



SUBMISSION

To

THE SENATE COMMITTEE ON ENVIRONMENT, COMMUNICATION AND THE ARTS

On

THE INQUIRY INTO THE EFFECTIVENESS OF THE BROADCASTING CODE OF PRACTICE

By

Heath McDonough (private citizen)

Overview:

I am making this submission in order to voice my strong opposition to any increase in the level of government censorship of free-to-air television in Australia. I believe that it is vital that in a free and democratic society, the media remains as independent and as far from government interference as possible. Therefore, the best method of determining what content the Australian public deem to be acceptable for broadcast on free-to-air television is to allow them to vote with their remotes. If a television program goes beyond what society considers to be acceptable for broadcast, then that program will not receive the adequate number of viewers to keep it on air.

Ramsay's Kitchen Nightmares:

This review was initiated following media reports on the course language in the Channel Nine program, Ramsay's Kitchen Nightmares. This program is extremely popular in Australia, and frequently takes out the number one spot of the night with in excess of 1.4 million viewers. Surely this demonstrates that the Australian public at large have no problem with the show?

Yes, strong language was used, but now it is up to the Australian Communications and Media Authority (ACMA) to determine whether or not the program has breached the M classification. If they conclude that it has, then I would suggest that the government look at amending the code to be *less* restrictive in terms of what language can be used in the 8:30 – 9:00 timeslot, where the screening of MA rated programs is prohibited.

Loosening the code may seem inappropriate to some, but I believe that the extraordinary number of viewers of Ramsay's Kitchen Nightmare's demonstrates that the Australian public have become more tolerant of course language than they were when the code was created. We're talking about in excess of one million regular viewers here, not some small minority of foul mouthed deviants. 1.4 million viewers is a very high number for any television show to attract these day, and that makes Ramsay's Kitchen Nightmare's just about as mainstream as you can get. The number of Australians who watch and enjoy the show far outweighs the number of those who have voiced any opposition to its broadcast, and therefore it would be highly inappropriate for any censorship to take place.

The Current Complaints Process:

I understand that there is some concern over the current complaints process and the time it can take for the ACMA to investigate alleged breaches of the code.

However, one must remember that these things take time for a reason. The ACMA has a very important job to do, seeing as the decisions they make now must be consistent, and will set precedents for years to come. As such, they should be able to take however long they feel is necessary in order for them to come up with their verdicts.

Some people have also suggested that the ACMA should be given the power to remove programs from air *while* they are investigating them. This is an absurd suggestion, seeing as the ACMA could remove a program while an investigation is taking place, only to conclude at a later date that it never breached the code in the first place.

Conclusion:

So please, I urge you not to make any rash decisions that will further restrict what Australians are allowed to view on television. This is a democratic country, and therefore Australians should be free to decide for *themselves* what they want to watch on television.

The viewers have voted with their remotes, and the numbers speak for themselves. 1.4 million viewers won't take kindly to an increase in censorship.

Thankyou for listening,

Heath McDonough.