander peoples. These include using the NBN as a cost effective and flexible means whereby Aboriginal and Torres Strait Islander communities can produce, view and exchange audio visual material of a cultural or informational nature. This may require subsidised access to the NBN network for RIBS and RIMOs.

As the NBN is rolled out across regional and remote Australia it will provide new avenues for Indigenous employment. Along with the Digital Switchover Taskforce, the NBN will require the services of a sizable cohort of satellite dish and set-top box installers and maintainers. The review team has met with both the taskforce and the company formed to design and deliver the NBN (NBN Co) and has discussed with them a united approach designed to facilitate the training and employment (via subcontractors) of a high level of Indigenous labour in the installation and subsequent maintenance of equipment. The review recommends that the government encourages the taskforce and the NBN Co to work closely in their respective equipment rollouts.

The review considers that the digital switchover, where it is proposed to replace terrestrial television retransmission with direct-to-home satellite via the VAST service, poses unique challenges for Aboriginal and Torres Strait Islander households. Those in regional and remote Australia will face particular challenges. The Digital Switchover Taskforce should pay particular attention to the needs of these households when considering its implementation plans. It would be helpful if the Digital Switchover Taskforce was to employ at least one senior Aboriginal and/or Torres Strait Islander executive with knowledge and experience in service delivery and implementation of employment initiatives in Aboriginal and Torres Strait Islander communities.

Many submissions to the review raised issues concerning the digital switchover. Some argued that it would be more cost effective for the Satellite Subsidy Scheme (SSS), which is provided to individual households, to be pooled in larger remote communities and the money used to fund the establishment of digital terrestrial retransmission facilities. The review was not able to determine if this is the case

due to the complexity of evaluating the cost of suitable retransmission facilities. However, it is something that the Australian Government should ask the Digital Switchover Taskforce to consider. However, any digital terrestrial retransmission facilities must provide the same level of services (including the same number of channels) as are available on the VAST service now and in the future.

The review also recommends that the Australian Government make provision for remote Aboriginal and Torres Strait Islander communities to receive their television services via VAST, and to have their receive equipment provided, installed and maintained for free.

## **Budget**

The review believes that a more strategic approach to the Australian Government's investment in the Indigenous broadcasting and media sector can be achieved through better program design, including some changes to existing programs and reallocation of monies between programs.

While many changes can be implemented within existing budgets, in some areas the review has identified the need for additional funding to be provided to the sector. It suggests that the funds required to implement the recommendations should be secured from within the current overall spend on Indigenous affairs. While this will doubtless cause some concerns in the areas that are earmarked for savings 'offsets', the review believes very strongly that strengthening the Indigenous broadcasting and media sector will create more positive policy outcomes for *Closing the Gap* and by being integrated within existing government policy initiatives, will return significant benefits.

Central to the government's Indigenous affairs strategy is the need for early measures to reduce subsequent disadvantage in Aboriginal and Torres Strait Islander peoples and higher later government expenditures. Investment in Indigenous media and broadcasting can be one such highly effective and cost efficient measure.

In 2010–11 the Australian Government spent approximately \$30 million directly on the Indigenous broadcasting and media sector, comprising \$15.235 million for NITV and \$14.786 million for the IBP. Adoption of the review's recommendations would increase this direct spend by about \$12 million a year, phased in over two years.

This is a very small fraction of the Commonwealth Indigenous-specific expenditure, averaging \$3 billion per year in real terms since 2000, across all the portfolios relevant to Indigenous affairs.<sup>7</sup>

## **Implementation of review recommendations**

The most urgent recommendation of the review relates to continued funding of NITV, with current funding due to expire on 30 June 2011. Running a television channel requires considerable forward planning and the review encourages the government to make a decision as soon as possible regarding NITV, even if other recommendations await further deliberation or need to be factored into the forward budget process.

Many of the review recommendations require changes to current arrangements that will affect individuals and organisations in different ways. In some instances those changes will need to be phased in or introduced after considerable pre-planning. The review recognises, for example, that

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<sup>7</sup> Department of Parliamentary Services, Commonwealth Indigenous-Specific Expenditure 1968–2010, 2010

applications for funding under the IBP in 2011–2012 have already been sought. Accordingly it suggests that the funding changes to the IBP should be introduced over the next two financial years to enable appropriate transitional arrangements to be made.

The review also acknowledges that some of its recommendations may need to be referred to the recently announced convergence review<sup>8</sup> to be completed in 2011–2012.

## **Conclusion**

The review of the Australian Government's investment in the Indigenous broadcasting and media sector has confirmed the many strengths of the sector. It is staffed by passionate and committed people, it provides significant benefits to local communities and it has an important role to play in national agendas such as *Closing the Gap*. The implementation of the review's recommendations would improve cohesiveness and unity among the sector, enable it to move confidently into a multi-media world and engage younger people. It would also develop improved training and governance capacity within Indigenous broadcasting and media organisations.

Ultimately, the strength of this review lies in the extent to which it was shaped by submissions made to it and the national round of consultations that was undertaken. Some of these submissions raised matters relating to their organisation or to the administration of the Indigenous broadcasting and media sector that were too specific to be considered for inclusion in this report. However, the review took each of them into account in forming its views about the future of the sector and in determining its recommendations.

For the full benefit of the review to be achieved the relevant portfolio ministers will need to ensure that their departments embrace both the content and the underlying philosophy of the recommendations. Harnessing the creative vision of people across the sector and other stakeholders will be vitally important in the forthcoming implementation phase.

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<sup>8</sup> The Australian Government has announced its intention to conduct a Convergence Review in 2011. See Media Release *Convergence Review: Terms of Reference* from Senator the Hon Stephen Conroy, Minister for Broadband, Communications and the Digital Economy dated 14 December 2010 [http://www.dbcde.gov.au/digital\\_economy/convergence\\_review](http://www.dbcde.gov.au/digital_economy/convergence_review) for more information.

## 2. Recommendations

### Improving the administration of the sector

1. Responsibility for the Indigenous broadcasting and media sector, including the Indigenous Broadcasting Program (IBP) and the National Indigenous Television Service (NITV), be relocated from Office for the Arts (OFTA), Department of the Prime Minister and Cabinet (PM&C) to the Department of Broadband, Communications and the Digital Economy (DBCDE). An Indigenous broadcasting section be created within the DBCDE that is separate from the Community Broadcasting Section and staffed primarily by Indigenous officers or by non-Indigenous officers with experience in Indigenous broadcasting and media.
2. The DBCDE negotiates a service level agreement with OFTA, PM&C to facilitate continued use of its regional staff to support and assist DBCDE in its administration of the sector, in particular the IBP.
3. The Australian Government fund a single national peak body that represents the interests of metropolitan, regional and remote Indigenous broadcasters and media sector stakeholders. This funding level should be substantially higher than the current allocation to the Australian Indigenous Communications Association (AICA) and the Indigenous Remote Communications Association (IRCA) combined and should recognise the facilitating role an adequately resourced and representative peak body can play. Implementation details should be developed in consultation with the sector. Existing funding to the IRCA should be retained while it is being integrated into the peak body.

### New Indigenous broadcasting licences

4. The *Broadcasting Services Act 1992* (Cth) (BSA) be amended to include an additional section for Indigenous broadcasting. This new section to include licences for both radio and television. Indigenous broadcasting licences should be issued for a five-year renewable period, without reliance on temporary licences. A code of practice for Indigenous broadcasting be developed by the national peak body in collaboration with Indigenous broadcasting and media organisations and registered with the Australian Communications and Media Authority (ACMA).
5. In amending the BSA to create an Indigenous broadcasting section, the Australian Government should require conditions specifying:
  - a high minimum per centage of Australian Indigenous content to be broadcast each day
  - a high minimum per centage of Aboriginal and Torres Strait Islander employees across all organisational levels
  - that licensees are not-for-profit organisations with open membership, and
  - appropriate board governance protocols.

6. Existing community radio licence holders with an Indigenous community interest be given the option to transfer to the new Indigenous radio licence, subject to an appropriate review of their current and proposed services by the ACMA.
7. The ACMA take into account in-principle IBP funding when considering an application for a new Indigenous broadcasting licence or renewing a licence and the IBP be permitted to provide 'in-principle' indications of the availability of funding to existing and aspirant Indigenous broadcasters.

### **Building on the Indigenous Broadcasting Program (IBP)**

8. The IBP funding arrangements be restructured to:
  - Include multi-media activities such as new media content, training and infrastructure.
  - Provide triennial operational funding tied to the issuing or renewal of an Indigenous broadcasting licence and be no longer part of the competitive, whole-of-government, Indigenous grants funding process. Such triennial funding be conditional on demonstrated operational and governance performance.
  - Establish an Indigenous content and project fund of \$5 million a year, with funds allocated annually on a competitive basis for purposes including content creation, innovative broadcasting applications, urgent capital equipment and training.
  - Transfer funding currently provided to Imparja Television for content production to the fund.
  - Review the total funding allocation annually in light of changes in the number of organisations issued with Indigenous broadcasting licences.
  - Automatically retain any under-spent IBP money at the end of the financial year in the program for use during the following financial year.
9. Community Broadcasting Foundation (CBF) funds currently allocated to support Indigenous broadcasters be transferred to the IBP, with the CBF continuing to support Indigenous content on generalist community radio services.
10. Funding for the IBP to be increased by \$8 million a year, phased in over the next two years, with a further \$5 million each year to be allocated to an Indigenous content and project fund, part of which would be funded from transfers from existing allocations to the CBF and Imparja. During 2011, the government review the financial model underpinning funding allocations under the IBP, including staffing, compliance with award rates, operational functions, multi-media activities and the increased role of Remote Indigenous Media Organisations (RIMOs) to develop a more appropriate benchmarking protocol to guide funding allocations from 2012–13 onwards.
11. The 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. Funding for shires to support RIBS be phased out in favour of new or expanded RIMOs. As part of future

funding rounds, RIMOs be required to execute a memorandum of understanding (MoU) with each of their RIBS, which would include a requirement that RIBS and RIMOs exchange letters annually outlining the support to be provided by the RIMO and confirming the satisfaction of the RIBS with past services provided by the RIMO.

12. Government advertising be excluded when determining an Indigenous radio licensee's compliance with the prescribed maximum five-minutes-per-hour sale of 'sponsorship airtime'.

### **The future of Indigenous television**

13. The Australian Government negotiate with the Board of National Indigenous Television (NITV) as soon as possible to restructure NITV into a government owned company within the next triennial funding period. The board of a restructured NITV should be appointed by the relevant minister, based on specific criteria including appropriate skill sets and be merit based (similar to the ABC and SBS). The chair and at least 75 per cent of board members must be of Aboriginal or Torres Strait Islander descent.
14. NITV allocate a greater proportion of its existing budget to source content from regional and remote Indigenous producers, with the allocation to be agreed between the government and NITV and set out in the next funding deed. To assist with this sourcing, an Indigenous Program Advisory Committee reporting to the Board of NITV be established with representation from regional and remote communities.
15. Funding for the National Indigenous News Service (NINS) be transferred to NITV and NITV create a new multi-media news and current affairs service with wide regional and remote representation and news gathering capacity. This new service to be available to all licensed Indigenous broadcasters in both audio and visual modes. Except for the reasonable costs of delivering the audio visual signal, the service to be provided for free.
16. The Australian Government consider providing for the wider free-to-air distribution of NITV following the digital switchover.
17. NITV be funded as an ongoing program on a triennial basis with funding in 2011–12 maintained at the current real level, plus an increase to reflect the transfer of funds that currently support the production of the NINS and the provision of engineering and satellite transmission services currently provided by Imparja Television. Following the transition to government ownership, increases in funding over time should be considered to recognise the value NITV is contributing to the government's Indigenous policy agenda and in the light of its performance in sourcing regional and remote content. NITV should also be funded to secure access to the Viewer Access Satellite Television (VAST) service on an unencrypted basis.
18. The IBP funding currently provided to Imparja Television for satellite services and engineering support for NITV be transferred to NITV to enable it to contract its own satellite and engineering services with the Australian Government continuing to contract directly with Imparja Television to provide services to the RIBS and RIMOs currently receiving satellite transmission and engineering support.

19. Existing IBP funding to Indigenous Community Television (ICTV) and/or to another appropriate Indigenous broadcasting and media organisation be continued in order to support an online portal for sharing and accessing content made by and for Aboriginal and Torres Strait Islander peoples, especially in remote Australia, and to act as an aggregator for this content.

### **More effective government communications**

20. All external communications strategies by government departments and agencies to include an Indigenous broadcasting and media component – including those involving campaign advertising and those that rely on alternative messaging practices. Chief executives of departments and agencies should be required to:
- outline their Indigenous broadcasting and media activities and their monetary value in published certifications of advertising campaigns, and
  - advise the Independent Communications Committee about any campaign advertising with a value of more than \$250,000 where an Indigenous broadcasting and media component is held not to be relevant. The terms of reference for the Independent Communications Committee should be amended to require the Minister for Indigenous Affairs to be notified where an external government communications strategy does not include an Indigenous broadcasting and media component.
21. All government advertising campaigns that are specifically targeted at Aboriginal and Torres Strait Islander peoples should ideally be created by Aboriginal and Torres Strait Islander peoples with specialist communications skills, including where possible regional and remote media organisations. Any company appointed as the government's advertising media buyer be required to employ a specialist in Indigenous media planning and placement. This would ideally be a person of Aboriginal or Torres Strait Islander descent.
22. All government information messages broadcast on Indigenous broadcasting services should be paid announcements.

### **Better governance**

23. Requirements for all media organisations that receive IBP funds (except RIBS) to include the board chair, deputy chair, treasurer and secretary participating in an approved governance training course within six months of receiving funding – regardless of previous experience on boards or committees. Exemption from this requirement should only apply to individuals who can demonstrate participation in a governance training course or equivalent within the previous five years. Members of governing boards should include a majority of people who can demonstrate skills and/or qualifications in financial management, business, technical, marketing, human resources development, legal or other management discipline. In the case where board members receive remuneration, the representation of these skills sets and qualifications should be among no less than 75 per cent of the board composition.

24. To be eligible for funding, organisations need to be members of the Office of the Registrar of Indigenous Corporations (ORIC) and/or be able to demonstrate a strong track record of achievement in the Indigenous broadcasting sector and good governance. Where an organisation does not meet these criteria, support should be provided to build its capacity so it can meet eligibility criteria.

### **Integrating the reporting and performance framework**

25. The Australian Government, working in conjunction with the peak Indigenous media body develop a performance framework that:
- contains relevant and measurable program performance indicators that include social, cultural and economic indicators and are linked to organisations' strategic plans
  - informs future funding needs, and
  - ensures the role of media and broadcasting is integrated into the *Closing the Gap* reporting framework by linking Indigenous culture program's strategic direction and the individual projects operational objectives to the *Closing the Gap* targets.
26. Reporting requirements be reduced to either twice yearly or annually depending on the amount of funding involved (i.e. twice yearly for grants over \$350,000 and annually for those under this figure) and taking into account other risk factors (such as the history of the organisation's performance and compliance).
27. Funding agreements with Indigenous media organisations be comprehensive and self contained and take into account the principles outlined in the December 2010 Report by the Commonwealth Ombudsman on the administration of funding agreements with regional and remote Indigenous organisations.

### **Building individual capacity and sector capability through employment and training**

28. The Australian Government provide additional incentives for the mainstream media sector to take on Indigenous trainees through the Indigenous Cadetship Support (ICS) by removing the 12 week per annum employer contribution from the ICS and promote this initiative widely.
29. Concurrently, the Australian Government trial a training and employment program within a mainstream media organisation that assists the host organisation to navigate the job ready, training and employment programs available through government and to use this trial to develop more effective strategies to encourage greater take-up of training programs for Aboriginal and Torres Strait Islander peoples by mainstream media.
30. The Australian Government increase the number of positions allocated under the National Jobs Package (NJP) to the Indigenous media sector in regional and remote regions with high demand for such positions.
31. The Australian Government work with the ABC and SBS to ensure that training and employment for Aboriginal and Torres Strait Islander peoples meet a target of no less than 2.7 per cent for Indigenous employees each financial year with progress against each measure

(training and employment) to be reported separately in the national broadcasters annual reports.

### **Enhancing Indigenous content on mainstream media**

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.

### **Preparing for future technology**

35. The Australian Government ensure that where a remote community will have digital terrestrial retransmission (the 'broadcaster owned retransmission sites') the facility carries all the channels available on the VAST service, including NITV.
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.
37. The DBCDE facilitates discussions between the Digital Switchover Taskforce and NBN Co regarding the feasibility of having one contract with service providers to maintain both NBN satellite dishes and VAST satellite dishes in remote areas of Australia. Service provider/s be required to develop training programs for Indigenous technicians for installation and ongoing maintenance. Any new or renegotiated contracts should require the employment and training of local Aboriginal and Torres Strait Islander peoples.
38. Remote Indigenous communities that receive their television services via VAST have their equipment provided, installed and maintained for free.

39. The DBCDE liaises with NBN Co to ensure that Indigenous broadcasting and media organisations are provided with early access to the national broadband rollout. This may require subsidised access to the NBN network for RIBS and RIMOs.

### 3. Consideration of issues

#### 3.1 How the Indigenous broadcasting and media sector can contribute to *Closing the Gap*

The Indigenous media sector can play a powerful role in reinforcing government objectives to help *Close the Gap* between Indigenous and non-Indigenous Australians. However, the potential of Indigenous media is under-utilised and under-valued by governments and their departments. The sector is also under-funded and lacks critical capacity and skills. Accountability requirements in relation to funding can be overly burdensome for media organisations.

The performance across the sector is inconsistent and most likely related to the need to professionalise the industry and increase the depth of its resources. It should be given a higher priority within overall spending by the government on its Indigenous programs. This will achieve better outcomes and help *Close the Gap* between Indigenous and non-Indigenous Australians.

Equally the participation by Indigenous people in mainstream media is vital to *Closing the Gap*. In all its forms, mainstream media is a crucial partner to Indigenous media. Trained, professionally competent Aboriginal and Torres Strait Islander people in mainstream media challenge stereotypes. By placing them in newsrooms, studio and production areas they can help shape representations of Aboriginal and Torres Strait Islander peoples. It is no coincidence that the better performing Indigenous media organisations are most often staffed by people trained in mainstream media, frequently the ABC and AFTRS.

##### ***Closing the Gap* targets**

The government has made a practical commitment to *Closing the Gap* between Indigenous and non-Indigenous Australians, with the COAG initiating a framework that includes specific targets to measure improvements across a number of outcomes.

Submissions to the review and subsequent consultations and research have confirmed that the Indigenous media sector can contribute significantly to the government's *Closing the Gap* targets.

A 2010 report by the Australian Council for Educational Research on using television to improve learning opportunities for Indigenous children backs up research that:

- children are not passive viewers of television but actively attend to programs and can thus learn from them (Huston and Wright, 1998)
- good educational programming can help improve children's pre-literacy and literacy skills (Samuels, 1970; Shapiro, 1975; Singer, 2002; Stipp, 2003); Sutherland, 2004; Hubbard, 2004; Kendeou et al., 2005; Bachrach et al., 2009, 2010; Moses, 2008, 2009; Linebarger et al., 2004; Linebarger and Wainwright, 2006; Linebarger and Piotrowski, 2009), and
- the main types of benefits identified are cognitive skills, school readiness and academic achievement.<sup>9</sup>

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<sup>9</sup> "Using television to improve learning opportunities for Indigenous Children". Op cit

Further examples are listed below:

***Close the gap in life expectancy between Indigenous and non-Indigenous Australians within a generation.*** Indigenous media helps to close the gap in life expectancy between Indigenous and non-Indigenous Australians by promoting health services through local radio stations and the ability of the sector to translate government health messaging into easy-to-understand awareness campaigns that tackle obesity, diabetes and smoking. *Living Strong* is a weekly health and lifestyle series aired on NITV. It is designed to promote awareness and positive attitudes towards health and well-being within Aboriginal and Torres Strait Islander communities.

***Halve the gap in mortality rates for Indigenous children under five by 2018.*** Again, the actual and potential health promotional role that the Indigenous media sector plays in improving maternal and child health is highly relevant to this target.

***Ensure access to early childhood education for all Indigenous four year olds in remote communities by 2013.*** In an example of the contribution of Indigenous media, Warlpiri Media Association (WMA) has produced a number of educational series which support improved readiness for school. The award-winning *Manyu Wana* is a nine-part children's series broadcast on SBS television.

***Halve the gap in reading, writing and numeracy achievement for Indigenous children by 2018.*** Following the success of *Manyu Wana*, WMA produced a similar three-part series 'Arrkantele', in the Kaytetye language with the assistance of the Institute of Aboriginal Development and Tangentyere Council. In addition, *Letterbox* is an Indigenous children's television game show aired on NITV. It is targeted at primary school-aged children.

