



AUSTRALIA

Submission by Free TV Australia

Royal Commission into National Natural Disaster Arrangements

16 September 2020

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1. Executive Summary

- Thank you for providing this opportunity to Free TV Australia to comment on the draft propositions developed by Counsel Assisting the Royal Commission into National Natural Disaster Arrangements, which were made available following publication of the Royal Commission's Interim Observations on 31 August 2020.
- The Royal Commission has rightly recognised the important role the media plays not only in providing emergency warnings in areas impacted by natural disasters, but also in providing more general news and information to Australians regarding such natural disasters.
- Free TV recommends that the Royal Commission's final report on natural disaster arrangements should have due regard to all forms of media that provide critical information to the general public during such crisis events.
- Free TV broadcasters work closely with emergency services agencies, across Australia. We work alongside many media companies across the spectrum of television, radio, print and online that have established MOUs with emergency services to ensure that they are able to provide accurate and timely information to the general public.
- As such, any media related recommendations made by the Royal Commission need to recognise the vital role of all media organisations. This will assist in ensuring that all Australians have access to up-to-date and accurate emergency warnings and news, whatever news source they turn to.
- Interim recommendation G7 suggests a formalised information sharing protocol with only one media agency, the ABC. This could limit the quality of information provided to the general public, noting that many Australians receive their news from trusted media sources other than the ABC.
- Any formalised arrangements to embed a media representative in emergency service management centres should ensure that all media companies have access to this information through a pooling arrangement across all media.
- In any event, with advancements in technology, it is not clear that an arrangement for embedding media representatives in emergency service management centres will always be the most efficient and effective way to ensure that timely and accurate information is made available to Australians.
- It would be timely for the Department of Infrastructure, Transport, Regional Development and Communications to convene a review of the necessary steps that media and emergency services departments should take to effectively utilise all available modern tools to share information and to quickly and efficiently provide up-to-date information.
- It is also timely to consider additional measures to bolster broadcast network resilience. There was a high degree of cooperation between infrastructure providers, emergency services personnel and the Australian Defence Force during the 2019-20 bushfires to ensure that transmission towers continued to operate. A consideration of appropriate long-term resiliency options for this infrastructure would nonetheless be timely to assist in minimising transmission disruptions during future natural disasters.
- Free TV Australia congratulates Royal Commission Chair Mark Binskin on the work of the Royal Commission. This work will be very important in helping Australia prepare for future national natural disasters, including extreme bushfire seasons, particularly to ensure that proper processes and arrangements are put in place to minimise the loss of life, property and wildlife and to help limit environmental destruction.
- Free TV Australia would be happy to engage further with the Royal Commission in relation to this submission.

2. Introduction

2.1 About Free TV Australia

Free TV Australia is the peak industry body for Australia’s commercial free-to-air TV broadcasters. We advance the interests of our members in national policy debates, position the industry for the future in technology and innovation and highlight the important contribution commercial free-to-air TV makes to Australia’s culture and economy.

Free TV Australia proudly represents all of Australia’s commercial free-to-air TV broadcasters in metropolitan, regional and remote licence areas. Our members, in combination, are able to reach 97% of Australians, wherever they live in Australia.



Our members are dedicated to supporting and advancing the important contribution commercial free-to-air TV makes to Australia's culture and economy. Australia’s commercial free-to-air TV broadcasters provide trusted local news, tell Australian stories, give Australians a voice, nurture Australian talent and create jobs for Australians.

2.2 In times of crisis Australians turn to Free TV broadcasters

Australians turn to Free TV broadcasters in times of crisis as their leading source of trusted, reliable and up-to-date news. Free TV members broadcast local news services into every State and Territory in Australia and produce news of specific local significance in around 40 separate markets. We invest significantly in news, and local journalistic content production is a very important part of our business.



