

# Litmus Testing BSA Decisions

Broadcasting Standards Authority

Final Report

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# Executive summary

## 1.1 Method

### Research objectives

As part of its statutory mandate, the Broadcasting Standards Authority (BSA) commissions research to inform decision making and the broadcasting standards system. Each year members of the public are invited to 'litmus test' at least five BSA decisions on a chosen topic or standard. The BSA's target for performance is that 75% or more of the participants rank the tested decisions as acceptable, good or very good on a five-point scale, in terms of how well the reasoning is understood by the public and supports the decision outcomes.

The overall objective of this research was to determine whether decisions made by the Broadcasting Standards Authority (**BSA**) are reasonable reflections of the general public's current attitudes – more specifically:

- To understand public attitudes towards the Programme Information Standard and, to a lesser extent, the Children's Interests Standard.
- To identify concerns about the tested broadcasts (if any) and whether the concerns raised in the corresponding complaint matched those spontaneously raised by participants.
- To ascertain whether the participants would have upheld the complaints.
- To examine individual and group responses to the BSA's actual decisions.

### Approach

This research was qualitative in approach and included two qualitative methodologies:

- Four qualitative focus groups; two groups in Auckland (one of older and one of younger participants) and two in Invercargill (one older and one younger). The groups included a mix of gender, ages, ethnicities, those with/without children present in the household and television viewing habits.
- An Online Overtime Focus Group (OOT) was also conducted to provide a more robust total sample of 54 people on which to conduct some quasi-quantitative analysis. The OOT also included a mix of age, gender, presence of children and television viewing habits, but with a greater emphasis on ethnic diversity and provincial/rural representation.

## 1.2 Main findings

### Overall response to BSA's decisions

Participants were shown five clips and asked to record, individually, their responses to key questions, before sharing them with the group. They were then provided with a written summary of the BSA decision and asked to rate the decision on a scale of 1-5, considering the reasoning given by the BSA and the outcome (1 being very poor and 5 being very good). The five clips were:

- Grizzly Tales children's cartoon

- The Night Shift promo for a medical drama
- One News footage of assault on store worker
- Nicki Minaj music video
- Criminal Minds crime drama.

For all five clips, the majority of participants agreed the BSA had made a very good, good or acceptable decision.

For the three clips where the BSA **upheld the complaint** (Grizzly Tales, Nicki Minaj and The Night Shift):

- A clear majority of OOT participants felt the clips had breached the Programme Information standard.
- A clear majority of focus group participants would have upheld complaints made against the Grizzly Tales and Nicki Minaj clips.
- Views were more mixed for The Night Shift; participants noted the clip was very brief and the content less graphic than other broadcast content shown when children were likely to be watching (eg, Shortland Street).

For the two clips where the BSA **did not uphold the complaint** (One News and Criminal Minds):

- A clear majority of OOT participants felt the clips complied with the standard.
- A majority of participants in the focus groups would not have upheld the complaint, though this was by a slim margin for One News, where participants felt the violence was too brutal for the timeslot, despite news being unclassified (it is not required to carry a rating).

However, only 59% apiece (32 out of 54 focus group and OOT participants) agreed the BSA had made a good or a very good decision for One News and The Night Shift – One News, because the level of violence far exceeded what some people were comfortable viewing, and The Night Shift because it was over quickly and the content was not overly explicit.

Overall, the findings from this research indicate that the BSA is making the right decisions from a technical perspective, but the responses from participants suggest that they do not necessarily agree with the standards. Participants were at times concerned about the impact of the application of the standards and guidelines on these cases. For example, participants suggested that, while the news may not be classified, the depiction of graphic and prolonged violence **may not be appropriate** for broadcast early in the evening. Similarly, clips which are fleeting and which allude to, rather than depict, sexual content, **may be okay** to broadcast during a G-rated movie.

## Specific responses

- [Grizzly Tales children's cartoon – BSA upheld the complaint](#)

Overall, the BSA's decision was a reasonable reflection of the research participants' current attitudes.

The clip, while eliciting some bemused laughter from this adult audience, was not deemed suitable viewing for a pre-school audience.

Participants' main concerns were focused on the depiction of torture, dismemberment, decapitation, visual/graphic depiction of body parts, the angry tone, cruelty, abuse and violence towards children.

- Over three quarters of participants (23 out of 29 in the focus groups) would have **upheld** the complaint.
- Over 80% of participants in the OOT (19 out of 23) felt the clip had **breached** the standard.
- 89% of all participants (48 out of 54) agreed the BSA had made a **very good, good or acceptable decision**. 79% (43 out of 54) of all participants agreed they had made a **very good or good decision**.

The few participants who did not agree with the decision, or who did not feel the clip had breached the standard, described it as a harmless and unrealistic fairy tale.

#### ▪ The Night Shift promo for a medical drama – BSA upheld the complaint

**Overall, the BSA's decision, while technically correct, did not wholly reflect the research participants' current attitudes.**

**For some participants, the decision seemed unjustly harsh and conservative when compared with potentially more challenging content broadcast during earlier timeslots.**

Participants in the focus groups were split on whether they would have **upheld the complaint**. Approximately 50% (15 out of 29 in the focus groups) suggested they would have upheld it, due to the content (sexual themes) and the context/timing (during a G-rated family movie).

Those who disagreed felt the promo was very quick, would have gone over children's heads and only alluded to sexual content (the visual depiction was not overly explicit).

Regardless of their personal opinion, over 80% of OOT participants (19 out of 23) felt the clip had **breached** the standard from a technical perspective, on the basis the rating of the promo did not match the classification of the programme it was broadcast during.

83% of all participants (45 out of 54 participants) agreed the **BSA had made a very good, good or acceptable decision** (59% very good or good (32 out of 54 focus group and OOT participants)).

Those who didn't felt the breach was relatively minor and while the decision followed the letter of the law (the requirements of the standard), this had been interpreted in an orthodox way.

#### ▪ One News – BSA did not uphold the complaint

**Overall, the BSA's decision, while technically correct, did not wholly reflect the research participants' current attitudes.**

**Despite knowing the news is unclassified, some participants felt the level and extent of the violence broadcast was unsuitable for this timeslot and that the same result – identifying the attackers – could have been achieved in other, less graphic ways.**

35% of focus group participants (11 out of 31) said they **would have upheld the complaint**, due to the brutal, repetitive and, in their view, gratuitous nature of the violence.

Fifty-five percent (17 out of 31) of focus group participants – **would not have upheld the complaint**; on the basis the news is unclassified, it represents real life and the clip was shown to help to identify and apprehend the attackers.

In the OOT, a much larger majority – 91% (21 out of 23 participants) – agreed the clip had **complied** with the standard (ie, they would not have upheld the complaint).

79% of all participants (42 out of 53) agreed **the BSA had made a very good, good or acceptable decision**. 59% of all participants (32 out of 54) agreed the BSA had made a very good or good decision. Those who didn't, felt the warnings were insufficient and the violence was too graphic and prolonged for the early timeslot.

- **Nicki Minaj music video – BSA upheld the complaint**

**Overall, the BSA's decision reflected the research participants' current attitudes.**

80% of focus group participants (25 out of 31) **would have upheld** the complaint due to the language and graphic sexual content in the video.

The 13% (four participants) who **would not have upheld** it, believed viewers had a responsibility for censoring their viewing, and more so on MTV which was renowned for its challenging content (music videos).

78% of OOT participants (18 out of 23) felt the clip had **breached** the standard.

94% of all participants (50 out of 53 participants) agreed **the BSA had made a very good, good or acceptable decision**. (77% very good or good (41 out of 53 focus group and OOT participants)).

It is noted that even those participants who did not agree the clip had breached the standard or that the BSA had made a very good/good decision did not enjoy the video. Rather, they accepted it was a genuine mistake on the part of the broadcaster or that viewers should exert more caution when viewing this channel.

- **Criminal Minds crime drama - BSA did not uphold the complaint**

**Overall, the BSA's decision was a reasonable reflection of the research participants' current attitudes (though with some differing views).**

**Again, while the BSA's decision was technically correct, some participants criticised the standard itself for being too lenient.**

81% of focus group participants (25 out of 31) **would not have upheld the complaint**, as the warnings and timing of the clip were in keeping with the classification and the standard.

74% of OOT participants (17 out of 23) felt the clip **complied** with the standard; the timing complied with the AO classification and a warning was given.

89% of all participants (48 out of 54 participants) agreed **the BSA had made a very good, good or acceptable decision** (Two thirds very good or good (36 out of 54 focus group and OOT participants)).