***Halve the gap for Indigenous students in Year 12 or equivalent attainment rates by 2020.*** Encouraging Indigenous students to aspire to a media career or undertaking a professional traineeship will go some way to halving the gap for Indigenous students in Year 12 attainment rates.

***Halve the gap in employment outcomes between Indigenous and non-Indigenous Australians by 2018.*** Indigenous media organisations provide a source of employment in media professions (journalism, performance and acting and technical). Agencies such as ScreenWest have, as one of their key objectives, 'increasing employment opportunities for WA Indigenous writers, directors and producers by providing a focus on business, practitioner and skills development programs'.

The Indigenous broadcasting and media sector can assist the government to encourage safe, healthy, supportive family environments with strong communities and cultural identity.

Indigenous broadcasters throughout Australia provide opportunities for social and cultural engagement; support promotion of Indigenous culture, language, music and information; and provide positive images which promote understanding and respect in the wider population. This creates role models for individuals and communities.

The views of this review are supported by several landmark reports – the *Royal Commission into Aboriginal Deaths in Custody* (1991), the *Productivity Commission Report on Broadcasting* (2000), and the *National Report on Racist Violence* (1991), *Out of the Silent Land* (1984) and *Digital Dreaming* (1999). They also identified the potential for a well-resourced and skilled Indigenous media sector to:

- engage Aboriginal and Torres Strait Islander peoples in the broader economy through greater access to information
- enhance self-esteem, sense of identity, sense of community, social inclusion and pride in communities
- provide positive role models to Aboriginal and Torres Strait Islander young peoples
- provide positive representations of Aboriginal and Torres Strait Islander peoples
- provide training and employment opportunities, and
- be a vehicle for maintenance and transmission of language and culture.

### **Focussing on the cause of the gap**

Discrimination, negative stereotypes and racism are acknowledged as contributing to economic and social disadvantage and resistance to participation in education, employment and services. This resistance exacerbates the invisibility of Indigenous people and increases the gap between Indigenous and non-Indigenous Australians in their participation within the economy and community.

Indigenous presenters, producers and journalists give their community a voice and role models. They also give non-Indigenous Australians an alternative perspective on issues and support reconciliation by providing a 'cultural bridge' between these communities.<sup>10</sup>

For Indigenous audiences, the value of hearing local voices, seeing local faces is powerful but difficult to quantify. The benefit of these same voices and faces on mainstream media is even more powerful.

### **Indigenous media**

The Indigenous broadcasting and media sector is an essential public service that speaks directly to Indigenous audiences in a way that mainstream media cannot. A well-trained and professional Indigenous media sector is better able to develop, communicate and transmit accurate, timely, meaningful and audience accessible information. It is interested in and has the capacity to focus on material that will appeal to Indigenous audiences.

With a high proportion of remote Indigenous people having English as a second (or third or fourth) language, Indigenous media networks are a popular service for remote audiences and an effective way of ensuring people are informed. The significance of being able to offer people information on health, education, current affairs, news, essential and social services that has been prepared by Indigenous people and broadcast in their own first language as well as English cannot be underestimated.

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<sup>10</sup> Meadows 1994; ATSI, 1999; Productivity Commission, 2000; Molnar and Meadows, 2001.

## **Mainstream media**

Mainstream media plays a significant role in shaping how the community as a whole views key social and political issues. In order to help close the gap it can be better harnessed to communicate and obviate ideas, fears and resentments of racism and informing and educating Australians about each other.<sup>11</sup>

For many Australians their primary understanding or engagement with Indigenous peoples is likely to be through the information and messages that are communicated via mainstream media. Due to the relatively small size of Australia's Indigenous population and its geographic dispersion, most non-Indigenous Australians have little or no day-to-day first-hand interaction with Aboriginal or Torres Strait Islander people. Therefore access to accurate information and representations on radio and television is extremely important.

Aboriginal and Torres Strait Islander peoples too frequently appear in mainstream media in the context of being either victims or perpetrators. The nature of mainstream news gathering means that to see a program or a report about Indigenous peoples is unusual. To see a positive one is remarkable and to see one where the person portrayed is playing a neutral-role – without focus on their Aboriginality is significantly rare.

Mainstream media also provides opportunity for training and employment. Having trained, professionally competent Aboriginal and Torres Strait Islander peoples in the workplace contradicts stereotypes and places them in newsroom, studios and production areas where they can help shape representations and challenge the stereotypes.

## **Who benefits from improved Indigenous representation?**

The treatment, portrayal and inclusion of Indigenous peoples helps shape our national identity.

The first audience segment for Indigenous media should be Aboriginal and Torres Strait Islander peoples,<sup>12</sup> however most of the material produced transcends cultural boundaries and as such Indigenous media should be accessible to all Australians.

The Indigenous Tourism Survey (2000) determined that 37 per cent of international visitors who expressed 'high' or 'medium' interest in Aboriginal tourism left Australia without participating in an Aboriginal tourism experience with the reasons being mostly time constraints and inability to find the appropriate information.<sup>13</sup> This suggests that greater access to Indigenous programming and content for everyone may also contribute to economic activity and outcomes.

## **Supporting culture**

Submissions to the review noted that the affirmation of culture is integral to the formation and retention of a positive Indigenous identity. In communities that experience a significant degree of social disadvantage, Indigenous broadcasting is a critical service, empowering them through the broadcasting of relevant news and information that would be otherwise unavailable.

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<sup>11</sup> The Report on the *National Inquiry into Racist Violence in Australia* (1991) p38.

<sup>12</sup> Meadows, (2000) Productivity Commission Report: Broadcasting. Op cit.

<sup>13</sup> Survey of Indigenous Tourism (2000), [www.abs.gov.au/ausstats](http://www.abs.gov.au/ausstats)

Submissions also highlighted the responsibility of the sector to reflect the cultural, linguistic and geographic diversity of Indigenous Australia.

## 3.2 Improving the administration of the sector

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Responsibility for the Indigenous broadcasting and media sector initially rested with the Department of Aboriginal Affairs (DAA). Over time responsibility has moved to the Aboriginal and Torres Strait Islander Commission (ATSIC), then to the Department of Communications, Information Technology and the Arts (DCITA) (when communications and the arts were part of the same portfolio), to the Department of the Environment, Water, Heritage and the Arts (DEWHA) and most recently to OFTA, within PM&C.

The review received an overwhelming number of submissions that expressed concern that being located in the arts portfolio, rather than the communications portfolio, emphasised the exclusion of Indigenous broadcasting from other parts of the broadcasting industry. A number of submissions considered that this undermined the professionalism of the industry, marginalised the sector and was symbolic of the gap in responsiveness to the needs of Indigenous peoples.

In particular, stakeholders argued that the current administrative arrangements have disconnected Indigenous media from mainstream broadcasting policy and programs at a time when key technological changes such as the digital switchover are underway and when vital decisions on spectrum allocation are being considered.

The review agrees that a move to DBCDE would recognise Indigenous media as an integral part of the Australian broadcasting and media landscape and increase linkages and opportunities under relevant initiatives such as the NBN and digital switchover. With DBCDE already responsible for all other aspects of communications and the media, it would be best placed to support the sector's uptake of new technologies and the increasing convergence of media, information and communications technology.

A concern expressed to the review, and one it shares, is that simply transferring the Indigenous broadcasting and media sector to DBCDE in the absence of the creation of a dedicated Indigenous broadcasting section within the Department would prove counterproductive. In addition, new interdepartmental administrative arrangements will be required in relation to associated programs that will continue to be managed by other departments – particularly those in the Arts portfolio. Moreover, existing DBCDE staff will need to be supplemented with the appointment of officers who have knowledge and experience in Indigenous media.

### **Role of the national network within the Office for the Arts (OFTA)**

The OFTA within PM&C currently delivers its Indigenous arts and culture programs, including the IBP through a national network of regional staff based in Indigenous Coordination Centres (ICCs). These centres are located in metropolitan and regional locations. ICCs operate as a whole-of-government centre, accommodating staff from various departments, delivering programs and services to Indigenous people. They are responsible for administering Indigenous-specific programs within the state and assist in negotiations with local communities. Currently they help deliver the Indigenous broadcasting and media sector programs and in supporting media organisations on the ground.

DBCDE does not have offices in regional and remote areas able to take on the work currently done by

OFTA through its regional staff. It would be costly and inefficient to duplicate this network, recognising that in most cases the regional officers responsible for the IBP perform a range of other tasks.

The absence of a strong on-the-ground presence could result in a lack of awareness about what is happening within a region and lead to a lower level of participation in other government programs including cultural and language maintenance. The review recommends securing the ongoing assistance of OFTA through a service level agreement between DBCDE and PM&C. However, it is critical that engaging the services of the OFTA national network does not occur in a manner that causes DBCDE to become disengaged from the Indigenous broadcasting and media sector in remote areas.

### **Whole-of-government process**

The current IBP is linked to a whole-of-government funding process for Indigenous programs, with broadcasters required to apply through a competitive funding round and report in accordance with whole-of-government reporting requirements. The sector has strongly voiced its concerns about the distorting effect of the competitive funding process.

Moving functional responsibility to DBCDE, combined with other recommendations of the review such as the introduction of an Indigenous broadcasting licence provides the opportunity to affirm the importance of the Indigenous broadcasting and media sector and to make changes to how it is funded and how it reports on funding.

The recommended changes would enable government to provide operational funding directly to Indigenous media organisations, generally on a triennial basis, without the need to go through a whole-of-government process. An Indigenous broadcasting licence would determine an organisation's eligibility for funding.

### **Effective representation for the sector**

A functional, appropriately resourced and well regarded national peak body is a necessary component of the Indigenous media and broadcasting sector. Such a body can empower its members through advocating on their behalf, through policy development, through assisting and leading some programs, through attracting national sponsorship and providing relevant leadership and development opportunities. It should also provide advice and common services to its members. This is particularly true for this sector where many Indigenous broadcasting organisations are small and lack the infrastructure needed for them to undertake these functions on their own behalf.

Currently, there are two bodies representing the sector, the AICA which is based in Canberra, and the IRCA, located in Alice Springs.

The AICA is the national representative body for Indigenous broadcasting and communications in Australia. Its mission is to 'act with integrity and professionalism in enabling Indigenous organisations to find, use and expand the common ground they share in the media, entertainment, information and telecommunications industry, for the benefit of Aboriginal and Torres Strait Islander people and that of wider national and international societies'.<sup>14</sup>

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<sup>14</sup> <http://aicainc.org.au/>

While both organisations have worked hard to support the Indigenous media sector they each are under-funded and lack critical mass. Some submissions commented negatively on the performance of the AICA as a peak body, saying they get minimal benefit from the operation of the AICA in terms of information and advice or advocacy. Remote broadcasters argued strongly for the continuation of the IRCA as a peak body representing the remote sector. They were concerned that any amalgamation of peak bodies would leave their unique needs under-represented.

The review recognises the views of the remote sector and supports their need for strong representation. However, it is not convinced that two peak bodies are the best way forward and is concerned about fragmentation of effort and messaging in a sector that needs effective representation.

It therefore recommends that one peak body be established and appropriately funded by government to represent the Indigenous broadcasting and media sector. The review's vision for the national peak body is one that plays an effective and well regarded advocacy role, with a clear policy and research agenda that is responsive to the needs of its members. It would have strong partnerships with government, stakeholders, mainstream and Indigenous media. It would provide advice and support to members throughout Australia. It would be supported by staff with recent industry experience and directed by a board that reflects the geographical spread and diversity of the sector. To ensure that the particular needs of the remote Indigenous media sector are met, a specific sub-group would be set up within this peak body to ensure equitable representation.

However, this will take time to emerge and needs to be done in consultation with the sector. The development of a strong single sector peak body should be an early priority for the government. A suitable timetable for the creation of the single sector peak body would be 30 June 2013. While the peak body is being built up the review recommends continued funding to the IRCA at current levels.

## Recommendations

1. Responsibility for the Indigenous broadcasting and media sector, including the Indigenous Broadcasting Program (IBP) and the National Indigenous Television Service (NITV), be relocated from Office for the Arts (OFTA), Department of the Prime Minister and Cabinet (PM&C) to the Department of Broadband, Communications and the Digital Economy (DBCDE). An Indigenous broadcasting section be created within the DBCDE that is separate from the Community Broadcasting Section and staffed primarily by Indigenous officers or by non-Indigenous officers with experience in Indigenous broadcasting and media.
2. The DBCDE negotiates a service level agreement with OFTA, PM&C to facilitate continued use of its regional staff to support and assist DBCDE in its administration of the sector, in particular the IBP.
3. The Australian Government fund a single national peak body that represents the interests of metropolitan, regional and remote Indigenous broadcasters and media sector stakeholders. This funding level should be substantially higher than the current allocation to the Australian Indigenous Communications Association (AICA) and the Indigenous Remote Communications Association (IRCA) combined and should recognise the facilitating role an adequately resourced and representative peak body can play. Implementation details should be developed in consultation with the sector. Existing funding to the IRCA should be retained while it is being integrated into the peak body.

### 3.3 New Indigenous broadcasting licences

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In 2000 the Productivity Commission<sup>15</sup> recommended the creation of a new category of broadcasting service licence specifically for Indigenous broadcasters. This recommendation reflected the view that Indigenous broadcasters are different to community broadcasters and should be recognised separately under the BSA.

Many submissions to the review strongly supported this earlier recommendation. Those submissions contended that such an initiative combined with a purpose built regulatory regime could measurably assist the development of Indigenous broadcasting.

This review considers that the Indigenous broadcasting and media sector needs to be recognised in its own right within the overall media landscape as a professional sector delivering an essential service. It is fundamentally different to community broadcasting and therefore should be treated separately and regulated differently.

Accordingly, it recommends that the BSA be amended to include an additional category of service for Indigenous broadcasting.

Indigenous broadcasting licences should be allocated for a five-year (renewable) period. Experience has shown that operating under a temporary licence (limited to a maximum licence period of 12 months at any one time) provides real difficulties for stations. Accordingly the review believes that no useful purpose is served by allocating licences on a temporary basis and therefore recommends that no provision be made for temporary Indigenous broadcasting licences in the BSA.

The new licence regime should apply to metropolitan Indigenous broadcasters as well as those in regional and remote areas.

A new category of Indigenous broadcasting service would require amendments to the BSA to regulate:

- spectrum use
- licensing arrangements – allocation and renewal
- program standards, including a code of practice, and
- licence conditions, including a process for dealing with audience complaints.

A code of practice for Indigenous broadcasting should be developed by the national peak body in collaboration with Indigenous media organisations and be registered with the ACMA.

#### **Indigenous radio**

The ACMA estimates that there are 163 community radio stations providing services to meet an Indigenous community interest. While the majority of these are exclusively focussed on Indigenous programming, others include Indigenous content in a broader programming schedule. Ninety-nine of these have long-term licences and 64 hold temporary licences.

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<sup>15</sup> Productivity Commission. March 2000. *Broadcasting Inquiry Report*, AusInfo, Canberra.

Indigenous radio stations currently operate under a Community Broadcasting Licence pursuant to Part 6 of the BSA or a Temporary Community Broadcasting Licence under Part 6A of the BSA. Licences are issued by the ACMA. A long-term licence is granted for a five-year term while a temporary licence requires renewal every 12 months or as nominated by the ACMA.

The review recommends existing community radio licensees with an Indigenous community interest be given the option to transfer to the new Indigenous broadcasting licence, subject to an appropriate review of their current and proposed services by the ACMA.

The review also recommends the ACMA undertake an audit of the existing 163 community radio stations providing services to meet an Indigenous community interest in order to:

- ensure licences are active, and
- ensure licensees have in place appropriate governance processes.

An issue raised by numerous licensees and would-be licensees is the requirement to provide evidence of their ability to fund station operations. It would make sense for the IBP to provide in-principle agreement to fund a new station so that the ACMA take into account this funding when considering an application for a new licence or the renewal of an existing licence.

### **Indigenous television**

Indigenous television exists in three forms.

1. NITV
2. RIBS TV, and
3. High power open narrowcast (HPON) television services.

According to the ACMA, there are currently 249 remote Indigenous communities with 'Apparatus licences' that allow the retransmission of analogue national and commercial television services. The review was advised that these analogue television systems generally provide a limited number of channels – less than the full suite of analogue channels available in most of Australia.

Of the 249 communities receiving a retransmission of analogue national and commercial television channels, 78 also hold remote Indigenous community television licences. The review understands that in most if not all cases these licences are used to retransmit NITV with, in some cases, the inclusion of local programming from time to time. The review was, however, unable to determine the extent to which local programming is being inserted.

Following the completion of the digital switchover in 2013, remote Indigenous communities will be eligible for subsidised access to the new VAST service, guaranteeing them the full complement of digital channels. A more detailed explanation regarding the VAST service and the digital switchover can be found in Section 3.11.

HPON licences are general purpose licences and can be acquired on the open market. They are not issued specifically for Indigenous or community broadcasting services. However, Goolarrri Media Enterprises based in Broome, Juluwarlu Aboriginal Corporation based in Roebourne and Radio

Larrakia based in Darwin are currently Indigenous media organisations that have been issued with a HPON licence.

HPON licences do not, in the opinion of the review, represent an efficient means for providing government-funded Indigenous television services. The case for issuing additional HPON licences for Indigenous television will be significantly diminished if the government accepts recommendations made elsewhere in the report concerning NITV. However, where an Indigenous organisation has the financial capacity to acquire and operate a HPON television service without government funding, they should be free to do so.

## Recommendations

4. The *Broadcasting Services Act 1992* (Cth) (BSA) be amended to include an additional section for Indigenous broadcasting. This new section to include licences for both radio and television. Indigenous broadcasting licences should be issued for a five-year renewable period, without reliance on temporary licences. A code of practice for Indigenous broadcasting be developed by the national peak body in collaboration with Indigenous broadcasting and media organisations and registered with the Australian Communications and Media Authority (ACMA).
5. In amending the BSA to create an Indigenous broadcasting section, the Australian Government should require conditions specifying:
  - a high minimum per centage of Australian Indigenous content to be broadcast each day
  - a high minimum per centage of Aboriginal and Torres Strait Islander employees across all organisational levels
  - that licensees are not-for-profit organisations with open membership, and
  - appropriate board governance protocols.
6. Existing community radio licence holders with an Indigenous community interest be given the option to transfer to the new Indigenous radio licence, subject to an appropriate review of their current and proposed services by the ACMA.
7. The ACMA take into account in-principle IBP funding when considering an application for a new Indigenous broadcasting licence or renewing a licence and the IBP be permitted to provide 'in-principle' indications of the availability of funding to existing and aspirant Indigenous broadcasters.

### 3.4 Building on the Indigenous Broadcasting Program (IBP)

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The Australian Indigenous broadcasting and media sector has grown rapidly over the past 25 years as Indigenous communities realise its potential to inform people, to provide relevant training and jobs, to showcase and develop the creativity of Aboriginal and Torres Strait Islander peoples and to help maintain traditional cultures.

Indigenous broadcasters and media organisations are now located in the most remote areas of the far north and central Australia as well as regional areas and capital cities. The Indigenous broadcasting and media sector provides a diverse range of culturally appropriate and authentic content to Indigenous, as well as non-Indigenous, audiences across the country. It is a key medium for conveying important health, education, emergency services and other information.

Radio remains the most cost effective method for Indigenous media organisations to reach their audiences. It is the most mobile and convenient of communication systems with widespread public access to portable and car radios. It is also the most local of media enabling area specific content to be broadcast every day.

Prior to 1985 there were no mainstream television or radio retransmission services in many remote Aboriginal or Torres Strait Islander communities. In 1985 with the launch the communications satellite Aussat the first Indigenous radio station was licensed. Many remote Indigenous communities gained access to telecommunications, broadcast television and radio for the first time.

In 1984 the government commissioned a taskforce to investigate the media needs of Aboriginal and Torres Strait Islanders. Recommendations from that report titled *Out of the Silent Land* included installation of basic satellite receiving and retransmission equipment at approximately 80 Indigenous communities. Based on the taskforce recommendations, the then Department of Aboriginal Affairs (DAA), in 1987, developed a program to deliver radio and television services to remote communities – the Broadcasting for Remote Aboriginal Communities Scheme (BRACS). This resulted in a total of 80 licences being granted which enabled the broadcasting of both radio and television services. Licensees operated from low powered sites receiving their signal by satellite. BRACS was designed to give communities the ability to produce their own video and radio programs and re-broadcast or ‘embed’ this material in mainstream programming by turning off main signals and transmitting their own programs locally.

The establishment of these facilities was completed in 1991 and BRACS was renamed the RIBS.

From the early 1990s RIBS and retransmission facilities have been increasingly supported by RIMOs, which undertake a range of operational and maintenance services including training, production of content and support for the provision of radio services.

Since the mid-1980s the Indigenous radio broadcasting sector has grown from a single broadcaster – CAAMA – to 163 licensed Indigenous communities, of which 99 are long term and 64 are temporary.

There are now eight<sup>16</sup> RIMOs in Australia, with Individual RIMOs supporting as many as 27 RIBS communities across vast regions of up to 1,000,000 square kms.