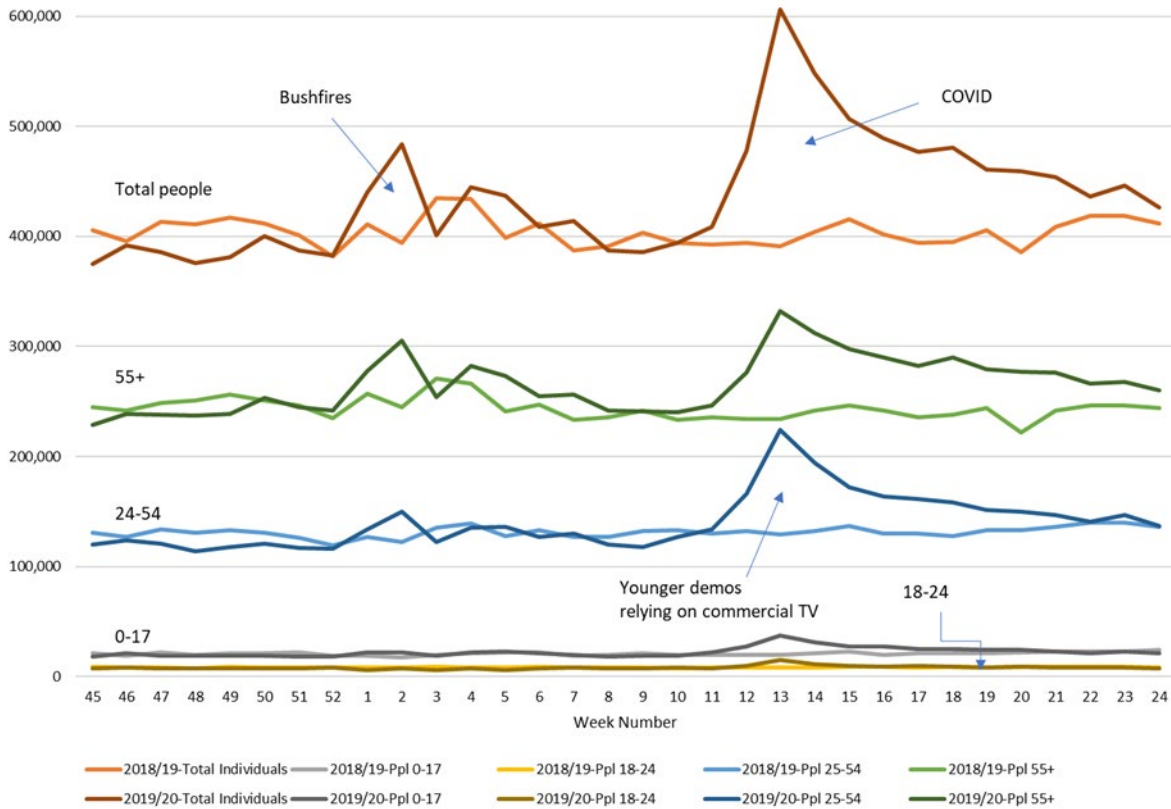
*Source: OzTAM/RegTAM, Average Weekly Cume Reach Q1 2020, Primary Channels

Free TV broadcasters cover events of national significance, provide critical information in times of emergency and bring Australians together to witness moments in history, life changing occasions and times of national success. This has never been more true than during times of crisis, as shown by the audience response during the catastrophic bushfires of late 2019/early 2020 and the ongoing COVID-19 pandemic.

As shown in the graph below, at its peak, the commercial TV broadcasters’ national audience during the 2019-20 bushfire crises was 23% higher, relative to a year earlier. In addition, at the height of the COVID-19 news-cycle, average audiences in news programming across the primary services within each broadcaster’s channels in both metropolitan and regional Australia were up by over 55% on 2019 levels.

Most striking in these audience patterns was the response of the audience below 55 years old, underscoring the fact that commercial free-to-air is a vital service across all age groups, including the younger generations.