Participants who did not agree the BSA had made a good decision, or who would have upheld the decision and felt the clip had breached the standard, disliked the graphic nature of the violence

(including depictions of rape and torture). They felt the warning was insufficient and the programme should have been broadcast in a later timeslot.

## Parental control, filtering and locking technology

Most parents in this research said they take steps to monitor and restrict their children's exposure to inappropriate content, but this becomes increasingly difficult as children get older and more technically 'savvy' than their parents. Also difficult is overseeing children's viewing when there are multiple devices in the home.

Feedback from caregivers suggested broadcasting standards can and do give parents some measure of reassurance regarding the suitability, or otherwise, of programme content.

Filtering and locking technology is being used by some parents but, among others, there is little knowledge and awareness and there are misconceptions and confusion around how this technology works and at whose instigation ie, is it an opt-in or an opt-out process?

These findings suggest more education and information at a general level and about how this technology aligns with broadcasting standards (eg, programme classifications for pay television) may be helpful for parents/caregivers of young children.

## Demographic and regional variations

Findings were consistent across all audiences ***from an analytical or evidence based perspective.***

Participants were asked to base their feedback and decisions on the information provided in the Programme Information and Children's Interests standards and the explanation of the BSA's findings. So, even though participants sometimes personally disagreed with a decision, most could evaluate and respond to it, in the context of whether the clips had breached or complied with the standard(s).

In saying that, older participants tended to be a little more conservative than their younger counterparts and more 'disturbed' by the sexually overt content and bad language in the Nicki Minaj video. Participants across all age groups were equally upset by the violence in the One News item, and the unsuitable content in Grizzly Tales.

Parents and non-parents were equally concerned (or not) about the impact of certain content on young viewers. However, those who did not have children in the household tended to oversimplify the task of censoring or moderating children's viewing, and to place onus strongly on parents to be proactive in regards to their children's viewing. Parents, on the other hand, acknowledged they were responsible but, as mentioned above, were sometimes hard pressed to keep a handle on multiple devices and the vast amount of content available.

There were no demonstrable/statistically significant variations across the different regions (urban/provincial).

## Broadcasting standards and the Broadcasting Standards Authority

Almost all participants were aware of the BSA and most had a general idea of its role and responsibilities. Consensus was the BSA is an important organisation and that it has a difficult job to do in a rapidly changing technological environment and one where the public's attitudes also evolve and change.

None of the participants had made a complaint to the BSA, though some could recall occasions where they believed content had been inappropriate or shown at an inappropriate time.

Participants had little specific knowledge or understanding of the Programme Information or Children's Interests standards, beyond a residual association with classifications (AO, PG, PGR etc), warnings (violence, sexual themes etc) and timebands/time zones. Participants assumed the Children's Interests standard ensured content was suitable for children, but were unaware of the specific requirements.

There is a sense of relief among the participants that the standards exist and there are criteria around content, timebands etc. However, there is also a view that rules can be open to interpretation, so they must be applied fairly and consistently.

## Other observations

While not a key focus of this research, the following observations reinforce findings from previous Litmus Testing research and are relevant in the wider context of the general public's current attitudes:

- There is a heightened sensitivity to material containing potentially sexist or racist content. Some participants felt the Nicki Minaj clip had racist undertones and, while Nicki Minaj portrayed a dominatrix in the clip, this was perceived as demeaning to women by some participants.
- There is an expectation of some degree of self-censorship, including parental control. Criminal Minds was broadcast at 8.30pm and the content was consistent with that genre of programme, while the news is known to contain unpleasant 'real-life' events. Many participants felt viewers should know to exercise caution when viewing these programmes
- The context of the programme and presenter is also an important consideration – participants are aware that some presenters/channels/programmes broadcast challenging content and, in this respect, decisions to watch Nicki Minaj videos, MTV or similar channels or programmes such as Criminal Minds can be made in advance.

# Background and method

## 2.1 Background

As part of its statutory mandate, the Broadcasting Standards Authority (BSA) commissions research to inform decision making and the broadcasting standards system. Each year members of the public are invited to 'litmus test' at least five BSA decisions on a chosen topic or standard. The BSA's target for performance is that 75% or more of the participants rank the tested decisions as acceptable, good or very good on a five-point scale, in terms of how well the reasoning is understood by the public and supports the decision outcomes.

## 2.2 Objectives

The overall objective of this research was to determine whether the BSA decisions are reasonable reflections of the general public's current attitudes – more specifically:

- To understand public attitudes towards the Programme Information standard and, to a lesser extent, the Children's Interests standard.
- To identify concerns about the tested broadcasts (if any) and whether the concerns raised in the corresponding complaints matched those spontaneously raised by participants.
- To ascertain whether the participants would have upheld the complaints.
- To examine individual and group responses to the BSA's actual decisions.

## 2.3 Target audience

The target audience for this research was the general public and included a mix of gender, location, ethnicities, income levels and life stages.

## 2.4 Approach

This research was qualitative in approach and included two qualitative methodologies.

Qualitative focus groups were chosen to enable us to use open-ended interviewing to explore and understand the attitudes, opinions, feelings, and behaviour of individuals or a group of individuals.

However, the **primary limitation** of qualitative research is that, unlike quantitative research, the findings are not statistically projectable to the population under study. This limitation is created by two facts: (1) recruiting is rarely completely representative; and (2) the very nature of qualitative research necessitates small sample sizes.

To (partially) address this, the focus groups were supplemented by an Online Overtime Focus Group (OOT), to provide more statistically robust findings on how well the general public understood and supported the BSA decision outcomes (or not). While an OOT does not provide the same level of engagement and interaction as traditional focus groups, they are a cost-effective and timely way to include a wide range of geographically-spread participants. When the findings from the OOT (15-23 participants answered some or all the questions) are combined with the findings from the four focus groups (31 participants) this provides a more robust sample of 54 people on which to conduct some quasi-quantitative analysis.

## 2.5 Research process

The discussion guides, materials, video clips and question areas were identified and developed in close collaboration between UMR and the BSA.

The full discussion guides for the face-to-face focus groups and the process and questions for the OOT are appended to this document. In summary, each session covered the following key areas:

- Introduction and warm up
- Television viewing; me and my family
- Broadcasting standards (prompted and unprompted knowledge and understanding)
- Programme Information (and Children's Interests) standards (prompted and unprompted knowledge and understanding)
- Individual judgements: Grizzly Tales, The Night Shift, One News, Nicki Minaj and Criminal Minds (in rotated order).

Participants were shown the five clips (listed above) and asked to record, individually, their responses to the following questions, before sharing them with the group:

- What rating/classification would you give this clip? (See Standard 2 Handout for free-to-air/pay television – as relevant). Why?

Free-to-Air TV	Pay TV
G – General	G – General Viewing
PGR – Parental Guidance Recommended	PG – Parental guidance recommended for younger viewers
AO – Adults Only	M – Mature audiences 16 years and over
	16 – People under 16 years should not view
	18 – People under 18 years should not view

- Do you think the clip should carry a warning/advisory?
  - If yes, what should the advisory say?
- Who do you think the clip is suitable for/what age(s)?
- What time do you think it should be allowed to be shown on television?
- Would you use a PIN code/parental lock to prevent children from viewing this clip?
- What were your main concerns, if any, with the clip?
- What part(s) do you think triggered the complaint about Programme Information?
- Do you think most people would agree with you? Or do you think you are different from most?
- If you were the BSA, would you have upheld this complaint? (ie, do you think it breached the Programme Information standard?)
  - I would uphold the complaint – the standard was breached.
  - I would not uphold the complaint – no breach.

Participants were then provided with a written summary of the BSA decision and asked to rate the decision on a scale of 1-5, considering the reasoning given by the BSA and the outcome – 1 being very poor and 5 being very good.

The OOT followed a similar, though slightly scaled down process.

## 2.6 Sample structure

The samples achieved are summarised in the tables following.

### ■ Four x face-to-face focus groups

Group	Location	Demographics	Other Specifications
1	Auckland	45+ years Mix Male/Female	All watched TV; including a mix who watched free-to-air TV, plus some who watched pay TV (SKY) and online/on-demand/streaming video eg, Lightbox, Netflix.  Some with children/grandchildren aged under 8 years, and 8-15 years.
2	Invercargill		
3	Auckland	Under 45 years Mix Male/Female	
4	Invercargill		

### ■ Online overtime focus group

Specification	N=25 (to allow for drop out / incompletes)	
Children in the household	Under 8	6
	8-14	5
	Both	4
	None	10
Ethnicity (more than 25 recruited, to ensure representative)	European	15
	Māori	10
	Pacific Island	5
	Asian	5
TV Viewing	Free-to-Air TV	18
	SKY	11
	Online/on-demand etc	17
Age	Mix under and over 40 years	
Gender	Approx. half male/female	
Location	Mix urban, provincial and rural representation	

## 2.7 Reporting

This report contains the combined findings from the face-to-face **and** online overtime focus groups.