### **Indigenous radio**

The IBP, established in 1987, is the primary government support for Indigenous radio broadcasting.

The objectives of the IBP are to:

- support the operations of Indigenous owned and controlled community radio broadcasting services, including RIBS
- support the development and broadcast of programming that focuses on the promotion of local Indigenous culture and languages
- enhance Indigenous broadcasting services by supporting national representation that serves and develops the sector's capacity
- support broadcasting services that are able to inform and educate Aboriginal and Torres Strait Islander peoples on accessing the range of health, legal, education and housing services available to them
- assist in developing an Indigenous broadcasting sector that meets all governance and regulatory requirements, and
- provide opportunities for broadcasting workers to develop professional skills and experience.

In 2007 funding under the IBP for Indigenous broadcasters was generally restricted to radio activities, precluding its use for multi-media. This change was made following the 2006 review of the IBP to reduce calls on the IBP in the face of rising demand and static funding. In addition, with the establishment of NITV, substantial additional funding was directed specifically to Indigenous television for the first time. It was intended that NITV commissioning of content would give local Indigenous television production a major financial boost, thus removing the need to support Indigenous television activities through the IBP.

To ensure some continuity until funding through NITV began to flow, temporary IBP funding was provided to ICTV. However NITV funding to remote Indigenous producers has not yet occurred on any significant scale and funding to ICTV has continued.

### **Audience surveys**

Only limited data is available on the size of audiences listening to Indigenous radio as it is not part of normal commercial ratings surveys. The only data available to the review was a survey commissioned by the DEWHA in 2010 and undertaken by McNair Ingenuity Consulting. This survey showed that:

- in the month prior to the survey, six per cent of Australians and 55 per cent of Aboriginal and Torres Strait Islander peoples had listened to Indigenous radio and two per cent and 34 per cent respectively had listened in the last week, and

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<sup>16</sup> Of these eight RIMOs one is located in the Torres Strait and is not funded through the IBP.

- in the NT 45 per cent of all residents and 73 per cent of Indigenous residents had listened to Indigenous radio in the month prior to the survey.

These figures would indicate a significant Indigenous and non-Indigenous listening audience for Indigenous radio. The main reasons given by Aboriginal and Torres Strait Islander peoples for listening were:

- to hear about my own people and my own community (90 per cent total, 39 per cent unprompted). A total of 87 per cent of respondents said they listen to Aboriginal Community radio because it makes them feel proud
- for the music (97 per cent total, 39 per cent unprompted), and
- for the news and current affairs (35 per cent unprompted).

### IBP Funding 1993–94 to 2010–11

Below is a snap shot of funding allocations for the IBP between 1993–94 and 2010–11:

Year	\$ Administered	\$ held aside, including contingency funding	\$ held aside for contingency funding <sup>17</sup>	No of organisations (activities) supported with a funding agreement
1993–94	11,700,000	N/A	N/A	N/A
2000–01	12,679,000	N/A	N/A	N/A
2003–04	13,059,000	N/A	N/A	N/A
2004–05	12,858,000	N/A	N/A	N/A
2005–06	13,282,000	N/A	484,740	N/A
2006–07	13,670,000	1,156,380	0	78
2007–08	13,965,000	1,176,245	511,245	75
2008–09	14,244,000	642,183	222,105	60
2009–10	14,588,000	1,041,522	571,522	59
2010–11	14,786,000	1,061,622	706,622	61

### Changes in IBP application numbers

While there was a decrease in the number of applications submitted from 103 in 2007–08 to 74 in 2010–11, this reduction does not represent a reduced demand for funds or a reduction in the overall number of radio services funded. Rather it is the result of a number of changes to the administration of the scheme including:

- supporting RIBS indirectly through the RIMOs rather than individually
- the recent shire amalgamations in the NT whereby the NT Government created shire councils and replaced community government councils, and

<sup>17</sup> Contingency funding is set aside for activities such as new broadcasting services, emergency repairs, infrastructure needs and minor capital projects that are in line with the 2010-2011 IBP guidelines.

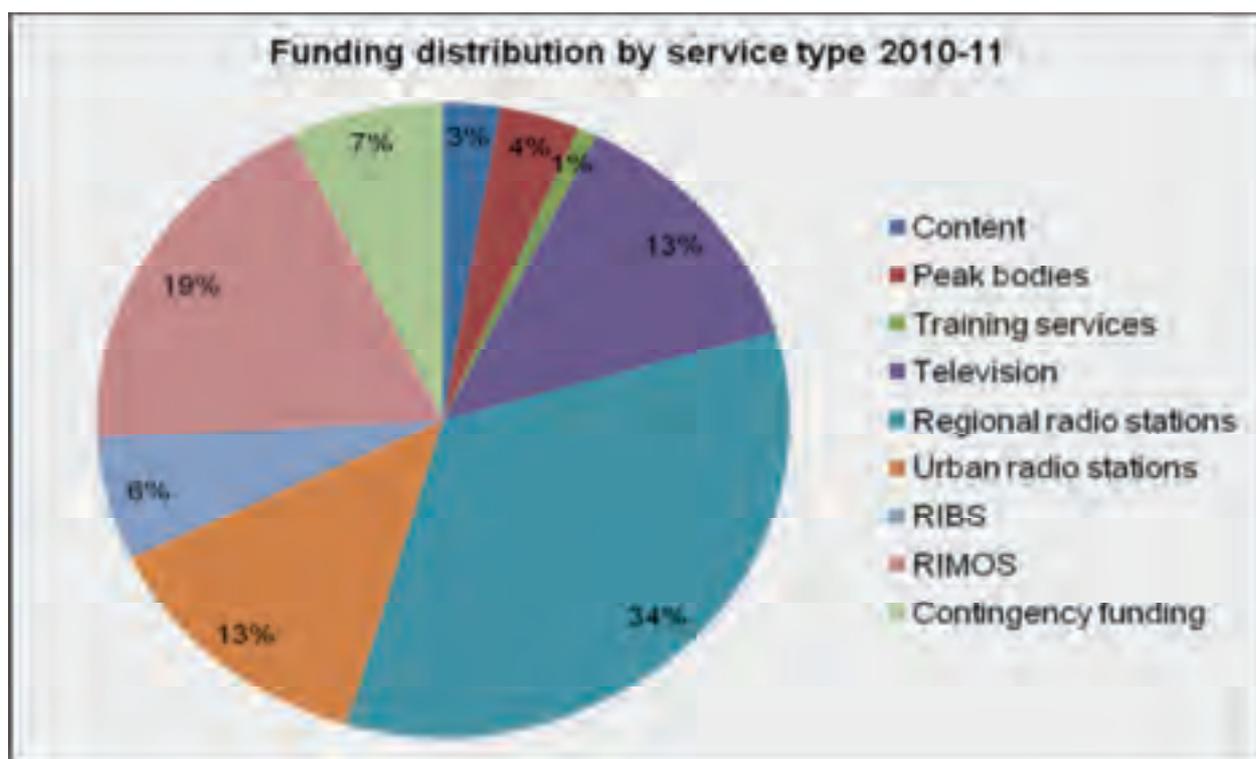
- the introduction of triennial funding for a number of organisations.

### IBP Funding 2010–11

A detailed funding breakdown for 2010–11 is shown below.

IBP	\$ annual allocation
Urban radio stations (5)	1,970,000
Regional radio stations (19)	5,023,415
Small radio stations(3)	165,000
Remote Indigenous Media Organisations (7)	2,765,966
Remote Indigenous Broadcasting Services (85)	767,820
Content providers (3)	392,177
Media training organisation (Batchelor) (1)	140,000
Imparja Television	1,800,000
Indigenous Community Television	150,000
Peak bodies (Australian Indigenous Communications Association and Indigenous Remote Communications Association) (2)	550,000
Contingency funding	706,622
Reviews	235,000
Additional funding for Remote Service Delivery (RSD) communities (this is in addition to current investment in RIBS in RSD communities of \$1.489m)	100,000
Research	20,000
<b>Total</b>	<b>14,786,000</b>

*The distribution of IBP funding by service type in 2010-11.*



*Indigenous broadcasting reporting information*

In 2010–11 over one-third of IBP funding will go to 19 regional radio stations, one-fifth to seven RIMOs, 13 per cent to five urban radio stations and six per cent to directly fund RIBS, supported by the shire councils.

Imparja Television and ICTV combined will receive 13 per cent of the IBP funds, with four per cent going to the two peak bodies, three per cent to three content providers and the remaining one per cent to a training service.

**Funding pressures**

The IBP budget has remained relatively unchanged since the late 1990s. As a result the IBP has been facing funding pressures through:

- supporting new radio services
- rising costs through inflation
- increasing employee wages to comply with award rates, and
- the need to fund to replace and upgrade outdated equipment and facilities.

The number of Indigenous broadcasters has doubled since 1987, while IBP funding has increased only marginally. Many of the newer Indigenous radio stations are larger, more complex and more costly to run because they serve urban and major regional markets.

Requests for funding greatly exceed available funds. In 2010–11, approved funds (\$14.786 million) were around half of those requested (\$26.227 million).

There is also a high demand for capital funding. On average, requests for capital funding make up 12 per cent of the requests for funding but account for less than two per cent of approved funding.

These funding pressures are not new and have led to a number of changes to the program over the years. The restriction to radio activities in 2007 was one such change. The *2007 Report on the Review of the Indigenous Broadcasting Program* noted that much of the funding to individual broadcasters was based on historical allocations and there was a large difference in the amount of funding going to similar organisations. It recommended that funds be allocated more equitably having regard to national considerations.

Following this report, a change to the IBP funding model was adopted which was aimed at achieving more uniform outcomes and addressing the history of disparities in funding. To assist this change, DCITA commissioned a consultancy, the *2007 Convergent Consulting Report of November 2007, Research into the costs of providing Indigenous community broadcasting services in urban, regional and remote areas* to benchmark the costs of providing Indigenous broadcasting services in urban, regional and remote areas. The IBP has been moving towards this benchmark funding model for broadcasters since this time. However, funding to benchmark figures has not been possible with the funds available.

Indeed, to meet the 2007 benchmark figures for all Indigenous broadcasters the cost would be an additional \$11 million above 2010–11 IBP funding of \$14.786 million.

### **Results of benchmarking and funding redistribution**

By 2010–11 the funding redistribution process has had a significant impact on funding parity for regional radio stations, with the variability in funding between stations reducing by 43 per cent (as indicated by average deviation). It has also had a significant impact on national parity for urban radio stations, reducing the variability in funding by 86 per cent.

As a result, urban and regional radio stations are provided with a similar amount of funding regardless of their historic funding or geographic location, albeit at approximately less than half the level indicated by the 2007 benchmarks. It has also had a significant impact on some radio stations that have had their funding reduced. For example, funding for the CAAMA and Pitjantjatjara Yankunytjatjara Media (PY Media) has been reduced to bring their annual funding amount closer to parity. The CAAMA has claimed that the reduction in government funding has directly contributed to their current financial predicament which has recently been widely reported in the media.

The review recognises that a sound benchmarking of the costs of different types of Indigenous broadcasting organisations is essential to informed and consistent decisions on the allocation of operating funds. Even if funding is not sufficient to fund all organisations to the benchmark level, it provides an objective basis for allocating funds between similar organisations. The work undertaken in 2007 is a start but now needs to be updated to take account of factors such as the award wages decision, the recommended enhancement of the role of RIMOs and the extension of activities into multi-media.

The review recommends that this work be carried out in 2011 in conjunction with peak bodies so that it can be reflected in funding decisions for 2012–13.

## **Remote Indigenous Media Organisations (RIMOs)**

The May 2007 *Report on the Review of the Indigenous Broadcasting Program* recommended that the IBP only fund licensed RIBS through RIMOs<sup>18</sup>. However, any eligible RIBS not funded through a RIMO would still be able to access funding via a direct application to the IBP. It also recommended that the government consult further with the sector to develop an appropriate funding model and develop a common services agreement to cover those services and ensure equity in outcomes for RIBS across Australia.<sup>19</sup> To date, this has not occurred.

The RIMO funding model was adopted in Western Australia (WA) and South Australia (SA), with the NT and Queensland (Qld) continuing to provide at least some direct operational funding to support the RIBS. The review considers that there should be a nationally consistent policy position in this regard. However, for this to occur, robust RIMOs are required in each region with RIBS. The recently established Queensland RIMO is an example of working towards this goal.

This review strongly supports the RIMO model as providing the most effective way of supporting remote broadcasting. By grouping stations and organisations together, necessary administrative and governance arrangements can be implemented in a cost effective way that still preserves local autonomy. The RIMO has the scale to provide technical, operational and programming expertise amongst smaller stations (RIBS). In this way the RIBS can concentrate on community involvement and local programming.

Taken together with the recommendation that IBP funding be extended to multi-media activities, the RIMOs can become vibrant media hubs for their communities. They would have the capacity to seek grant funding under other government programs in areas such as cultural activities and language preservation.

The review recommends a substantial boost in funding for RIMOs to recognise the key role they play in remote broadcasting, the unique difficulties they face as a result of geography, and to enable them to fulfil their potential in becoming multi-media hubs.

In some cases shire councils take the role of a RIMO and support a number of RIBS. In 2010–11, 33 RIBS in the NT are supported through shire councils and 14 are supported through RIMOs. In QLD, nine RIBS are supported through shire councils. Funding is not provided to shire councils in WA or SA where all funding is provided through RIMOs.

In 2009–10 OFTA undertook significant work to analyse and benchmark the operational funding provided to each shire council. This analysis indicated that the provision of operational funding to the shire councils is ad-hoc and the amounts for operational purposes are variable.

While the review recognises the role these shires currently play, it does not consider this the best model. It is also concerned about the potential for overlap and confusion where some RIBS are supported by both shires and RIMOs.

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<sup>18</sup> RIMOs undertake a range of operations including providing operational and maintenance services for RIBS and retransmission facilities in their area. Services provided by RIMOs also include training, production of content and support for local video production, and provision of radio services. May 2007 *Report on the review of the Indigenous Broadcasting Program*.

<sup>19</sup> May 2007 *Report on the Review of the Indigenous Broadcasting Program*.

The review considers that a better outcome for Indigenous broadcasting would be for RIMOs to replace the role played by shires and it recommends the phasing out of shire funding once a suitable RIMO can be identified to provide support to the RIBS. Where new RIMOs are established, they should be built around an existing Indigenous radio station wherever possible.

While the review supports the RIMO model it is aware that in some cases RIBS feel more could be done to support their operations. The review considers that a more formal relationship should exist between RIMOs and RIBS to meet legitimate expectations of all parties. To this end the review recommends that the government work with the sector to produce a MoU for use between the RIMOs and the RIBS. This would specify roles of each body, services to be provided and outline expected outcomes. The suggested MoU should build on the work that has already been undertaken by the IRCA to develop such an agreement.

For funding rounds post 2011–12, RIMOs and RIBS should be required to exchange letters annually outlining the support to be provided by the RIMO and confirming the satisfaction of the RIBS with past services provided by the RIMO. These letters, in combination with the MOU, will empower local communities and ensure greater accountability of funding through the RIMOs.

### **Multi-media**

Film, television and radio have long played an important role in engaging Aboriginal and Torres Strait Islander peoples with their culture and their communities. More recently, new media has emerged as an important additional communications tool for Indigenous communities. There has been increasing demand on arts, culture and media funding programs to support projects using new media by Indigenous practitioners.

Yet as noted earlier the IBP funding for radio stations and RIMOs can only be used on radio activities and not multi-media. In a converging media world this restriction is out of place and is a disincentive for Indigenous organisations to embrace and gain the benefits from new media. Multi-media production is nowadays widely seen as an adjunct to radio and as a bridge between radio and television.

There is already some interesting work being done in Indigenous communities using new media, funded from sources other than the IBP. However lack of IBP funding limits the availability of technology and training and as a result this work is developing in an uneven and inequitable fashion. It limits the ability of the RIBS and other Indigenous media groups to fully engage with a talented, technically savvy generation.

Extending the IBP funding to multi-media activities would allow for the acquisition of the latest generation of low cost multi-purpose video and audio capture and editing equipment, and for necessary training to be undertaken. It would encourage more, particularly younger people, to become involved with their local Indigenous radio stations. It would also see the creation of audio-visual material capable of being used in the production of Indigenous television programs.

New media training also needs to include cyber awareness programs and attention to the potentially harmful impacts of social media. Issues such as cyber-bullying, privacy and protection of traditional knowledge and intellectual property rights with respect to Indigenous culture and communities need to

be considered. However, such concerns do not, in the view of the majority of those from whom the review sought opinions, constitute a substantive reason for denying Aboriginal and Torres Strait Islander peoples the same new media opportunities as non-Indigenous Australians.

### **Indigenous content and project fund**

In a sector as diverse as Indigenous broadcasting and media there will often be needs and innovative ideas that do not fall neatly into the normal ongoing operating funding profile of IBP recipients.

These will include particular projects to produce Indigenous content and the provision of seed funding for experimental multi-media projects. Already, radio and traditionally produced television programming is being supplemented by the creation of innovative new media content, especially by young Indigenous people. Currently much of this is being done using mobile phones because of the lack of access to more appropriate technology in remote areas. To deny remote communities the ability to participate in the New Media production wave would further widen the gap between Indigenous and non-Indigenous Australians.

Other needs can be as diverse as training initiatives or special projects undertaken by say the peak organisation, urgent capital works or a new way of delivering services via the NBN.

Such innovation can often be the forerunner of ideas that will benefit the entire sector and should be encouraged. The review suggests that \$5 million a year be set aside for applications from Indigenous media groups, the peak body and television groups such as ICTV, Imparja and NITV. It would be allocated annually on a competitive basis. It would be partially funded by transfers of moneys from existing allocations to Imparja Television and the CBF.

### **Community Broadcasting Foundation (CBF)**

The CBF is an independent non-profit funding agency that distributes government funds for the maintenance and development of community broadcasting in Australia including specialist services for ethnic, Indigenous and radio for the print handicapped audiences. The CBF is funded by the government through an annual funding deed with the DBCDE.

The CBF funding deed for 2010–11 allocates \$743,298 for Indigenous broadcasters and non-Indigenous stations for Indigenous programs out of its core funding of \$9 million. The program was originally focused on supporting Indigenous broadcasting organisations presenting Indigenous programs on generalist community radio stations.

Indeed, the CBF remains the only dedicated funding source for such Indigenous content. These programs extend the reach of Indigenous broadcasting in areas where no dedicated Indigenous media organisation exists. In some instances CBF funding support has assisted Indigenous media organisations as they progressed from program production groups on generalist stations toward the establishment of dedicated Indigenous radio stations.

Indigenous community broadcasters also benefit from sector wide projects such as the Australian Music Radio Airplay Project (AMRAP), National Training Program (NTP) and the Digital Radio Project. These projects have been funded through the CBF and administered by the Community Broadcasting

Association of Australia (CBAA). It is important to note that there is no dedicated Indigenous funding within the projects.

The review recognises the role that has been played by the CBF in supporting Indigenous broadcasting over many years. However, with the recommended introduction of Indigenous broadcasting licences and other recommendations designed to strengthen the professionalism of the sector and to increase the flexibility of the IBP through, for example the proposed Indigenous content and project fund, it would be preferable for all specific Indigenous broadcasting grants to be provided through the IBP. This would reduce the number of funding sources that Indigenous broadcasters need to access to support their activities.

The review therefore recommends that the CBF funding for Indigenous broadcasters be redirected to the proposed Indigenous content and project fund component of the IBP. However the review recommends that general community radio stations remain eligible to receive CBF funding for Indigenous programming. Indigenous radio licensees currently receiving CBF funding would be eligible to apply under the IBP, and in particular the fund would provide sufficient flexibility to cater for disparate applications.

### **Triennial funding**

In 2009–10 triennial funding was introduced into the IBP program. To date, eight organisations have received triennial funding although the review understands that some organisations that may have been eligible have been reluctant to apply for such funding as they are concerned they may be financially disadvantaged compared with annual funding.

Most organisations funded under the IBP have been funded for some years and have an ongoing future. Triennial funding has significant advantages for both these organisations and the government. For organisations it both reduces resources needed for the application process allowing focus on operational and strategic issues and provides the organisation with the certainty needed to plan into the medium term. It can also reduce the reporting overhead. For the government it can lead to better program outcomes and less administration. Organisations receiving triennial funding would need to meet annual Key Performance Indicators (KPIs) to continue to receive funds and eligibility for such funding would be linked to satisfactory operating and governance performance. Elsewhere the review has argued for streamlined reporting requirements for IBP funding recipients and this dovetails neatly into triennial funding.

To work effectively, organisations must not be disadvantaged under triennial funding compared with annual funding.

### **Unspent IBP funds**

During consultations, a number of groups referred to unspent funding within the IBP allocation. Not surprisingly, any underspend is viewed very negatively by the sector, which is struggling to achieve its objectives on constrained funding.

