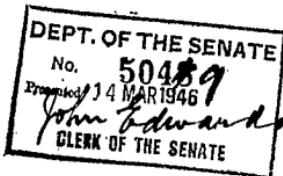


1946



THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

ELEVENTH REPORT

of the

PARLIAMENTARY STANDING COMMITTEE ON BROADCASTING

relating to

CONTROL OF OVERSEAS MATERIAL FOR AUSTRALIAN PROGRAMMES

Canberra, 12th March, 1946:

*Senate: Ammon*

I present the 11th report of the  
Parliamentary Standing Committee  
on Broadcasting, relating to  
control of overseas material for  
Australian programmes; and move  
that it be printed.

*14.3.46*

MEMBERS OF THE PARLIAMENTARY STANDING COMMITTEE

ON BROADCASTING.

(Seventeenth Parliament)

Chairman ... ... ... Senator Stanley Kerin Amour (a)  
Vice Chairman ... ... ... The Honourable Josiah Francis, M.P. (b)

Senate.

Senator the Honourable  
Herbert Hays (c)  
Senator Richard Harry  
Nash (c)

House of Representatives.

George James Bowden, M.C., M.P. (b)  
William George Bryson, M.P. (b)  
Cyril Chambers, M.P. (b)  
The Honourable James Allan Guy, M.P. (b)  
David Oliver Watkins, M.P. (b)

(a) Appointed 30th September, (b) Appointed 14th October, 1943  
1943.

(c) Appointed 14th September, 1944.

NOTE:- The late Senator Richard Darcey ceased to be a member of  
the Committee when his term as Senator expired on 30th June,  
1944. Senator the Honourable Allan Nicholl MacDonald resigned  
from the Committee on 20th July, 1944. They were succeeded by  
Senators Hays and Nash.

CONTROL OF OVERSEAS MATERIAL FOR AUSTRALIAN  
PROGRAMMES.

We have been requested by the Postmaster-General, in terms of Section 85 (1) of the Australian Broadcasting Act, to consider and report to Parliament:-

"(a) whether it is desirable, in the public interest, that control should be exercised over the importation and use of overseas material for broadcast programmes, e.g., transcriptions, recordings, scripts, and continuities, etc.; and

"(b) if so, in what manner the control should be exercised."

Definitions.

2. The principal items of material affected have been defined as follows:-

Transcriptions. Programmes already recorded for broadcasting. They may be imported either on prepared discs or on matrices from which copies may be produced. Each side of each disc, when mechanically "played" from the studio, produces a fifteen minutes programme. These programmes may be plays, musicals, sketches, drama, comedy, talks, or any material suitable for broadcasting.

Recordings. Ordinary gramophone records made for retail sale but used also by broadcasting stations.

Scripts. Radio programmes in written form. They are usually the complete dialogues with directions as to introductions, sound effects, incidental music, announcements, etc. Some scripts are merely the general outline from which the final script is prepared after discussion with the Australian producer and the Australian advertising sponsor.

Continuity. Material written to link items of entertainment together. It may best be described as "linking script", as it consists of running commentary connecting various items in a complete programme.

The Interested Parties.

3. In addition to Australian listeners and the Australian public generally, the parties mainly concerned are:-

- (a) The Australian Broadcasting Commission
- (b) The Australian Federation of Commercial Broadcasting Stations
- (c) The Actors and Announcers' Equity Association of Australia
- (d) The Musicians' Union of Australia
- (e) The Professional Radio Employees' Institute of Australia
- (f) Authors and script Writers
- (g) The Radio Recording and Production Association of Australia
- (h) Music Publishers
- (i) Educational Institutions.

4. We have considered evidence tendered on behalf of all these interests and find that there is a substantial measure of agreement amongst most of them that some form of control is desirable, but their opinions differ considerably as to the manner in which and the extent to which it should be exercised. Some are mainly concerned with the effect of control on employment in Australia; others emphasise the need for control from aesthetic and, in some respects, moral standpoints.

Summary of Submissions.

5. The main points elaborated in evidence are condensed as follows:-

- (1) The sale price of broadcasting material in the country of origin is based on recouping cost and making a profit in that country, and the owners are therefore in a position to offer the material to Australia at reduced prices with which Australian producers cannot profitably compete.
- (2) The efforts of many to encourage local talent and to develop Australian cultural standards will be thwarted unless there is some form of protection designed to hold out prospects of a reasonable livelihood to those who aspire to become proficient in the various forms of employment which the radio industry offers or is capable of offering in Australia.
- (3) Entertainment units and bands in the Defence Force have been instructing promising musicians for several hours daily, in some instances for a period of years. Their prospects of employment should not be diminished by the establishment of an American import trade.
- (4) Objections to imports apply mainly to light entertainment recordings, which comprise the bulk of music in Australian programmes.
- (5) Imports should be restricted on a monetary value basis, calculated as a percentage of the expenditure incurred in production of Australian programmes, or on a quality and quantity basis, as determined by a committee of the interests concerned.
- (6) There is opposition to a suggestion from the Musicians' Union that recorded programmes be prohibited during peak evening hours. It is contended that this would be detrimental to country and other stations which are not affiliated with networks, and that the only method of broadcasting many of the main programmes is by the use of recordings owing to the limited availability of inter-state landlines. About 50% of city programmes consist of records; the percentage for country stations is between 70 and 80%. It is vital that country stations should be assisted in every way possible.
- (7) There is also opposition to a suggestion from the Musicians' Union that a tax be imposed on the retail price of recordings, to provide a fund for unemployed musicians. It is held that as musicians, like other citizens, are entitled to unemployment relief benefits on a national basis, the community should not be expected to provide additional benefits for a minority.
- (8) Overseas material includes performances by artists, orchestras and bands of world-wide reputation. It would be a retrograde step if Australian students, artists and listeners were denied the benefit of such performances.
- (9) Sound effect records are essential in the preparation of most productions and the majority of these records have been prepared as a result of intensive research by overseas companies. The production of any similarly comprehensive set of records in Australia is extremely unlikely, as the demand would not recompense the producers for their outlay.

(10) There are not enough actors, script writers, and skilled musicians in all classifications in Australia to supply the present demands, as evidenced by:-

- (a) The Australian Broadcasting Commission has been obliged to arrange for musicians to be moved from State to State for its orchestral concerts owing to the shortage of players. In a recent period of twelve months 200 musicians had to be travelled inter-State on that account;
- (b) Several members of one well-known orchestra are engaged on other work as their main occupation, and special times have to be arranged for recording their performances to ensure that all members will be available at the one time;
- (c) Some members of bands play in two places on the same evening;
- (d) The services of actors have had to be shared;
- (e) The comparatively few highly qualified script writers available are overworked. The most capable of them are required to produce sometimes two or three scripts a day, to the detriment of quality.

(11) There is a great shortage of comedians and variety artists in Australia, and the few available command very high fees, which are often quite out of proportion to the value of their work in comparison with world standards.

(12) The commercial stations need many more programmes than are being produced in Australia at present. The services of competent artists and musicians are eagerly sought; they have no need to fear unemployment.

(13) Full-time orchestras cannot be economically maintained by commercial stations for "atmosphere" music. They would increase the cost of each dramatic quarter-hour programme by about £80. This cost would place radio drama beyond the reach of almost all sponsors in Australia, with consequent unemployment for actors, producers, technicians, etc.

(14) Very few productions made in Australia are refused by broadcasting stations, unless the quality is too low. At least one station is prepared to offer fees for scripts even if they are not used.

(15) Although the transcription industry is now well established in Australia, it is handicapped by having to over-use the same actors. Efforts are being made to train new actors and actresses, but it will take time for these to qualify for more than minor parts.