Audiences of all ages turn to Free TV news sources as their trusted source of news



Source: News Genre 6am-midnight - Primary Channels – National Audiences | OzTAM and Regional TAM | Overnight | Combined Aggregate Markets and 5CM | Typology: News/Current Affairs | S-s 0600-2400 | Audience 000s

Free TV Australia considers that our members’ high quality, accurate and impartial news services are an important contributing factor to the high value that Australians place on commercial TV.

Further charts and information on the importance of Free TV broadcasters to the Australian community are included in Attachment A to this submission.

3. The 2019-20 bushfires and broadcasters' emergency obligations

3.1 How our members supported Australians during the 2019-20 bushfires

In times of crisis, our members disseminate critical information across their platforms in real time. Our members have diverse platform coverage including television (in both metro and regional areas), radio, print, social and online and are able to provide verified and trusted information to the community as soon as the information becomes available. Prioritising the dissemination of critical information ensures that the community can make informed decisions when time is of the essence.

Our members have a proven track record of delivering consistently fast, accurate and critical news coverage during a crisis, and are particularly proud of their coverage of the extreme bushfire season of 2019-20. In many respects the coverage of the 2019/2020 bushfire crisis presented the biggest logistical challenge ever faced by broadcasters with over 160 journalists and operators providing more than 500 hours of coverage from more than 50 locations. This is in addition to supplying critical support infrastructure and personnel such as helicopter pilots, drone operators, presenters, studio crews, logistical and support staff.

In the table below we provide a selection of examples of the coverage that our members provided and the resources that they employed to provide that coverage. This is by no means exhaustive.

Seven	<ul style="list-style-type: none"> • Across 7NEWS and Sunrise, Seven provided over 350 hours of on air bushfire coverage of the 2019-20 crisis, with a total production time of more than 1,000 hours. • Examples of that coverage include the Sarsfield, Victoria fire, which destroyed dozens of homes, where Sunrise provided exclusive coverage of the extent of the damage in that region. • In Mallacoota, 7NEWS crews were embedded in the fire zone with all major roads in and out of the region closed. Crews stayed with locals and told their stories from their perspective of the ongoing threat to the town. • 7NEWS Melbourne dedicated approximately 25 reporters and cameramen to producing on average 5 hours of content per day covering the Victorian bushfires during the period 30 December 2019 to 14 January 2020.
Nine	<ul style="list-style-type: none"> • 9News produced more than 200 hours of coverage during September 2019 and Early February 2020. This included rolling coverage, special bulletins, lead stories and outside bulletins in impacted areas and 26 separate 6pm nightly news bulletins across Australia. • A Current Affair covered the bushfires extensively, including special coverage from journalists embedded in Mallacoota, Kangaroo Island, Sunshine Coast, Adelaide Hills, Greater Sydney near Tahmoor and the New South Wales South Coast, as well as Northern New South Wales for the early fires where lives were lost. In many of these journalists were on the front-line reporting directly from firefighters. • The Today Show provided extensive ongoing daily rolling coverage, with hosts and reporters traveling to various impacted locations to provide on location news.