The IBP returned \$511,245 in funding to consolidated revenue in 2007–08 and \$222,105 in 2008–09. The 2007–08 underspend was due to machinery of government changes with the transfer of the IBP

from the then DCITA to DEWHA. The 2008–09 underspend was due to a failed Shared Responsibility Agreement (SRA), a whole-of-government project to which IBP funds had been contributed.

The review recognises that occasionally the program will underspend as a result of unforeseen events as occurred in 2007–08 and 2008–09. However such underspends undermine the credibility of the program. Accordingly the review recommends that any such underspend should not be lost to the sector but carried forward to the following year.

### **Funding Torres Strait Islander broadcasters**

Indigenous broadcasters in the Torres Strait region are currently not eligible to access IBP as government funds have been allocated to the Torres Strait Regional Authority (TSRA) to distribute to the Torres Strait Islander broadcasting and communications region. This arrangement was made in 2004 with the devolution of programs from the ATSIC into mainstream government departments or in this case the TSRA.

The TSRA is responsible for the administration and delivery of broadcasting services in the Torres Strait and this is done through supporting the operations and development of the Torres Strait Islander Media Association (TSIMA). Many of the recommendations of this review, for example, digital switchover and the NBN are relevant to the Torres Strait.

### **Licensing new services**

The IBP is aware of future radio services being discussed by Indigenous communities in Tasmania, Adelaide, Canarvon and Wiluna. The ACMA is currently proposing new long-term community radio broadcasting services for Wilcannia, Mossman and Tiaro.

In November 2010 the ACMA advised that it has granted 163 current licences to Indigenous communities, of which 99 are long term and 64 are temporary. The IBP currently supports 127 services, which includes licensed broadcasters, peak bodies, content providers and television services. The remaining licensed services are not currently funded under the IBP. It should be noted that these sites may be eligible for IBP funding should they wish to apply in the future.

The IBP has no control over the number of community radio licences (mainly temporary community broadcasting licences and community broadcasting licences) issued by the ACMA. Currently all Indigenous radio services with a valid broadcasting licence are eligible for IBP funding. In order to accommodate these new broadcasters within existing funding, the IBP is required to reduce the funding levels to existing supported services. These reductions are causing concern and dissatisfaction across the sector.

The review suggests that consideration of annual funding levels for the IBP should reflect the number of licences issued. In addition the IBP should provide 'in-principle' indications of the availability of funding to would-be licence applicants to enable this to be taken into account by the ACMA in granting new licences or licence renewals.

The review also considered the most cost efficient way of expanding Indigenous radio services. In some cases it would be more cost effective for some stations to retransmit their services to nearby regions that do not have an Indigenous radio service. This would allow an increase in the reach of

Indigenous broadcasting and maybe an interim step in a town or region establishing its own service at some future point. One example could be Umeewarra Radio station based at Port Augusta to retransmit its services to towns on the Eyre Peninsula.

The review also notes that modern audio visual technology is becoming very affordable and superseding old more expensive models of broadcasting. For example, rather than build expensive fixed recording studios there could be greater use of portable studio systems based on laptop computers with low cost audio and video editing software. In addition to making it more feasible to add to the number of Indigenous radio stations in remote areas, each of them could be 'kitted up' as multimedia centres. The review considers that these lower cost options need to be factored into benchmarking activities referred to earlier and should become the cornerstone of 21<sup>st</sup> Century Indigenous broadcasting.

### **Sponsorship**

Currently Indigenous stations are permitted to seek up to five minutes an hour of sponsorship in line with the regulatory regime applying to community radio broadcasters. The extent to which stations are able to fill this five minutes varies widely between stations and regions. However the review considers it important that stations seek sponsorship not just to supplement their government funding but as a way of engaging with the community.

To assist this process the review recommends that as part of a shift to Indigenous broadcasting licences, government advertising should be excluded by the ACMA when determining an Indigenous radio licensee's compliance with the prescribed maximum five minutes per hour limit of 'sponsorship airtime'. This would give Indigenous stations an additional incentive to seek private sponsorship but by limiting the move to holders of an Indigenous broadcasting licence it would have only a very small, if any, effect on existing commercial radio stations.

### **New industry rates**

AICA in partnership with CAAMA has made a successful application to the Fair Work Australia Tribunal to vary the Broadcasting and Recorded Entertainment Award 2010 to reflect the specific needs of Indigenous broadcasters.

The award is effective from 1 January 2010 with a transitional period up until July 2014. This brings pay rates of Indigenous broadcasting employees into line with the wider broadcasting sector.

The review has previously noted that the Indigenous media sector needs to be seen as a professional sector not one totally dependent on volunteers for its operations. Paid jobs in the sector are a vital component of that vision. They also provide an important career path for Indigenous broadcasters emerging from the many training programs.

The award is a strong recognition of the 'real work' by Aboriginal and Torres Strait Islander broadcasters. It also brings pay rates into line with the wider broadcasting sector and underlines the non-voluntary character of Indigenous broadcasting.

It is not possible to calculate the financial impact on the Indigenous broadcasting and media sector as a result of its inclusion under this award because:

- the number of Aboriginal and Torres Strait Islanders employed in this sector is not known
- the rate of pay applied by broadcasters to those employed in industry prior to the awards ratification varies widely, and
- the financial impact as a result of the transitional implementation of the award currently cannot be determined.

The review considers that the integrity of the IBP requires paid employment and that over time funding will need to be increased to allow for the transition to the new award rates.

### **Funding**

The review suggests that core operational funding for organisations should be based on the revised benchmarking referred to earlier, taking into account multi-media development and movement to award wages.

The review recommends that an additional \$8 million a year be allocated to the IBP, phased in over the next two years. This would allow for the extension to multi-media, movement towards benchmark figures and phasing in of award wages and an expansion of the role of RIMOs. While it would still fall short of funding all organisations to 2007 benchmark levels it would be a substantial boost to the capacity of the sector and, taken together with the other changes recommended by the review would be a significant investment in *Closing the Gap*. In addition, a further \$5 million should be allocated for the proposed Indigenous content and project fund, part of which would be funded from transfers from existing allocations to the CBF and Imparja Television.

## Recommendations

8. The IBP funding arrangements be restructured to:
  - Include multi-media activities such as new media content, training and infrastructure.
  - Provide triennial operational funding tied to the issuing or renewal of an Indigenous broadcasting licence and be no longer part of the competitive, whole-of-government, Indigenous grants funding process. Such triennial funding be conditional on demonstrated operational and governance performance.
  - Establish an Indigenous content and project fund of \$5 million a year, with funds allocated annually on a competitive basis for purposes including content creation, innovative broadcasting applications, urgent capital equipment and training.
  - Transfer funding currently provided to Imparja Television for content production to the fund.
  - Review the total funding allocation annually in light of changes in the number of organisations issued with Indigenous broadcasting licences.
  - Automatically retain any under-spent IBP money at the end of the financial year in the program for use during the following financial year.
9. Community Broadcasting Foundation (CBF) funds currently allocated to support Indigenous broadcasters be transferred to the IBP, with the CBF continuing to support Indigenous content on generalist community radio services.
10. Funding for the IBP to be increased by \$8 million a year, phased in over the next two years, with a further \$5 million each year to be allocated to an Indigenous content and project fund, part of which would be funded from transfers from existing allocations to the CBF and Imparja. During 2011, the government review the financial model underpinning funding allocations under the IBP, including staffing, compliance with award rates, operational functions, multi-media activities and the increased role of Remote Indigenous Media Organisations (RIMOs) to develop a more appropriate benchmarking protocol to guide funding allocations from 2012–13 onwards.
11. The 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. Funding for shires to support RIBS be phased out in favour of new or expanded RIMOs. As part of future funding rounds, RIMOs be required to execute a memorandum of understanding (MoU) with each of their RIBS, which would include a requirement that RIBS and RIMOs exchange letters annually outlining the support to be provided by the RIMO and confirming the satisfaction of the RIBS with past services provided by the RIMO.
12. Government advertising be excluded when determining an Indigenous radio licensee's compliance with the prescribed maximum five-minutes-per-hour sale of 'sponsorship airtime'.

## 3.5 The future of Indigenous television

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### National Indigenous television

In 2004, a statutory review into the viability of establishing a national Indigenous television service was conducted. The *Indigenous Television Review Report* was tabled in Parliament in August 2005 and funding of \$48.5 million was appropriated for four years to 30 June 2010 for the establishment and operation of an Indigenous television service. The NITV service was launched on 13 July 2007.

Through the IBP Imparja Television receives funding of \$820,000 to provide satellite services and engineering support to NITV and 10 Indigenous radio services.

One early impact of NITV's launch was the cessation of f ICTV transmission on the Imparja narrowcast service. ICTV has since negotiated carriage of its service on weekends via the Westlink satellite in WA.

In 2010–11 NITV received a further \$15.235 million in funding to support its service for an additional 12 months pending consideration of the outcomes of this review.

### Overseas experience

There are a number of Indigenous television services around the world dedicated to providing programming for Indigenous and non-Indigenous viewers. While focus differs from country to country, the Indigenous television services generally aim to provide an opportunity for the Indigenous peoples of the country to share their stories, their culture and their language on a dedicated television channel. Again, practice differs but most rely on public funding for their operating costs. The majority of the services are available to viewers on free-to-air television.

Media can play a vital role in Indigenous affairs, in promoting Indigenous self esteem, culture and heritage, in changing stereotypes of Indigenous people and in more effectively communicating government program and community service messages to Indigenous people.

Within the media sector, the most powerful medium is television. It is difficult to envisage Indigenous media fulfilling its full potential for reconciliation and *Closing the Gap* without a significant Indigenous presence on television. Indigenous faces and stories on mainstream television are essential and this review makes a number of recommendations in this area in Section 3.10. Equally, an Indigenous television service, where Indigenous people have editorial and creative control, is a critical piece of the overall infrastructure. However to fulfil its potential an Indigenous television service should be available to as many Australians as possible and this ultimately requires free-to-air transmission.

### NITV audience reach

NITV is available without subscription through:

- Optus Aurora direct-to-home satellite
- retransmission via a number of remote community broadcasters
- analogue ultra high frequency (UHF) in Alice Springs, Mount Isa and Bourke, and
- Parliament House.

It is also available on subscription TV through:

- Optus Vision cable
- Foxtel cable and satellite
- Austar satellite
- Neighbourhood Network Cable (Vic), and
- TransAct (ACT).

In addition, NITV is included in the Austar for Schools package. This is a free television and internet resource offered to schools within the Austar satellite coverage area.

NITV was available free-to-air on the Broadcast Australia digital data-casting trial in metropolitan Sydney from October 2008 until that service ceased at the end of April 2010.

According to NITV's submission to the review only 15 per cent of the Indigenous population and less than two per cent of the overall Australian population can receive NITV as free-to-air television using the same equipment required to pick up commercial and national free-to-air broadcasters.

### **Audience surveys**

It is not possible to determine with any precision how many people are watching NITV as it is not included in the standard industry ratings services. However, NITV has provided the review with research undertaken by McNair Ingenuity and Origin Communications. Both qualitative and quantitative audience research was undertaken in six waves between March 2009 and June 2010.

NITV's audience research to date has been limited to Aboriginal and Torres Strait Islander peoples.

The research indicated that approximately 57,000 Aboriginal and Torres Strait Islander peoples watch NITV regularly, with up to 227,000 watching in the month prior to the survey. The 57,000 consisted of 13,000 in remote localities, 28,000 in regional centres and 16,000 in metropolitan centres. Figures also show that about 71,000 regularly watch NITV News at least once a week.

The qualitative feedback is generally positive and emphasises NITV's role in providing exposure for Indigenous people on television, showcasing Indigenous talent and providing positive Indigenous news stories. A majority of research participants felt a sense of pride and valued NITV's contribution and had a generally positive response to NITV's portrayal of Aboriginal and Torres Strait Islander peoples and their issues.

Negative feedback generally related to scheduling, lack of local content, not a broad enough representation of communities from around Australia and the need for more language programs. Younger audiences also felt that programs were not targeted at them and commented on insufficient online presence. Participants generally sought greater variety in programming that reflected the context and lifestyles of both urban and regional Indigenous populations.

## **The Watson Review**

In October 2009 Hugh Watson Consulting Pty Ltd undertook a review of NITV for DEWHA.

The Watson Report recognised the role that an Indigenous television service could play in protecting and enhancing Australia's Indigenous cultural heritage, assisting Indigenous self-esteem and pride and in promoting understanding and respect for Aboriginal and Torres Strait Islander peoples in the wider community. Overall it found that NITV had made significant progress in moving from a fledgling start up to a successful medium sized organisation operating a 24/7 television service.

The Watson Review noted that while NITV had replaced ICTV on the Imparja satellite service it had not provided an adequate substitute for the pre-existing ICTV community programming.

## **Review consultations**

This review's consultations revealed widespread support for an Indigenous television service but concerns were raised about the current operations of NITV. These concerns included:

- the existing corporate structure of NITV
- failure of NITV to acquire or commission sufficient regional and remote content relevant to remote Aboriginal and Torres Strait Islander peoples
- a feeling amongst some groups of NITV being difficult to deal with and too concerned with higher end production, and
- the lack of availability of NITV free-to-air.

These issues were discussed with the NITV Board and management and are considered below.

## **Corporate structure**

NITV is currently structured as a private company. While this may have been appropriate for its initial establishment, the review does not consider it optimal in the longer term for a largely publicly funded Indigenous television service with an objective of being available free-to-air to most Australians.

Ultimately it would be appropriate for NITV to be a statutory authority with its own legislation. However, this is some years off and as a first step the review recommends that the government negotiate with NITV to restructure the organisation into a government-owned company – as soon as possible within the next triennial funding period.

The board of a restructured NITV should be appointed by the relevant minister. It should have an Aboriginal or Torres Strait Islander chair and at least 75 per cent Aboriginal or Torres Strait Islander membership. It should be a merit-based board with significant media experience and should be selected according to a process similar to that now applying to the ABC and the SBS. Some appropriate changes to the ABC/SBS appointment protocol might include allowing the minister rather than the Prime Minister to appoint the chair, to provide for the mandatory advertising of vacancies widely through Indigenous media outlets and also a requirement that at least 70 per cent of the members of the independent nomination panel must be Indigenous.

In making recommendations to change the ownership and governance of NITV the review strongly believes these steps to be necessary for the channel to assume a greater place in the overall media

landscape. They are vital if NITV is to become a long-term government-funded television service, ensuring accountability to the Australian Parliament. An essential part of any changes to NITV's corporate structure must be the retention of Indigenous editorial independence and control of the channel.

In order for NITV to become a government-owned company, the agreement of its members would be required. The review recommends that this be worked through with the existing NITV Board to enable an early transition to public ownership. Ideally the approval of NITV's members should be sought at its next annual general meeting.

There have been some concerns expressed to the review that the current funding agreement between the government and NITV is complex and overly prescriptive. Movement to a government-owned company would allow for a simpler and less exhaustive funding agreement more in keeping with other government agencies.

### **NITV content**

The review spent considerable time contemplating the kind of programming that would be most appropriate for NITV in an emerging digital multi-channel world. Of particular concern was the issue of unfulfilled stakeholder expectations, particularly in remote areas.

As noted in many submissions to the review, there have been ongoing difficulties between NITV and regional and remote content producers. Consultations by the review team indicated that NITV had failed to connect sufficiently with regional and remote content makers. There had been a strong expectation that, despite limited funding and an uncertain future, NITV would access significant ICTV content and assist with the development and training of remote producers.

According to NITV, the quality and format of content, as well as the difficulties of obtaining appropriate clearances for the use of material and the additional costs with sub-titling of programs in remote Indigenous languages were the main reasons why this did not occur. However submissions to the review and advice from the expert panel suggested that these difficulties could be overcome. Indeed the review notes that in recent months NITV has reconsidered its efforts in this area and appears to be intent on improving its relationship with regional and remote Indigenous producers.

While there is clearly a need for a level of basic technical competency, NITV should not be aiming solely at so-called 'high end' productions. Its strength must come from the diversity of its programs where compelling content is as important as technical attributes. In many ways this model is more akin to that adopted by Community Television (CTV) providers.

While limited funding may require such an approach, there are compelling non-financial reasons for NITV to source material widely and particularly from regional and remote groups. These include the importance of maintaining traditional culture and enhancing the opportunities for Indigenous content producers to gain access to distribution channels. In the same way that CTV has spawned household names such as Rove McManus, Hamish and Andy and Corrine Grant, NITV can also be a springboard for career advancement for Aboriginal and Torres Strait Islander peoples.

Like most non-mainstream television channels NITV has a heavily repetitive broadcast schedule. This is a recognised and industry accepted practice for channels with limited program acquisition budgets and also for those aiming to service audiences that do not conform to mainstream viewing habits. For example, it may be unrealistic for NITV to expect large numbers of viewers to watch its programs when they are up against more high profile programs on network channels during prime time.

Repeating programs outside of prime time is a good way to increase the exposure of NITV content to Indigenous and non-Indigenous audiences. The review considers that sourcing content more widely from existing regional and remote organisations would provide more first-run programming for NITV and make it more attractive to viewers.

The review welcomes the recent steps that NITV has taken to address this issue and to improve the relationship with regional and remote producers. The review considers that this relationship is at the core of a successful NITV and its ability to fulfil its potential. Accordingly the review recommends that a higher proportion of NITV's budget be devoted to this type of content. As part of the next funding deed between the government and NITV, there should be a requirement to source the majority of its content from not-for-profit Indigenous groups, in particular, those located from regional and remote areas.

The review also recommends the establishment of an Indigenous Program Advisory Committee to report to the Board of NITV. This should include significant representation from regional and remote communities to provide advice, where required, on content and programming. This would formalise and strengthen the relationship between NITV and regional and remote content suppliers.

### **NITV transmission**

Currently, there is limited access to NITV through free-to-air reception. This restricts its availability to many potential viewers, particularly as most Indigenous households do not have subscription television.

The review considered options for providing greater access to NITV via free-to-air. The only immediate possibility would be share a block of spectrum currently on loan to CTV channels in the capital cities of Adelaide, Brisbane, Melbourne, Perth and Sydney (the 'Channel A' spectrum). This arrangement was entered into by the government in 2009 to provide CTV with temporary digital carriage pending the completion of digital switchover in 2013. The review understands that a decision on the permanent allocation of channel spectrum to the CTV sector will be made prior to 2013 for implementation post-switchover. The review has been told that the necessary engineering changes to allow NITV to share the CTV spectrum would be likely to cost between one and two million dollars a year.

The review does not recommend this option. If additional money were to be made available to NITV at this point then supplementation of the IBP budget to expand multi-media activities of Indigenous media organisations would achieve better outcomes in the next three years.

In any case, gaining temporary access to the CTV spectrum would not provide a long-term free-to-air solution for NITV. Post -digital switchover there will be a range of opportunities for this to occur.

The review recommends that the government consider providing for the wide transmission of NITV on free-to-air television following the digital switchover. At that time NITV could be part of a multiplex service on Channel A or some other suitable transmission arrangement that preserves Indigenous

editorial and management control of NITV. In this event NITV should be subject to licence conditions similar to those of the CTV sector – except that an additional requirement should be a high minimum percentage of diverse Australian Indigenous content to be broadcast each day. This Indigenous content should be sourced from a diverse range of Indigenous producers, including and especially regional and remote not-for-profit groups.

### **National Indigenous News Service (NINS)**

The government, through the IBP, provided \$280,000 in 2010–11 to the National Indigenous Radio Service (NIRS) to support the production and transmission of radio news and current affairs, the NINS. This service is produced by journalists based in Brisbane and made available to all Indigenous radio stations. The service predates the introduction of NITV and its news and current affairs bureau.

The review believes that in a multi-media world it makes little sense to have separate radio and television news services and that a better service would result from the amalgamation of the two bureaus. This could be achieved by funding NITV to make an audio feed of news and current affairs available to all Indigenous radio stations. Funding provided to NIRS for the production and transmission of NINS would be transferred to NITV. This would create one multi-media news and current affairs service that would have wider regional and remote representation and be accessible by all Indigenous broadcasting organisations in both audio and visual modes. Except for the reasonable costs of delivering the audio visual signal, the service should be free.

While this recommendation would not affect other functions of NIRS the organisation would still be able to apply to the IBP for funding support in the future for projects undertaken by the organisation but not currently supported.

### **Sponsorship**

While the nature of NITV means it will always need to rely predominantly on public funding for its budget there is support for a mixed funding base with NITV obtaining some revenues through advertising and sponsorship. This would not only diversify NITV's revenue base, but would be an effective outlet for promoting government and community service messages.

However the review recognises that limited free-to-air access, lack of comparable and accurate audience data, multiple distribution platforms and time zones and repetitive programming will hamper NITV's ability to generate additional income through advertising. While supporting the diversification through advertising and sponsorship the review cautions against unrealistic expectations of revenue that could be raised.