(16) Script from other countries has to be re-written to suit Australian requirements, and this provides employment for local writers, whose numbers or creative abilities would not otherwise be sufficient to meet the demands of the 129 stations in Australia, which have to find programmes for 460,000 hours of broadcasting per annum.

(17) In America radio script writing has become part of the curricula of Universities and colleges. A similar move in Australia is worth considering.

(18) Teachers at the Conservatorium of Music in at least one of the States do not pay sufficient attention to secondary studies. They concentrate on the piano or the violin, to the neglect of the wood-wind instruments.

(19) In future competitions to discover Australian talent, free scholarships to the winners would have more beneficial results in the long run than immediate monetary rewards.

(20) Australia is not getting the high-class American programmes. With some exceptions, only cheap material has been imported, of a type originally "slanted" in America towards sectional interests. This material is being used in Australia in a way that was never intended by the originators in America.

(21) Certain types of music and drama have an undesirable influence, particularly on children and immature listeners, and tend to undermine the efforts of educationalists and others to raise the general level of public taste.

(22) The Federation of Commercial Stations proposes to adopt a special code of standards designed to improve programmes for children's sessions.

(23) There should be set up a radio standards committee to determine the suitability of imported programmes. As in the case of motion pictures, such a body should function within the radio industry, which should act as its own "policeman" in adherence to standards similar to those of the motion picture code.

(24) The Federation of Commercial Stations agrees that the quality of commercial programmes is not as high as it should be, and suggests that means should be sought for broadcasting authorities, cultural and musical bodies in Australia to co-operate in order to make it practicable to provide a larger volume of better types of drama and music.

(25) Prohibition or quantitative restriction of imports from the United Kingdom would be contrary to the terms of the Ottawa agreement, without reference to the Tariff Board. If the matter were referred to that Board, both sides would be called upon to produce comparative costs of production, and "it would be a sheer impossibility for this to be done", as the nature of the transcriptions is such that one might cost much more than another and no standard price can be fixed.

(26) The imposition of quota restrictions on the importation of material from America may clash with principles underlying the Atlantic Charter and the Mutual Aid Agreement.

(27) Control of use (as distinct from control of importation) of overseas material is provided for in section 88 (2) of the Broadcasting Act so far as music is concerned. The section could be amplified to provide for a similar principle of control as regards other broadcasting material. There are suggestions that as much as 60% of programmes should consist of material written and produced in Australia, including 50% by "live" artists and musicians.

The Law Affecting Control of Importation.

6. The terms of reference require consideration of two separate issues - the question of control of importation and the question of control of use - from the standpoint of the public interest.

7. As regards importation, it became necessary shortly after the outbreak of war to conserve foreign currency. To that end, by regulations under the Customs Act (Statutory Rules 1939 No. 136), it was enacted that:

"The importation of any goods shall be prohibited unless -

- (a) a licence to import the goods is in force and the terms and conditions (if any) to which the licence is subject are complied with; or
- (b) the goods are excepted from the application of these regulations."

8. In accordance with those regulations, certain restrictions were, and still are, imposed on importations from non-sterling areas. Shortly stated, the position is as follows:-

Transcriptions, records and matrices. There are no restrictions on imports from sterling areas. From non-sterling areas since December, 1938, it has been permissible to import one copy of each item for copying purposes in Australia.

Scripts and continuities. There are no restrictions on imports from sterling areas. Importation from non-sterling areas was permitted during the period December, 1939, to May, 1941, licences being issuable to the extent of 100% of the value of importations during the year 1938/39. This procedure was varied in June, 1941, as it was considered that the goods lacked an intrinsic value in themselves, payment becoming due following the use of the goods in Australia. The existing procedure is that, provided the Commonwealth Bank (acting on behalf of the Treasury) approves of the application in respect of the provision of exchange as subsequent payment for a service royalty and other charge for usage, an import licence is granted on the basis that no exchange is involved for the physical goods themselves.

9. No records are available in the Customs Department of the number of items which have been imported since 1939. Transcriptions, recordings and matrices are not recorded separately for statistical purposes, and scripts and continuities are usually received by letter mail.

The Law affecting Control of Use.

10. Section 88 (2) of the Australian Broadcasting Act provides for indirect control of the use of imported music to the extent that at least 2½% of programme time allotted to music must be devoted to works of Australian composers, produced either on sound records made in Australia or by artists actually present in the studio.

11. In the national service during 1944/45 the time so devoted varied in respect of individual stations from 2.4% to 3.8%. In the national service as a whole the figure was 2.98%, comprising:-

Sound records of Australian compositions entirely recorded and produced in Australia	1.74% (representing 11,969 items)
Sound records of Australian compositions recorded overseas, but processed in Australia from an imported matrix	.55% (representing 3,375 items)
Australian compositions rendered by artists in Australian studios, etc.	.69% (representing 5,317 items)
Total	2.98% (representing 20,661 items)

12. In the commercial service during 1944/45 the percentage of music time for Australian compositions varied from approximately 2% to 5%. (In one case the record shows 10%, but there is some doubt whether this figure was arrived at on an acceptable basis, and the matter is being investigated by the proper authority.) Figures are not available to permit of an analysis of all the commercial stations' percentages on the same basis as that shown above in respect of the national stations; it is expected that these figures will be supplied in future years.

13. As pointed out in the Standing Committee's First Report, it would be quite a simple matter for the stations to comply with the 2½% minimum by featuring any Australian composition, irrespective of its merit, or by a surfeit of repetition of the same items; but neither the national nor the commercial stations have resorted to these expedients. Indeed, it would be against their interests to do so, in view of the complaints which would be received from listeners and the withdrawal of patronage from advertisers.

14. With regard to items other than music, Section 88 (1) of the Broadcasting Act provides for indirect control of the use of imported material, in that the broadcasting authorities are required, as far as possible, to "give encouragement to the development of local talent and endeavour to obviate restriction of the utilisation of the services of persons who, in their opinion, are competent to make useful contributions to broadcasting programmes."

15. Sections 60 (1) and 60 (2) of the Act literally confer wide power upon the Postmaster-General in regard to the commercial stations' programmes, thus:-

"60 (1) The licensee of each commercial broadcasting station shall provide programmes and shall supervise the broadcasting of programmes from his station, in such manner as to ensure, as far as practicable, that the programmes broadcast are to the satisfaction of the Minister.

(2) If the programmes broadcast from a commercial broadcasting station are not, in whole or in part, to the satisfaction of the Minister, the Licensee shall, if directed so to do by the Minister, vary the programmes with a view to making them satisfactory to the Minister."

16. In the exercise of his powers in regard to programmes generally, the Postmaster-General has the assistance of an Advisory Committee in each State whose functions are set down in Section 87 (2) as follows:-

"The functions of each such Committee shall be to advise the Minister in relation to all or any matters connected with broadcasting programmes or the exercise of any powers, duties or functions conferred or imposed by this Act or the regulations upon the Commission or the licensees of commercial broadcasting stations."

Programme Standards.

17. Notwithstanding criticisms from various quarters, it is generally conceded that there is much to admire in Australian programmes. There is, however, evidence of a need for better supervision in the selection of items which are in conflict with the broadcasting authorities' policies, and some of which are admittedly chosen, not by experienced officials, announcers, or compères with a sense of responsibility, but by young girls and young men in the station offices whose appreciation of music and song in this "bobby-sox" age, as it is called, appears to be more or less limited to what has been criticised as "meretricious", "hideous", "demoralising", "diabolical", "appalling drivel", "horrible noises", "defiant lowbrowism", "ferocious frenzies of sound" and "the cacophonies of tin-pen alley".