TEN	<ul style="list-style-type: none"> • Network 10 had reporters and film crews active in all the major fire fields around the country during the 2019-20 natural disaster. These included (but not limited to) the South Coast of NSW, East Gippsland region of Victoria and Kangaroo Island in South Australia. • Reporters were placed in major emergency services operational centres, such as the NSW RFS command centre in Homebush. • Extensive coverage across all our major news programs including 10 News First, The Project and Studio 10 throughout the crisis. • All news programs regularly were extended to continue to provide the latest breaking information on the fires, including updates on impacted communities and major press conferences. • Non-news programming was also regularly interrupted throughout the crisis to provide extensive news updates from the fire grounds and to broadcast major media conferences live and uninterrupted.
Prime	<ul style="list-style-type: none"> • PRIME7 Local News commenced its bushfire coverage in August 2019 when the first fires broke out on the mid-north coast. • Throughout the crisis PRIME7 Local News extensively covered evacuations, hazardous air quality, fatalities and the arduous re-builds and reconstruction process communities were facing in all affected markets. • Coverage of the Central West included the successful saving of the Jenolan Caves by Rural Fire Service crews. PRIME7 Local News also covered areas of Tumburumba, the Snowy Mountains, Batlow and Tumut. • Viewers were provided with live coverage of important Rural Fire Service announcements and with live interviews from Rural Fire Service personnel.
Southern Cross Austereo	<ul style="list-style-type: none"> • SCA provided live news coverage during the Tasmanian evening bulletins, including crosses to reporters on location. • Two video journalists were engaged to report on localised fire emergencies for the GTS/BKN (Spencer Gulf and Broken Hill) licence areas and 6 journalists and 5 camera operators travelled to, and reported from, fire zones across the TNT licence area in Tasmania. • Emergency warning crawls and the standard emergency warning signals (SEWS) notices were broadcast in relevant regional markets throughout the crisis. • This was in addition to the broadcast coverage under SCA's network affiliation agreements.
WIN Network	<ul style="list-style-type: none"> • WIN provided local news coverage with 37 reporters across NSW, QLD, VIC and Tasmania. • WIN's Traralgon crews were one of first on the ground at the Bruthen fire, which became one of the biggest fire grounds during the crisis. • WIN also provided significant coverage from Wollongong, Canberra, Cairns, Toowoomba and Townsville. • In their broadcast areas, WIN's crews are usually the first to cover disasters like bushfires long before these events turn into issues of national significance.

3.2 Engagement with emergency services organisations

Our members are embedded within the NSW Bushfire service headquarters at Homebush each year over summer and whenever there is a bushfire crisis. Our members are committed to the dissemination of critical information in real time to our audience and engagement with emergency services agencies is vital to our members being able to provide the coverage of national natural disasters that Australians need.

This relationship has been ongoing over successive bushfire seasons and our members have worked hard to build trusted relationships with emergency services agencies, including through MOUs entered into between our members and either relevant Government departments or directly with the emergency services agencies. These MOUs, similar to the MOUs that have been discussed at the Royal Commission hearings to date, provide commitments from our members to broadcast emergency messages and for the parties to work together in a collaborative manner to ensure the dissemination of critical emergency warnings and other emergency information.

3.3 The regulatory framework for our members

No Australian broadcaster or media company is designated as the emergency broadcaster in respect of national natural disasters. This is as it should be as it allows Australians to choose which trusted news source they will rely on (and in some circumstances, which news source they have access to in remote areas), and also allows them to look to a number of different news sources to obtain information on such events. Nonetheless, the Broadcasting Services Act 1992 (Cth) (**BSA**) recognises the importance of ensuring that Australians are adequately informed in the event of emergencies. Section 130ZZB(1) of the BSA requires that if a commercial TV broadcaster, at the request of emergency services transmits an emergency warning, it must transmit the whole of that warning in text and speech and also provide a captioning service for the emergency warning, if it is reasonably practicable to do so.

Section 130ZZB is supported by clause 7 of the standard conditions imposed on our members, as set out in Schedule 2 of the BSA, which provides that in the event of an emergency the Minister may require that persons authorised by the Minister have control over matter broadcast using the relevant broadcaster's facilities.

Our members, at a minimum, comply with the requirements of the BSA. In addition, in accordance with the Commercial Television Industry Code of Practice, Free TV has issued to its members an Advisory Note which provides guidance on the procedures that members should have in place to enable the timely and accurate broadcast of emergency information to their viewers. In accordance with that Advisory Note, amongst other matters, our members should:

- Consult with appropriate emergency and essential service organisations within the relevant licence area and implement internal procedures to enable the timely and accurate broadcast of warnings and information supplied by such organisations relating to an existing or threatened emergency.
- Ensure a designated person within the licence area served is identified as the contact officer during business and non-business hours for all emergency matters.
- Review and, where necessary, update procedures regularly in consultation with the appropriate emergency and essential service organisations.

