

# Free-to-air television timebands - a tool to protect children and young people

The Broadcasting Standards Authority as a statutory body must protect children and act in their best interests when making decisions about timebands for television. The Office of the Children's Commissioner supports continuing timebands in New Zealand.

## THE TIMEBANDS ARE UNDER REVIEW

The Broadcasting Standards Authority of New Zealand (BSA) is reviewing the time bands for television content. These time bands define what kinds of programmes (i.e. classified general audience, parental guidance recommended, or adult only) are screened at various times of the day, for the main purpose of protecting children from harmful content. Considering that increasing numbers of people record and view programmes at any time of the day, and some programmes are available online at any time, the utility of time bands is under review. BSA is also reviewing the two classification systems, but we have no position on that aspect.

## THE CHILDREN'S COMMISSIONER PROMOTES CHILD-CENTREDNESS

Under the Children's Commissioner Act 2003, the Children's Commissioner is required to raise awareness and understanding of the United Nations Convention on the Rights of the Child (Children's Convention) and to advance and monitor the application of it by Government.

New Zealand ratified the Children's Convention 25 years ago in 1993. In doing so, the Government agreed to promote, respect, protect and fulfil the rights of all children. It agreed to do this by including these rights in our laws, policies and practices to ensure children are safe, healthy and thriving. Therefore, the BSA, as a statutory body, must protect children and act in their best interests when making decisions about time bands.

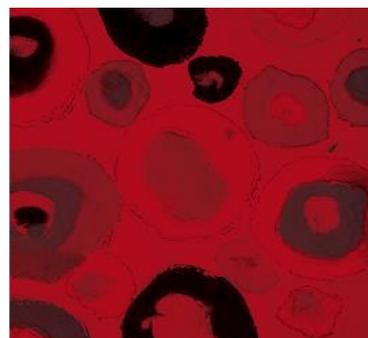
## WE SUPPORT THE TIMEBANDS AS A TOOL IN CHILD PROTECTION WHILE ENABLING THEIR RECREATION AND ACCESS TO INFORMATION

Article 17 of the Children's Convention acknowledges the important function the media plays in both ensuring children have access to appropriate information and also protecting children from information and material injurious to their well-being.<sup>1</sup>

It is clear from the research undertaken by the BSA: "*Understanding timebands within vulnerable communities*"<sup>2</sup> that the time bands, designed originally to protect children, continue to do so in communities with the least resources. While all children in New Zealand have the right to be protected, children in certain communities need extra protection due to the circumstances in

<sup>1</sup> Article 17(e) <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

<sup>2</sup> *Understanding timebands within vulnerable communities, A qualitative study*, December 2017;



The Office of the Children's Commissioner represents **1.1 million** people in Aotearoa New Zealand under the age of 18, who make up 23 percent of the population.

We advocate for their interests, ensure their rights are upheld, and help them have a say on issues that affect them.

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which they live: such as poverty that reduces access to technologies to protect children, or lack of care-givers' understanding of those technologies and consequent reliance on time bands.

Given that time bands are an effective form of protection, that are currently used and needed by families (especially the ones facing the most challenges), it would be a regressive step to remove this television programming protection for children and their families.

The timebands provide protection for children not just in programming, but also in terms of advertising. Advertisements for products, or programmes to be screened in later timebands, should meet the requirements of the timeband in which the advertisement is screened.

## WATCHING TV IS A NORMAL CHILDHOOD ACTIVITY

Children enjoy watching television, to relax, or to learn, or to remain occupied while parents are cooking dinner. They do not want to accidentally come across inappropriate or harmful programmes. In addition, it is a great comfort to parents to allow children to watch television without needing to worry about them being exposed to, or harmed by, inappropriate content. According to the Children's Media Use Study<sup>3</sup>, younger children, and children in disadvantaged communities who don't use the internet, have significant television usage.