18. One witness refers to certain types of music in these words:-

"Many young people to-day are brought up in the atmosphere of the 'blues'. Jazz and 'boogie-woogie' are, on the whole, low grade negro music. As somebody has said, the present popular music in America is the negro's revenge on the white man. We must remember, however, that we are not getting the best of what the negro has to offer. Negro spirituals are the real negro music. The 'boogie-woogie' and 'hot' numbers are from the dives of New York and New Orleans, where many negroes have gravitated. The spirit of the real negro or negress, like Paul Robeson and Marian Anderson, is lost in the flood of other negro music."

19. Another well-informed witness with high credentials has made a comprehensive study of a certain type of imported music, the widespread featuring of which, he contends, makes it increasingly difficult to foster an Australian national sentiment. He says:-

"Fundamentally it is an erotic manifestation of pure sense-life. Its most characteristic forms are those which carry this eroticism to an extreme which, to any one with the good of the community at heart, is frankly frightening. It was born, reared, and revelled in the company of moll-houses, barrel-houses, gin and drugs... That it should be always on the plane of the physical and sex part of love is but natural to a form of music that relies almost entirely on the appeal to the lower sense-life of man for its fascination... Not by the widest stretch of the imagination could any cultural atmosphere be discerned in it... There must be some control over it; it should be no more allowed to flourish than any physical disease... The State has so many laws protecting the life of the citizen against adulterated food, etc., that it is inconceivable that such a phenomenon... which is undermining the lives of millions of citizens should be left to ruin any nation. Unless some supervision is exercised, our schools and our institutions will be forever fighting an uphill battle... Certain forms (of this music) should not be allowed publication or circulation; other less noxious forms should have controlled performance; those that are harmless and have entertainment value should be allowed full freedom... This (control) is especially necessary when it is a question of the children of to-day, who have not the power of discrimination and who must be led towards ideals which inculcate the dignity of man and his real purpose in life."

20. The broadcasting of programmes of inferior overseas material is regarded by many as a reflection on the mentality of the average Australian. An example of listeners' re-action to certain types of imported songs, for instance, is the experience of an artist deputed to entertain Australian troops at a certain hospital. When the artist invited the soldiers to indicate which songs they would like, the reply was that they did not want "those miserable moaning songs". The opportunity was taken to entertain them with certain Australian songs, which so appealed to them that on subsequent occasions there were requests for their repetition.

21. In reference to what the soldiers called "miserable meaning songs" a witness of high standing has described that type of song as an expression of "broken sex-appeal" in a form of "blue atmosphere of despondency and depression". "To call its rhythmic tricks and cliches musical interpretations", he says, "is as great a misnomer as calling the whole phenomenon singing. It is the most obviously anaemic manifestation of a decadent civilisation."

22. It would be quite wrong to infer from these criticisms that inferior types of music are symbolic of the standards accepted by discerning listeners in America. On the contrary, we are informed, no major United States network will feature them; only lesser groups present such programmes, which are specifically "slanted" towards certain areas where intellectual levels are said to be below average.

23. Judging from the evidence before us, we believe that the prestige of many stations would be enhanced if responsible persons of experience were deputed by the management to select the recordings to be broadcast, particularly during early morning sessions, when, more than at any other time, probably the vast majority of listeners would prefer something calculated to arouse appreciation of all that is really beautiful and cheerful in life than to be subjected to what has been called a nerve-recking barrage of instrumental and other noise masquerading as music, or to the depressing effect of what has been described as portraying "the doleful but very unsoulful wailing of distressed merons - maudlin males and females who have loved and lost (no wonder!)."

24. The Federation, with justifiable pride, has drawn attention to what has been done by the commercial stations from time to time (as tokens of their recognition of communal responsibility) in the supply of amenities for the Defence Force and in the sponsoring of appeals for charitable purposes. But, commendable as those achievements are in their proper setting, it is necessary to consider whether their merit constitutes an acceptable measuring rod in the appraisal of programme standards.

25. The Federation claims that its stations are in a position to "create" public taste and that they have in fact "created listening habits". Such being the case, the excuse (so often heard in reply to criticism) that the stations "give the people what they want" must be weighed in the scale of responsibility for creating and continuing to nourish that want, whether it be beneficial or otherwise in the public interest.

26. Speaking of this plea of "giving the people what they want", years ago that renowned idealist, Sir John (now Lord) Reith, when Director-General of the British Broadcasting Corporation, adopted as the Corporation's standard "the greatest good for the greatest number" and directed his staff "always to give listeners something a little better than they are expecting." And it is on record that when a famous editor was asked by the proprietors of his newspaper what he proposed to do in order to increase the paper's circulation he replied: "I am going to give the public what it doesn't want". Narrating that incident a long time afterwards he added: "and after twenty years of this I have proved that what it didn't want is what it did want."

27. The influence of music in producing orderly or disorderly emotion and conduct has long been recognised. Broadcasting has immeasurably expanded its potentialities and has underlined the significance of the old saying, "Let him who will make the laws if I write the songs". A well-informed writer of our time has pointed out that in the creation and nourishing of taste for a certain type of music and song, it appears to have been overlooked that in addition to the element in man which aspires to true beauty there is also, as has been said:

"a gross savage and animal part which is drawn by the appeal to sensualism and violence and the dark intoxication of jungle music. For the older of us it is repulsive, but the young, accustomed in the formative period of their lives to long periods of listening to this kind of thing, are more subject to its distorting effect....There is a decadent and dangerous trend in a great deal of radio music, injurious not only to the taste but to the moral fibre.....Those responsible for our entertainment should set themselves to reverse the trend."

28. The Director of the Education Department in one of the States is equally outspoken in his denunciation of programmes which, he says, "in the opinion of right thinking individuals are destructive of manners, morals, taste and speech." Advocating control of such programmes, he says:-

"The attitude of society towards this question is a measure of the importance it places on education. If it is assumed that education has to deal with the inculcation of higher values and of uplift value both for the individual's and society's good, and if it is conceded that the radio is an instrument of education, not in school broadcasts only, but through the agency of all programmes, then it is stupidity itself to allow a state of affairs whereby the same instrument is allowed to build upward in one programme and break down in another. Among other things, the school is concerned with the training of the children in music and in its appreciation. It has not only to contend with ignorance and apathy, but it is opposed positively by a counter movement, reinforced by fashion and enhanced by the temporary hysteria of the movement which mocks at the good and exalts the bad and paltry."

"In speech the same thing happens. Speech is a matter of usage, and the individual, more especially the immature, reproduces what he is accustomed to hear. Here the two forces are again in opposition, and society spends its money and time to achieve an ideal end at the same time, because of some mistaken notion of individual liberty or some such catch phrase, allows a destroying force to nullify its efforts.

"When we come to morality, the matter is even worse. No one wants the world turned into one great Sunday School, but one would think, to judge from some programmes in both cinema and radio, that the object was to turn the world into one great cesspool. There is a moral gravitation law as well as a physical one, and it is easier to sink than to rise in morality. In the nature of things, education is a slow and arduous process... and if society were wholeheartedly in support of education as its chief instrument of moral and social reconstruction it would not allow the possibility - indeed it would be unthinkable - of an opposing agency nullifying and even stultifying society's constructive efforts.....The programmes, it is said, are determined by the tastes of the people, but they, by propaganda, create the taste, particularly in the young. One cannot say that the child has a taste, a standard or appreciation of (say) music. It is having the appreciation cultivated; so that through the years the radio is progressively creating the standards and is therefore in this matter a greater educational force than formal education.

