

# Inquiry into the competitive neutrality of Australia’s national broadcasters

## Submission – Henry Gaughan (20 June 2018)

### Question 8: Considering the commercial activities of the national broadcasters (e.g. where they are selling or purchasing goods and services), is there evidence that they have taken undue advantage of their government ownership, to the detriment of competitive outcomes?

### No, there are none since products and services are the result of public interest in ABC programming and encouraged by its paymasters , the Australian community. As to the ABC taking "advantage of their government ownership [public ownership], to the detriment of competitive outcomes", in my opinion the intention and wording is mischievous.

### Question 9: What is the differential impact of regulation on commercial and national broadcasters, and is there evidence of consequent adverse impacts on competition and outcomes?

### As per comment to question - 8, the intention and wording is mischievous. Please refer to my comments in response to question - 14.

### Question 10: Is the reporting and accountability by the national broadcasters on their best endeavours to observe competitive neutrality adequate?

### As per comment to question - 8, the intention and wording is mischievous. Please refer to my comments in response to question - 14.

### Question 11: Are you aware of any specific instances where the ABC or SBS may have received any other competitive advantage, due to their public ownership, to the detriment of a private competitor?

### As per comment to question - 8, the intention and wording is mischievous. Please refer to my comments in response to question - 14.

### Question 12: The SBS Charter requires it to take into account the activities of the ABC and community television on radio and television. In the context of the competitive neutrality principles how in your view, is the SBS complying with this requirement? From your perspective does it adequately cover the activities of the SBS?

### As per comment to question - 8, the intention and wording is mischievous. Please refer to my comments in response to question - 14.

### Question 13: From your perspective do the national broadcasters seek a balance between competing in the market and complementing the market? Is that balance the same for traditional broadcasting and for new digital platforms?

### As per comment to question - 8, the intention and wording is mischievous. Please refer to my comments in response to question - 14.

### Question 14: Do you have comment on these guiding principles?

These principles (8-14) in my opinion appear to have been drawn up with the intention of forcing function and operations of the ABC and SBS into a commercial media framework. The public as owners of the ABC and SBS expect a service free of the primary motivations that drive commercial media organisation who respond to the expectations and demands of their shareholders/owners. Their focus is narrow as opposed to the ABC and SBS who cater for the widest spectrum so as to cover the diverse needs and demands of the communities they need serve. Via all their platforms the ABC and SBS innovate. If commercial media interests take these leads and duplicate them this is a positive outcome, but it is neither reasonable nor moral for these commercial businesses to then seek to terminate the creators of these initiatives. Commercial media will take all that is given them and then ask for more, this is the nature of capitalism which if fine. This said it is immoral and outrageous for them to attempt to destroy what belongs to the public. Public funds support both the government and the ABC and SBS and we expect the government to protect what belongs to the community. History has demonstrated that when public services are auctioned to commercial business the results have been negative for the public at large especially those who are most in need of society’s support. As a nation and especially during these times of uncertainty the ABC and SBS are more needed than ever since they are the only agencies that are free of governmental and religious bias and most commercial agencies are driven by particular ideologies. In short, the ABC and SBS must continue to fulfil their mandate and adapt to ever changing technology and community needs.