



NOVA 93.7

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13 May 2008

Dr Ian Holland
Committee Secretary
Environment, Communications and the Arts Standing Committee
PO Box 6100
Parliament House
Canberra ACT 2600
Email: eca.sen@aph.gov.au

Dear Dr Holland

Submission re Senate Inquiry into the effectiveness of the broadcasting codes of practice

I refer to your letter dated 7 May 2008 in relation to the Senate inquiry into the effectiveness of the broadcasting codes of practice.

Your letter expressly notes that one of the public submissions in response to this inquiry *"has commented adversely on your business [Nova 93.7] in the context of the inquiry"*.

In this regard, I note that the relevant submission made by the Australian Christian Lobby ("**ACL**") refers to Code 1.7 in the Commercial Radio Australia Codes of Practice & Guidelines (the "**Codes**") and then goes on to say:

"It seems that this guideline is not being followed by at least one station. In early April, Perth's Nova featured a discussion with a sex therapist at 7pm. Another top rating show featured a Brazilian bus, touring Perth doing live broadcasts of full Brazilians (complete body wax) on men and women..."



Nova 93.7 takes its responsibilities as a broadcaster very seriously indeed. For this reason, we are very concerned that ACL has specifically referred to Nova 93.7 in its submission in an adverse manner.

This is particularly so given that so far as they relate to Nova 93.7, ACL's allegations are factually incorrect. Accordingly, we welcome the opportunity to respond to these allegations.

Firstly, I can confirm that Nova 93.7 has never been involved in any promotional or street activity involving a "Brazilian bus" as described in ACL's submission. In this regard, I note that ACL appears to be referring to a promotion that was run by another commercial radio station in Perth.

Given that Nova 93.7 was not involved in this promotion in any way, I am unable to provide you with any further details relating to this promotion.

Secondly, as set out above, ACL's submission alleges that in early April, Nova 93.7 featured a discussion with a "sex therapist" at 7pm in the evening. Once again, this allegation is factually incorrect.

It appears that the segment that ACL is referring to is a segment involving "Dr Strangelove", broadcast by Nova 93.7 on 9 April 2008 at approximately 9.05pm.

Dr Strangelove is a fictional character played by Dan from the "Action Battle Team". The Dr Strangelove segment is broadcast on a weekly basis on Nova 93.7 as part of the Action Battle Team show.

Dr Strangelove is not a sex therapist, but is described both on-air and on Nova 93.7's website as a "relationship expert to the stars". This is a satirical and irreverent segment that is totally fictional.

We have also given full and detailed consideration as to whether the relevant segment breaches any of the requirements of the Codes, in particular Code 1.7.

We do not believe that Nova 93.7 has breached any of its obligations as a broadcaster and in particular, that it has breached any of the requirements of the Codes in broadcasting the relevant segment.

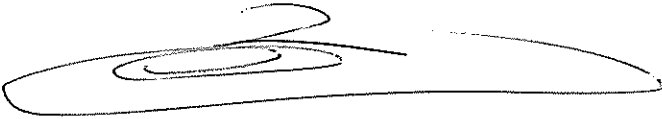
In our view, the segment does not have an "explicit sexual theme" as its core component. Nova 93.7 believes that the core component of the segment is "relationship matters" which is evidenced by the fact that Dr Strangelove is a "relationship expert".

Nova 93.7 acknowledges that even though the core component of the segment is relationship matters, at times the segment does cover matters that are of a "sexual nature". However, we are firmly of the view that the segment does not contain any "explicit sexual content" which is prohibited under the Codes. If required, upon request, audio of this segment can be provided.

In light of the above, we submit that it would be misleading for the Committee to allow the public to read ACL's submission, without correcting the factually incorrect allegations in respect of Nova 93.7.

Please do not hesitate to contact me if you have any queries in relation to the above.

Yours Sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

GARY ROBERTS
Managing Director
NOVA 93.7