"It is, therefore, imperative that this force should be controlled, and, more important still, should be used to the utmost in constructive, not destructive, directions."

29. The Director of the Education Department of another State also deplores the effect of "types of singing and instrumental cacophony against which even a moderately musical ear rebels". His investigations disclosed that in many cases the types of serials heard by children are those which have as their central themes "murder, crude violence, mystery, family feuds, domestic quarrels, sophisticated sex entanglements, horse-racing (seasoned with intrigue, crooked dealings, deceit and murder), ghosts, torture and low comedy". Teachers who indicted the "thriller" did so "because of its sensationalism; its poverty in educational values, even its trashiness; its low artistic and ethical tone; its false sense of life value; its emphasis upon primitive passion or unpleasant social and domestic associations."

30. A third State Director of Education considers that there is great scope for the development of drama which is distinctively Australian. He classifies existing radio drama in four chief types:-

"First, the weekend play, where you have the witty, epigrammatic people who meet at weekend places; second, the super-charged type of play which develops at a tremendous rate, with people falling into marriage and out of it with great speed; third, the gangster play which is quite alien to Australian tradition and sentiment; and, fourth, an extraordinarily high percentage of murder mysteries. In general broadcasting there is a wide field open for an indigenous Australian drama which will give a truer indication of us as a people. Many of these imported plays seem to me to be artificial in character and utterly alien to our Australian tradition."

31. In a lengthy analysis in which he emphasises his belief that certain types of music "constitute a serious danger to our culture and civilisation from the moral, civil and aesthetic points of view", one of the severest critics says:-

"In stressing the moral angle, I do not wish to imply that every individual who listens to or plays jazz is immoral or unethical. I certainly do not wish to imply that the girl or boy who starts to re-act to jazz the moment it is heard is thereby regarding it or feeling it as a preliminary to immorality, but I do say that the prevalence and prominence of jazz in our ordinary daily lives creates an atmosphere which overstresses sex and the sense life of men, and that such an atmosphere has the effect of fostering predispositions which render it doubly difficult to exercise self-control and which undermine the fundamental principles of right living."

32. Weight has been added to criticisms of programme standards by an admission from one of the most prominent commercial station licensees, who declared publicly that "commercial broadcasting has got to improve substantially its aesthetic influence." That was towards the end of 1944. Since then the Federation of Commercial Stations has been active in the formulation of a new code of standards for children's sessions, recognising that licences to enter the privacy of citizens' homes in the interests of advertisers carry with them an obligation (in the Federation's words) "to educate and uplift" as well as entertain, in order to ensure particularly that the high standards taught in the schools shall not be undermined by the propagation of lower standards through the powerful influence of radio. A copy of this code is attached (Appendix I).

33. In addition to the proposed code for children's sessions, we suggest that, in the interests of listeners generally, programme producers should be required to avoid the selection of plays or sketches in which sympathy is excited for offences and offenders against the moral law - in which reprehensible conduct is presented as tolerable and even praiseworthy. Evidence of the necessity for supervision of programmes in that respect has been given by a reliable and experienced witness who drew our attention to a play broadcast from a powerful city commercial station in which murder and adultery were "justified." The defence pleaded by the station manager was "This is Art".

34. It is generally agreed that no invention (with the possible exception of the motion picture) is capable of producing such a subtle, profound and far-reaching effect as radio broadcasting exercises on the thinking and conduct of the millions of its listeners and on the millions of others who in turn are influenced by those listeners in their daily lives. Consequently, pleas such as "art for art's sake" and "freedom of expression" have been impressively deprecated in evidence as fallacious and dangerous arguments, when applied in attempted justification of the featuring of condonation of wrong-doing in the radio service of a country in which there is high regard for the common good and which aspires to greatness on enduring foundations.

35. We believe that the vast majority of Australian citizens will agree with the opinion expressed to us in evidence that "if the Government is prepared to punish severely the purveyors of adulterated food, it should be ready to deal with equal or greater severity with those who are willing to profit by undermining the Christian moral code by which the community lives."

36. It may be objected that there are those who reject the Christian code and that they have the right to express their opinions. "Even granting this," as has been said, "it does not follow that they have the right to inflict their views on the community by means of an instrumentality which operates under Government licence and pervades the very homes of the people. Those who become very vocal in resisting any attempt to defend our moral code, under the specious plea of freedom of speech, are not at all so vocal when asked what they would put in its place; and yet without some moral code the people will perish."

37. The fallacy of the plea of "Art" in defence of objectionable portrayal of moral degeneracy is convincingly exposed in the motion picture code in these words, which, we suggest, should be equally applicable to the radio service:-

"Art enters intimately into the lives of human beings. Art can be morally good, lifting men to higher levels. This has been done through good music, great painting, authentic fiction, poetry, drama. Art can be morally evil in its effects. This is the case clearly enough with unclean art, indecent books, suggestive drama. The effect on the lives of men and women is obvious. It has often been argued that art in itself is immoral, neither good nor bad. This is perhaps true of the THING which is music, painting, poetry, etc. But the thing is the PRODUCT of some person's mind, and the intention of that mind was either good or bad morally when it produced the thing. Besides, the thing has its EFFECT upon those who come into contact with it. In both these ways, that is, as a product of a mind and as the cause of definite effects, it has a deep moral significance and an unmistakable moral quality. Hence, the motion pictures, which are the most popular of modern arts for the masses, have their moral quality from the intention of the minds which produce them and from their effects on the moral lives and re-actions of their audiences. This gives them a most important morality:-

- (a) They reproduce the morality of the men who use the pictures as a medium for the expression of their ideas and ideals;
- (b) They affect the moral standards of those who through the screen take in these ideas and ideals;

"In the case of the motion pictures, this effect may be particularly emphasised because no art has so quick and so widespread an appeal to the masses. It has become in an incredibly short period the art of the multitudes."

38. The positive principle involved is admirably expressed elsewhere in the motion picture code, in words which could be applied with at least equal value to radio drama: "If motion pictures consistently hold up for admiration high types of characters and present stories that will affect lives for the better, they can become the most powerful natural force for the improvement of mankind."

39. On the question of obligation on the part of the State to intervene in radio programmes from the standpoint of moral well-being, an eminent witness has expressed the following views:-

"The State has the right and the duty to safeguard the moral well-being of the community. No single person or interest or small group of interests can be allowed to do as they like if, in so doing, the common good suffers. There is a difference between liberty and licence. We, as a community, have certain ethical principles which not only develop the best in the individual, but which give stability to the community as such. But we would be blind Utopians if we were to shut our eyes to the fact that, throughout history, man has a tendency to fall away from these standards, which very often demand some sacrifice on his part. And, unfortunately, there has always been a small element which, for reasons anti-social or monetary, has been ready to provide man with easy and attractive means of disregarding these principles. Since that is the case, the State, very rightly, has to assume the responsibility of preventing such lapses. Such power it already has in the cases of literature and the cinema, for instance, and it is only logical that it would have similar powers in a medium that it is powerful if not more powerful than the written word. In this regard too, it must always be remembered that the radio is, so to speak, another member of the family. Radio is entertainment in the home, and families have the right to demand of the State that it sees to it that the work of rearing and training a family is not undermined in such a way. The perusal of a book unsuitable for some members of a family can be controlled within the family itself and, to a certain extent, so can their seeing an unsuitable film, but the family has no control over what is broadcast, for unsuitable or offensive broadcast material is already heard before it can be switched off."

40. A typical example of recognition of the obligation of the State to protect the community from influences which are morally subversive, is the provision in Section 57 of the Post and Telegraph Act, which empowers the Minister to withhold postal facilities from those who attempt to commercialise immorality or indecency.