4. Comments on Interim Observations and draft proposition

4.1 Interim Observations and draft proposition

Paragraph 65 of the Interim Observations notes that a national approach would be appropriate in relation to (amongst other products and services) systems to provide warnings, predictions and real-time monitoring and reporting during a disaster.

Paragraph 66 of the Interim Observations then provides:

The Australian Broadcasting Corporation, alongside community radio, is acknowledged as a trusted broadcaster of emergency messages and warnings. It is a role that the ABC has fulfilled over many years and in which it has an established reputation. ABC managers are embedded in some but not all emergency centres. To assist with the timely delivery of critical information to the public, we see a need for all state and territory emergency response organisations to consistently embed ABC managers within state and territory emergency management centres.

Draft proposition G7 reflects paragraph 66 of the Interim Observations and states:

All state and territory government emergency services agencies should embed Australian Broadcasting Corporation (ABC) managers within the public information functional areas of state and territory emergency management centres to assist with the timely delivery of critical emergency information to the public.

4.2 Recommended changes

Key recommendations

- Free TV submits that the current communication arrangements work well and save lives.
- Australian media organisations play a vital role in disseminating critical and current information to Australian's during a crisis and allowing Australians to make informed decisions. It is of central importance that each such organisation has access to accurate and up-to-date information regarding national natural disasters and any media related recommendations made by the Royal Commission should reflect this.
- If the Royal Commission were ultimately to recommend changes to the current system, then we submit that rather than just a single ABC manager being embedded in a management centre, the arrangement should either be a team of journalists (where each appropriate media organisation can provide a resource) or another appropriate arrangement that will enable information to be disseminated quickly.
- In circumstances where the Royal Commission were to ultimately recommend that a single media representative is embedded in each emergency management centre, that representative should be a senior journalist that is accessible to all appropriate Australian media organisations to ensure that the most accurate and up-to-date information is provided to all Australians, whatever news source they use, or have access to.
- The Royal Commission does, however, provide an appropriate opportunity to reconsider the manner in which information regarding national natural disasters is efficiently and effectively disseminated by emergency services agencies to the media. An appropriate alternative recommendation could be to suggest that Government undertake a separate review to facilitate both media and emergency services agencies effectively utilising all available modern tools to share information.

4.2.1 Ensuring journalists have direct information from emergency service centres

As we have demonstrated in sections 2 and 3 of this submission, Australians rely on commercial TV broadcasters as a trusted news source, and never more so than in a time of crisis. In the case of the 2019-20 bushfire crisis, the significant commitments made by our members meant that their viewers were provided with current, high quality, accurate and impartial news reports of national natural disasters.

We therefore suggest that draft proposition G7 needs to be amended to reflect the role that all media play in providing critical news to Australians that is timely and accurate.

Consistently providing journalists from all media agencies direct access to emergency service centres during crises is an effective way of facilitating information flow to the general public. Such arrangements are already commonplace between emergency services departments and media, including Free TV networks.

Free TV submits that it is not appropriate for one media organisation to be recognised as having a formal right of access to emergency services centres. To the extent that the Royal Commission considers that it is necessary to make a formal recommendation around the embedding of media into emergency services centres, all media outlets should be treated equally. The public policy imperative here is that the general public is provided with accurate information as quickly as possible and this can only occur if all media outlets have access to the same information from emergency services staff.

If the Royal Commission is to find that any media outlet should be consistently embedded in emergency service centres, any information gained from this arrangement must be shared with all other parties. This could either occur directly, or depending on the number of participating media, be conducted via a pooling arrangement to ensure the timely sharing of information across all media.

Any such recommendation should refer to journalists, rather than managers, as journalists are trained to rapidly digest vast amounts of information and determine what information will be of most relevance to Australian audiences.