- Where questions were the same, total combined findings are reported.
- Where different questions were asked, these are reported separately.
- Tables containing summarised responses to all self-completion exercises are appended to this document.

## 2.8 Timing

The face-to-face focus groups were held during the weeks commencing 6 February 2017 (Auckland) and 13 February 2017 (Invercargill).

The OOT was live over four days during the week commencing 6 March 2017.

## 2.9 Personnel

The focus groups were facilitated by Alice Kan and Karen Connell – two of UMR's senior and experienced qualitative researchers. The OOT was overseen by Karen Connell and Thomas Butt.

## 2.10 Margin of error

The findings from this research are primarily qualitative in nature. The combined number of face-to-face focus group and online focus group participants was 54 (31 x face-to-face and 23 x online). The margin of error for a sample of n=50 for a general public audience is  $\pm 14\%$  at the 50% level ie, '*For a figure of 50%, there are 95 chances in 100 that the maximum error will be plus or minus 14%*'.

Percentages, where used, are indicative only. Verbatim comments are used to support and explain these as appropriate.

# Main findings

## 3.1 Television, me and my family

Note to Reader:

The litmus testing of BSA decisions represented the bulk of the discussion in both the face-to-face and online focus groups. The findings in this initial section are, consequently, brief. The topics were included primarily as a warm-up or scene-setting exercise, not a comprehensive investigation of participants' television watching habits, or of their knowledge and understanding of the BSA and broadcasting standards.

### 3.1.1 Television and me

As might be expected, participants' television watching habits varied widely, from those who were very selective (who planned, recorded and viewed only the programmes that interested them), to those who professed to 'zone out' and watch anything. In some households, the television is on almost all the time, from when the family gets home from school/work until they go to bed in the evening. Sometimes, it is on in the morning as well and during the day.

TV viewing is still a group/family activity in some households, though technological advances can accommodate individual viewing preferences and choices; it is no longer necessary for all family members to watch the same programme at the same time. In some households, members may be watching multiple programmes on multiple devices simultaneously.

Sports channels, news, current affairs and documentaries were the most popular programmes for focus group participants, while reality television shows, shopping and 'gossip' shows were the least well liked, though some participants did admit zoning out in front of 'trash' television.

*Usually surf between TV1 or TV3 news. Do not have pay TV, so tend to watch free-to-air. Normally watch TV between 6pm to late during week days but as there is very little on TV that I enjoy I surf the channels normally watching HGTV, Choice or Māori TV. (Female/Older/Auckland)*

*I really just hate reality shows. I don't understand the big hoo-ha about it right now. The only one that I used to watch was House Rules but that I would only watch the reveal nights and not anything in between. And it's just to get ideas for my reno. Other than that, I would stick to Better Homes and Gardens for inspiration. (Female/Older/Wellington)*

Other programme genres disliked were those which included graphic, sadistic or gratuitous violence, including abuse of children. Killer Couples and some of the crime dramas (eg, CSI) were mentioned in this context.

Violence in context or as part of a genre was more tolerable for some participants but, for others, any violence was a cue to turn off or switch channels.

*I like watching the CSI things and there is a certain amount of violence with them. But it is the whole package I am looking at there, not so much that I want to be watching it because it is violent but it is the forensics. (Female/Younger/Invercargill)*

Viewers are also using a wide range of mediums to view and download content, from traditional platforms such as free-to-air television, to newer sources including Chromecast, Netflix and YouTube.

*For me Chromecast is far superior. The two are obviously very different things. With SKY, you are stuck with whatever SKY offers. With Chromecast (which I use all the time) it means you can source whatever and cast to your big screen from your phone or tablet. And Chromecast are cheap. (Male/Older/Provincial)*

*I mainly use YouTube and Netflix and some others like these. I never use free-to-air TV or SKY. Normally watch news, documentaries and discussions/interviews. I try to avoid sensational, false news and alternatives truths. Even though these have only recently become popular terms, such rubbish has been around since time began. (Male/Older/Provincial)*

### 3.1.2 Television and my children

Most parents in the research claimed to take steps to try to limit their children's access to unsuitable content, especially for younger children. These included restricted viewing times, channels and programmes and, for some, parental locks and family safety technology. Some parents sat with their children while they watched television, and others researched programmes before choosing what their children were allowed to view.

*Won't watch reality programmes like the Kardashians because it's too much swearing and sex talk but mostly because it's so pretentious. I control the nudity when they are around because that's just really awkward. (Female/Older/Canterbury)*

*I watch free-to-air, SKY and Netflix. I have kids so I have to put pin access on some of the cartoon channels which is frustrating since they are supposed to be for kids but are still not appropriate. (Female/Older/Auckland)*

*They are only allowed to watch the movies we have loaded on the PS3 or the shows on their Netflix account that doesn't need parental pins. Weekend mornings is the same as per what they are allowed to watch. (Female/Younger/Auckland)*

*I check the PG rating for shows before the kids are allowed to watch them and make sure it's for their age. (Male/Younger/Auckland)*

*Yes, I do restrict their TV viewing. I ensure all programmes we watch are rated G. As for movies, I go to IMDB to read up on it before I decide if they are allowed to watch. There is a section in IMDB - Parents Guide. Best thing ever. (Female/Older/Rural)*

What constituted unsuitable material varied from parent to parent and by the age of the child, but violence, swearing, horror and overt sexual themes were most commonly avoided (if possible). Some parents also tried to avoid 'adult' themed or nuanced cartoons and some of the Teen Disney programmes.

*I don't restrict their TV viewing but I do monitor it. I definitely restrict the internet streaming because there is so much rubbish there. (Female/Older/Canterbury)*

*It's not so hard at the moment as our [child] is only three. More difficult is the iPad as she watches things on YouTube (kids unwrapping toys and surprise eggs etc as well as Troll music clips/minions etc). Basically, we don't leave her alone to watch on that. With the TV, she doesn't change the SKY channel so as long as it is Nick Junior it is no problem. We don't let her watch Disney Junior unless it is her programme recorded as the dreadful US teen school shows can come on and even the adverts for them are terrible viewing. We try to limit the amount of screen time per day with varying success. (Male/Older/Rural)*

Some parents were becoming battle-weary though, as they fought to regulate and restrict their 'technically savvy' children's (usually teens') viewing. Parents' experiences are that there are more and more opportunities for children to access objectionable material; the internet (YouTube) was

singled out as being very difficult to regulate. One parent referred to it as 'The Wild West'. Unlike television, and despite attempts by providers to regulate content, there seemed to be little real control over what could be uploaded and viewed.

Also difficult for parents are children who have constant access to the internet via multiple devices, in numerous locations. Some parents feel they are fighting a losing battle and besides taking drastic action – ie, banning access to technology – there was little they could do to avoid their children watching things they would rather they didn't.

This was exacerbated by solo (on device/in bedroom) viewing. In households where children did not have individual devices, it was easier to keep an eye on what was being watched on the family/shared television or computer in a living area, than monitoring teenagers in their rooms.

*We have a pin lock on channels that we don't want the kids watching. Apart from that I find it easy to monitor what they watch on TV but not on Netflix as they will take the tablet into their bedroom when I'm not watching them. I have to always check that they are only watching what I have said they could and not switched to something inappropriate. I think Netflix needs more controls available to parents. (Female/Older/Auckland)*

A couple of participants tried to put a positive spin on this, claiming that, as children would be subject to objectionable material regardless, they were best seeing it at home where parents are present and could explain and put it into context.

### 3.1.3 Filtering and locking technology

While most participants had a residual awareness that filtering and locking technology existed, some had never heard of it and, among other participants, their understanding was slightly muddled. For example, a couple of participants assumed they were required to opt in to watch programmes, rather than opting out by turning on parental controls.

*[How do the rest of you feel about that?] That was the query I had because I couldn't understand that and the filtering technology section. I think that is brilliant. I think it is much better that you have to opt in if you want those programmes. (Female/Younger/Invercargill)*

One participant was surprised she needed a pin number to access a certain channel on pay television, but did not recall setting this up herself.