#### Control of Importation.

41. We share the opinion of most witnesses that in the public interest it would not be wise to adopt a policy of isolation from the world's resources in edifying entertainment and enlightenment, but that present and future Australian musicians, actors, script writers,

programme producers and their associated employees should be given a measure of protection against any unfair competition in respect of works or performances which, by reason of their merit, are worthy of a place in the programmes of their own country.

42. We also support the evidence in favour of importing material which conforms with the Broadcasting Commission's aim "to create in the minds of listeners a desire to listen to programmes which make a demand upon their respect for truth, good thought, fine music and fine plays"; and with the Federation of Commercial Stations' policy of providing "entertainment programmes which at the same time educate and uplift."

43. Allowing for limitations unavoidably imposed on account of the national need to conserve foreign currency, there does not appear to be anything in the existing Customs law which unreasonably handicaps the broadcasting authorities in pursuing their declared aims. The question of maintaining or amending that law, however, is dependent upon the extent to which Australia is committed under an accepted interpretation of its obligations in the Atlantic Charter and other instruments affecting international relations, and it would be premature to reach a decision on the import control aspect until those obligations have been defined.

44. Whatever the effect of those obligations on the existing Customs law may happen to be, after the international complications have been clarified, it would probably be found extremely difficult to administer restriction of importation of broadcasting material from the qualitative standpoint. On the other hand, restriction from the quantitative standpoint might tend to defeat the object of giving Australia access to the world's highest standards, as there might be an inclination on the part of some stations to use permissible quotas on the cheaper, inferior class of material.

45. In all the circumstances, the desired measure of protection for the Australian radio industry and the interests associated with it could probably be secured to better advantage in the public interest by control of the use of imported material than by control of its importation.

#### Control of Use of Overseas Material.

46. On the question of control of use of overseas material, it is necessary to consider the situation qualitatively and quantitatively.

47. Qualitative control. In the national service provision for safeguarding the public interest has been made by the establishment of a Commission which, not being a commercial undertaking, is not confronted with what Lord Reith described (at an interview we had with him during his recent visit to Australia) as "the economic impossibility of reconciling the dividend motive with the public service motive." As the Commission has been appointed by the public (through the latter's parliamentary representatives) to operate the national service in the public interest, general control of the use of overseas material in that service, qualitatively, is already provided for by the appointment of that Commission. To assist it in the discharge of its obligation to control the quality of its programmes in the public interest, the Commission has its own separate advisory committees of experienced citizens in each sphere of programme activity.

48. The public would therefore be duplicating its control over the national service if it appointed another body to control the Commission in its choice of programmes from the qualitative standpoint. In the extremely remote contingency that the Commission might at some time flagrantly fail to discharge its obligations to the satisfaction of the public, the remedy would be, not to superimpose another authority over it, but to substitute other commissioners under the power conferred by Section 14 of the Broadcasting Act. The position

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has been well expressed in evidence in these words:-

"The integrity of the Australian Broadcasting Commission is such that this body can be relied upon to maintain the high standard of broadcasting from the national stations. The persons appointed to the Commission would, we presume, continue to be men and women possessing a high degree of training and an objective outlook, together with a discriminating taste, and we should have faith in their future judgment."

49. In the commercial service, where economic considerations must necessarily exercise a powerful, if not a predominating, influence, management in the public interest is handicapped by obligations to earn dividends, not only for the shareholders of the stations but also indirectly for their advertisers.

50. It is inevitable that at times this "balance sheet philosophy", as it has been called by one of the Federal Communications Commissioners of America, will come into conflict with what has been described in that country as the "public medium philosophy", which was advocated by Herbert Hoover, former President of the United States, and which has been expressed as follows:-

"The ether is a public medium, and its use must be for public benefit. The use of radio channels is justified only if there is public benefit. The dominant element for consideration in the radio field is, and always will be, the great body of the listening public, millions in number, country-wide in distribution."

51. Leading radio writers in Australia complain that a factor which seriously affects standards is the very prevalent influence known as "sponsor interference", on account of which, it is said, many otherwise cultural and entertainment programmes are destroyed at the outset by totally unqualified people. In the United States, we are told, sponsor interference is not tolerated under any circumstances.

52. The only remedy for this under the existing system would appear to be concerted action on the part of all commercial stations, by agreement among themselves, to withhold from sponsors any right to lower the standard of programmes offered for association with their advertisements, and to insist upon the maintenance of proper standards in the transcriptions and scripts which the sponsors themselves produce through their advertising agents and expect the stations to accept. To be effective, however, the action must be concerted, for as soon as some stations compromise with standards others probably feel obliged to imitate them for economic reasons affecting their survival; and hence a gradual lowering of standards becomes the general practice, to the detriment of the public interest, with resultant demand for external control in the public interest.

53. It should not be overlooked, as pointed out in other evidence tendered by the Post Office to our predecessors, that it is the Australian people as a whole who pay for the commercial service. That comes about by the fact that in purchasing commodities manufactured by the sponsors of commercial programmes, the general public pays prices loaded with the costs of these programmes, which at present amount to a sum approaching £2,000,000 per annum. There is nothing inherently wrong in that principle, provided the costs are not unreasonable, because the additional loading of prices represents payment by the people for a service rendered to the people in the form of broadcast entertainment and enlightenment. It is not unreasonable to contend, however, that when people pay for anything, even indirectly, they should have some control over what they pay for; and Parliament has made provision for general ministerial control, when necessary on behalf of the people, in Section 60 of the Broadcasting Act.

54. Nevertheless, that general ministerial control does not lessen the initial responsibility of station licensees in determining their programme standards, and it may be that the improvement in their quality, which the Federation of Commercial Stations admits to be desirable, could be secured by acceptance of the suggestion that the Federation should amend its Constitution to provide for the setting up of a representative Radio Standards Committee within the industry to "police" adherence to a code similar to that adopted within the motion picture industry, under the self-regulation principle. We make no comment on whether or not that industry succeeds at all times in adhering to the spirit and letter of its code. That is a question for others to determine. The code itself, however, contains excellent provisions applicable to broadcasting, and if they be accepted as a guide, it would be a matter for the radio industry to prove its willingness and competence to adhere to them in practice.

55. We are impressed with the evidence of an earnest desire and intention on the part of the commercial stations to play their part in the elevation of the general level of public taste, and we consider that they should be given adequate time to implement their own control proposals before deciding whether any additional qualitative control of the use of overseas material is desirable.

56. We recommend that the Federation be given a further opportunity to prove the efficacy of its good intentions under the self-regulation principle, and that the question of setting up additional external control be reviewed after experience of the operation of the new code, amplified to cover the selection of plays as above indicated. To that end we suggest that the six State advisory committees appointed by the Postmaster General under section 87 of the Broadcasting Act be supplied with a copy of the new code, amplified as suggested, and that they be requested to maintain an oversight of the programmes during the coming year, in a listening capacity during typical periods, so that in due course they may be in a position to supply a comprehensive statement of their impressions of the 1946/47 programmes, as a basis for further consideration of the question of imposing additional control of the use of overseas material by commercial stations from the qualitative standpoint. No doubt the Federation will have circulated copies of the code to programme sponsors, producers, advertising agents, and script writers, in order to assist them to avoid wasting time, money and effort in productions which, if in conflict with the amplified code, will not, or should not, be accepted.

