



## Channel 31 up in the air

**FIVE OF** the six free-to-air community television services have had their access to the sixth channel, Channel 31, extended by more than two years, leaving the Sydney service provider Community Television Sydney still awaiting an ABA decision on access. The ABA's reason for withholding a decision on the Sydney licensee was 'ongoing difficulties with the existing service provider.'

The community television sector has neither permanent spectrum access rights nor any government commitment to permanent licensing. It operates under an open narrowcasting class-licensing regime until the Minister for Communications conducts a legislated review of the television broadcasting industry by June 1997.

Community-based consortia have been gearing up to operate television services on the one remaining high-power UHF channel in Sydney, Melbourne, Brisbane, Adelaide, Perth and Lismore since the ABA temporarily allocated spectrum in 1993. All of them have had shakey starts due to lack of resources and infrastructure. The Sydney consortium has also suffered from an entrenched dispute about Board membership and company operations.

The ABA has not made any public statements defining Sydney's 'ongoing difficulties' nor how it will address them. Without government commitment to community use of the sixth channel the ABA cannot permanently licence services and the Act does not provide for temporary ones. The only power or sanction the ABA has at its disposal is its ability to 'drop through' spectrum for temporary uses. For the sake of the sector and the communities it serves, an appropriate regulatory framework is urgently needed. □ *Barry Melville*

### The Communications Law Centre is pleased to welcome two solicitors on secondment from the Sydney law firm, Corrs Chambers Westgarth



**Cathy Sidoti**



**Philip Breen**

Cathy Sidoti, an intellectual property lawyer with Corrs for the past 4 years. Cathy has a strong interest in the legal and public interest issues surrounding the communications environment, especially defamation, telecommunications and broadcasting. She is providing legal advice to the Centre's clients on a range of issues including defamation, copyright, telecommunications and public interest issues as well as conducting research. Cathy is furthering her involvement in these areas of the law by undertaking a Master of Laws specialising in Information Technology, Communications and Media Law.

Philip Breen, a senior associate at Corrs, holds a Master of Laws in intellectual property and information technology law from the University of London. After practising initially in corporate law he began specialising in intellectual property and technology law in the late 1980s. Philip worked for a period as corporate counsel for IBM Australia and now advises both public and private sector clients in large scale information technology contracts and outsourcing. He is currently assisting the Centre on a pro bono basis in a number of submissions it is making to government. These are the role of social justice and policy in communications law and how the telecommunications access regime should accommodate community broadcasters and other public interest groups.

Corrs is a long established Australia wide firm with expertise in most areas of law. It has a commitment to developing and strengthening its practice in communications law. It has placed a number of its communications law experts on secondment with the Centre on a pro bono basis. The Centre is extremely grateful for its generous assistance.