### **Funding**

The review accepts the need for greater certainty of funding for NITV and recommends it be funded by the government as a continuing program with triennial funding along the lines of the ABC and SBS. This would give it the ability to plan ahead and to take a longer term view to commissioning of content.

The review recognises that NITV's funding levels are very low by comparison with the ABC and SBS and that NITV has sought substantial increases. However the review contends that a more diverse content sourcing strategy would be a cost effective way of enhancing its programming schedule and

therefore consideration of any substantial funding increases should await an assessment of this strategy.

Separately, the review has recommended that funding currently provided for NINS and to Imparja Television for NITV's satellite services should be transferred to NITV.

NITV has been allocated \$15.235 million for 2010–011. The review recommends that funding in 2011–12 be maintained at this level in real terms with additional funding from the transfer of funds that currently support the production of NINS and the provision of engineering and satellite transmission services by Imparja. Future increases in funding should be considered over time following the transition to government ownership. This would serve to recognise the value a national Indigenous television service can contribute to the government's Indigenous policy agenda and in light of the success in sourcing regional and remote content.

### **Imparja Television**

Imparja Television was created when the CAAMA was awarded a remote television satellite licence. This licence made Imparja the first Aboriginal-controlled commercial television station. Its shareholders do not receive a dividend, preferring to invest any profit back into the development of the company. The CAAMA continues to remain closely linked to Imparja with a majority CAAMA representation on the board.

Imparja broadcasts using the Optus Aurora satellite transmission platform and manages a narrowcast signal. This signal was originally used to broadcast ICTV to remote communities in Central Australia. In 2007, the ICTV service was replaced by the NITV service.

Under the IBP, funding of \$1.8 million was approved in 2010–11 for Imparja to:

- manage the satellite service for NITV
- manage the satellite service and broadcasting of 10 Indigenous radio stations and RIMOs
- provide engineering support to NITV and the 10 Indigenous radio stations and RIMOs
- purchase and broadcast four, one-hour programs specifically made by an Indigenous media organisation about Indigenous issues, and
- produce *Yamba's Playtime*, an Indigenous children's program.

In April 2010, the Minister for Broadband, Communications and the Digital Economy announced an agreement between the government and broadcasters Southern Cross Media and Imparja to establish a joint venture company, named Eastern Australia Satellite Broadcasters Pty Ltd to deliver the new VAST service. The venture will provide digital television services to viewers who cannot receive terrestrial digital television. It will ensure access to free-to-air television for viewers in the Remote Central and Eastern Australia licence area, and those in regional and metropolitan areas who are unable to receive their local television services terrestrially.

### **Imparja today**

Imparja has changed significantly over time. The amount of Indigenous programming produced, commissioned or acquired and broadcast by Imparja is now low. While Imparja is an

Indigenous-owned company, it is now a commercial television service that mainly broadcasts programming from the Nine Network. Indigenous content is not its main focus, nor a specific requirement under its broadcast licence.

The Indigenous media scene has also changed with the commencement of NITV as a dedicated Indigenous television channel and a major acquirer, producer and commissioner of Indigenous content.

### **Transmission and engineering services**

Imparja is funded under the IBP to provide transmission and engineering services to NITV and some radio stations and RIMOs. As a result, NITV and the other organisations require Imparja to carry out their functions but do not have a direct purchasing relationship with Imparja.

The review recommends that IBP funding currently provided to Imparja for satellite services and engineering support for NITV be transferred to NITV to enable it to negotiate its own satellite services and engineering support. NITV should be funded to secure access to the VAST service on an unencrypted basis as will be the case with the ABC and SBS.

The arrangements for the provision of a satellite distribution service for Indigenous community radio organisations have been in place for about two decades as an expedient solution to the distribution of radio programming in remote communities. The IBP funding agreement with Imparja requires Imparja to provide engineering support and satellite distribution services for:

- CAAMA, Alice Springs, NT
- Top End Aboriginal Bush Broadcasting Association (TEABBA), NT
- WMA Media, Yuendumu, NT
- Radio Larrakia Association, Darwin, NT
- Muda Aboriginal Corporation, Bourke, NSW
- Pilbara and Kimberley Media Association (PAKAM), Broome, WA
- Gumala Aboriginal Corporation, Tom Price, WA
- Waringarri Media Aboriginal Corporation, Kunnunurra, WA
- PY Media, APY Lands, SA, and
- TSIMA, Thursday Island.

The review notes that ideally the organisations should be funded directly for the services they receive from Imparja. However the review understands that this may not be cost effective and accordingly recommends that the government continue to contract directly with Imparja to provide services to the 10 Indigenous radio organisations currently receiving satellite transmission and engineering support.

### **Content provision through Imparja**

In 2010–11 Imparja has budgeted to spend approximately \$600,000 for Indigenous content. This includes the production of *Yamba's Playtime*, and the purchase and broadcast of four, one-hour

programs specifically made by an Indigenous media organisation about Indigenous issues. This is sourced from the funding provided under IBP and Imparja's activity-generated income.

With the advent of NITV, the recommended development of RIMOs as multi-media hubs and content producers and the introduction of an Indigenous content and project fund, it is not clear why the government should continue to fund Imparja directly for content production. A better result could be achieved by redirecting the government funding to the proposed Indigenous content and project fund. As an Indigenous organisation Imparja should be eligible to apply for funds, for example for continued production of *Yamba's Playtime*.

### **Indigenous Community Television (ICTV)**

ICTV was established in 2001 by PY Media, WMA, PAKAM and Ngaanyatjarra Media (NG Media) at the 3rd Remote Video Festival in Umuwa, SA. Until the advent of NITV, ICTV broadcast approximately eight to 10 hours of new programming from remote communities each month via Imparja's narrowcast satellite service to remote communities in central Australia.

In 2007, ICTV ceased transmission on Imparja's narrowcast satellite service following the launch of NITV. At that time there was an expectation by remote communities that NITV would build on the ICTV service and incorporate some aspects of ICTV into its service. To date these expectations have not been met and have been a source of continuing tension between remote and regional content producers and NITV.

In November 2009, ICTV relaunched its service broadcast on weekends over the Westlink satellite channel. This initiative was supported by the Western Australian Department of Regional Development and the Australian Government, through the IBP. In 2009–10 the IBP provided \$107,913 in funding towards the ICTV/Westlink project, including \$80,000 to support the operations of ICTV to identify and distribute video content in remote communities in the Northern Territory and \$27,913 for a basic video playout system. The Indigenous Culture Support Program provided \$68,750 for a compile editor position.

ICTV's role is as an aggregator and transmitter of the independent video productions made in remote communities across central and northern Australia. ICTV provides these communities with a shared portal for accessing these productions. ICTV is particularly concerned about community access to local content and the ability of communities to tell their own stories, in their own way, with editorial control and ownership.

ICTV has also developed IndigiTUBE, an online video streaming site which targets audiences in remote communities of Australia. The main purpose of the site is the sharing of video material, allowing registered contributors to upload and control their content. Funding support for IndigiTUBE has been provided through the CBF's Online Development Grant with IRCA partnering with ICTV to help support the site.

Although ICTV falls outside the general scope of the IBP, which currently focuses on radio, it continues to be provided with operational funding to support its service to remote Indigenous communities. ICTV received funding under IBP for \$150,000 in 2010–11 to support its multi-platform

media and video distribution activities including an editor position as well as \$28,789 NJP funding to support a part-time position.

### **Relationship with NITV**

As noted earlier there has been a less-than-harmonious relationship between NITV and ICTV Issues such as technical standards and rights, and intellectual property matters have frustrated this relationship. However, the review notes that a better working relationship is now developing between NITV, ICTV and regional and remote content providers.

This is both encouraging and essential as all parts of the Indigenous production sector need to work together given the limited funding available to maximise content production and distribution. Previously in the report, the review has recommended that NITV programming incorporate a significantly greater amount of regional and remote content.

The review considers there can be a continuing role for both ICTV and NITV. While NITV can increase its acquisition of ICTV-type material for which there can be a national audience, there will always be some ICTV content that will only appeal to a more local audience. There may also be some local communities that do not wish to have a wider distribution. While video production can help preserve cultural traditions there will be a greater incentive for that content to be made where there is an appropriate outlet for it. Wider distribution will also hone the production skills of content makers. ICTV could play a role as a content provider to NITV and/or as a facilitator of the distribution of local programs to local communities via the NBN.

The review received representations that as the transmission costs for the VAST satellite would be significantly less than those currently applying to AUROA it would be possible for both NITV and ICTV to be carried on VAST for the same cost as currently applies to NITV carriage alone. While this is true, transmission costs are only one element of putting ICTV up as a 24/7 channel on satellite. Taking into account the need to program a channel and to source content the cost would be considerably greater.

The review believes that provided the programming and content acquisition recommendations for NITV are enacted, having two government funded Indigenous channels on a national satellite beam would not be the best outcome given limited funding and content. This is especially true given the very specialised nature of much of ICTV content. Elsewhere in the report the review makes recommendations for a more practical and cost effective means of distributing ICTV content to and between Indigenous communities.

## Recommendations

13. The Australian Government negotiate with the Board of National Indigenous Television (NITV) as soon as possible to restructure NITV into a government owned company within the next triennial funding period. The board of a restructured NITV should be appointed by the relevant minister, based on specific criteria including appropriate skill sets and be merit based (similar to the ABC and SBS). The chair and at least 75 per cent of board members must be of Aboriginal or Torres Strait Islander descent.
14. NITV allocate a greater proportion of its existing budget to source content from regional and remote Indigenous producers, with the allocation to be agreed between the government and NITV and set out in the next funding deed. To assist with this sourcing, an Indigenous Program Advisory Committee reporting to the Board of NITV be established with representation from regional and remote communities.
15. Funding for the National Indigenous News Service (NINS) be transferred to NITV and NITV create a new multi-media news and current affairs service with wide regional and remote representation and news gathering capacity. This new service to be available to all licensed Indigenous broadcasters in both audio and visual modes. Except for the reasonable costs of delivering the audio visual signal, the service to be provided for free.
16. The Australian Government consider providing for the wider free-to-air distribution of NITV following the digital switchover.
17. NITV be funded as an ongoing program on a triennial basis with funding in 2011–12 maintained at the current real level, plus an increase to reflect the transfer of funds that currently support the production of the NINS and the provision of engineering and satellite transmission services currently provided by Imparja Television. Following the transition to government ownership, increases in funding over time should be considered to recognise the value NITV is contributing to the government's Indigenous policy agenda and in the light of its performance in sourcing regional and remote content. NITV should also be funded to secure access to the Viewer Access Satellite Television (VAST) service on an unencrypted basis.
18. The IBP funding currently provided to Imparja Television for satellite services and engineering support for NITV be transferred to NITV to enable it to contract its own satellite and engineering services with the Australian Government continuing to contract directly with Imparja Television to provide services to the RIBS and RIMOs currently receiving satellite transmission and engineering support.
19. Existing IBP funding to Indigenous Community Television (ICTV) and/or to another appropriate Indigenous broadcasting and media organisation be continued in order to support an online portal for sharing and accessing content made by and for Aboriginal and Torres Strait Islander peoples, especially in remote Australia, and to act as an aggregator for this content.

### 3.7 More effective government communication

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The review has concluded that the Indigenous broadcasting and media sector is currently under-used as a delivery mechanism for government advertising and messaging. Moreover, there is a need to ensure that government messaging to Aboriginal and Torres Strait Islander peoples is, wherever possible, tailored to the cultural sensitivities of the intended audiences in order to increase its effectiveness.

In many parts of regional and remote Australia, Indigenous broadcasters are able to reach audiences that cannot be reached effectively by any other means of communication. Reaching these audiences is critical to the COAG's *Closing the Gap* strategy.

The perception among Indigenous broadcasters is that the existence of Indigenous broadcasting outlets – in particular remote Indigenous radio – is not well understood among some mainstream media buying agencies. The fact that Indigenous broadcasters are not included in the standard audience ratings surveys means that they are likely to be left out of media buying plans, or not accorded a sufficiently high priority in the absence of policies requiring the utilisation of Indigenous broadcasting and media.

To ensure that all relevant Australian Government messages are received by Indigenous communities, government departments and agencies should include an Indigenous broadcasting and media component in their advertising campaigns. This should cover both the placement of advertisements with Indigenous broadcasters and wherever possible the creation of versions of the creative material tailored to Indigenous audiences.

In order to maximise the effectiveness of advertising campaigns specifically aimed at Indigenous audiences, Australian Government departments and agencies should encourage the placement of Indigenous employees in key roles that oversee the creation and delivery of its advertising campaigns. Departments and agencies should also use Indigenous media organisations or organisations that employ Aboriginal and Torres Strait Islander peoples with media skills to undertake the key creative components.

While stepping back from recommending mandated levels of spending on Indigenous broadcasting and media, the review considers that departments and agencies must actively and regularly consider the inclusion of an Indigenous broadcasting and media component in all government communications strategies.

The review was told that from time to time government departments and agencies seek to have their messages carried by Indigenous broadcasters for free. While this may be a result of limited budgets or the mistaken belief that Indigenous broadcasters are adequately funded by government, this is not a reasonable request. Accordingly, the review recommends that the government have a policy that all formal messaging is paid for when placed with Indigenous broadcasters. That is, the practice of requiring Indigenous broadcasters to provide unpaid airtime for 'community service announcements' concerning government communications is not considered appropriate.

## Recommendations

20. All external communications strategies by government departments and agencies to include an Indigenous broadcasting and media component – including those involving campaign advertising and those that rely on alternative messaging practices. Chief executives of departments and agencies should be required to:
- outline their Indigenous broadcasting and media activities and their monetary value in published certifications of advertising campaigns, and
  - advise the Independent Communications Committee about any campaign advertising with a value of more than \$250,000 where an Indigenous broadcasting and media component is held not to be relevant. The terms of reference for the Independent Communications Committee should be amended to require the Minister for Indigenous Affairs to be notified where an external government communications strategy does not include an Indigenous broadcasting and media component.
21. All government advertising campaigns that are specifically targeted at Aboriginal and Torres Strait Islander peoples should ideally be created by Aboriginal and Torres Strait Islander peoples with specialist communications skills, including where possible regional and remote media organisations. Any company appointed as the government's advertising media buyer be required to employ a specialist in Indigenous media planning and placement. This would ideally be a person of Aboriginal or Torres Strait Islander descent.
22. All government information messages broadcast on Indigenous broadcasting services should be paid announcements.

## 3.7 Better governance

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Building governance and leadership in Aboriginal and Torres Strait Islander communities is recognised as one of seven building blocks in *Closing the Gap* between Indigenous and non-Indigenous Australians and is a government policy priority.

In an Aboriginal and Torres Strait Island media organisation the legacy of good governance will be a better performing organisation that has greater likelihood of identifying emerging issues, surviving challenging times and which has clear expectations of management and of organisational performance.

For an organisation the reward for good governance should be a reduction in reporting to government while for government there should be a corresponding drop in the cost of administering programs – allowing valuable funds to be re-directed to strengthen and build the Indigenous broadcasting sector. Employees of organisations that demonstrate good governance should experience greater career satisfaction and employment stability and there should be less conflict within and between the governing and operational functions of the organisation. For radio and television audiences these outcomes should result in improved programming and a better listening and viewing experience.

### **Issues identified in consultations**

Across the country the review found inconsistency in the quality and performance of both boards of management and senior executives. Some organisations clearly benefited from the contribution of strong and well qualified board members and were leveraging significant benefits from access to their advice and guidance. In other cases the appointment of board members seemed to be based less on skills and experience and the organisation was consequently disadvantaged as a result.

In its consultations, the review found that Indigenous broadcasting and media organisations that were identifiably better performers were far more likely to have people on their boards with skills in accounting, marketing, business, legal and technical areas and practical experience in broadcasting.

Better-performing boards were also those with individuals who were in a position to make a contribution because they had the time, tenacity and confidence to maintain good governance, or if their organisation was in need of improvement then they were able to implement change management.

### **The Indigenous Broadcasting Program (IBP)**

IBP Guidelines 2010–11 state that organisations that receive funding will have a strong track record of achievement in the Indigenous broadcasting sector and a history of sound financial management, and by implication, sound governance. Applicants, except for RIBS, must be able to demonstrate, through submission of a strategic business plan, that they follow sound financial principles, operate under appropriate governance practices and that their activities will benefit their community.

Despite the requirement of the IBP funding guidelines, the majority of Indigenous broadcasting services that currently receive IBP funding are rated as having a high, or extreme risk assessment under the annual whole-of-government risk assessment process.

This in itself is not surprising as all broadcasting, whether Indigenous or mainstream is inherently risky as a result of the nature and uncertainty of the business and the reliance on the audience. Indigenous organisations whose sole purpose is to deliver a broadcasting service are not unique in being categorised as high risk in this business environment.

The great majority of Indigenous broadcasting organisations rely on government grant programs and face unique challenges in addressing grant requirements. In the report by the Commonwealth Ombudsman, *Administration of funding agreements with regional and remote Indigenous organisations*, released in December 2010, it was noted that:

*“Complex grant requirements and a failure to adequately support Indigenous organisations to meet reporting requirements increase the risk that these organisations will fail, even where the programs are being delivered successfully. Onerous administrative requirements applied without adequate attention to program objectives risk using up a disproportionate amount of funding and resources which would be more appropriately applied to the program.*

*What is needed is a focus on delivering services efficiently whilst simplifying and reducing the burden of administrative and reporting requirements.* “<sup>20</sup>

The Ombudsman’s report made a number of recommendations to improve administration by government agencies of funding agreements with regional and remote Indigenous organisations. One of these recommendations was that agencies should assess capability, provide appropriate training and support, and find creative solutions

It was further noted by the Ombudsman:

*“That skills shortages in regional and remote areas will mean agencies need to consider providing the following:*

- *training to key staff and board members on their obligations and the requirements under funding agreements;*
- *templates and example reports to assist organisations to comply with their reporting requirements;*
- *face-to-face contact rather than relying solely on telephone or email contact; and*
- *guidance and support to individuals who hold multiple roles so they can recognise the potential for, and manage any conflict of interest”.*<sup>21</sup>

In line with the Ombudsman’s findings the review considers that organisations with a high or extreme risk need to be supported to improve their performance – which may include all the issues the Ombudsman listed above. However where organisations fail to make progress despite this assistance,

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<sup>20</sup> Commonwealth Ombudsman—Office for the Arts, Department of the Prime Minister and Cabinet: *Administration of funding agreements with regional and remote Indigenous organisations*.

<sup>21</sup> Commonwealth Ombudsman—Office for the Arts, Department of the Prime Minister and Cabinet: *Administration of funding agreements with regional and remote Indigenous organisations*.

they should be considered ineligible for funding until they demonstrate a commitment to meeting eligibility criteria.

### **IBP recipient reviews**

Commencing in 2006–07, the government introduced a program of reviews for recipients of funding under the IBP. To date, Muda Aboriginal Corporation, AICA, The Aboriginal Program Exchange (TAPE), PY Media, Imparja Television and NIRS have been evaluated by independent consultants.

To assess its effectiveness over the past four years, NITV underwent a terminating program review separate to the reviews undertaken for IBP funding recipients.

These reviews have resulted in recommendations for improved governance for these organisations. Responses to shortfalls in performance are negotiated as part of new funding agreements. However this is a long process and individual reviews can take up to six months.

### **Support for good governance**

There is widespread recognition of the benefits of and the need for good governance in the management of mainstream businesses and not-for profit organisations. This need is no less apparent in the Indigenous broadcasting and media sector. Enthusiasm for participating in strategies to improve governance and the ability to take part in this process is in part largely influenced by factors such as cost, distance from training opportunities, availability of relevant and appropriate training and competing priorities within Indigenous organisations.

### **Tools available to the sector to assist good governance**

In 2008, the government commissioned an independent consultant to develop an Indigenous broadcasters toolkit to assist Indigenous broadcasters to meet their financial, corporate governance and legislative responsibilities. It included specific advice on developing a business plan.

It was distributed to Indigenous broadcasters in 2009 and 2010 by AICA on behalf of government.

There are a number of training courses available to improve governance and many of them are developed specifically for responding to issues known to be challenges for Aboriginal and Torres Strait Islander organisations.

Most Aboriginal and Torres Strait Islander broadcasters are incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) and regulated by ORIC. ORIC is part of the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) portfolio. The CATSI Act which came into effect 1 July 2007 guides how Indigenous corporations are run.

ORIC supports and regulates the corporations that are incorporated under the CATSI Act by advising them on how to incorporate; training directors, members and key staff in good corporate governance; by making sure they comply with the law; and intervening when needed.

Other training is also available for those that are not corporations under the ORIC. The Australian Indigenous Leadership Centre (AILC) has certificate and diploma level courses and short courses in governance. There are also a number of courses available through universities, private companies and the Australian Institute of Company Directors. The CBAA and the CBF receive government

funding that can be directed towards governance training. It would be timely for the government to work with ORIC and the peak body to determine the effectiveness of the overall governance of the Indigenous broadcasting and media sector and the available training courses.