If the safety time bands are removed, many parents who currently depend on this service – and children themselves – will not be aware of the risks that channel-surfing could expose them to. The television may be a 'safe' haven of programming, and an option for parents who assume their child's viewing is safe.

## SOME FAMILIES MANAGE VIEWING SAFELY, AND TIMEBANDS FORM A KEY PART OF THAT MANAGEMENT

Some families are better able to manage appropriate content for their children's viewing than others. For example those families who have some of these characteristics are likely to be more able to manage viewing safely:

- actively seek and understand online safety advice (e.g. provided by NetSafe)
- have working remote controls and know how to use the child-safety lock services
- purchase content using commercial service providers and have a good understanding of classification systems
- understand and follow content warnings.

However, there is a level of trust that<sup>4</sup> parents place in what children and young people view, given the increasing time young people are allowed to watch YouTube and other internet content. When that trust is breached (e.g. by the child viewing pornographic content online either by accident or on purpose) parents can find it difficult to know what tools to use to protect their child. Removal of internet access is the easiest response, leaving television as the safe alternative for entertainment.

In fact, it could be a progressive step if the television time band protection for children and young people were to be extended somehow to online content, given the concerns reported recently by NetSafe and Ministry for Women<sup>5</sup> about the extent of digital access and unwanted digital communications including accidentally seeing inappropriate content online. Furthermore,

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<sup>3</sup> *Children's Media Use Study, How our children engage with media today*. BSA and NZ On air. 2015

<sup>4</sup> Ibid. page 11

<sup>5</sup> *New Zealand Teens and Digital Harm, Statistical insights into experiences, impact and response*, June 2018 [http://women.govt.nz/sites/public\\_files/NZ-teens-and-digital-harm\\_statistical-insights\\_2018.pdf](http://women.govt.nz/sites/public_files/NZ-teens-and-digital-harm_statistical-insights_2018.pdf)

a recent publication about online viewing of pornographic material<sup>6</sup> shows that there is the potential for significant harm to children and young people from viewing such material. We await results of a survey by the Office of Film and Literature Classification to find out what young people have to say on this topic.

We understand some commercial applications are available to help parents to manage internet content for their children, but arguably many, if not most, parents do not know how to use those apps.

### **MORE EFFORT TO EDUCATION PARENTS COULD HELP**

We suggest more effort should go in to educating parents, and children, and improving warnings about programmes before purchase and during screening. As a long term goal, warnings should be applicable to all content viewable online through social sites such as YouTube.

All warnings should be audible as well as written on the screen, to help those with low literacy to understand the risks to children. The warnings should be more explicit than they are now, for example explaining why pornographic content is not for children under 18: it is an offence to let them view it, it can cause harm to them through normalising behaviour that they cannot interpret as fantasy, as well as increasing risks of relationship problems including violence.

While we defer to experts as to the nature of labelling, there are long term risks of harm to children that need to be made clear, and there are also potential 'myth-busting' scenarios for which informative labelling can educate people about the risks of harm to children and young people of viewing certain material.

Finally, we think there should be greater public awareness of the importance of maintaining open, non-punitive, safe communication channels for children and young people with trusted adults, so they can talk about any challenging content they see and learn how to critically view programmes.

### **ASK CHILDREN AND YOUNG PEOPLE DIRECTLY**

The Office of the Children's Commissioner notes that there is a paucity of published information about what children's views are on this topic. We think it is important to find out and share the views and voices of children and young people to show how they feel about TV or online programmes, including exposure to content that is not appropriate.

We encourage the BSA and other agencies to consult children and young people, and take account of their views, when considering policies that affect them.

## **1. OUR RECOMMENDATIONS**

- 1. Keep the timebands**
- 2. Do more parent and public education**
- 3. Ask children and young people directly, and consider their views**

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<sup>6</sup> Pearson L, Powell M, Denholm N, Robertson J. *Porn and Young People - what do we know? NZ Youth Stakeholder Survey*. Auckland: The Light Project; 2018. (Provided by Nikki Denholm)