57. Quantitative Control. Although the Australian Broadcasting Commission is the properly constituted authority to exercise control, in the public interest, over the use of imported material in the national service, qualitatively, Parliament has limited the Commission's power as to the quantity of such material which it may use so far as music is concerned, as both the Commission and the commercial stations are required by section 88 of the Brodcasting Act to devote at least 2½% of their music time to Australian compositions. The principle of limiting the Commission's power in this sphere having been accepted, it is necessary to regard quantitative control in a different light from qualitative control; that is to say, if it is proper to impose control of the use of overseas music in the manner set down in section 88, then logically it would be proper to impose similar control of the use of other overseas material if there is convincing evidence of the wisdom of doing so.

58. In our opinion, the weight of evidence is in favour of acceptance of the principle of establishing some such specific control, not only to encourage Australian talent but to assist in ensuring a livelihood for those who have been engaged in the various departments of the radio industry during the war years, and also for ex-servicemen who aspire to return to, or to enter, these fields of employment.

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59. Unfortunately, however, there is insufficient evidence to enable precise recommendations to be made, as the stations have not been able to supply information in sufficient detail to indicate the extent to which they have been using Australian productions in each category other than music. In the absence of supporting data, it would be unwise arbitrarily to amend section 88 to provide for minimum percentages in respect of all stations uniformly, in view of the possible effect on programme standards, the exceptional difficulties which country stations especially would experience in engaging "live" artists, and the evidence of dearth of competent Australian script writers, actors and musicians in certain classifications.

60. Allowing time for the preparation and circulation of instructions designed to secure the necessary data, we recommend that the Commission and the Federation be requested to arrange for the keeping of appropriate statistics on a uniform basis for a sufficient part of the year 1946/47 to enable an estimate to be given of the annual percentage of time and the annual expenditure incurred on Australian productions in each category, in comparison with the corresponding percentage of time and expenditure incurred on imported productions from the separate countries from which they are obtained. In order that these statistics may be compiled on a uniform basis and to ensure that every relevant phase of broadcasting activity is included, we suggest that the form in which the statistics are to be prepared should be drafted to the mutual satisfaction of the Commission, the Federation and the Postmaster-General.

61. With the object of safeguarding the interests of stations which are independent of networks, especially country stations (which, as noted above, would probably encounter much greater difficulties in applying minimum quotas than metropolitan and network stations, because of the latter's ready access to pooled material and local talent), it may be found desirable to provide for differential treatment in determining the extent to which percentages of use of Australian material in the different categories should be prescribed. For that reason the pro forma should, we suggest, provide for segregation of the desired data in the following groups:-

- (a) Metropolitan stations which form part of a commercial network;
- (b) Metropolitan stations which are independent of a commercial network;
- (c) Country commercial stations (including both independent and network stations);
- (d) National stations.

62. The pro forma should also provide for the supply of data in respect of music in similar groups of stations and in the classifications already agreed upon as the result of paragraph 44 of the Standing Committee's First Report, so that consideration may be given to the question whether there should be any alteration (differential or otherwise) of the 2½% minimum at present prescribed in Section 88 (2) in respect of Australian compositions.

63. In the meantime, in view of the encouraging signs of action as well as desire to foster Australian talent and industry in the radio field, it is reasonable to expect that even in the absence of prescribed percentage quotas of use of Australian material (other than music), the broadcasting authorities will do their utmost, consistent with the maintenance of proper standards of programmes, to comply satisfactorily with Section 88 (1), which enjoins them in general terms to give encouragement to the development of local talent and to the provision of employment for persons who are competent to make useful contributions to broadcasting programmes. At least some of the more influential broadcasting authorities appear to be enthusiastic in their efforts to comply with

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that section, as evidenced by their systematic auditions and other measures to assist musicians and potential actors, actresses and script writers whose initial attempts hold promise of attainment of high skill. There is a big field for script writers in particular, but the attraction of high fees has not produced many really good ones, and the authorities are considering the question of approaching educational institutions to induce them to include the subject in their curricula.

64. To recapitulate, our conclusions are:-

Control of Importation:

- (1) It would be unwise to adopt a policy of isolation from the world's resources in edifying entertainment and enlightenment; but present and future Australian musicians, actors, script writers, producers and their associated employees should be given a measure of protection against any unfair competition in respect of works or performances which, by reason of their merit, are worthy of a place in the programmes of their own country.
- (2) Allowing for limitations unavoidably imposed on account of the national need to conserve foreign currency, there does not appear to be anything in the existing Customs law which unreasonably handicaps the broadcasting authorities in pursuing their declared policies, namely, in the case of the national service, "to create in the minds of listeners a desire to listen to programmes which make a demand upon their respect for truth, good thought, fine music and fine plays"; and in the case of the commercial service, to provide "entertainment programmes which at the same time educate and uplift."
- (3) The question of maintaining or amending the existing Customs law, however, is dependent upon Australia's obligations under the Atlantic Charter and other instruments affecting international relations, and it would be premature to reach a decision on the import control aspect until those obligations have been more specifically defined.
- (4) Whatever the effect of those obligations on the existing Customs law might be, after the international complications have been clarified, qualitative restrictions on importation of broadcasting material would probably be extremely difficult and costly to administer; and quantitative restrictions would not only involve similar difficulties but might tend to defeat the object of giving Australia access to the world's highest standards, as there could be an inclination on the part of some stations to use permissible quotas on cheap, inferior types of material.
- (5) The desired measure of protection for the Australian radio industry and the interests associated with it could probably be secured to better advantage in the public interest by control of the use of imported material than by control of its importation.

Control of Use Qualitatively.

- (6) In the national service the responsibility for control of use qualitatively should remain with the Australian Broadcasting Commission which was appointed to safeguard the public interest in that respect.

(7) In the commercial service the question of imposing qualitative control additional to that provided for in the Broadcasting Act should be deferred until the stations have had an opportunity during 1946/47 to demonstrate, by self-regulation, the extent to which they are able to improve programme standards generally, including music and singing, and especially the effect of a new code of standards which they have decided to impose on producers of children's sessions, which code, we suggest, should be amplified to provide, in respect of drama in all sessions (a) positively, for the consistent selection of plays which hold up for admiration high types of characters and present stories that will affect lives for the better; and (b) negatively, for the avoidance of plays which excite sympathy for offences and offenders against the moral law.

(8) In the event of the Postmaster-General determining (with the assistance and advice of the six State Advisory Committees appointed by him under Section 87 of the Broadcasting Act) that the 1946/47 programmes are not satisfactory to him, we suggest that the Minister give consideration to inducing the Federation of Commercial Stations to set up, voluntarily, a Radio Standards Committee within the industry for the purpose of "policing" the operation of a code with similar provisions to those adopted in the motion picture industry so far as those provisions are applicable to radio. Extracts from those provisions are attached in Appendix II. (These extracts affect principles; for complete detail, reference should be made to the full motion picture code in drawing up the amplified code suggested for aural radio service. When television is adopted, the motion picture code will be wholly applicable to the broadcasting service. For example, the provisions affecting the commercialising of exhibitions of near-nudity under the morally fallacious excuse of portrayal of beauty, as explained in the code, will be relevant to the maintenance of proper standards in television service.

Control of Use Quantitatively.

(9) In the national service and in the commercial service control of the use of imported material quantitatively is indirectly provided for, so far as music is concerned, in section 88 (2) of the Broadcasting Act, which provides for a minimum of 2½% of music time to be devoted to the works of Australian composers, produced either on sound records made in Australia or by artists actually present in the studio.

(10) That principle of control having thus been accepted as regards music, it would be logical to impose similar control over the use of imported material other than music if there be evidence to justify it.

(11) The weight of evidence is in favour of imposing some such specific control by amendment of section 88 (2), but in the absence of adequate information it would be unwise arbitrarily to amend the section to provide for minimum percentages of use of Australian material in the various categories at present.