### **Improved governance**

The review advocates that improved governance goes hand-in-hand with less burdensome reporting. The way forward is to help organisations improve their governance and management rather than burden them with even more reporting requirements.

In some cases the review has found that the governance role of a board is not clearly understood and can be confused with the need for community input into programming and other activities by the media organisation. In many cases a board does both, but its overriding concern must be good management of the organisation. Other less formal mechanisms may be more appropriate for this sort of community input, such as an advisory committee.

The review considers that improved governance is central to a strong Indigenous broadcasting and media sector. It recommends that funding criteria for all media organisations that receive IBP funds (except RIBS) should require the board chair, deputy chair, treasurer and secretary to participate in an approved governance training course within six months of receiving funding – regardless of previous experience on boards or committees. Exemption from this requirement should only apply to individuals who can demonstrate participation in a governance training course or equivalent within the previous five years.

It further recommends that organisations receiving IBP funds ensure members of their governing board include a majority of people who can demonstrate skills and/or qualifications in financial management, business, technical, marketing, human resources development, legal or other management discipline. In the case where board members receive remuneration, the representation of these skills sets and qualifications should be among no less than 75 per cent of the board composition.

There is also a need to renew board membership on a regular basis. Ideally, board members should serve no more than two consecutive five-year terms. However this may not always be practical given the difficulty of recruiting appropriately qualified board members, particularly in regional and remote areas. However, in all cases, the chair should serve no more than two consecutive five-year terms.

## Recommendations

23. Requirements for all media organisations that receive IBP funds (except RIBS) to include the board chair, deputy chair, treasurer and secretary participating in an approved governance training course within six months of receiving funding – regardless of previous experience on boards or committees. Exemption from this requirement should only apply to individuals who can demonstrate participation in a governance training course or equivalent within the previous five years. Members of governing boards should include a majority of people who can demonstrate skills and/or qualifications in financial management, business, technical, marketing, human resources development, legal or other management discipline. In the case where board members receive remuneration, the representation of these skills sets and qualifications should be among no less than 75 per cent of the board composition.
24. To be eligible for funding, organisations need to be members of the Office of the Registrar of Indigenous Corporations (ORIC) and/or be able to demonstrate a strong track record of achievement in the Indigenous broadcasting sector and good governance. Where an organisation does not meet these criteria, support should be provided to build its capacity so it can meet eligibility criteria.

## 3.8 Integrating the reporting and performance framework

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A performance framework is used to measure and demonstrate the extent to which an activity is contributing to meeting its aims and producing expected outputs. In the context of grant programs it should enable government to know whether the program is meeting outcomes and how it contributes to the implementation of government policies.

An appropriate program performance framework therefore:

- contributes to timely and effective decision-making in managing and adjusting funding activities
- contributes to the accountability of programs, and
- informs government policy and priorities.

A well designed performance framework should balance the need for necessary accountability with the size and risk of the program. It should not impose performance measures or KPIs for their own sake and it should not impose undue burdens of reporting on grant recipients. Rather KPIs should be strategically focused to enable government to establish defined project outputs and program outcomes. In the case of the Indigenous media sector it should assist in demonstrating the contribution the program makes to broader government policies including *Closing the Gap* targets.

Reporting requirements should also be set with an eye to the type of funding (e.g. annual versus triennial), the amount of funding and the risks associated with the program or recipient.

### **Current reporting requirements of the IBP**

Current performance indicators include:

- number of hours of local programming per day
- delivered hours of programming in local languages
- delivered hours of programming devoted to promotion of culture
- number of community service announcements
- number of training sessions for RIBS operators
- number of hours dedicated to technical servicing of RIBS units
- number of hours of programming content per week
- number of member organisations
- number of radio courses delivered per year
- commencement of agreed number of Indigenous radio trainees
- number of Indigenous radio graduates
- number of Indigenous communities using satellite uplink without cost, and
- production and transmission of agreed hours of programming.

Arguably there is too much information being sought. Moreover, the review was not convinced that information gathered was always needed or used. The review found that present systems designed to evaluate performance and outcomes of the government's investment needed improvement. For example, they were often unable to effectively gauge how much programming is being broadcast by the sector. Many groups complained about the amount of time needed to fill out the required paperwork given their very scarce resources.

There is also a lack of data about the effectiveness of the sector. Indeed, it was only this year that OFTA undertook some audience surveys to ascertain the extent to which people were actually listening to Indigenous media. There is also no research to quantify the effect that Indigenous radio has on contributing to *Closing the Gap* targets.

The review concluded that data was lacking due in part to:

- performance indicators not being consistent with the relevant associated activity
- limited use of performance information as a result of a lack of baseline data, and
- a failure by the department to undertake the necessary overall research to link program outcomes with broader government priorities.

In summary, the review found that despite the reporting burden, there is no overall framework in place to measure IBPs' intended and actual performance against the program's aims and broader government policies.

The review's concerns about the reporting burden and its complexity have been a recurring theme of other reports, including those by the Coordinator-General for Remote Indigenous Services<sup>22</sup> and the recent Ombudsman's report referred to previously.

### **An appropriate performance and reporting framework**

Such a framework needs to:

- assess how the sector and individual project outcomes are contributing to the broader IBP aims and in turn meeting the *Closing the Gap* targets
- align reporting requirements with the information actually needed and with the organisation's internal reporting mechanisms
- relate reporting requirements to the amount of the grant and level of risk involved
- be more flexible and strategic and promote an outcomes orientation rather than an over-reliance on quantitative inputs

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<sup>22</sup> Recommendation 3: Implementation of remote service delivery

3.1 By mid-2010, the Commonwealth State and Territory governments should each examine the use of more flexible funding approaches which aggregate departmental funding into a master contract with each National Partnership Agreement on Remote Service Delivery community to: align service delivery and provide some flexibility to modify inputs to help achieve the Closing the Gap outcomes; and streamline reporting and reduce red tape.

Coordinator-General for Remote Indigenous Services, Six Monthly Report, July-November 2009.

- recognise that the performance of individual organisations will vary greatly depending on the scope of activities, resources available (staffing, facilities, communications access, vehicles etc), population spread (number and size of communities and coverage area), administrative requirements and local demand, and
- be consistent with and reinforce existing planning processes undertaken by Indigenous media organisations.

### **Funding agreements**

Funding agreements with Indigenous media organisations need to reflect these reporting requirements and be sufficiently flexible to take account of different circumstances of individual organisations. The review believes strongly that organisations themselves are best placed to determine how to service their communities and to determine their strategic priorities. The agreements should be comprehensive and self-contained. The previously cited report by the Ombudsman makes a number of recommendations to improve these agreements and these are endorsed by the review.

## Recommendations

25. The Australian Government, working in conjunction with the peak Indigenous media body develop a performance framework that:

- contains relevant and measurable program performance indicators that include social, cultural and economic indicators and are linked to organisations' strategic plans
- informs future funding needs, and
- ensures the role of media and broadcasting is integrated into the *Closing the Gap* reporting framework by linking Indigenous culture program's strategic direction and the individual projects operational objectives to the *Closing the Gap* targets.

26. Reporting requirements be reduced to either twice yearly or annually depending on the amount of funding involved (i.e. twice yearly for grants over \$350,000 and annually for those under this figure) and taking into account other risk factors (such as the history of the organisation's performance and compliance).

27. Funding agreements with Indigenous media organisations be comprehensive and self contained and take into account the principles outlined in the December 2010 Report by the Commonwealth Ombudsman on the administration of funding agreements with regional and remote Indigenous organisations.

### 3.9 Building individual capacity and sector capability through employment and training

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The Indigenous broadcasting and media sector is a significant provider of training and employment for Aboriginal and Torres Strait Islander people in metropolitan, remote and regional areas. It provides positions for experienced media workers and training for unskilled workers in diverse areas.

For Aboriginal and Torres Strait Islander peoples, quality training that leads to secure employment within professionally operated and managed organisations provides an income through which people can alleviate and ultimately overcome poverty. Of equal importance, becoming a valued community contributor is also vital to Aboriginal and Torres Strait Islander people's social, economic, emotional and cultural well being – which has a positive flow on effect from the individual, to the family and to the community.

Consultations revealed that a lack of training and ongoing employment opportunities within the Indigenous broadcasting sector resulted in many people viewing broadcasting as something to do while waiting around for an alternate job offer – rather than as a real, sustainable career choice. In many cases organisations could not offer full-time jobs because they did not have enough funding, or better wages were on offer in other sectors. Retention was a major concern.

Indigenous media workers wanted 'real jobs' and professional training and they wanted training that would allow them the ability to move between Indigenous broadcasting and mainstream if they chose to do so. This cross-sector movement was seen as mostly positive as people tended to move to and from the mainstream and Indigenous media sector, bringing with them newly acquired skills and experience each time.

The ABC's history of commitment to the training and employment of Aboriginal and Torres Strait Islander peoples (most notably from the 1980s to the 1990s) was a significant contributor to the depth of experience and number of talented Indigenous media workers now working in the mainstream media, in Indigenous media organisations, or in leadership positions across various other sectors. Increasing and improving training and employment outcomes for Indigenous peoples must not be the responsibility of the Indigenous media sector alone. The *National Report on Racist Violence (1991)* recognised the role of mainstream media. Recommendation 59 said media organisations should develop and implement policies to encourage recruitment and advancement of Aboriginal and Torres Strait Islander journalists within the industry.<sup>23</sup> Nearly 20 years on there has been little progress but there is currently a great deal of willingness and opportunity.

The entire media sector can and should do better in terms of the quality of training, the numbers who are trained and the offers of ongoing employment after training.

The review notes that companies and corporations throughout Australia are currently committing themselves to contributing to *Closing the Gap* through their own Reconciliation Action Plans (RAPs) –

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<sup>23</sup> Racist Violence, Report of the National Enquiry into Racist Violence in Australia, (1991) HREOC, AGPS, Commonwealth Government.

many of which specifically focus on providing training and employment opportunities. Much of this focus is on new employment and training which is to be commended but a focus should also be to progress those who have undergone quality training into management and leadership positions.

One example is the Media Reconciliation Industry Network Group (Media RING), an industry-wide reconciliation network which is made up of media organisations, producers and funding and training bodies.

A number of initiatives are underway including Indigenous cadetships, job opportunities and the creation of RAPs for individual organisations. For example:

- FOXTEL has created a traineeship program in its broadcast operations area and is building grassroots awareness of broadcasting career opportunities in select schools.
- SBS recently awarded its inaugural Indigenous Television Mentorship Award to an up-and-coming Indigenous producer, to attend influential national and international content markets with SBS mentorship and support.
- The Screen Producers Association of Australia (SPAA) has dedicated three places in its Emerging Producers Scheme to Aboriginal and Torres Strait Islander producers.

### **Indigenous Broadcasting Program (IBP)**

A small number of Aboriginal and Torres Strait Islander broadcasters are Registered Training Organisations (RTOs) delivering Certificate II, III and IV in Radio Broadcasting and Certificate IV in Screen and Media. Other organisations provide training support from their operational funding. The review supports the continuation of IBP funding to Aboriginal and Torres Strait Islander broadcasters to provide training for their employees and to RIMOs to provide technical support and training for the RIBS. In addition, in 2010–11 the IBP will provide funding of \$140,000 to the Batchelor Institute of Indigenous Tertiary Education as a contribution towards the operational costs of its Indigenous broadcasting course.

### **The National Jobs Package (NJP)**

Significant reforms have been made to the CDEP program – now the NJP – as part of the Northern Territory Emergency Response, the Cape York Welfare Reform Trails and then more widely as part of the COAG's agreement to improve economic outcomes for Aboriginal and Torres Strait Islander peoples.

These reforms were whole-of-government initiatives and included the creation of employment for eligible Aboriginal and Torres Strait Islander peoples in roles such as broadcasting officers, arts administrators, cultural workers and language assistants. The rollout of these jobs has been highly successful, with the number of arts and culture positions increasing from 82 positions funded in 2007-08 to 564 positions funded in 2009-10. The creation of these jobs has contributed to *Closing the Gap* on employment outcomes between Indigenous and non-Indigenous Australians, with 533 of the 564 positions (94 per cent) filled in 2009-10.

Over 170 of the 564 positions are in the broadcasting sector in roles such as broadcasters, technicians and cadet journalists. Not only has the program been successful in terms of achieving a

high employment rate, it is also having a positive impact on the lives of employees, engendering pride in themselves and their workplaces and allowing for the pursuit of accredited training. The program has also enabled a number of Aboriginal and Torres Strait Islander media organisations to expand their operations through the provision of training and paid employment to staff.

The majority of these positions are funded as part-time (20 hours per week), with 45 positions in the NT converted to full-time in 2009-10 in response to demand by funded organisations. This conversion is already oversubscribed and there is continuing pressure from the sector for an even greater number of Aboriginal and Torres Strait Islander peoples to benefit from extending employment to full-time under the program.

The review recommends that the government should build on the success of this program by increasing the number of positions allocated to the Indigenous media sector in all regional and remote areas where there is a high demand for such positions. Such a move would not only help younger people get training and employment it would add to the capacity of the Indigenous media sector and its ability to deliver outcomes for Aboriginal and Torres Strait Islander peoples.

### **The Indigenous Employment Program (IEP) and Job Services Australia (JSA)**

The Indigenous Employment Program (IEP) is a key element of the government's commitment to halving the employment gap between Indigenous and non-Indigenous Australians within a decade. It provides access to funding and support services to communities, individuals, employers and industry bodies to encourage greater Indigenous employment. Support and services include training and mentoring for employers, wage subsidies, regional strategies, development of recruitment and retention plans, support for Indigenous business, and promoting the success of peer role models.

The IEP supports activities that will:

- encourage and support employers to provide sustainable employment opportunities for Aboriginal and Torres Strait Islander peoples
- encourage and support Aboriginal and Torres Strait Islander peoples to take up training and employment opportunities, stay in jobs and enhance their future employment prospects
- assist Indigenous communities, industry bodies and groups of employers to develop Indigenous workforce and economic development strategies that support local and regional economic growth, or
- assist Aboriginal and Torres Strait Islander peoples to develop sustainable businesses and economic opportunities in urban, regional and remote areas.

Individuals, communities and organisations can access assistance directly from Department of Education, Employment and Workplace Relations (DEEWR), or indirectly from the two panels of providers which have been established to help provide services under the reformed IEP.

Based on the objectives of the IEP it is possible that all Indigenous broadcasting organisations are able to access this program and the considerable funding attached to it. This would be a feasible pathway to increase the capacity and total numbers of Aboriginal and Torres Strait Islander full-time employees in the sector. Whilst an increase in the number of available NJP positions is also

recommended, the NJP program targets a different group of potential employees (mainly part-time, long-term unemployed, who are generally volunteers to begin with).

Access to the IEP could be undertaken by the national peak body in order to coordinate types and total numbers of training needs and employment opportunities in this sector. The review recommends that the national peak body work with DEEWR to develop an Indigenous employment strategy targeted to the Indigenous broadcasting and media sector.

Job Services Australia (JSA) enables Aboriginal and Torres Strait Islander job seekers, communities, employers and industry bodies to access specialist services from over 180 JSA sites. This includes training and mentoring for employers, wage subsidies, regional strategies, development of recruitment and retention plans, support for Indigenous business and promoting the success of peer role models.

The following Indigenous media organisations have access to JSA and/or IEP:

<b>Provider name</b>	<b>Activity name</b>	<b>Activity description</b>
Pitjantjatjara Yankunytjatjara Media Incorporated	Pitjantjatjara Yankunytjatjara Media IT Training Program	Employ three Aboriginal and Torres Strait Islander peoples in the Media Industry.
Walpiri Media Association Incorporated	Walpiri Media Association Incorporated: Trainee Women	Support one Aboriginal and Torres Strait Islander peoples in Certificate II/III in Business to be employed as a journalist/broadcaster.
Central Australian Aboriginal Media Association	CAAMA Business Plan Project	Engage a consultant to develop a strategic plan/business plan focussing on how the CAAMA can become more self-sustainable.
Central Australian Aboriginal Media Association	CAAMA Trainee Employment Project	Employ two Aboriginal and Torres Strait Islander participants as trainee sound engineers undertaking Certificate II/III in Music Industry Production.
Goolarri Media Enterprises Pty Ltd	Goolarri Step Project 'Wings to Fly' Initiative	Training and employment for 28 Aboriginal and Torres Strait Islander participants comprising 27 two-year traineeships to Certificate II, III, IV or Diploma level and one two-year Advanced Diploma Radio Broadcasting Traineeship in the Broome area.
Broome Aboriginal Media Association	Goolarri Step Project 'Wings To Fly' Initiative	Training and employment for 28 Aboriginal and Torres Strait Islander participants comprising 27 two-year traineeships to Certificate II, III, IV or Diploma level and one two-year Advanced Diploma Radio Broadcasting Traineeship in the Broome area.
Central Queensland Aboriginal Corporation for media	CQ Aboriginal Corporation For Media – Radio VS STEP Project	Accredited radio broadcasting training in Certificate II and wages for two CDEP trainees undergoing training at Radio 4AAA.
Brisbane Indigenous Media Association Inc	Steppin' Up 98.9FM	Placement of up to 10 Aboriginal and Torres Strait Islander peoples into full-time employment and training to Certificate IV in radio broadcasting for two participants.

### **Indigenous Cadetship Support (ICS)**

ICS is one of the programs that sits under the IEP. It is aimed at improving the job prospects of Aboriginal and Torres Strait Islander students and links full-time students undertaking a diploma, an advanced diploma or their first undergraduate degree with employers who can give 12 weeks annual work placement and ongoing employment once they finish their studies.

Under the ICS the cadet is paid a study allowance (subsidised by DEEWR) during their period of full-time study for 40 weeks each year and is supported by the host employer throughout their academic year. For an additional 12 weeks each year the employer employs the cadet as a casual employee paid at an hourly rate. Casual employment of the cadet is generally done throughout the summer semester break.

Although this training program can support Aboriginal and Torres Strait Islander peoples into mainstream media organisations there is not the enthusiasm within industry to achieve reasonable numbers undergoing training. Competition for entry level jobs within mainstream media is so high that for these organisations there is little by way of a business case for resourcing the training of Aboriginal and Torres Strait Islander peoples. The incentives for them are currently simply not enough.

One option would be for government to support additional incentives for the mainstream broadcasting and media sector to take on Aboriginal and Torres Strait Islander trainees through the ICS. This could be done by removing the 12-week per annum employer contribution from the ICS initiative. In addition any changes should be widely promoted.

Concurrently, the government could trial a training and employment program within a willing mainstream broadcaster that assists the host organisation to navigate the job ready, training and employment programs available through government programs. This trial could subsequently be used to develop more effective strategies to encourage take-up of training programs for Aboriginal and Torres Strait Islander peoples by mainstream media.

### **ABC and SBS**

The national broadcasters have for many years been involved in the employment and training of Aboriginal and Torres Strait Islander peoples and in the production of Indigenous programming.

However the ABC and SBS have no formal requirement to target recruitment and training of Aboriginal and Torres Strait Islander peoples, and the numbers training and employment have fluctuated over the years. As publicly-funded national broadcasters, the ABC and SBS should be leading the way in the sector by meeting targets for employment and training as the norm rather than as an aspirational goal.

The *ABC Reconciliation Action Plan 2009–2012* (RAP) was endorsed by the ABC Board in October 2009. It contains commitments to increase employment opportunities for Aboriginal and Torres Strait Islander peoples and content. The RAP includes:

- a two per cent Indigenous staff level
- providing up to six internships annually through the National Indigenous Cadetship Program
- offering a structured national work experience/internship program for up to five Aboriginal and Torres Strait Islander people per year in each state and territory, and

- targeting Indigenous staff for leadership programs, awarding annual Indigenous scholarships, and providing induction and mentoring support for new Indigenous staff members.

However the ABC has had significant difficulty in meeting this target of a two per cent Indigenous staff level. Despite this the review believes that a target of 2.7 per cent would be more appropriate and recommends that government work with the ABC to ensure that training and employment for Aboriginal and Torres Strait Island peoples meet such a target each financial year. Progress against each measure (training and employment) should be reported separately in the national broadcasters' annual reports.

As part of its long-term strategy and its current RAP, SBS has focused on developing Indigenous staff, both for roles at SBS and for the greater industry. SBS is currently working with the Media RING, Generation One, academia and other partners to raise the level of Indigenous training and employment in the media industry. Of SBS's 877 staff, 179 are in language-specific roles (radio broadcasters and subtitlers). Of the remaining 698 positions, 1.46 per cent of employees are Indigenous (as of 1 March 2010). SBS is working to reach the target of 2.7 per cent Indigenous employment of non-language specific staff by 2015.

Each year SBS offers a one-year cadetship in news and current affairs. Despite other cadetship positions being cut due to budget issues, the Indigenous cadetship was maintained in 2010-11. SBS also has a longstanding Indigenous law student mentoring program to develop a mid-career media professional. SBS also developed an Indigenous career forum, facilitating the networking and career development of Indigenous media careers.

