

# BROADCASTING STANDARDS CODEBOOK REVIEW CONSULTATION 2022



## SUBMISSION FORM

Public consultation opens on **25 January 2022** and will close at **5pm on 8 March 2022**. Submissions can be made via our online form at [www.bsa.govt.nz/code-review-consultation](http://www.bsa.govt.nz/code-review-consultation), or by completing the document below and sending it to us by email at [info@bsa.govt.nz](mailto:info@bsa.govt.nz) or by post to: BSA, PO BOX 9213, Wellington 6141

Full name of submitter:	
Email address:	
Contact phone number (optional):	
Town/Region:	

**We're inviting public submissions on the new draft Codebook. In particular, we seek your views on the following:**

### General

1. Is it clearly written? If not, how would you improve it?
2. Is there anything else we could do to ensure it reflects the interests of Aotearoa/New Zealand's diverse community? If so, what?
3. Is the guidance under 'What is needed for my complaint to be 'a formal complaint'?' helpful (Under 'THE BSA COMPLAINTS PROCESS' in the draft revised Codebook)? If not, how would you improve it?

4. The review seeks to 'future proof' broadcasting standards in the face of an evolving media and regulatory environment. However, there are limits to what can be done within current law. Do you have any suggestions for 'future proofing' the Codebook?

### **Simplification/Streamlining**

5. The Radio, Free-to-Air-TV and Pay TV codes have been combined (but with a view to preserving key differences between these codes):

- a. Do you support this?
- b. Do you have any suggestions to improve the Codebook on this topic?

6. The 'good taste and decency' and 'programme information' standards and aspects of the 'violence' standard have been combined into one 'offensive and disturbing content' standard:

- a. Do you support this?
- b. Do you have any suggestions to improve the Codebook on this topic?

7. The 'alcohol' and 'law and order' standards and aspects of the 'violence' standard have been combined into one 'promotion of illegal, dangerous or antisocial behaviour' standard:

- a. Do you support this?
- b. Do you have any suggestions to improve the Codebook on this topic?

### Discrimination and Denigration Standard

8. Recognising the importance of freedom of expression, a 'high level of condemnation, often with an element of malice or nastiness' is generally required to breach this standard. Proposed amendments (guideline 4.2) recognise that 'reinforcing or embedding negative stereotypes' can be enough in some cases. Do you support this and, if not, why?

### Balance Standard

9. Amendments to the balance standard and commentary recognise that, given the current proliferation of media/information sources, balancing viewpoints will normally be available across time, different programmes or different media (such that complaints under this standard will rarely be upheld). Do you support this and, if not, why?

### Accuracy Standard

10. The obligation to correct material errors of fact has been elevated from a 'guideline' to form part of the standard itself. Do you support this and, if not, why?

11. Amendments to the guidelines (guideline 6.1) clarify this standard's potential application with respect to analysis, comment or opinion (ie where facts referred to, or on which such content is based, are misleading). Do you support this and, if not, why?

## Privacy Standard

12. Recognising privacy law developments, guidelines to the privacy standard have been amended to remove the requirement that private information be disclosed in a way that is 'highly offensive to an objective reasonable person'. Factors that might previously have been considered in assessing offensiveness, are considered when assessing the 'reasonable expectation of privacy'. Do you support this and, if not, why?

## Other

13. The BSA is reviewing its policy on third-party privacy and fairness complaints. A draft is set out in Appendix A of the consultation document. Do you have any issues with or suggestions for this policy?

14. The BSA is reviewing its policy on complainant name suppression (as set out in Appendix B of the consultation document). Do you have any issues with or suggestions for this policy?

15. Do you have any other feedback on the Draft Codebook?