



# Renewing a Vital Indigenous Voice and Community Asset – the Indigenous Broadcasting and Media Sector

First Nations Media Australia comments on the Hugh Watson Consulting report to the National Indigenous Australians Agency

- October 2021

## Summary of response

Hugh Watson Consulting reiterates the findings of several previous reviews and reports, noting the lack of Government action on previous recommendations most of which are still valid. The consultants acknowledge the sector's innovation over the years under constrained circumstances, including the need to expand services from radio to include other media formats. However, both the NIAA and the consultants have made it abundantly clear through these discussions and the report that no additional funding will be allocated to the First Nations media sector as a result of this process. The discussion is therefore policy-based, recommending adaptations of the program rather than the resourcing allocations that are required to resolve some of the most significant barriers to media organisations best serving their communities. The report assumes that no funding provision is possible through the NIAA, however FNMA suggests that it is within the NIAA and Minister Wyatt's capacity to resolve some of the limitations the sector has to achieving its aims and therefore does not accept this premise.

Similarly, the consultant has focused on training as a sole solution to participation in the First Nations media industry. However, the primary barrier to employment within the industry is a lack of operational funding, in no small part caused by a lack of indexation on operational funds over the past decade or more for some media organisations. The report offers no response to the issues of ongoing employment opportunities, wage parity concerns, career development and emerging job markets discussed in the consultations and in the report, besides to reiterate some previous recommendations on training for entry level roles. This is a missed opportunity for both the sector and the NIAA consider new employment opportunities in regional and remote areas.

FNMA agrees that the *“Indigenous Broadcasting and Media Program needs a clear policy framework that gives clear direction, expected outcomes and a reporting and evaluation framework.”* However, the review suggests that the sector should be demonstrating how it assists to achieve NIAA's corporate responsibilities. It is the view of the peak body that First Nations media organisations should be supported by a clear policy framework to serve their audiences and meet the communication needs of First Nations communities, and that Government policy should be developed to support that public value objective.

FNMA is pleased that the report recommends greater collaboration with the sector and recognises FNMA's role as the peak body. FNMA looks forward to working with the NIAA and its members to implement some of the recommendations within the report and move the sector forward, noting that further work is required. We support Option 1 for implementing the recommendations, as described on page 116, to utilise the existing relationship with FNMA to leverage sector resources. FNMA would draw on expert advice as required, rather than requiring the establishment of a separate working group as another process for the NIAA to manage.

Many of the recommendations could be considered uncontroversial and achievable for the NIAA to implement. FNMA supports the majority of the recommendations with a couple of exceptions. Succinct responses to each recommendation are provided in the table on pages 3-6.

## Notes

First Nations Media Australia (FNMA) participated in a roundtable process with Hugh Watson Consulting in September-October 2020, alongside a number of FNMA members and other industry stakeholders. Hugh Watson Consulting prepared a report to the NIAA in February 2021 which was published in early October 2021. It is worth noting that in the 12 months between the consultations and the publication of the report there has been some progress in the following areas:

1. Outcome 17 relating to 'Access to Information' was added to the Closing the Gap agreement in April 2021, which includes some data measures toward representation in media.
2. The NIAA substantively revised the RIMO funding contracts in February 2021.
3. FNMA negotiated a Strategic Partnership Agreement with the ABC in April 2021 which includes some support for training and notes some of the parallel aims of the First Nations sector and the ABC, but also some of the key differences in service delivery.
4. The Mandatory News Bargaining Code legislation was passed and Facebook and Google have already stated that they will not negotiate any further settlements for content.
5. FNMA has independently sourced funding for a 'Data Development Review' and contracted the Lowitja Institute to assist with recommendations on research required to demonstrate the sector's contribution to Closing the Gap. This work is underway currently and may differ from the media consumption data described in the Hugh Watson Consulting recommendations which focuses more on measuring the funding program outcomes. Two forms of research may be required to achieve both objectives.

FNMA notes that some of the data quoted in the report has been attributed to FNMA rather than to its original source, such as McNair Ingenuity or Social Ventures Australia.

FNMA notes that Section 4.3 Broadcast Infrastructure and licensing, including the map provided on page 25 does not reflect the lack of services in the ACT and Tasmania where no localised First Nations media services exist.

In some sections (page 26 particularly) the report conflates transmission site fees and rising electricity costs with infrastructure. Typically, these items would be regarded as operational expenses.

The report provides an accurate summary of the additional tasks and challenges facing remote Indigenous media organisations.

FNMA notes the reports suggests the NIAA collect some compliance data that is already part of the ACMA's license renewal process (page 71). FNMA suggests the current license renewal requirements are enough.

FNMA notes that many of the alternate Government funding options suggested on pages 107-112 support project-based activities for which media is not a priority activity and only marginally meets the grant guidelines. Therefore, the funding options are not as widely accessible as the report suggests. FNMA agrees that further support for the sector to shape proposals and access funding sources that do align with media objectives is required.