*So, despite the fact I am an adult and I don't need parental control I still get it blocked from me. So, you actually need to put your PIN number in before you can view that channel. So, you could be watching a film on that channel and then the next film comes up and it has violent content. So, you are watching away and then a message comes up that it has blocked you and the film has started and there is this message that comes up that says if you want to access it you must put your PIN number in. (Female/Older/Auckland)*

*[You talked about using a PIN code – is that filtering technology do you think?] With SKY, you can set channels that you don't want the children to access whether it be DCI Channel or whatever because there are a lot of things on there that aren't suitable for children. But if you can set it so they have to put in a PIN number to watch it. My grandson who is seven has no clue what our PIN number is, when he comes to Nana's it is, can I watch 105, which is the kids cartoon channel. But even the cartoons aren't what they used to be. Bring back Bugs Bunny and Mickey Mouse. (Female/Older/Auckland)*

Some participants who did not have access to pay TV or R18 channels thought that filtering and locking technology was irrelevant to them in a television context, though could see potential in the internet space. In fact, compared with broadcast television, which participants knew was subject to guidelines and regulation, the vast and largely unregulated nature of the internet was of far greater concern.

Parents of younger children tended to be most knowledgeable about this topic and some had taken active steps to set up and use filtering and blocking technology in their homes. Mostly, this worked well and provided a measure of relief and control for parents.

*We absolutely monitor what they are watching. We have pin codes set up on SKY to prevent them accessing anything they shouldn't. Not that they really want to watch actual telly very often; they much prefer Netflix and YouTube. They have their own profiles on Netflix which helps, but my wife or I are generally there to help them choose and there are 'children's' shows I would not let them watch. YouTube is the trickiest one, as it's basically the wild west! We've tried using the 'Kids YouTube' app but the kids only use it when we make them, and would generally choose the standard app. Because of that we only really let them use YouTube when we are able to properly supervise, and help them find suitable content to view. (Male/Younger/Rural)*

*We have a pin lock on channels that we don't want the kids watching. Apart from that I find it easy to monitor what they watch on TV but not on Netflix as they will take the tablet into their bedroom when I'm not watching them. I have to always check that they are only watching what I have said they could and not switched to something inappropriate. I think Netflix needs more controls available to parents. (Female/Older/Auckland)*

One parent had disabled filtering as this had interfered with their own viewing.

*[Has anyone else blocked channels?] We did that on YouTube but then any time we went on the computer we couldn't see anything we wanted to watch. So, we just have to keep an eye on them [the children]. (Female/Younger/Invercargill)*

### 3.1.4 Broadcasting standards

When asked to describe in their own words what they understood by the term 'broadcasting standards', participants' common understanding focused on:

- Guidelines, regulations, rules and limits around content and what can be broadcast at what time of day (timebands/time zones).

Specific topics or issues which participants felt were subject to, or regulated by, broadcasting standards included:

- Language (swearing), sexual themes and content (pornography), animal cruelty, criminal content, offensive content, defamation, indecency, racial and ethnic slurs, false advertising and untruths, bad taste and ethics.

Television was most top of mind but, when prompted, most participants knew radio was also expected to comply with broadcasting standards.

*Keeping television within society standards. (Male/Older/Auckland)*

*A rule that is followed by broadcasters to make sure nothing is played that may be wrong or offensive to the general public. (Female/Younger/Invercargill)*

*The content shown on TV is monitored; somewhat controlled before being on air. (Female/Older/Invercargill)*

*Making sure it is appropriate for time of day and group. (Male/Younger/Invercargill)*

*Acceptable viewing for general public. Limits on porn, language etc. (Male/Younger/Auckland)*

*I have got some of the rules that you might complain about, things like defamation, when they false report. Indecencies you can complain about programmes that show nudity in an*

*early timeslot. Racial slurs like they had on last night and false advertising you can complain about. (Female/Older/Auckland)*

### 3.1.5 Broadcasting Standards Authority

When participants were asked who they thought developed and had oversight of broadcasting standards for television and radio, there was a residual awareness of the Broadcasting Standards Authority across all groups. All participants had seen advertisements inviting viewers to make a complaint. Some participants also commented on the help lines (telephone numbers) which are broadcast after some programmes which contained potentially disturbing content and wondered if this was required by the broadcasting standards.

While specific knowledge differed by individual participant – older Auckland participants being the most knowledgeable – common understanding was that the BSA was there to oversee and field complaints about content on television and, to a lesser extent, radio. Participants' knowledge of the BSA's authority over pay television was hazier. Nonetheless, participants were generally not that interested in the detail; suffice to know the BSA existed and that there was someone overseeing standards.

When participants were read the following description about the BSA, this mainly confirmed their existing knowledge and perceptions:

**Broadcasters in New Zealand have codes of practice and are responsible for maintaining standards in their programmes. The Broadcasting Standards Authority (BSA) is an independent government agency that oversees New Zealand's broadcasting standards and provides the public with a free, independent complaints service. The way the complaints process works is that generally a person must complain to the broadcaster first, and then if they are not happy with the broadcaster's decision, they can have it reviewed by the BSA. The exceptions are privacy complaints and complaints about election programmes, which can be made directly to the BSA.**

*I think it's really good that these standards are in place as it makes it so much easier as a parent. The time controls for programmes works well as then the kids are in bed and not able to accidentally see something that is not appropriate. (Female/Older/Invercargill)*

Misconceptions did exist though:

- Some participants confused the BSA's role with that of the Office of Film and Literature Classification ie, censorship. They suspected the BSA may censor material and/or work with the Censor to do so.
- While none of the participants had made a complaint, most were unaware (until reading the above description) that their first recourse (to make a complaint) was to the broadcaster in question and not to the BSA.

*They don't advertise it like that. They do in one way and it is mainly the SKY programmes I am seeing it on; contact them if you have got exception about anything that appears. So, it does it in that way but it is not really stating to people generally that that is the procedure and that you contact the broadcaster first. That may not gel in people's minds that that is what the procedure is. [Did you know that if you weren't happy with the broadcaster's position then you could go to the next step?] Yes. (Female/Older/Auckland)*

*I think you can complain to the broadcasters themselves as a first line. Then maybe some input from the head censor. (Male/Younger/Auckland)*

There was consensus that the BSA is a relevant and necessary organisation and that it has an important and difficult job to do – in particular, to maintain the balance/differentiation between content which is challenging and may take viewers out of their comfort zone, versus content which has actually breached the standards.

*I think there are more options out there, they have to cover a wide variety of things and like [Name] said there are some facts of life and sometimes people keep themselves away in a little bubble and don't really know what is going on out there and things do need to be brought to people's attention of what some people have had to go through.  
(Older/Male/Auckland)*

### 3.1.6 Programme Information and Children's Interests standards

Overall, participants had little (if any) knowledge or understanding of specific standards and what their role and purpose were. Further, while the BSA name suggested there were a set of standards which it sought to oversee and maintain, views on what these might be were very generic in nature, ie, mainly content related.

Spontaneously, participants associated the Programme Information standard with programme classifications (AO, M, PG, G, etc), warnings (violence, sexual themes, recommended for viewers aged 16 years and over, etc) and times at which programmes could be aired.

Participants suspected the Children's Interests standard ensured content was suitable for children (violence, language, sexual themes, etc), but had no specific knowledge beyond this.

When prompted with information about the Programme Information and Children's Interests standards (see Discussion Guide appended), the information generally confirmed their unprompted expectations ie, at an overall or superficial level. There were a few surprises, however:

- The timebands for some classifications, eg, Adults Only programmes may be screened between midday and 3pm (except school holidays etc).

*Not sure why they allow AO programmes between midday and 3pm as children are likely to see this if not at school due to illness. Mind you I have watched some cartoons and wondered about their content in regards to the G classification where it says 'likely to alarm or distress'. I have had a daughter have nightmares due to such cartoons.  
(Male/Older/Wellington)*

*I think this does cover and protect our children. But I never realised that AO programmes can screen between midday and 3pm. (Female/Older/Canterbury)*

- Some participants were surprised by the 8.30pm (versus 9.30pm) start time for AO programmes.
- The news (as well as sport and live broadcasting) is not classified. This issue was revisited again later in the groups, when participants were asked to view and discuss the One News item; while some participants immediately understood that, as news is not classified, the clip had not breached the Programme Information standard, other participants had to be reminded of this.