## Recommendations

28. The Australian Government provide additional incentives for the mainstream media sector to take on Indigenous trainees through the Indigenous Cadetship Support (ICS) by removing the 12 week per annum employer contribution from the ICS and promote this initiative widely.
29. Concurrently, the Australian Government trial a training and employment program within a mainstream media organisation that assists the host organisation to navigate the job ready, training and employment programs available through government and to use this trial to develop more effective strategies to encourage greater take-up of training programs for Aboriginal and Torres Strait Islander peoples by mainstream media.
30. The Australian Government increase the number of positions allocated under the National Jobs Package (NJP) to the Indigenous media sector in regional and remote regions with high demand for such positions.
31. The Australian Government work with the ABC and SBS to ensure that training and employment for Aboriginal and Torres Strait Islander peoples meet a target of no less than 2.7 per cent for Indigenous employees each financial year with progress against each measure (training and employment) to be reported separately in the national broadcasters annual reports.

### 3.10 Enhancing Indigenous content on mainstream media

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The review believes that an essential element of the government's Indigenous broadcasting and media policy should be fostering more Indigenous content on mainstream media.

Indigenous faces and voices are seldom seen or heard on commercial broadcasting networks and only relatively rarely on the national broadcaster networks. More faces and voices on mainstream television and radio and an increase in Indigenous programming generally would showcase positive role models to all Australians and assist in developing a greater Indigenous cultural awareness in the general community. They would greatly complement the work of Indigenous media organisations.

There is currently no definition of what constitutes an Indigenous program within the Broadcasting Services Act. Screen Australia's definition—Indigenous content means a film or program based on an Indigenous story, with Indigenous characters or featuring Indigenous culture and heritage in any form—is helpful. However, a view put to the review is that for content to be Indigenous it should be created under Indigenous control. At the least it would seem reasonable for a high level of Indigenous involvement in the creative process to be required. The development of a standard definition within the ACS would provide a clear direction within the broadcasting and media sector of the requirements associated with the production of Indigenous program content.

#### **Commercial broadcasters**

The review accepts that the government has limited avenues open to it to foster increased Indigenous content production and broadcast on mainstream media. However, it would be possible to change the current local content rules to provide some much needed incentives. It is not proposed that there be a separate Indigenous ACS, rather that incentive to broadcast Australian Indigenous content be placed within the ACS.

Content requirements for commercial television broadcasters are regulated through the BSA, ACS or Children's Television Standard (CTS).

The object of the ACS is to promote the role of commercial television broadcasting services in developing and reflecting a sense of Australian identity, character and cultural diversity by supporting the community's continued access to television programming produced under Australian creative control.

The ACS specifies the amount of Australian content that must be broadcast annually by the commercial television broadcasters, which includes first release Australian drama programs, documentary programs and children's programs. However, it does not set amounts for Indigenous programs and currently there is no regulatory requirement to broadcast Indigenous programming.

The review proposes changes to the ACS obligations of the commercial television broadcasters as an effective contribution to the *Closing the Gap* strategy and to the process of reconciliation generally. This would involve amending the ACS 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 require it to 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 the principles underpinning these proposals are encapsulated in any new standards.

## **ABC**

There is no specific requirement within the ABC Charter to provide Indigenous content – rather there is a requirement to broadcast *'programs that contribute to a sense of national identity and inform and entertain, and reflect the cultural diversity of, the Australian community'*.<sup>24</sup>

The ABC has established a dedicated Indigenous cultural unit responsible for the creation of new Indigenous programs as well as delivery of existing programs such as *Message Stick*, *Speaking Out* and *Awaye*. It intends to expand Indigenous content by developing prime-time programs for ABC1 from the independent Indigenous sector. Less expensive, but more creative programs are intended for ABC2, in particular, comedy and entertainment programs. ABC3 is to also increase its Indigenous content. The review welcomes these initiatives.

In 2010-11, the ABC will broadcast approximately 47.5 hours of first-run and repeat content made by Aboriginal and Torres Strait Islander peoples. In addition, it will commission 20 hours of content, although development times mean that this content will not be broadcast until 2011-12. The ABC's Indigenous portal is also an important online gateway for ABC Indigenous content, opinion and interactive message boards.

In 2009-2010 the ABC was provided with \$15.3 million to develop ABC Open. This initiative enhances the broadband content capability of ABC regional radio stations, helping them evolve into ABC regional multi-media centres. ABC Open producers work from the local stations and local communities to capture the stories of Australia and Australians and build up the level of local content as well as raising digital literacy in regional Australia. The first ABC Open recruitment phase actively targeted Indigenous communities and included two Indigenous producers. The review considers that ABC Open is a major opportunity for the ABC to increase its involvement with Indigenous communities and its employment of Aboriginals and Torres Strait Islander peoples.

The ABC should also increase its commitment to Indigenous programming, especially programs made by Indigenous producers as part of the 2012-15 triennium funding review. The government should negotiate with the ABC to set reasonable and achievable goals for increased Indigenous program production.

## **SBS**

The SBS Charter requires it to *'contribute to meeting the communications needs of Australia's multicultural society, including ethnic, Aboriginal and Torres Strait Islander communities'*.<sup>25</sup>

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<sup>24</sup> ABC Charter 1983, *Australian Broadcasting Corporation Act 1983* (Cth), Section 6 (1)(a)(i).

<sup>25</sup> SBS Charter 1991, *Special Broadcasting Services Act 1991* (Cth) Section 6(2)(a).

SBS currently provides television, radio and online services that include Indigenous news and current affairs, documentary, drama and special event programming. It sees its future role as both a leader in originating new Indigenous content and growing Indigenous media careers, but also as a collaborator – both in sharing media content across platforms and in developing education and training programs. SBS Aboriginal Radio programs are re-broadcast on the NIRS. SBS also provides *Living Black* to NITV at a reduced rate.

Since 2006 SBS has used an out-sourced commissioning model. From July 2006 to April 2010, SBS commissioned 131 separate production companies to produce a total of 230 hours of Indigenous specific drama, documentary and entertainment programs. Well known examples include: *The Circuit*, *Remote Area Nurse*, the *Mary G Show*, *First Australians* and *My Brother Vinnie*. SBS also produces the broadcast of *The Deadlys*, Australia's national Indigenous sports, arts and music awards. SBS's current affairs program *Living Black* is in its ninth year.

The review considers that the SBS also should increase its commitment to Indigenous programming, especially programs made by Indigenous producers as part of the 2012-15 triennium funding review. The government should negotiate with the SBS to set reasonable and achievable goals for increased Indigenous program production.

### **Screen agencies**

The review notes the work being done by screen agencies to increase participation and involvement of Aboriginal and Torres Strait Islander peoples including employment of Indigenous staff, appointment of Indigenous persons to boards, encouraging employment of Indigenous producers, key creatives and initiatives to support Indigenous film-making as well as training.

ScreenWest has been identified as an agency with significant Indigenous programs and initiatives. These initiatives followed *ScreenWest Indigenous Film Policy and Strategy Framework 2003-2008* which provided a practical framework through which to support Western Australian Indigenous filmmakers. Key outcomes of the strategy included skills development initiatives and production funding initiatives and the employment of a full-time ScreenWest Indigenous project officer and an Indigenous board representative.

Other agencies such as QPIX are also active in the support and development of Indigenous participation and involvement in the television sector. One initiative developed by QPIX was the *Black Pearls* program. This offered participants not just development and production training but also all related administrative, legal, logistical and coordination aspects of the industrial process.

Overall the review notes that some agencies are more active than others in increasing participation and involvement of Indigenous people. Collectively the screen agencies could share the experiences and knowledge gained from developing and implementing initiatives to utilise resources with a view to an overall increase in screen agency achievements in this area.

## Recommendations

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 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. ABC Open strengthen partnerships with Indigenous broadcasting organisations, and work with Indigenous broadcasters to access, use and contribute to the material.

## 3.11 Preparing for future technology

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### Digital switchover

In 2008 the government announced the timetable for the switchover to digital television, with analogue television services ceasing across Australia progressively by the end of 2013.

In the case of major cities and regional centres the current terrestrial distribution of analogue television channels will be replaced by terrestrial distribution of digital television channels. In remote locations television services will be provided via a new satellite service known as VAST which will be funded by the Australian Government. It will provide a full suite of digital channels equivalent to those available elsewhere via digital terrestrial receivers. VAST will also carry additional local news channels.

The operation of the VAST service has been subcontracted to a joint venture of Imparja and Southern Cross named Eastern Australia Satellite Broadcasters Pty Ltd, with delivery through a new Optus satellite.

A SSS has been established for households using the VAST service. Officially designated Remote Indigenous Communities (RICs) will receive VAST for free. In other regional areas a small co-payment will be required.

The review understands that there are 28 sites in remote central and eastern Australia and 54 in WA where the television networks have decided to build digital terrestrial retransmission multiplexes to replace existing analogue services. Apart from these 82 sites everyone else in remote Australia will receive their television via VAST. At present it is unclear whether these 82 'broadcaster owned retransmission sites' will have the capacity to deliver NITV. Therefore the review recommends the government ensures that where a remote community will have digital terrestrial retransmission (the 'broadcaster owned retransmission sites') the facility carries all the channels available on the VAST service, including NITV.

A number of submissions to the review expressed concern about the replacement of terrestrial television transmission with direct-to-home satellite. Some submissions argued that it could be more cost effective for the SSS, which is provided to individual households, to be pooled in some larger remote communities and the money used to fund the establishment of a digital terrestrial retransmission facility. The review was not able to determine if this is the case due to the complexity of evaluating the cost of suitable retransmission facilities. However, it is something that the Australian Government should ask the Digital Switchover Taskforce to consider in its proposed rollout. In considering this, the taskforce should 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.

Current analogue re-broadcasting facilities in some remote communities also allow for the insertion of locally produced content or for the retransmission of NITV. The review was unable to ascertain how many remote communities are actually taking advantage of this facility. The review notes that local insertion of content will not be available via digital retransmission systems but is of the view that the

provision of the full suite of digital channels, including NITV, is nonetheless a superior outcome for those communities. Alternate options for distributing locally produced Indigenous content are discussed elsewhere in this report.

The review has recommended that NITV be funded to secure access to the VAST service on an unencrypted basis as will be the case with the ABC and SBS. This is important as it will allow anyone with the appropriate satellite dish and set-top box to view NITV.

The review recognises that the digital switchover presents a range of unique challenges for Indigenous households, particularly those in regional and remote areas. The Digital Switchover Taskforce needs to pay particular attention to the needs of Indigenous households when considering its implementation plans. It is recommended that the government have DBCDE facilitates discussions between the Digital Switchover Taskforce and NBN Co in relation to negotiating one contract with a service provider/s to maintain both the television satellite and NBN dishes in remote areas of Australia. The service provider/s should be required to develop a training program for Indigenous technicians for ongoing maintenance and any new or re-negotiated contracts should be required to employ local Indigenous people in the installation of the dishes. It would be helpful if the Digital Switchover Taskforce were to employ at least one senior Indigenous executive with relevant knowledge and experience.

Reflecting the unique situation facing Indigenous households in remote areas the review recommends that the government make provision for remote Indigenous communities who will receive their television services via VAST to have their receiving equipment provided, installed and maintained for free.

In addition, environmental factors and geographic factors that impact on infrastructure in Indigenous communities needs to be taken into account when selecting the satellite dishes and associated equipment required for receiving television in regional and remote locations. This should include the use of highly robust dishes that prolong the life of the equipment and reduce the need for maintenance.

### **Digital content, the NBN and Indigenous communities**

Promotion of Indigenous culture and other policy imperatives through new media will require strategies that leverage infrastructure, in particular the Government's NBN.

Mainstream content industries are rapidly moving toward convergence of radio, video, online, multi-media, and other communications platforms. The Indigenous broadcasting and media sector needs to follow this lead.

At present, a limited exchange of mostly audio material occurs between RIBS allowing for the dissemination of information and culture between Indigenous communities. This is achieved primarily via satellite – an inefficient and costly exercise. Over time, as the NBN is rolled out across regional and remote Australia a unique opportunity will arise whereby Indigenous communities will be able to take control of the exchange of their own audio and visual content. This will foster the development of new skills and allow Aboriginal and Torres Strait Islander peoples to join the 21st Century in terms of ubiquitous communications. It will promote greater interaction between Indigenous communities and

between Indigenous and non-Indigenous Australians. However, it will require ongoing action from government to ensure that this potential is realised.

Additionally, the NBN will allow Indigenous businesses to identify new opportunities and generate a high calibre of creative content and services attractive to broadband customers. New businesses possible through access to the NBN could serve both Indigenous and non-Indigenous markets – another boost to *Closing the Gap*.

During consultations the review observed a high level of recognition of the potential benefits of the NBN but considerable uncertainty about the detailed implementation, including: which areas will get fibre and when; how well wireless or satellite broadband will work; at what speeds; and, at what cost?

The review recommends that the government should liaise with NBN Co to ensure that Indigenous broadcasting and media organisations are provided with early access to the national broadband rollout. Additional funding may need to be considered to cover the total ongoing costs of providing high speed Internet connectivity to Indigenous broadcasting and media organisations and communities.

#### **NBN Co/Digital Switchover Taskforce cooperation**

The review considers that there is a risk that Indigenous communities could be disadvantaged and inconvenienced by the current arrangements for the rolling out of services by the Digital Switchover Taskforce and NBN Co. Conversely, there is great scope for both organisations to achieve efficiencies and consequential cost savings by working collaboratively.

For example, both organisations could coordinate the installation and commissioning of satellite receiving equipment in the households across regional and remote areas of Australia. The review understands that due to the selection of different satellites it is not possible for one receiving dish to be used for both services. However, there is a strong case for a joint installation regime to be created so that wherever possible installation of the dishes, cabling and set-top boxes required by both each organisation occurs at the same time.

As stated above, the review believes that maintenance arrangements in these remote areas should be coordinated whereby the same subcontractor in each location is able to provide maintenance services for both organisations.

There is also scope for the creation of Indigenous employment by developing training programs for satellite service installers. The review recommends the Digital Switchover Taskforce and NBNCo be encouraged work with contractors engaged in providing installation and maintenance service to ensure Indigenous employees are employed in their workforce. The review acknowledges that this will require the provision of training and the allocation of funding – either from within the existing funding package or from other sources.

#### **Existing multi-media hubs**

The review has recommended that that existing media organisations in Indigenous communities become multi-media hubs for activities in new media in addition to their broadcasting role – for example, as places to engage young people in cultural multi-media projects, recording music, as well providing as a variety of structured training opportunities. These media organisations are often the

only places in communities with computers, recording and broadcast facilities, phone lines and air conditioning.

FaHCSIA is currently undertaking a feasibility study for a National Indigenous Knowledge Centre which has relevance to the storage of and access to Indigenous knowledge materials. Community consultation on this study is currently underway.

The review encourages FaHCSIA to work with Indigenous organisations to devise strategies for integrating the activities of Indigenous knowledge centres into the network of RIMOs and RIBS.

### **Digital radio**

Digital radio is a supplementary radio service to AM and FM. There are no plans to cease the AM radio services throughout Australia. Digital radio spectrum has been allocated in metropolitan markets of the five mainland capital cities of Adelaide, Brisbane, Melbourne, Perth and Sydney. The technology required to support digital radio in regional and remote parts of Australia has not been fully investigated by government.

In May 2007 the Australian Parliament passed legislation to implement a framework for the introduction of digital radio services in Australia that would operate alongside, rather than replace, existing analogue (AM and FM) radio services.

In addition to spectrum planning considerations, the future rollout of digital radio in regional Australia is dependent on the availability of suitable technology. When the legislation was passed in 2007, a parliamentary committee noted that it was too early to prescribe a technology for regional digital radio services. A particular concern was the capability of the digital radio technology being used in metropolitan areas to match the extensive broadcast coverage of some regional, particularly AM, radio services. The legislation therefore required that a review be conducted by 2011 to examine the suitability of various digital radio technologies for regional Australia.

A key consideration for this review into digital radio is to determine if Digital Audio Broadcasting Plus (DAB+)—the technology used for metropolitan digital radio—is capable of providing the wide area coverage that regional analogue radio services, particularly on the AM band, currently offer. Digital radio technologies that have been recently developed, such as Digital Radio Mondiale Plus (DRM+), will also be examined to determine if they are suitable for regional areas, taking account of the availability of receivers and the compatibility with the DAB+ system already operating in Australia

At this time it is unknown when digital radio services will be made available to regional and remote parts of Australia and what type of technology will be most suitable for its delivery. In any event the installed base of analogue radios (particularly cars and portable radios) will ensure that digital radio will remain a supplementary service for some time.

However the Indigenous radio sector should not be ignored in the debate on digital radio and should be specifically considered in the current review and in the government's response to that review.

## Recommendations

35. The Australian Government ensure that where a remote community will have digital terrestrial retransmission (the 'broadcaster owned retransmission sites') the facility carries all the channels available on the VAST service, including NITV.
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.
37. The DBCDE facilitates discussions between the Digital Switchover Taskforce and NBN Co regarding the feasibility of having one contract with service providers to maintain both NBN satellite dishes and VAST satellite dishes in remote areas of Australia. Service provider/s be required to develop training programs for Indigenous technicians for installation and ongoing maintenance. Any new or renegotiated contracts should require the employment and training of local Aboriginal and Torres Strait Islander peoples.
38. Remote Indigenous communities that receive their television services via VAST have their equipment provided, installed and maintained for free.
39. The DBCDE liaises with NBN Co to ensure that Indigenous broadcasting and media organisations are provided with early access to the national broadband rollout. This may require subsidised access to the NBN network for RIBS and RIMOs.

## 4. Appendices

### 4.1 The review process

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#### 4.1.1 Review scope

As part of the 2010-11 Budget the Australian Government announced a review into its investment in the Indigenous broadcasting and media sector. Outcomes from the review will inform the government on future funding and policy for the sector to ensure that the Indigenous broadcasting and media sector is delivering the best outcomes for Indigenous people.

Mr Neville Stevens AO was appointed to lead the review and was supported by an expert panel comprising of Mr Laurie Patton and Ms Kerryne Liddle.

An Australian Government inter-departmental steering committee was also established comprising representatives from OFTA in PM&C, DBCDE, FaHCSIA and the ACMA.

#### 4.1.2 Stakeholders

A large and diverse range of stakeholders have participated in the review. These have included relevant government agencies, the ABC and SBS, the peak bodies *AICA and IRCA*, experts from the sector, and *Indigenous organisations* and individuals who have an interest in the Indigenous broadcasting sector. The submissions made to the review came from across this broad spectrum of stakeholders and reflect the importance of Indigenous broadcasting and media to the Australian community.

#### 4.1.3 Consultation

To ensure consideration of a wide range of views, many opportunities for public input were provided over the course of the review. Input was sought from key stakeholders with an interest in the sector to ensure broad-based input to the review.

- On 19 July 2010 an issues paper was released, calling for public submissions. The issues paper provided a framework for public comment by providing an explanation of the terms of reference and initiating questions about the Indigenous broadcasting and media sector. Submissions were originally invited by 20 August 2010 and this was extended to 3 September 2010 to enable a number of stakeholders to make a submission.

The issues paper is provided at Appendix 4.3 of this report.

- In response, 38 formal written submissions were received. A list of submitters, unless confidentiality was requested, is provided at Appendix 4.4 of this report. Copies of the submissions, unless confidential, are available at:  
<http://www.arts.gov.au/indigenous/broadcasting/review/submissions>.
- Coinciding with the release of the issues paper a series of targeted face-to-face consultations and site visits were undertaken across Australia during the review by the reviewer and the expert panel.

- Opportunities for input to the review were offered to stakeholders and interested members of the public via public forums held throughout Australia from September to October 2010. These meetings were held:
  - Broome, WA – Tuesday 14 September 2010
  - Darwin, NT – Friday 17 September 2010
  - Cairns, QLD – Monday 20 September 2010
  - Brisbane, QLD – Wednesday 22 September 2010
  - Melbourne, Vic – Friday 24 September 2010
  - Alice Springs, NT – Tuesday 28 September 2010
  - Perth, WA – Thursday 30 September 2010
  - Sydney, NSW – Thursday 7 October 2010, and
  - Adelaide, SA – Monday 15 November 2010.

## 4.2 Terms of reference

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The review will:

- consider the specific policy and cultural outcomes for Aboriginal and Torres Strait Islander peoples to be realised through the government's investment in Indigenous broadcasting and media
- consider and make recommendations on the most efficient, effective and appropriate form of the government's investment
- consider the impact of media convergence on the Indigenous broadcasting and media sector; the carriage of Indigenous broadcasting and media on new digital platforms, including terrestrial services, broadband enabled platforms and the new government-funded satellite service
- identify the contribution of Indigenous broadcasting to *Closing the Gap*
- assess future options for funding the delivery of Indigenous broadcasting and media in light of future challenges and opportunities and uncertainty about the sustainability of existing funding models, taking into account regional cultural and language requirements
- develop a robust performance framework for the Indigenous broadcasting and media sector, and
- assess options for the most efficient, effective and appropriate arrangements within the government for the administration of Indigenous broadcasting and media.