## Comments on Recommendations

Recommendation	FNMA Response
1. The NIAA should adopt a policy and evaluation framework that demonstrates the contribution of Indigenous broadcasting and media to Closing the Gap.	Agreed. FNMA encourages the NIAA’s Culture & Capability team to work with the NIAA’s Closing the Gap team toward this objective.
2. The program name should be changed to the Indigenous Broadcasting and Media Program.	Agreed. A relatively minor but welcome adjustment.
3a. The NIAA Indigenous Broadcasting and Media Program description, funding schedules and contracted and reporting requirements for funded broadcasters should acknowledge the diversity of activities undertaken and the variety of platforms utilised to develop and deliver content to their audiences.	Agreed. FNMA understands this was completed for RIMO contracts in February 2021, but not applied to urban and regional First Nations media organisations. A flexible activities matrix should be introduced to the funding contracts of all First Nations media organisations.
3b. A pool of KPIs be developed which validly and reliably measure operational requirements and achievement of Program outcomes. Consideration be given to a more sophisticated performance methodology for RIMOs such as DEA (Data Envelopment Analysis)	Partially agreed. FNMA supports the intent of this recommendation but cautions against requiring media organisations to gather data without funding provision to undertake that additional work. First Nations media organisations do not have the operational capacity to monitor all of the outputs described in section 6.7.3 (page 62-63) and the evidence suggested on pages 68-70 without additional funding support.
4. The NIAA should begin discussions with the Department of Infrastructure, Transport, Regional Development and Communications to develop an Indigenous Broadcasting license.	Agreed. FNMA notes the Report refers to the Productivity Commission Broadcasting Inquiry Report No 11 (2000) which recommended the same.
5. Government should provide funding to support the development and administration of an annual survey of media consumption and communications preferences of Aboriginal and Torres Strait Islander audiences.	Partially agreed. Bi-annual surveys may be frequent enough. FNMA notes this recommendation does not align with the rolling multi-year cycle suggested on page 67.
6. The NIAA, in collaboration with the Australian Communications and Media Authority, First Nations Media Australia and the Department of Infrastructure, Transport, Regional Development and Communications should undertake an infrastructure needs survey and cost analysis for an infrastructure upgrade program.	Agreed. Phase 1 of this work is in progress with FNMA undertaking a sector-wide infrastructure audit currently. Results are expected to be published in January 2022.

Recommendation	FNMA Response
7. The NIAA should work with the sector to investigate where it is possible to implement remote monitoring systems and other new technologies to improve efficiency and reduce costs.	Agreed. FNMA is undertaking some of this work currently, but the project is not funded enough to cover all of the sector's requirements. Discussion of how to meet remaining need is welcomed.
8. NIAA should undertake discussions with Emergency Management Australia to ascertain what assistance might be provided to assist with infrastructure maintenance, replacement and upgrades for emergency management purposes.	Agreed. FNMA is happy to work with the NIAA toward this objective.
9. The NIAA should support the proposal for individual broadcasters from the sector to see regional licenses from the Australian Communications and Media Authority.	Agreed. While spectrum availability is a barrier in some locations, others are viable opportunities for regional services with NIAA funding support and ACMA license approvals. How will this be progressed?
10. The NIAA should work with the sector to investigate the feasibility of an online help desk for repairs and maintenance.	Agreed. FNMA would be happy to facilitate this service for the sector.
11. The NIAA should set aside an amount of funds for the development of a central database for broadcast and media course registration and development.	Agreed in principle – the practicalities involved in implementing this would require some discussion with training providers.
12. The NIAA, in concert with First Nations Media Australia, should approach SBS/NITV and ABC regarding assistance with sector-wide training.	FNMA is unclear about the intent of this recommendation.
13. The NIAA should initiate discussions with the Department of Infrastructure, Transport, Regional Development and Communications regarding the transfer of the Indigenous grants element of the Community Broadcasting Foundation to the NIAA for use on sector-wide projects.	Disagree. The CBF funding is one of the only places First Nations media organisations can seek support for content development and emerging equipment issues. There is no application process through the NIAA currently specific to the broadcasting sector, or opportunity for the sector to request funding mid-contract for emerging needs. FNMA does not agree that this funding should be made available for sector-wide projects, or distributed through the NIAA instead of the peer-assessment model used by the CBF to allocate grants which includes Aboriginal and Torres Strait Islander people in the decision-making and governance processes. First Nations media organisations should retain access to this direct funding source.

Recommendation	FNMA Response
14. The NIAA should support First Nations Media Australia to ensure the Indigenous broadcasting and media sector is considered when the legislation to compel Google and Facebook to negotiate with Australian media companies has passed.	This recommendation is now outdated.
15. The NIAA should consult with First Nations Media Australia regarding a joint approach to philanthropic organisations to assist with sector-wide initiatives.	Partially disagree. Philanthropic organisations are generally less inclined to support activities they perceive could or should be supported by Government. Therefore, a joint approach would be most productive if the NIAA was stating it agreed with a need for a particular activity or project but would not provide government funding for it. FNMA suggests its relationships with philanthropic organisations remain direct and separate to government partnerships.
16. The FNMA should be funded to identify grant opportunities and programs that could be accessed by the Indigenous broadcasting and media sector and assist the sector to access that funding.	Agree. FNMA could provide this service to members with expected positive results if a position was funded to undertake this work. Discussions on how to progress this recommendation are welcome.

The following recommendations are mentioned within the report and noted as still valid. FNMA queries if the NIAA intends to action these recommendations as part of its response to the report?

Review of the Viewer Access Satellite Television (VAST) service:

- ◆ Recommendation 1: To promote consumer and industry certainty, the current satellite delivery model should be continued, for the next 5 years, as it currently provides the only available cost effective and fit-for-purpose service delivery model for free-to-air television in areas not served by a terrestrial transmission service.
- ◆ Recommendation 2: In negotiating the next phase of the program, the Government should explore what scope there is to adjust the satellite delivery model to include:
  - expanded channel selection, including high definition channels
  - enhanced news and radio services
  - improved local content and advertising, and
  - access to a broader and more competitive set-top box market
- ◆ Recommendation 4: The Government should explore opportunities to support users in remote communities by leveraging existing Indigenous employment programmes to train local job seekers to undertake repair and maintenance of user equipment and develop job opportunities in these areas.

A number of recommendations from the Operational Partnerships in the Remote Indigenous Broadcasting Sector report (Watson, 2014) are also noted as still valid but not yet implemented (page 131-133).