*I am surprised that the news, sports and live events don't need classifying.  
(Female/Older/Auckland)*

*I notice that news and current affairs are exempt from classification. I have always maintained that the news should be broadcast much later than its current timeslot. We should not underestimate children's abilities to distinguish between reality and fiction. Furthermore, at 6pm, most families are only just arriving home from work, they are busy*

*cooking or helping children with homework. Most often, the news will be on in the background while parents are busy, and children end up watching TV unsupervised. While I am all for children getting educated about what goes on in the world, some of the news can be very distressing for young children and moving it to a later timeslot is a no-brainer. In most European countries, the daily news is broadcast at 7.30pm or later, which makes sense. It allows parents to finish the daily chores, sort out dinner, attend to the children's homework and put them in bed. I would like to see this happen in NZ. (Female/Older/Rural)*

- Promos have to comply with the classification of the programme in which they are shown. A few participants felt there had been occasions when this had been breached, eg, a promo for cage fighting during the early evening, but were confused about the implication if this had been shown during the news, which is not classified.
- As mentioned, the existence of filtering technology was new for some participants.

### 3.1.7 Making a complaint

All participants were aware they could make a complaint (from seeing/hearing advertising on television or radio) and some had seen the outcomes of decisions in media articles. No one who participated in the research had made a complaint, but some could think of occasions when they felt a standard had been breached due to:

- Graphic and gratuitous violence
- Disturbing content eg, child abuse
- Promos during inappropriate programmes and screening times, as per the cage fighting example above.

*Overall, not that surprising. However, it was interesting to note the comments about free-to-air promos not containing content that could be offensive to children, during their viewing hours. There seems to be a lot of ads that contain sexually suggestive content during times when children are watching TV early during the evening. (Female/Older/Auckland)*

*One thing that I would have if I had been organised and written it down is when they were playing promos particularly at Christmas when there were no ads and they were playing promos for inappropriate programmes in a children's timeslot. I can't remember exactly but I think it was in something like Willy Wonka and they were playing some ad for a programme with prostitution in it and it was coming up frequently. [Which channel was that?] It would have been 1, 2 or 3. So that has annoyed me in the past. (Male/Older/Auckland)*

As the above quotes illustrate, a few participants had been tempted to make a complaint, but had not in the end complained. Their reasons for not making a complaint included:

- Apathy/in the too-hard basket. Participants understood, rightly or wrongly, that complaints had to be made within a certain time limit, you needed to supply detailed information which was not always immediately to hand, and did not know who or where to send the complaint to.
- Some felt there was little point and that the damage had been done. Interestingly, no one commented that complaining about something which had happened in the past, might impact what is shown in the future.
- Some felt it was probably a waste of time as they did not think complaints were often upheld.
- Some had not been that offended or upset at a level which warranted complaining.

- For other participants, there was a strong sense of personal and parental responsibility. They did not feel viewers were forced to watch certain programmes or content and noted it was very easy to turn the TV off.

*I have never tried to complain because it is a big effort to even think about it.  
(Female/Older/Auckland)*

*And you have to log the times, there is quite a bit involved. (Male/Younger/Auckland)*

*And they don't seem to uphold very many complaints according to what I see in the newspaper. I read the newspapers and sometimes the TV channels have had to make apologies on air with the announcers if they defame someone or bad reporting but it is my impression they don't. (Female/Younger/Auckland)*

## 3.2 Response to BSA decisions

Participants were shown five clips and asked to record, individually, their responses to them before sharing them with the group.

Participants were then provided with a written summary of the BSA decision and asked to rate the decision on a scale of 1-5, considering the reasoning given by the BSA and the outcome – 1 being very poor and 5 being very good.

The OOT followed a similar format.

The overall findings from the focus groups and OOT are recorded below. They include a mix of focus group, OOT and combined findings. Breakdowns by group are included in the Appendix.

### 3.2.1 Grizzly Tales – BSA upheld the complaint

#### Key findings – Participants:

- Would have upheld the complaint.
- Felt the Programme Information standard had been breached.
- Felt the BSA decision was very good/good.

#### ▪ The Clip

Rating	Verdict
Rating/classification (Focus Group and OOT)	<b>PGR/PG</b> <ul style="list-style-type: none"><li>• 41 (out of 54 participants) felt the rating should have been PGR/PG.</li></ul>

*PG. After 7pm. I don't think that this should be broadcast at any time where kids might be watching TV on their own. (Female/Older/Invercargill)*

*Is there a PG10? It may be a conservative rating but I didn't realise that was a vacuum cleaner when the crevice tool looked more like a wormy knife. I think kids at 10 wouldn't be as thrown by the narrator's voice and face and the scene of the facial bits being sucked into the vacuum. That part reminded me of Ren and Stimpy. I'm not so sure on time of broadcast but as long as there's parental guidance. Forcibly I'd say 4pm. (Female/Older/Provincial)*

*PG. It's a little bit gruesome and as if kids don't have enough excuses to [not] do house work as it is, being scared the vacuum will suck them up and pull their teeth out is terrifying. I would air this around 7pm or 7.30pm so that the much younger ones would already be in bed and the slightly older ones would catch this. (Female/Younger/Provincial)*

Question	Verdict
<b>Warning (Focus Groups)</b>	<b>Yes</b> <ul style="list-style-type: none"> <li>23 (out of 31 participants) felt the programme should have carried a warning.</li> </ul>
<b>What should the warning be? (Focus Groups)</b>	<ul style="list-style-type: none"> <li>Warning should have included reference to (graphic) violence and inappropriate material, not suitable for younger viewers.</li> </ul>
<b>Age (Focus Groups)</b>	<ul style="list-style-type: none"> <li>All ages older than pre-school.</li> </ul>
<b>Time (Focus Groups and OOT)</b>	<ul style="list-style-type: none"> <li>Late afternoon or evening.</li> </ul>
<b>PIN code/Parent lock? (Focus Groups)</b>	<b>Mixed Views</b> <ul style="list-style-type: none"> <li>15 (out of 28) participants would have used a PIN code or parental lock, 11 would not have and 2 might have.</li> <li>Older participants more likely to use locking technology than younger participants.</li> </ul>
<b>Main concerns (Focus Groups)</b>	<ul style="list-style-type: none"> <li>The use of torture.</li> <li>Dismemberment, decapitation and visual/graphic depiction of body parts.</li> <li>Angry tone.</li> <li>Frightening for young children.</li> <li>Cruelty and violence to children.</li> <li>Betrayal of child.</li> <li>Lack of parental control.</li> </ul>
<b>Parts of the clip which triggered the complaint (Focus Groups)</b>	<ul style="list-style-type: none"> <li>The visuals of body parts.</li> <li>Dismemberment and decapitation.</li> <li>Girl getting sucked into the vacuum.</li> <li>It was frightening for young children.</li> <li>Use of torture.</li> <li>Time shown.</li> </ul>
<b>Would most people agree with you or are you different from most? (Focus Groups)</b>	<b>Yes</b> <ul style="list-style-type: none"> <li>17 (out of 31) participants felt most people would agree with them, 1 disagreed, 5 were undecided and 9 didn't know.</li> </ul>
<b>Would you have upheld or not upheld the complaint? (Focus Groups)</b>  <b>Breached or complied with the Programme Information standard (OOT)</b>	<b>Upheld/Breached</b> <ul style="list-style-type: none"> <li>23 (out of 29 focus group participants) would have <b>upheld the complaint</b> if they had been the BSA.</li> <li>19 participants (out of 23 OOT participants) felt the clip had <b>breached</b> the standard; 4 felt it had complied.</li> </ul>

When asked why, in the BSA's shoes, they **would have upheld the complaint**, most focus group participants felt the clip was too gruesome, scary and inappropriate for a young audience. They also criticised the depiction of a cruel and uncaring mother.

*10-year-olds can understand but a 3- or 4-year-old watching that would freak out. Especially when all their teeth get sucked out. (Female/Younger/Auckland)*

*And you could leave the kids in front of the TV at 7.20am in the morning while you were getting ready for work and shouldn't be worried they are seeing something like that. (Male/Younger/Auckland)*

The 19 OOT participants who felt the clip had **breached** the standard mainly felt that the content was disturbing for younger viewers and that the time it was broadcast was inappropriate ie, when young children would most likely be watching television unsupervised.

*I think there has been a breach here. It would be rare for an animation movie that features such content to carry a G rating these days. Young children will likely find this episode disturbing. The code states that 'context is an important consideration when assessing complaints under this standard.' All the more, a G rating would be unjustifiable, given the implication to little children that if they, like Victoria, misbehave, very bad things like this can happen to them. That menacing approach to disciplining children is truly outdated. (Male/Older/Provincial)*

*Breached – this would have been potentially very scary for young children, and at the time of the day, parents would generally have expectations of cartoons not being offensive or scary. (Female/Older/Canterbury)*

Other participants felt the cartoon had been classified incorrectly, or that it required a warning.