## 4.3 Review issues paper

### INDIGENOUS BROADCASTING AND MEDIA SECTOR REVIEW

#### ISSUES PAPER

This issues paper aims to help you participate in the Indigenous Broadcasting and Media Sector Review. It describes what the review is about and identifies some issues you might like to consider as part of your contribution.

**Reviewer:** Mr Neville Stevens AO

**Expert Panel:** Mr Laurie Patton and Ms Kerryne Liddle

**Key Dates:**

- Submissions due COB Friday 20 August 2010
- Public consultations September to October 2010
- Final report to Government 31 December 2010

**Sending us your ideas:**

Submissions should be emailed to [indigenousbroadcasting@environment.gov.au](mailto:indigenousbroadcasting@environment.gov.au) or mailed to *Indigenous Broadcasting and Media Sector Review Team, Culture Division, DEWHA, GPO Box 787, Canberra ACT 2601*

For further information about the Review you may wish to contact your DEWHA State Manager who would be willing to accept your submission and pass it on to the Review Team. Please contact:

- **Queensland State Manager**  
Email: [michelle.savage@environment.gov.au](mailto:michelle.savage@environment.gov.au)  
Phone: (07) 3004 4715
- **Northern Territory State Manager**  
Email: [joanne.miller@environment.gov.au](mailto:joanne.miller@environment.gov.au)  
Phone: (08) 8959 4292
- **Victoria/ Tasmania State Manager**  
Email: [sharon.clark@environment.gov.au](mailto:sharon.clark@environment.gov.au)  
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- **New South Wales State Manager**  
Email: [cameron.logue@environment.gov.au](mailto:cameron.logue@environment.gov.au)  
Phone: (02) 6275 9570

If you have any queries you may also contact the Review Team at [indigenousbroadcasting@environment.gov.au](mailto:indigenousbroadcasting@environment.gov.au).

## **What is this Review about?**

As part of the 2010-11 Budget the Government announced a review into its investment in the Indigenous broadcasting and media sector. The review will aim to ensure that the resources allocated to Indigenous broadcasting are delivering the best outcomes for Indigenous people.

The Government's investment into the Indigenous broadcasting sector includes funding for National Indigenous Television (NITV) and Imparja Television, as well as support for Indigenous Community Television, five community radio stations in Sydney, Melbourne, Perth, Brisbane and Darwin, licensed community radio stations in 22 regional centres, eight Remote Indigenous Media Organisations and 71 Remote Indigenous Broadcasting Services. It also includes investment through the Australian Broadcasting Corporation, the Special Broadcasting Services, the Community Broadcasting Foundation, Screen Australia and the Australian Film and Television Radio School.

The review will provide the Government with information to ensure that the carriage of Indigenous television and radio content is provided effectively and efficiently. It will include the exploration of options for the delivery of Indigenous broadcasting content on new digital broadcasting platforms, for example the Government-funded Viewer Access Satellite Television service.

The review will take into account, but will not be limited by, the findings of other reviews undertaken in the sector including the NITV Review completed in the second half of 2009.

[http://www.arts.gov.au/indigenous/national\\_indigenous\\_television](http://www.arts.gov.au/indigenous/national_indigenous_television)

## **Having your say**

This paper describes key aspects of the Government's investment in the Indigenous broadcasting and media sector and identifies some issues that you wish to raise under the review process.

To share your ideas with us, you may choose to provide answers to any or all of the questions in this paper, based on your professional and personal experiences.

Your submission is not limited to these issues or questions – these are simply thought starters.

You, or your organisation, may like to make a formal submission to the Department in response to the release of the Issues Paper.

The review will be completed by 31 December 2010.

We will publish your submission on our website and will not identify the person or organisation making a submission if that is your express wish.

Indigenous broadcasting and media sector

*Indigenous Broadcasting Program (IBP)*

<http://www.arts.gov.au/indigenous/broadcasting>

The IBP supports Indigenous community radio broadcasting and provides funding support to address the broadcasting needs of Indigenous people living in remote, regional and urban areas of Australia.

The program aims to:

- support the operations of Indigenous owned and controlled community radio broadcasting services, including Remote Indigenous Broadcasting Services (RIBS);
- support the development and broadcast of programming that focuses on the promotion of local Indigenous culture and languages;
- enhance Indigenous broadcasting services by supporting national representation that serves and develops the sector's capacity;
- support broadcasting services that are able to inform and educate Aboriginal and Torres Strait Islander peoples on accessing the range of health, legal, education and housing services available to them; and
- assist in developing an Indigenous broadcasting sector that meets all governance and regulatory requirements.

In 2010-11, the IBP provided approximately \$14.8m to support the following:

- \$2.0m for Indigenous community radio stations in Melbourne, Sydney, Brisbane, Darwin and Perth;
- \$4.9m for licensed Indigenous community radio stations in 22 regional centres;
- \$700,000 for Shire Councils in Northern Territory and Queensland to support 71 RIBS;
- \$3.1m for eight Remote Indigenous Media Organisations which provide technical support and training for RIBS;
- \$390,000 for three Indigenous organisations producing radio content, including \$280,000 for the National Indigenous Radio Service, and distributing it to Indigenous broadcasters;
- \$140,000 for Media training;
- \$1.8m for Imparja Television, which distributes NITV and 10 community radio feeds;
- \$150,000 for Indigenous Community Television;
- \$250,000 for research and evaluation purposes;
- \$550,000 for two Indigenous peak bodies; and
- \$820,000 for program evaluations and approved minor capital replacements.

### *National Indigenous Television (NITV)*

<http://nitv.org.au/>

NITV aims to boost the Indigenous television production sector across Australia and to have a positive impact on Indigenous culture and identity. The Government provided approximately \$48.5m over four years to 30 June 2010 to pilot Australia's first national Indigenous television service.

Launched on 13 July 2007, NITV aims to boost the Indigenous television production sector across Australia and to have a positive impact on Indigenous culture and identity. NITV commissions, produces and aggregates Indigenous television content, providing Indigenous news, children's TV, documentaries, drama, sport and other entertainment reflecting the breadth of Indigenous communities.

In 2010-11 the Government will provide approximately \$15m to support NITV. NITV is a content provider and aggregator and delivers over 350 hours of first-run Indigenous television content per annum. NITV is available free- to air off the Imparja footprint and through subscription television services.

### *Australian Broadcasting Corporation (ABC)*

<http://www.abc.net.au/indigenous/>

The ABC has established an Indigenous department which is responsible for the creation of new and engaging Indigenous programs as well as the current delivery of programs such as *Message Stick*, *Speaking Out* and *Awaye* and commissioned the recent drama productions *Bran Nue Dae*, and *Samson and Delilah*.

These programs are enhanced and reinforced through an established interactive online Indigenous website providing news, arts and events, health and recipes, education and a language map.

### *Special Broadcasting Services (SBS)*

<http://news.sbs.com.au/livingblack/>

SBS produces *Living Black* on SBS TV (a weekly half hour Indigenous current affairs program) and the *Aboriginal Program* on SBS Radio, as well as covering general Indigenous news across News, Current Affairs and Online. The News Division has an annual Indigenous Journalist cadet program. SBS broadcasts the landmark documentary program *First Australians*, with an accompanying award-winning online resource. The series was among SBS's Top 50 programs of the year. Other highlights include the Indigenous dramas *RAN* and *The Circuit*, and documentary *Lani's Story*. Currently in production is the doco-drama *The Tall Man*.

### *Screen Australia*

[www.screenaustralia.gov.au](http://www.screenaustralia.gov.au)

Screen Australia is the key Government direct funding body for the Australian screen production industry. Screen Australia's Indigenous Department actively identifies and nurtures talented Aboriginal and Torres Strait Islander peoples who display bold, distinctive and diverse voices and provides

funding opportunities from development through production investment, to marketing. The Indigenous Department also takes a proactive role in shaping and influencing the policy environment for issues affecting Indigenous screen content creators.

*National Film and Sound Archive*

[www.nfsa.com.au](http://www.nfsa.com.au)

The NFSA has a range of programs aimed at supporting acquisition, preservation and access to Indigenous audiovisual items. The Indigenous Collections Branch (ICB) ensures a curatorial focus on Indigenous access and outreach programs. The Black Screen program provides Indigenous communities and the broader Australian public with access to Indigenous films through DVD compiles of Indigenous titles and events and partnerships with Indigenous communities, businesses and other groups.

The Indigenous Research Fellowship is part of the Scholars and Artists in Residence program and aims to promote research activity; encourage and facilitate research by Aboriginal and Torres Strait Islander peoples relating to the NFSA's collections including historic and contemporary moving image and recorded sound culture; and to bring their ideas and expertise to the NFSA.

*Australian Film and Television Radio School (AFTRS)*

<http://www.aftrs.edu.au/>

AFTRS is Australia's national school for the education and development of creative talent for the screen arts and broadcast industries. It does this through its award courses: Beginner level (Foundation Diploma); Intermediate level (Graduate Certificate); Advanced level (Graduate Diploma); as well as a Master of Arts Research. All students for the award program are selected on merit. AFTRS has six Indigenous students enrolled in its award courses in 2010. AFTRS Indigenous Program has recently appointed an Indigenous training officer to develop AFTRS' network with potential students and local communities to participate in non-award, specialist training offered by the School.

*Community Broadcasting Foundation (CBF)*

[http://www.cbf.com.au/Content/templates/about\\_cbf.asp?articleid=6&zoneid=5](http://www.cbf.com.au/Content/templates/about_cbf.asp?articleid=6&zoneid=5)

The CBF is an independent non-profit funding agency that solicits and distributes funds for the maintenance and development of community broadcasting in Australia including specialist services for Ethnic, Indigenous and Radio for the Print Handicapped audiences. The CBF is supported by the Government through the Department of Broadband, Communications and the Digital Economy (DBCDE) with additional Indigenous community broadcasting funding accessed through the Department of Environment, Water, Heritage and the Arts (DEWHA).

*The Australian Communications and Media Authority (ACMA)*

<http://www.acma.gov.au/WEB/HOMEPAGE/PC=HOME>

ACMA is a statutory authority within the Government's portfolio of Broadband, Communications and Digital Economy. ACMA is the independent regulator responsible for the regulation of: broadcasting; the internet; radio communications; and telecommunications. ACMA ensures industry compliance with licence conditions, codes and standards. All organisations funded under the IBP must be in receipt of a valid community broadcasting licence or a temporary community broadcasting licence.

In addition state and territory Governments also contribute resources to the sector through their jurisdictionally funded screen organisations. For example:

#### *Screen West*

<http://www.screenwest.com.au/go/news-and-events/wa-indigenous-filmmakers>

ScreenWest supports Western Australian Indigenous filmmakers, productions and stories through a variety of funding initiatives that are managed directly by ScreenWest and through the Film and Television Institute. As well as these specific Indigenous funding programs, ScreenWest encourages Western Australian Indigenous filmmakers to apply for ScreenWest's general funding programs.

#### *Screen NSW*

[www.screen.nsw.gov.au](http://www.screen.nsw.gov.au)

Screen NSW is the NSW Government screen agency with a key role in fostering and facilitating creative excellence and commercial growth in the screen industry in NSW.

Screen NSW has a range of development and production funding programs that support Aboriginal and Torres Strait Islander screen practitioners and projects. Recent examples include production funding of critically acclaimed feature film, *Samson and Delilah*, the establishment of an Indigenous Producer Extension Placement in Screen NSW and funding of Message Sticks Indigenous Film Festival. Screen NSW is a proud member of the Reconciliation Industry Network Group, a collective of media organisations, producers and funding and training bodies, which aims to drive practical measures to support and promote reconciliation in the media sector.

Screen NSW also funds key screen resource organisations, such as Metro Screen and Information and Cultural Exchange, to identify and train emerging NSW Aboriginal and Torres Strait Island talent and storytellers, particularly in Western Sydney and Regional NSW. The joint initiative *Out-There and Deadly*, between Metro Screen and Screen NSW, was recently announced to provide three experienced Aboriginal the opportunity to develop their film and storytelling skills through the production of a short work, master classes and industry mentorship.

## **Key issues for consideration**

*Consider the specific policy and cultural outcomes for Aboriginal and Torres Strait Islander peoples to be realised through the Government's investment in Indigenous broadcasting and media.*

What are the most important policy and cultural outcomes for Aboriginal and Torres Strait Islander peoples that should be achieved through investment in Indigenous broadcasting and media?

What are the current practices in the Indigenous broadcasting and media sector that promote Indigenous content, music, culture and language and can these be improved?

*Consider and make recommendations on the most efficient, effective and appropriate form of the Australian Government's investment.*

How well does the current system of investment work?

How could it become more efficient and effective?

What options could be considered that could provide a balance between funding for content production, funding for infrastructure and support for New Media and other emerging technologies?

How can the Indigenous broadcasting and media sector and the mainstream media sector increase, create and develop Indigenous employment opportunities in the media professions including print, broadcasting, television and technical positions?

How can the Indigenous broadcasting and media sector most effectively and efficiently be represented? Should there be a single peak body?

What do listeners and viewers want from Indigenous radio and television?

*Consider the impact of media convergence on the Indigenous broadcasting and media sector; the carriage of Indigenous broadcasting and media on new digital platforms, including terrestrial services, broadband enabled platforms and the new Government-funded satellite service.*

What are the likely impacts of media convergence on the Indigenous broadcasting and media sector – are there any impacts unique to this sector?

What are the opportunities and risks for the sector with new digital platforms?

How should a national Indigenous television service be delivered in a digital environment?

*Identify the contribution of Indigenous broadcasting to Closing the Gap.*

How is Indigenous broadcasting and media contributing to *Closing the Gap*?

What can Indigenous broadcasting and media do to contribute further to *Closing the Gap*?

What are some of the barriers that reduce the ability of Indigenous broadcasting and media to contribute to *Closing the Gap*?

How can the contribution of Indigenous broadcasting and media to *Closing the Gap* be measured?

What contributions cannot be measured?

More information on the Government's *Closing the Gap* policy initiative is available from the Prime Minister's *Closing the Gap 2010*, second report to Parliament, available on line at [http://www.fahcsia.gov.au/sa/indigenous/pubs/general/Pages/closing\\_the\\_gap\\_2010.aspx](http://www.fahcsia.gov.au/sa/indigenous/pubs/general/Pages/closing_the_gap_2010.aspx)

*Assess future options for funding the delivery of Indigenous broadcasting and media in light of future challenges and opportunities and uncertainty about the sustainability of existing funding models and taking into account regional cultural and language requirements.*

What are the main future challenges and opportunities facing the sector?

What would a sustainable funding model look like?

Are there licensing issues that need to be addressed to improve the sustainability of the Indigenous broadcasting and media sector?

What are the specific challenges for rural and remote service providers and communities?

*Develop a robust performance framework for the Indigenous broadcasting and media sector.*

What does good performance for the sector look like? Describe the key elements. How can this be measured?

How will we know if the programs are achieving the policy and cultural outcomes?

*Assess options for the most efficient, effective and appropriate arrangements within the Australian Government for the administration of Indigenous broadcasting and media.*

Should infrastructure and content be administered separately (for example content under arts and culture and broadcasting infrastructure under communications and broadcasting?)

How could the delivery of Indigenous broadcasting and media services by the Government be improved?

### **Submission of Responses**

Your submissions are due to DEWHA Arts by COB Friday 20 August 2010.

Additional information will also be gathered through face to face consultations when the Reviewer and the Expert Panel meet with stakeholders and discuss their views and follow up feedback is welcome.

You can send us your responses by:

- emailing r
- mailing to - *Indigenous Broadcasting and Media Sector Review Team, Culture Division, DEWHA, GPO Box 787, Canberra ACT 2601.*

Information regarding the review is available at:

<http://www.arts.gov.au/Indigenous/broadcasting/review>

## 4.4 List of submissions

#	Submitter name/organisation
1	Confidential
2	3CR
3	Mornington Island
4	Midwest Aboriginal Media Association (MAMA)
5	Imparja Television
6	Jim Remedio
7	Metro Screen
8	Gadigal Information Services
9	Community Broadcasting Association of Australia (CBAA)
10	Australians for Native Title and Reconciliation Victoria (ANTaR)
11	Paul Brant
12	Special Broadcasting Service (SBS)
13	Broadcast Australia
14	UNSW Law Faculty
15	PY Media
16	Confidential
17	Australian Children's Television Foundation and Australian Council of Educational Research
18	Australian Indigenous Communications Association (AICA)
19	Confidential
20	Indigenous Remote Communications Association (IRCA)
21	Confidential
22	National Film and Sound Archive (NFSA)
23	QPIX Ltd.
24	Foxtel
25	Australian Broadcasting Corporation (ABC)
26	Community Broadcasting Foundation (CBF)
27	Goolari/Pakam Group
28	ICTV
29	ScreenWest
30	Batchelor Institute of Indigenous Tertiary Education
31	Deadly Vibe
32	Confidential
33	Confidential
34	Eastern States Aboriginal Languages Group
35	National Indigenous Radio Service (NIRS)
36	Grahame Steel
37	Confidential
38	Pakam

## 4.5 Glossary

ABC	Australian Broadcasting Corporation
AC3	Australian Centre for Advanced Computing and Communications
ACMA	Australian Communications and Media Authority
ACS	Broadcasting Services (Australian Content) Standards 2005
ACT	Australian Capital Territory
ACTA	Australian Community Television Alliance
AICA	Australian Indigenous Communications Association
AILC	Australian Indigenous Leadership Centre
AFTRS	Australian Film, Television and Radio School
AMRAP	Australian Music Radio Airplay Project
APY Lands	Anangu Pitjantjatjara Yankunytjatjara Lands
ASTRA	Australian Subscription Television and Radio Association
ATSIC	Aboriginal and Torres Strait Islander Commission
BAMA	Broome Aboriginal Media Association
BIMA	Brisbane Indigenous Media Association
BRACS	Broadcasting for Remote Aboriginal Communities Scheme
BSA	<i>Broadcasting Services Act 1992 (Cth)</i>
CAAMA	Central Australian Aboriginal Media Association
CATSI Act	<i>Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)</i>
CBAA	Community Broadcasting Association of Australia
CBF	Community Broadcasting Foundation
CDEP	Community Development Employment Projects
COAG	Council of Australian Governments
CTS	Children's Television Standard
CTV	Community Television
DAA	Department of Aboriginal Affairs
DAB+	Digital Audio Broadcasting Plus
DBCDE	Department of Broadband, Communications and the Digital Economy
DCITA	Department of Communications, Information Technology and the Arts
DEEWR	Department of Education, Employment and Workplace Relations
DEWHA	Department of the Environment, Water, Heritage and the Arts
DRM+	Digital Radio Mondiale Plus
FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs
HPON	High power open narrowcast
IBP	Indigenous Broadcasting Program
ICB	Indigenous Collections Branch
ICS	Indigenous Cadetship Support
ICTV	Indigenous Community Television

IEP	Indigenous Employment Program
IRCA	Indigenous Remote Communications Association
JSA	Job Services Australia
KPIs	Key Performance Indicators
MAMA	Midwest Aboriginal Media Association
Media RING	Media Reconciliation Industry Network Group
MoU	Memorandum of Understanding
NBN	National Broadband Network
NBN Co	The company established to design and deliver the NBN
NFSA	National Film and Sound Archive
NG Media	Ngaanyatjarra Media Aboriginal Association
NICTA	National Information and Communications Technology Australia
NINS	National Indigenous News Service
NIRS	National Indigenous Radio Service
NITV	National Indigenous Television
NJP	National Jobs Package
NSW	New South Wales
NT	Northern Territory
NTP	National Training Program
OFTA	Office for the Arts
ORIC	Office of the Registrar of Indigenous Corporations
PAKAM	Pilbra and Kimberley Aboriginal Media Association
PM&C	Department of the Prime Minister and Cabinet
PY Media	Pitjantjatjara Yankunytjatjara Media
Qld	Queensland
RAP	Reconciliation action plan
RIBS	Remote Indigenous Broadcasting Services
RICs	Remote Indigenous Communities
RIMO	Remote Indigenous Media Organisation
RSD	Remote Service Delivery
RTOs	Registered Training Organisations
SA	South Australia
SBS	Special Broadcasting Service
SPAA	Screen Producers Association of Australia
SRA	Shared Responsibility Agreement
SSS	Satellite Subsidy Scheme
TAPE	The Aboriginal Program Exchange
TEABBA	Top End Aboriginal Bush Broadcasting Association
TSIMA	Torres Strait Islander Media Association
TSRA	Torres Strait Regional Authority

TVS	Television Sydney
UHF	Ultra high frequency
VAST	Viewer Access Satellite Television
Vic	Victoria
WA	Western Australia
WMA	Warlpiri Media Association