(12) In order to provide a basis for the proper consideration of such percentages, arrangements should be made for the broadcasting authorities to compile statistics for a sufficient part of the year 1946/47 to enable them to estimate the annual percentage of time and the annual rate of expenditure on Australian, in comparison with overseas, productions (see paragraph 60).

(13) It may be necessary to provide for differential treatment of stations which are independent of networks, especially country stations which would probably experience much greater difficulties in applying minimum quotes than metropolitan and network stations, because of the letters' readier access to pooled material and local talent. To facilitate examination of the statistics from this aspect, the form in which they are compiled should provide for segregation of the desired data in appropriate groups of stations (see paragraph 61).

(14) Similar data in similar groups of stations, and in the classifications already agreed upon (see paragraphs 11 and 12), should be compiled as regards music, so that adequate information may be available to consider whether there should be any alteration, differential or otherwise, of the  $2\frac{1}{2}$  minimum at present prescribed in section 88 (2) in respect of Australian compositions.

64. We also command to the broadcasting authorities the tightening of supervision in the selection of instrumental and vocal music, and the devising of stronger inducements to Australian composers and artists to concentrate on productions conducive to the inspiration and fostering of patriotism. As pointed out in evidence tendered to the Standing Committee of the previous Parliament some three years ago by Dr. Bainton, Director of the New South Wales Conservatorium of Music, there are good composers in Australia but there is nothing distinctively Australian about their music. Since then some noteworthy attempts have been made to alter this situation. These efforts, however, appear to have been more or less nullified by the extent to which the seemingly endless streams of inferior types of ephemeral overseas productions are feature in many Australian programmes, notably through the medium of what are called "hit parades" and similar sessions. This practice is no doubt commercially advantageous to firms which are interested in stimulating sales of records and sheet music depicting these inferior overseas productions, but, consciously or unconsciously, it makes broadcasting authorities responsible for progressively creating and nourishing a taste which, to say the least, is inimical to the development of an Australian national sentiment.

65. We strongly advise concerted action to secure gradual reversal of this state of affairs. To those who might be inclined to emphasise difficulties we invite reflection on the dictum "where there's a will there's a way". To mention an example of what might be accomplished, it is conceivable that sufficient encouragement might induce revival and expansion of what a highly placed broadcasting official has described as "the lovely choirs of the coal fields." Up to fifteen years ago, enthusiastic audiences of miners and others were able to enjoy eisteddfods of several of these combinations ranging from thirty to sixty voices, of which those of coal miners were very much in the majority. Under the stimulus of

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competition among themselves by means of regular eisteddfods, these re-constituted choirs and others would probably not only point the way to a worthy effort on the part of the broadcasting authorities in the discharge of their obligation to encourage Australian talent, but in the melody of their productions they would be a medium to counteract the taste created during the last decade or two for those "furious frenzies of sound" and other inferior types of imported music and song which have been so trenchantly criticised by witnesses competent to judge their effect.

S. K. AMOUR, Chairman.

JOS. FRANCIS, Vice-Chairman

HERBERT HAYS.

R. H. NASH.

GEO. BOWDEN.

W. G. BRYSON.

C. CHAMBERS.

J. ALLAN GUY.

DAVID WATKINS.

12th March, 1946.

APPENDIX I

EXTRACTS FROM THE STANDARDS OF BROADCASTING PRACTICE OF THE AUSTRALIAN FEDERATION OF COMMERCIAL BROADCASTING STATIONS

Children's Programmes.

Because of the obligation of the broadcasting stations to their juvenile audience, it is necessary that meticulous supervision should be exercised over all programmes or sessions designed for child listeners, and also over programmes broadcast during early evening sessions when children are likely to be listening.

The customary standards of propriety governing programmes in general shall, of course, apply to children's sessions, but in particular the following standards are to be observed:-

- (a) All scripts for children's programmes must be carefully written having in mind the particular audience for which they are intended.
- (b) Children should be encouraged in the art of correct speech and pronunciation; therefore, the use of slang and incorrect English should be discouraged.
- (c) All stories must reflect respect for law and order, adult authority, good morals and clean living.

Where applicable, the hero or heroine and other sympathetic characters must be portrayed as intelligent and morally courageous. The theme must stress the importance of mutual respect of one man for another, and should emphasise the desirability of fair play and honourable behaviour. Cowardice, malice, deceit, selfishness and disrespect for law must be avoided in the delineation of any character presented in the light of a hero to the child listener.

- (d) Adventure stories may be accepted subject to the following prohibitions:

No torture or suggestion of torture.

No horror - present or impending.

No use of the supernatural or of superstition likely to arouse fear.

No profanity or vulgarity.

In order that children will not be emotionally upset, no programme or episode shall end with an incident which will create in their minds ~~moral suspense or hysteria~~.

Dramatic action should not be over-accentuated through gun play or through other methods of violence. To prevent the over-stimulation of the child's imagination, sound effects intended to anticipate or simulate death or physical torture are not permitted.

- (e) The themes of stories broadcast in children's sessions should reflect fair play and considerate behaviour for one's fellow being. In particular they should not undermine parental authority or the authority of teachers.
- (f) It is recommended that there be regular sessions designed to impart a knowledge of the history and potentialities of our country, a broader knowledge of current affairs and a love of culture, e.g., special sessions of the works of appropriate authors should be broadcast in order to encourage the habit of reading. It is further recommended that music included in

children's sessions be of such a nature as to help the cultural development of the children.

- (g) As distinct from the collective aspects of children's programmes, it is suggested that sessions calculated to develop the tastes of individual children be arranged, e.g., broadcasts devoted to particular hobbies.
- (h) Contests and offers which encourage children to enter strange places and to converse with strangers in an effort to collect box-tops or wrappers may present a definite element of danger to the children. Therefore such contests and offers are not acceptable.
- (i) No appeal should be made to the child to help characters in the story by sending in box-tops or wrappers; nor may any actors remain in character and, in the commercial copy, address the child urging him to purchase the product in order to keep the programme on the air, or make similar appeals.
- (j) Where radio clubs are formed they shall be carefully supervised in the matter of the behaviour of the children, the company which they keep and in particular in any club function individual children should not be encouraged to "show off" in front of others.

#### APPENDIX II

##### EXTRACTS FROM THE CODE OF THE MOTION PICTURE PRODUCERS AND DISTRIBUTORS OF AMERICA.

Motion picture producers recognize the high trust and confidence which have been placed in them by the people of the world and which have made motion pictures a universal form of entertainment.

2. They recognize their responsibility to the public because of their trust and because entertainment and art are important influences in the life of a nation.

3. Hence, though regarding motion pictures primarily as entertainment without any explicit purpose of teaching or propaganda, they know that the motion picture within its own field of entertainment may be directly responsible for spiritual or moral progress, for higher types of social life, and for much correct thinking.

4. No picture shall be produced which will lower the moral standards of those who see it. Hence the sympathy of the audience shall never be thrown to the side of crime, wrong-doing, evil or sin.

5. Correct standards of life, subject only to the requirements of drama and entertainment, shall be presented.

6. Law, natural or human, shall not be ridiculed, nor shall sympathy be created for its violation.

7. Mankind has always recognized the importance of entertainment and its value in rebuilding the bodies and souls of human beings. But it has always recognized that entertainment can be of a character either HELPFUL or HARMFUL to the human race, and in consequence has clearly distinguished between:

- (a) Entertainment which tends to improve the race, or at least to re-create and rebuild human beings exhausted with the realities of life; and

(b) Entertainment which tends to degrade human beings, or to lower their standards of life and living.