*Does look to have breached the standard as G was not the appropriate classification and the time it was played probably means unsupervised viewing for most kids. (Female/Older/Wellington)*

*Breached. Wrong rating, wrong time. And all before breakfast!! (Female/Older/Canterbury)*

*I think it breached because it showed a child being badly hurt and distressed, without a warning. (Male/Older/Wellington)*

Those who **would not have upheld the complaint** described the clip as a 'fairy tale' and argued that Grimm's Fairy Tales and Roald Dahl stories are as bad or worse and they claimed they could cite numerous examples of inappropriate and unpleasant children's content in history.

*There are a lot of similar things to that like movies but we never watch those, there are mega of them these days. Even Roald Dahl gets a bit gruesome. [Did your kids ever read Roald Dahl?] We read the books. He got the head injuries and his adult books were so gross I couldn't get through them. (Female/Younger/Invercargill)*

The four OOT participants who felt the clip had **complied** with the standard argued that the time that the cartoon was broadcast aligned with its G rating and the content was harmless and unrealistic.

*Complied as it's classified as G so broadcasting at 7.20am is fine. (Male/Younger/Rural)*

*Complied as I gave it a G myself. Whilst not a very nice cartoon I don't think there was any realism to it so it is fairly harmless. I do think it should only be on at a time that older children watch TV though. (Female/Younger/Rural)*

▪ The BSA Decision

Rating	Verdict
<p><b>Rating the BSA's decision on a scale of 1 to 5, where 1 means very poor and 5 means very good</b></p> <p><b>(Focus Groups and OOT)</b></p>	<p><b>Very good/good decision</b></p> <ul style="list-style-type: none"> <li>• 89% of all participants (48 out of 54) agreed the BSA had made a very good, good or acceptable decision.</li> <li>• 79% (43 out of 54) agreed the BSA had made a very good or good decision.</li> </ul>

In the OOT, participants gave the following reasons for rating this as a good decision:

- The clip had an inappropriate classification.
- The clip was scary for (younger) children.
- It was shown at the wrong time.

*I would rate it a 4. I entirely agree with the reasoning as one of the implications of the code as I saw it was that in contrast with PGR, children could watch this G-rated episode. (Female/Older/Provincial)*

*I would say 5. The programme was definitely not G-rated. Some of the episodes in Grizzly Tales are classified as G and some are PG (I think). If so, then broadcasters should be very careful of this. (Female/Older/Rural)*

A couple of participants agreed that the BSA made the right decision, but felt the sanctions for broadcasters for breaching the standard were not tough enough.

*2, they made the right decision, but the lack of penalty makes the ruling meaningless. Basically, every breach that happens and upheld complaint provides guidance to broadcasters. (Male/Older/Rural)*

*If the BSA did not make any order and stopped with merely giving guidance through the decision, what is the disincentive for broadcasters to avoid repeating such a mistake? (Female/Older/Provincial)*

Some participants felt that if the guidelines had been clearer, the breach could have been avoided.

*4 because it's the right decision. Not a 5 because if the standards were clearer this wouldn't have happened in the first place. Wait, I suppose that's not really about the decision. (Female/Older/Canterbury)*

*I give it a 4, because BSA realised their (the broadcaster's) mistake and upheld the complaint. However, I didn't give it a 5 because it could have been avoided. (Female/Older/Rural)*

### 3.2.2 The Night Shift promo – BSA upheld the complaint

#### Key findings – Participants:

- Would have upheld the complaint.
- Felt the Programme Information standard had been breached.
- Felt the BSA decision was very good/good.

#### ▪ The Clip

Rating	Verdict
<b>Rating/classification</b> <b>(Focus Groups and OOT)</b>	<b>PGR or AO</b> <ul style="list-style-type: none"> <li>• 25 (out of 54) participants felt the clip should have had a PGR classification and 23 felt it should have had an AO classification.</li> <li>• Five participants would have given a G classification and one an M.</li> </ul>

*I would give this clip a rating of PGR and air it after 8pm because it depicts people engaging in physical intimacy and mentions sexuality. (Female/Older/Auckland)*

*AO as it appears to contain adult themes. I know the clip says [The Night Shift was screened at] 9pm but I think it should be 9.30 or later. The initial passionate scene is probably not very different from what screens in Shortland Street at 7pm (and that serial gets a PG rating). The subsequent revelation that the male character is gay and the implication of the voiceover referring to coming out will likely escape younger viewers but parents in this day and age should be able to handle any questions in that regard from their children. I would give it a PGR rating but suggest it be screened after 7.30pm (well into PGR time). (Male/Older/Provincial)*

*PGR after 8.30pm. I gave it this classification because it is more suitable mature audience. From that short clip, it showed small parts of adult interaction (sexual content) but not enough to warrant an AO classification. (Female/Younger/Auckland)*

Question	Verdict
<b>Warning (Focus Groups)</b>	<b>No warning needed</b> <ul style="list-style-type: none"> <li>19 (out of 31) participants did not think the clip should carry a warning, 9 thought it should have and 3 didn't know.</li> </ul>
<b>What should the warning be? (Focus Groups)</b>	N/A - most participants misunderstood this question and suggested a rating, not a warning.
<b>Age (Focus Groups)</b>	<b>Mixed views:</b> <ul style="list-style-type: none"> <li>Older participants: 16+.</li> <li>Younger participants: 10-11+.</li> </ul>
<b>Time (Focus Groups and OOT)</b>	Mostly, late evening (8.30pm onward).
<b>PIN code/Parental lock? (Focus Groups)</b>	<b>No</b> <ul style="list-style-type: none"> <li>18 participants (out of 31) would not have used a PIN code or parental lock, 11 would have used one and 2 didn't know.</li> </ul>
<b>Main Concerns (Focus Groups)</b>	<ul style="list-style-type: none"> <li>Sexual, adult themes, inferred sex, nudity and intimacy.</li> <li>Wrong messages to children.</li> </ul>
<b>Parts of the clip which triggered the complaint (Focus Groups)</b>	<ul style="list-style-type: none"> <li>Sexual themes.</li> <li>Semi nudity and undressing.</li> <li>Promo during children's film.</li> <li>Homosexual reference.</li> </ul>
<b>Would most people agree with you or are you different from most? (Focus Groups)</b>	<b>Mixed views</b> <ul style="list-style-type: none"> <li>13 (out of 31) participants thought most people would agree with them and 2 did not think most people would agree with them.</li> <li>Three thought others might do, 4 thought there would be a mix and 8 didn't know.</li> </ul>
<b>Would you have upheld or not upheld the complaint? (Focus Groups)</b>	<b>Mixed views – small majority Upheld/Breached</b> <ul style="list-style-type: none"> <li>15 (out of 29) focus group participants) <b>would have upheld the complaint</b> if they had been the BSA. Older and younger Auckland participants were more likely to uphold the complaint.</li> <li>19 (out of 23) OOT participants felt the clip had <b>breached</b> the standard; 4 felt it had complied.</li> </ul>
<b>Breached or complied with the Programme Information standard (OOT)</b>	

When asked why, in the BSA's shoes, they **would have upheld the complaint**, participants felt the timing and content of the promo was inappropriate, ie, during a family film. A small number of participants also felt the clip should have carried a warning.

*I just thought that it was inappropriate for kids watching a kids' movie to have something like that shown in the middle of their movie. It was really out of context. Maybe their target audience is the parents watching Shrek with their kids. But it was more of a timing thing and I think the content shown was not G-rated. (Auckland/Younger/Female)*

*The standard says regardless of anything that it needs a warning if there is contents not suitable for 14 and under. (Auckland/Younger/Male)*

OOT participants who felt the clip had **breached** the standard also cited the timing and context of the promo. They did not consider the rating of the promo matched the classification of the programme during which it was broadcast.

*I think it would [have] breached as the time when showing it was right in the middle of children watching a rather popular family movie. (Male/Older/Wellington)*

*Since I believe it should have been rated PGR, I would say that the promo BREACHED the PIS [Programme Information standard] because of the sexual material/themes (esp. the passionate kissing scene that involved disrobing). (Male/Older/Provincial)*

*...given the importance of context, TV3 all the more breached the PIS by screening the promo during a popular children's movie at a time when parents understandably would have not felt the need to monitor their children's viewing. (Male/Older/Provincial)*

*Breached. My main concern here is that it was screened during a children's movie. The promo should have been PGR which by definition means it could have been screened at 8pm but I think some consideration should have been given as to what programme was on at the time and whether the audience would have been predominantly children. (Female/Older/Canterbury)*

Those who **would not have upheld the complaint** felt it was very quick and that the promo would have gone over most children's heads. The promo implied rather than showed, explicit sexual content.