The sharing arrangement could be established through the use of the existing MOUs that are in place between many media organisations and emergency services agencies and Government departments. The embedded representatives would comply with a standard protocol in such MOUs, which would ensure that each organisation had access to the same timely and accurate information.

If this approach is pursued, it is also recommended, consistent with the recommendation in paragraph 65 of the Interim Observations, which Free TV supports, that this is adopted as a national, uniform approach across all Australian States and Territories.

We are concerned that as currently drafted the proposition could imply preferential treatment must be given to the ABC, which would disadvantage those Australians who access other news sources and have the potential to create public safety issues. It is unlikely that this was the intent of the Royal Commission in forming this draft proposition.

Our members would welcome the opportunity to speak with you about the best way to ensure that Australians continue to receive real-time news and life-saving information across multiple platforms.

4.2.2 Other initiatives to ensure appropriate information flow

In addition to the recommendation discussed above, the Royal Commission could also conclude that a broader consideration of the best means of communication between emergency services agencies and media organisations is warranted.

The last in-depth review of the arrangements for the communication between media and emergency services came following the Black Saturday bushfires in 2009. It may be timely to review these

arrangements again to ensure that we are making the most efficient and productive use of the improvements in technology and infrastructure that have occurred since the last review.

While Free TV agrees that there will always be a need for a close working relationship with emergency services staff and our reporters, there may be scope for greater use of technology for emergency services to quickly and efficiently update information in real-time to be accessed by media companies. In addition, the effectiveness of the contact databases that are currently employed in the MOUs between some media organisations and emergency services should be examined and potentially expanded to include all forms of broadcast media.

Any such process could be convened through the Department of Infrastructure, Transport, Regional Development and Communications as a working party to review the current communications channels between emergency services agencies and media organisations.

5. Ensuring broadcast network resilience

As set out above, during national disasters, the broadcast network is crucial in ensuring that communities are kept informed of potentially rapidly changing situations. This relies on the broadcast network being sufficiently resilient to natural disasters and, where necessary, that sufficient backup capacity is able to be rapidly deployed to ensure continuity of service. A number of different entities own and operate the transmission infrastructure that is used by commercial TV broadcasters. These include TX Australia and BAI Communications. BAI Communications owns the infrastructure that is primarily used by the 2 national broadcasters. However, in regional Australia, our members also use infrastructure that is owned and operated by Regional Broadcasters Australia (RBAH) and, in some cases, by the regional broadcasters themselves.

During the bushfires, a number of broadcast transmitters sustained significant damage. In other cases, transmission sites were not directly impacted, but had been disconnected from the main electricity network and had to be powered by backup diesel generators.

In these situations, it can be a very challenging coordination exercise amongst infrastructure providers and emergency service personnel to obtain access to these, often quite remote, transmission sites to be able to refuel the generators. The Royal Commission has acknowledged in its Interim Observations similar challenges related to ensuring the ongoing supply of other everyday essential services such as power, telecommunications, transport and water, during natural disasters.