Hence the MORAL IMPORTANCE of entertainment is something which has been universally recognized. It enters intimately into the lives of men and women and affects them closely; it occupies their minds and affections during leisure hours; and ultimately touches the whole of their lives. A man may be judged by his standard of entertainment as easily as by the standard of his work. So correct entertainment raises the whole standard of a nation. Wrong entertainment lowers the whole living conditions and moral ideas of a race.

8. Motion pictures are very important as art. Though a new art, possibly a combination art, it has the same object as the other arts, the presentation of human thought, emotion, and experience, in terms of an appeal to the soul through the senses. Here, as in entertainment, art enters intimately into the lives of human beings. Art can be morally good, lifting men to higher levels. This has been done through good music, great painting, authentic fiction, poetry, drama.

9. Art can be morally evil in its effects. This is the case clearly enough with unclean art, indecent books, suggestive drama. The effect on the lives of men and women is obvious. It has often been argued that art in itself is immoral, neither good nor bad. This is perhaps true of the THING which is music, painting, poetry, etc. But the thing is the PRODUCT of some person's mind, and the intention of that mind was either good or bad morally when it produced the thing. Besides, the thing has its EFFECT upon those who come into contact with it. In both these ways, that is, as a product of a mind and as the cause of definite effects, it has a deep moral significance and an unmistakable moral quality. Hence, the motion pictures, which are the most popular of modern arts for the masses, have their moral quality from the intention of the minds which produce them and from their effects on the moral lives and reactions of their audiences. This gives them a most important morality:-

(a) They reproduce the morality of the men who use the pictures as a medium for the expression of their ideas and ideals.

(b) They affect the moral standards of those who through the screen take in these ideas and ideals.

In the case of the motion pictures, this effect may be particularly emphasized because no art has so quick and so widespread an appeal to the masses. It has become in an incredibly short period the art of the multitudes.

10. The motion picture, because of its importance as an entertainment and because of the trust placed in it by the peoples of the world, has special MORAL OBLIGATIONS. Most arts appeal to the mature. This art appeals at once to every class, immature, developed, undeveloped, law abiding, criminal. Music has its grades for different classes; so has literature and drama. This art of the motion picture, combining as it does the two fundamental appeals of looking at a picture and listening to a story, at once reaches every class of society. By reason of the mobility of a film and the ease of picture distribution, and because of the possibility of duplicating positives in large quantities, this art reaches places unpenetrated by other forms of art. Because of these facts, it is difficult to produce films intended for only certain classes of people. The exhibitor's theatres are built for the masses, for the cultivated and the rude, the mature and the immature, the self-respecting and the criminal. Films, unlike books and music, can with difficulty be confined to certain selected groups.

11. The latitude given to film material cannot, in consequence, be as wide as the latitude given to book material. In addition:

- (a) A book describes; a film vividly presents. One presents on a cold page; the other by apparently living people.
- (b) A book reaches the mind through words merely; a film reaches the eyes and ears through the reproduction of actual events.
- (c) The reaction of a reader to a book depends largely on the keenness of the reader's imagination; the reaction to a film depends on the vividness of presentation.

Hence many things which might be described or suggested in a book could not possibly be presented in a film.

12. Everything possible in a play is not possible in a film:-

- (a) Because of the larger audience of the film, and its consequential mixed character. Psychologically, the larger the audience, the lower the moral mass resistance to suggestion.
- (b) Because through light, enlargement of character, presentation, scenic emphasis, etc., the screen story is brought closer to the audience than the play.
- (c) The enthusiasm for and interest in the film actors and actresses, developed beyond anything of the sort in history, makes the audience largely sympathetic toward the characters they portray and the stories in which they figure. Hence the audience is more ready to confuse actor and actress and the characters they portray, and it is most receptive of the emotions and ideals presented by their favorite stars.

13. Small communities, remote from sophistication and from the hardening process which often takes place in the ethical and moral standards of groups in larger cities, are easily and readily reached by any sort of film. The grandeur of mass settings, large action, spectacular features, etc., affects and arouses more intensely the emotional side of the audience. In general, the mobility, popularity, accessibility, emotional appeal, vividness, straightforward presentation of fact in the film make for more intimate contact with a larger audience and for greater emotional appeal. Hence the larger moral responsibilities of the motion pictures.

14. The sympathy of the audience should never be thrown on the side of crime, wrong-doing, evil or sin. This is done:

- (a) When evil is made to appear attractive or alluring and good is made to appear unattractive.
- (b) When the sympathy of the audience is thrown on the side of crime, wrong-doing, evil, sin. The same thing is true of a film that would throw sympathy against goodness, honor, innocence, purity or honesty.

15. Sympathy with a person who sins is not the same as sympathy with the sin or crime of which he is guilty. We may feel sorry for the plight of the murderer or even understand the circumstances which led him to his crime. We may not feel sympathy for the wrong which he has done.

16. The presentation of evil is often essential for art or fiction or drama. This in itself is not wrong provided:-

- (a) That evil is not presented alluringly. Even if later in the film the evil is condemned or punished, it must not be allowed to appear so attractive that the audience's emotions are drawn to desire or approve so strongly that later the condemnation is forgotten and only the apparent joy of the sin remembered.

(b) That throughout, the audience feels sure that evil is wrong and good is right.

17. If motion pictures consistently hold up for admiration high types of characters and present stories that will affect lives for the better, they can become the most powerful natural force for the improvement of mankind.

18. By natural law is understood the law which is written in the hearts of all mankind, the great underlying principles of right and justice dictated by conscience. By human law is understood the law written by civilized nations.

19. The presentation of crimes against the law is often necessary for the carrying out of the plot. But the presentation must not throw sympathy with the crime as against the law nor with the criminals as against those who punish him. The courts of the land should not be presented as unjust. This does not mean that a single court may not be represented as unjust, much less that a single court official must not be presented this way. But the court system of the country must not suffer as a result of this presentation.

20. Sin and evil enter into the story of human beings and hence in themselves are dramatic material.

21. In the use of this material, it must be distinguished between sin which repels by its very nature, and sins which often attract.

22. In the first class come murder, most theft, many legal crimes, lying, hypocrisy, cruelty, etc.

23. In the second class come sex sins, sins and crimes of apparent heroism, such as banditry, daring thefts, leadership in evil, organized crime, revenge, etc.

24. The first class needs far less care in treatment, as sins and crimes of this class are naturally unattractive. The audience instinctively condemns and is repelled. Hence the important objective must be to avoid the hardening of the audience, especially of those who are young and impressionable, to the thought and fact of crime. People can become accustomed even to murder, cruelty, brutality, and repellent crimes, if these are sufficiently repeated. The second class needs real care in handling, as the response of human natures to their appeal is obvious.

25. The treatment of crimes against the law must not:-

(a) Teach methods of crime.

(b) Inspire potential criminals with a desire for imitation.

(c) Make criminals seem heroic and justified.

26. Out of regard for the sanctity of marriage and the home, the triangle, that is, the love of a third party for one already married, needs careful handling. The treatment should not throw sympathy against marriage as an institution. Scenes of passion must be treated with an honest acknowledgment of human nature and its normal reactions. Many scenes cannot be presented without arousing dangerous emotions on the part of the immature, the young or the criminal classes. Even within the limits of pure love, certain facts have been universally regarded by lawmakers as outside the limits of safe presentation. In the case of impure love, the love which society has always regarded as wrong and which has been banned by divine law, the following are important:

(a) Impure love must not be presented as attractive and beautiful.

(b) It must not be the subject of comedy or farce, or treated as material for laughter.

(c) It must not be presented in such a way as to arouse passion or morbid curiosity on the part of the audience.

(d) It must not be made to seem right and permissible.

(e) In general, it must not be detailed in method and manner.