*I thought that it was subjective enough. Technically it is not nudity, there was no swearing or violence or drug use. It wasn't what I understand to be a guideline. Obviously, it is not ideal if you want to completely wrap it in cotton wool but most kids would glance over that. Nothing really jumped out. (Auckland/Younger/Male)*

*It just went over the head a bit too quickly. Unless you were paying attention to it. (Auckland/Younger/Male)*

Participants who felt the clip had **complied** with the standard did not think the content warranted an AO classification, especially when compared with other content children are exposed to on a regular basis.

*I don't think the content breached the standard. I don't think it contained AO material as such. (Male/Older/Rural)*

*Easily complied. The promo would be meaningless especially to younger children. Older children see more in women magazines and billboards. What was in the promo must have been a very toned down [version] compared to the actual show. (Male/Older/Provincial)*

One or two participants were not sure whether the standard was breached or not. On the one hand, they felt the content was benign but, on the other, it was broadcast during a family movie.

*Gah. This is difficult. Reading the standard, when it says 'context is important' I guess showing a clip like this during an animated film that a lot of children are meant to be watching, even if it was after 7pm, is a bit dodgy? Also, the standard specifically mentions sexual material as being problematic for kids and I guess I'm out of step here because it didn't seem that sexual to me. I guess it's a breach given the context of the animated film. (Male/Older/Canterbury)*

- The BSA Decision

Rating	Verdict
<p><b>Rating the BSA’s decision on a scale of 1 to 5, where 1 means very poor and 5 means very good</b></p> <p><b>(Focus groups and OOT)</b></p>	<p><b>Very good/good:</b></p> <ul style="list-style-type: none"> <li>• 83% of all participants (45 out of 54) agreed the BSA’s decision was <b>very good, good or acceptable.</b></li> <li>• 59% (32 out of 54) agreed the BSA’s decision was <b>very good or good.</b></li> </ul>

In the OOT, participants gave the following reasons for why they felt the BSA made a good decision:

- The promo was shown when young children were viewing.
- The timing and context of the promo, ie, during a family movie.
- It was a conservative, ‘by the book’ ruling (though the breach was relatively minor).

*4. I felt there was enough sexual activity in the promo to rate it AO and screening it during a kids’ movie makes you wonder what they were thinking. The only PGR I would give my young children is to put my hands over their ears and eyes – you know what they’re like... extremely curious about everything that’s going on. (Female/Older/Auckland)*

*5 – young children shouldn’t have to be exposed to those type of images while trying to enjoy an obvious kids’ movie. My partner and I would have both thought WTF had we seen this during the ad break of Shrek. (Female/Younger/Provincial)*

*I rate the BSA’s decision a 5 as my line of thinking was essentially the same. The breach was relatively minor as the promo was short – in contrast with a full episode. (Male/Older/Provincial)*

Other participants felt the decision didn’t go far enough.

*I have to say 3 on this. The part that I disagree is that they saw the breach as ‘minor’. I would be very upset if my little girls watch that scene. It’s totally inappropriate. (Female/Older/Rural)*

*3 – The breach may be relatively minor but every child and parent’s reaction will be different. You might as well be more conservative with ratings than assume it’s ok. (Female/Older/Provincial)*

Those who rated the BSA’s decision poor felt it was harmless viewing and that the ruling was harsh. However, there was also a view that the promo should have been shown later.

*2 – Compared with violence, danger, distress this is harmless. How many children will not be able to sleep etc because of this? I suspect it is more about parents etc not wanting ‘embarrassing’ questions. Most (especially younger) children would not realise the implications of such kissing or undressing. (Male/Older/Provincial)*

### 3.2.3 One News – BSA did not uphold the complaint

#### Key findings – Participants:

- Were split in terms of whether they would have upheld the complaint.

Nevertheless, they:

- Felt the clip complied with the standard.
- Felt the BSA decision was very good/good.

#### ▪ The Clip

Rating	Verdict
<b>Rating/classification</b> <b>(Focus groups and OOT)</b>	<b>PGR or AO</b> <ul style="list-style-type: none"> <li>• 14 (out of 54) participants felt the clip should have had a PGR classification and 19 felt it should have had an AO classification.</li> <li>• 7 felt it did not need a classification (as news is unclassified).</li> <li>• 3 participants would give a G classification, 1 an MV classification and 3 didn't know.</li> </ul>

*I would have given this an AO rating as the violence shown is truly gratuitous and horrific. As such, it should have been shown outside of G or PGR time but in light of public interest and the request of NZ Police, it could be shown during the regular news bulletin with a suitable advisory, which was the case. (Male/Older/Provincial)*

*AO – I couldn't watch the whole video myself! I think I mentioned this in my previous responses – children know what is real and what is fiction. It is all fine to inform our children of what happens out there in the real world, but this kind of graphic material is unnecessary and could be very disturbing for young children and some adults alike. This should only be broadcast during a late-night edition of the news – after 9pm, or later. (Female/Older/Rural)*

*I agree with your sentiments, that the attack in its prolonged entirety did not need to be screened. It was pretty hard to discern the attackers anyway. In hindsight after posting my comment I think they could have played half of it and then put the entire clip on the news website for those really wanting to see the whole horrible event. (Female/Older/Auckland)*

*None, as a news item. Anytime the news was on. This is real world stuff and it still happens. Everyone, including kids, needs to know this happens and something needs to happen to such thugs. Any censorship is a slippery road. (Male/Older/Provincial)*

Question	Verdict
<b>Warning (Focus groups)</b>	<b>Yes, a warning was needed</b> <ul style="list-style-type: none"> <li>28 (out of 31) participants thought the clip should carry a warning, 2 didn't think it should and 1 didn't know.</li> </ul>
<b>What should the warning be? (Focus groups)</b>	<ul style="list-style-type: none"> <li>Most participants were confused between warnings and classifications and mistakenly suggested the latter.</li> <li>One participant suggested there should have been a warning about violence.</li> </ul>
<b>Age (Focus groups)</b>	Mainly 16+.
<b>Time (Focus groups and OOT)</b>	6pm news slot or later evening news.
<b>PIN code/Parental lock? (Focus groups)</b>	<b>Split decision</b> <ul style="list-style-type: none"> <li>14 participants (out of 31) would not have used a PIN code or parental lock, 14 would have used one, 2 felt it was a difficult decision and 1 didn't know.</li> </ul>
<b>Main concerns (Focus groups)</b>	<ul style="list-style-type: none"> <li>Violence; excessive and unnecessarily long focus on violence.</li> <li>Some had no concerns; it is the news.</li> </ul>
<b>Parts of the clip which triggered the complaint (Focus groups)</b>	<ul style="list-style-type: none"> <li>Level of violence (and assault), eg, constant kicks to the head/boy being beaten up.</li> <li>Excessive and prolonged showing of the clip.</li> <li>Uncensored.</li> <li>Visible faces.</li> </ul>
<b>Would most people agree with you or are you different from most? (Focus groups)</b>	<b>Mixed views:</b> <ul style="list-style-type: none"> <li>13 (out of 31) participants thought most people would agree with them and 2 did not think most people would agree with them.</li> <li>The remainder thought they might do (3), there would be a mix (4) or didn't know (8).</li> </ul>
<b>Would you have upheld or not upheld the complaint? (Focus group)</b>	<b>Not upheld/Complied</b> <ul style="list-style-type: none"> <li>17 (out of 31 focus group participants) <b>would not have upheld the complaint</b> if they had been the BSA, 11 would have upheld it and 3 didn't know.</li> </ul>
<b>Breached or complied with the Programme Information standard (OOT)</b>	<ul style="list-style-type: none"> <li>21 (out of 23 OOT participants) felt the clip had <b>complied</b> with the standard; 2 felt it had breached the standard.</li> </ul>

When asked why, in the BSA's shoes, they **would have upheld the complaint**, some focus group participants felt the clip was very upsetting and said they disliked that the same scene was repeated multiple times. They believed the same result could have been achieved with less focus on the violence, for example, freeze framing on the faces of the attackers. In their view, the violence was gratuitous and overdone.