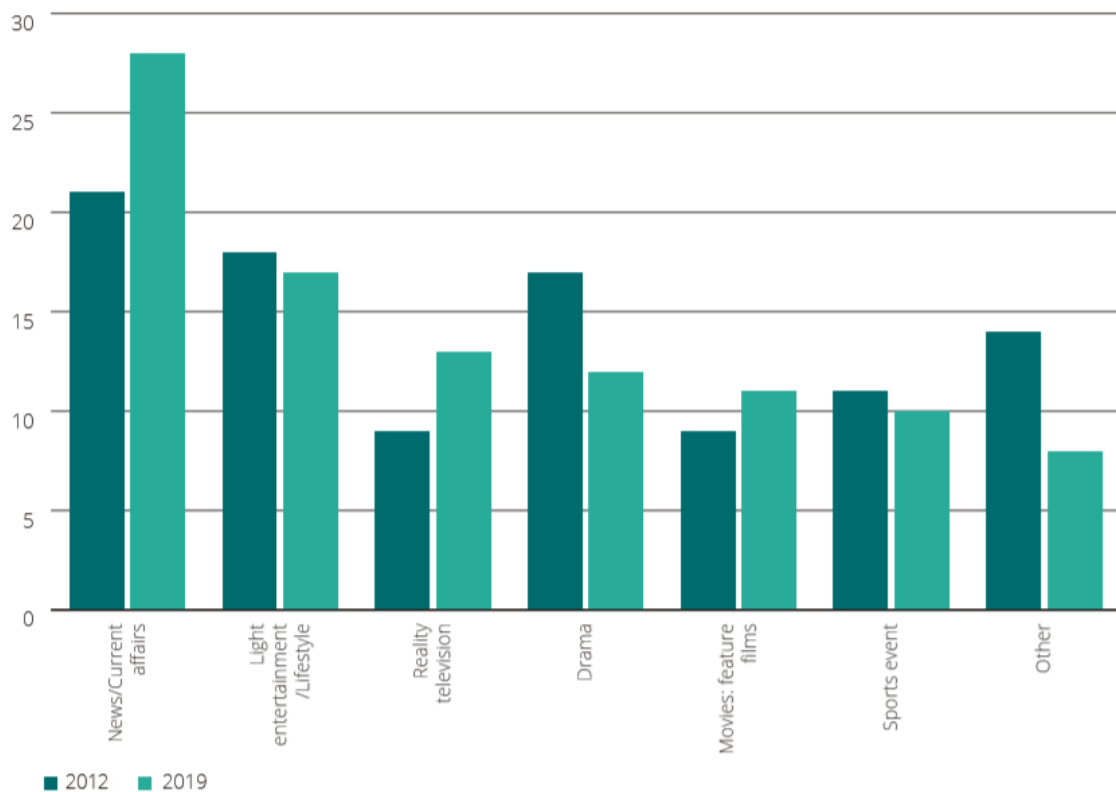
Free TV is not recommending that the Royal Commission extend its consideration of critical infrastructure and other essential services to also consider broadcasting infrastructure. However, while there was a very high degree of cooperation amongst the infrastructure providers, emergency services personnel and the Australian Defence Force during the 2019-20 bushfire crisis, Free TV considers that the review we proposed in section 4.2 could also investigate further actions that the Government could take to ensure the resilience of broadcasting infrastructure. Such matters should include:

- Appropriate robust arrangements to ensure that additional longer-term standby power supplies, and potentially other forms of asset protection, are provided at key transmissions sites in areas that may be impacted by future natural disasters
- Measures to ensure that there is an established coordinated process for refuelling standby power at sites in zones that may have no public access during a natural disaster
- The involvement of Australian Defence Force personnel early in the process referred to immediately above, as appropriate. For example, the Rural Fire Service is not qualified to remove standing trees that may be in danger of falling and damaging infrastructure
- Appropriate expedited approval processes for each relevant transmission site to have sufficient clearances (ideally a 20m fire break) around the perimeter of the site
- Appropriate arrangements for the provision of temporary backup emergency transmitter equipment to transmission sites impacted by natural disasters and expedited processes for all required approvals for the deployment of such temporary transmitters.

A. Attachment - Free TV: Australia’s most watched source of news

A recent report by Deloitte Access Economics “Everybody Gets It: The economic and social benefits of commercial television in Australia”¹ highlighted that news and current affairs remains the most watched genre on commercial TV, making up more than a quarter (28%) of total cumulative program audience in 2019. As the graph table below shows, this is an increase from just over 20% in 2012.

Proportion of total audience, by genre



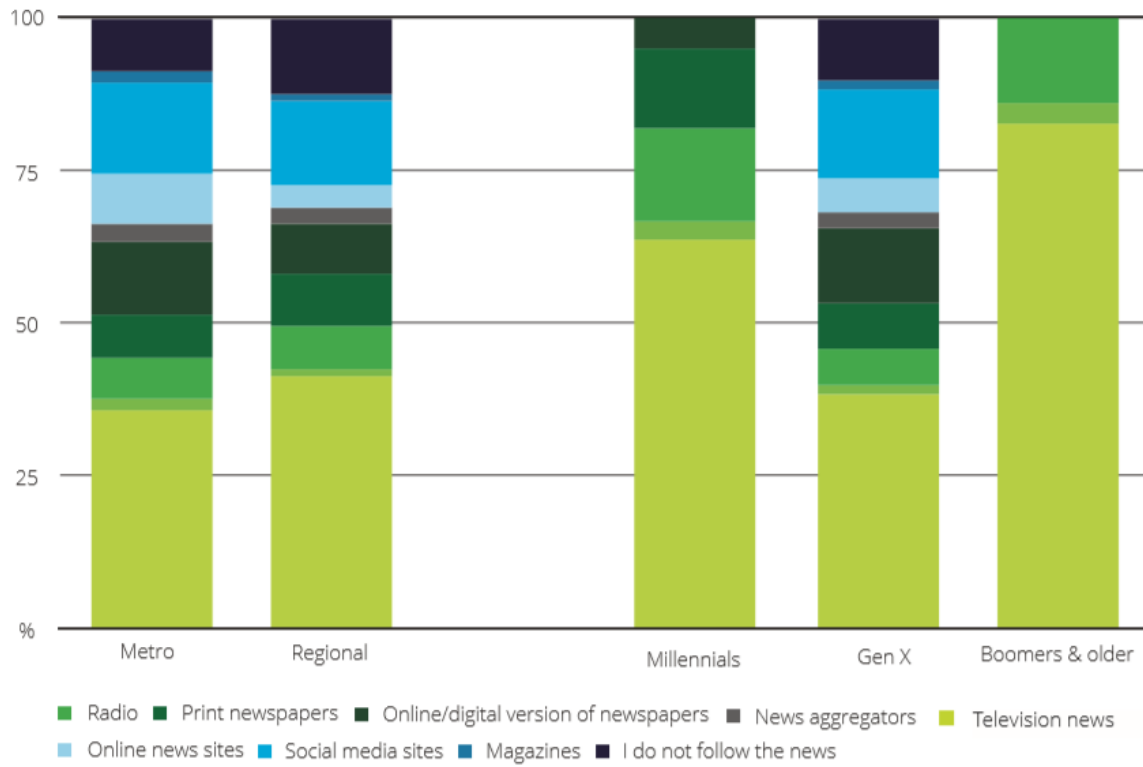
Source: Deloitte Access Economics based on OzTAM/RegTAM data.

Commercial TV’s high quality, accurate and impartial evening news bulletins are watched by 11 million Australians each week.² Further, the Deloitte Access Economics report found that more Australians cite TV (that is, all free-to-air networks) as their most frequent source of news than any other medium, as demonstrated in the table below. The Deloitte Access Economics Media Consumer Survey 2019, which surveyed 2,000 Australians, found that 38% of audiences, increasing to 41% for regional audiences, prefer TV over any other medium for news. The same survey found that 75% of Australians believe commercial TV is a trusted news source.

¹ <https://www.freetv.com.au/wp-content/uploads/2020/07/Free-TV-Industry-Report-Everybody-Gets-It-20-July-2020.pdf>

² Source: OzTAM (Metro), RegionalTAM (Regional). Network National Reach Estimate for Metro + Regional for minimum of 5 consecutive minutes viewed of Sun-Sat news across the day (incl Morning, Afternoon, Sunrise/Today, excl Specials) on Commercial Primary channels (and regional affiliates). Wks 7-23 2017. Data: Consolidated (Live + As Live + TSV7).

Share of respondents (%)



Source: Deloitte Access Economics based on data from Deloitte, *Media Consumer Survey 2019* (2019).