*It was acceptable. I don't agree with the classification rules around the news. At 6 o'clock you should be able to encourage your children to watch the news to learn about what is happening in the world. (Female/Older/Auckland)*

*I just thought they didn't need to show as much violence as they did. They repeated it sometimes several times. (Female/Older/Auckland)*

OOT participants who felt the clip had **breached** the standard had been disturbed by the level of sustained, repeated and 'gratuitous' violence and worried that it would be disturbing for young children.

*Breach, because they should have stated that children should be supervised or parental guidance recommended, or not recommended for younger viewers. (Female/Older/Provincial)*

*The wording of the warnings was insufficient and saying that it contained 'graphic and violent pictures' was inaccurate. It contained an ongoing scene of cruelty and violence. (Female/Younger/Rural)*

*I still think it was a breach, despite the warning. In fact, I have my reservations about these warnings. A warning in itself may make some people 'curious' and they wonder what will follow. Children feel drawn to something that is banned. If they happen to watch the news unsupervised, they would have seen this video clip. Again, at 6pm many families are busy with cooking and getting ready for the following day. At that time the TV is often playing in the background, and the chance that children sit in front of the TV by themselves is quite big. (Female/Older/Rural)*

Those who **would not have upheld the complaint** explained that it was the news; it was real life. They understood that the news is unclassified, and noted two warnings were issued. They also felt there was a good reason for showing the clip, ie, to identify the attackers and to shock people who might recognise them into acting.

*No I wouldn't just because the news doesn't require a rating and they were within their rights to show that. They did warn people before it was shown and so if you were going to be offended by that then you shouldn't have watched it. They gave the audience the opportunity. And while she was saying that you would have had enough time to change the channel or leave the room if you didn't want to see that. (Female/Younger/Auckland)*

OOT participants who felt the clip had **complied** with the standard explained that news did not require a classification and that the broadcaster issued two strong warnings. A parent, who was aware that the news was not rated, did not allow her children to watch the news because of this.

*No I don't believe it did breach the Programme Information standard since it's clearly stated that the news cannot be rated. The broadcasters were mindful that children would be watching and issued strong warnings of the violence that was about to be shown. I therefore believe that the clip was in compliance with the PIS. (Female/Older/Canterbury)*

*I don't think it breached the standard as news doesn't require a classification and they gave two content warnings. I may have preferred it to be on later in the night but I have no horse in this race as I never watch TV news anyway! (Male/Older/Provincial)*

*I think it complied as the warnings were very clear. As a parent, we don't allow our kids to watch the news yet. We record it and watch it later as we understand that it will have content that we don't want them to see and that is fine. If they had been watching it with us we could have easily turned it off when the warnings were broadcast. (Male/Younger/Provincial)*

▪ The BSA Decision

Rating	Verdict
<p><b>Rating the BSA’s decision on a scale of 1 to 5, where 1 means very poor and 5 means very good</b></p> <p><b>(Focus groups and OOT)</b></p>	<p><b>Very good/good decision</b></p> <ul style="list-style-type: none"> <li>• 79% of all participants (42 out of 53) agreed the BSA’s decision was <b>very good, good or acceptable.</b></li> <li>• 59% (32 out of 54) agreed the BSA’s decision was <b>very good or good.</b></li> </ul>

In the OOT, participants gave the following reasons why they felt the BSA made a good decision:

- There were two warnings given.
- One News followed the guidelines.
- It was the correct judgement.
- It is the news.

*After reading the bullet points, I think it complied. There was a warning at the beginning of the show about what was coming up – that it contained graphic and violent pictures. (Female/Younger/Auckland)*

*I rate the decision a 5. I was impressed that the BSA pointed out the time lapse of 16 seconds between the start of the video and the onset of violence in the footage – surely ample time for attentive child-minders to take necessary action as the BSA points out. Viewers cannot assume that since the news appears in 'G' time, its content should automatically qualify for a G rating. (Male/Older/Provincial)*

*Five. I think the decision is unassailable based on the standard, particularly since the search for the attackers was still on (unless you argue that 16 seconds isn't very long to change channels!). (Female/Older/Wellington)*

Some people felt the clip complied with the standard, but had reservations about the repeated and graphic nature of the violence and the time of broadcast during early evening.

*4 – I think it was correct but perhaps should have noted that they did not need to play the full clip. (Female/Younger/Rural)*

*Does not seem to have breached the standard because it was news, however, as per previous comments, there wasn't any need to play the entire clip of the assault. They should have described what happened without being graphic and concentrated on identifying the scumbags. (Female/Older/Canterbury)*

Participants who did not think it was a good decision felt the warnings were insufficient and the violence was too graphic and lengthy for the timeslot.

*2 – I feel that the broadcast did not make it clear that children should not watch unsupervised and the length of the clip was unnecessary for 'identification' purposes for the 6pm airing slot. A clearer signal to parents to supervise their children should have been made and the length of the clip should have stopped at the part when the victim was slumped on the ground getting his head kicked in. The full-length clip should have been played on the late-night news and the link to it made available on the news website. (Male/Older/Wellington)*

### 3.2.4 Nicki Minaj – BSA upheld the complaint

#### Key findings – Participants:

- Would have upheld the complaint.
- Felt the Programme Information standard had been breached.
- Felt the BSA decision was very good/good.

#### ▪ The Clip

Rating	Verdict
Rating/ classification (Focus groups and OOT)	<b>18+ (or 16+)</b> <ul style="list-style-type: none"> <li>• 23 (out of 47) participants felt the clip should have had an 18+ classification, 10 would have given it a 16+ classification and 11 an M.</li> </ul>

*Okay, first off that was awful to watch and listen to – EVERYTHING. Hated the styling of outfits & the lyrics were deplorable and aggressive. I would give this a rating of AO and it would be aired after 9.30pm because of the vulgar language both the words and the meaning of the songs along with the fem-dom attire/scantily clad singer. (Female/Older/Auckland)*

*I would have given it an 18 and screened it after 9pm. However, I don't think this should be on TV at all, it is both offensive and inappropriate in quite a few ways especially given it is aimed at a younger audience. I wouldn't want my teenage children watching this sort of video. (Female/Older/Provincial)*

*This should be for those over 18 only. It had content, language and sexual messages that may offend. I wouldn't have broadcast it at all but late in the evening only. (Female/Younger/Rural)*

*18 if I understand the way it should be classified correctly, I struggled to watch clip as I found the language quite disgusting. And I would [have] broadcast it after 10pm and before 5am. (Male/Older/Wellington)*

*But, maybe better to see it at home... They (children) are going to see it anyway. Some other child in the playground will show it to them on their phone. Is it not better that you see it with them, and explain it to them? I agree it is awful. (Male/Older/Provincial)*

Question	Verdict
<b>Warning (Focus group)</b>	<b>Yes, a warning needed</b> <ul style="list-style-type: none"> <li>All (31 of 31) participants thought the clip should carry a warning.</li> </ul>
<b>What should the warning be? (Focus groups)</b>	<ul style="list-style-type: none"> <li>Sexual content.</li> <li>Violence.</li> <li>Language.</li> </ul>
<b>Age (Focus groups)</b>	18+
<b>Time (Focus groups and OOT)</b>	N/A (no timebands on pay television).
<b>PIN code/Parental lock? (Focus groups)</b>	<b>Yes</b> <ul style="list-style-type: none"> <li>30 participants (out of 31) would have used a PIN code or parental lock; 1 said it depended.</li> </ul>
<b>Main Concerns (Focus group)</b>	<ul style="list-style-type: none"> <li>Language.</li> <li>Imagery/S &amp; M clothing.</li> <li>Sexual, adult themes; language and actions, eg, crotch grabbing.</li> <li>Sexual violence.</li> <li>Racial offence.</li> <li>No music value/weird rap.</li> </ul>
<b>Parts of the clip which triggered the complaint (Focus groups)</b>	<ul style="list-style-type: none"> <li>Language; F word and lyrics.</li> <li>Message.</li> <li>Sexual/adult themes; Nicki Minaj's body.</li> <li>Sexual violence.</li> <li>Background (Chris Brown's eyes).</li> <li>All of it!</li> </ul>
<b>Would most people agree with you or are you different from most? (Focus groups)</b>	<b>Yes</b> <ul style="list-style-type: none"> <li>23 (out of 29) participants thought most people (parents) would agree with them.</li> <li>Four participants didn't know and 2 thought there would be a mix.</li> </ul>
<b>Would you have upheld or not upheld the complaint? (Focus groups)</b>  <b>Breached or complied with the Programme Information standard (OOT)</b>	<b>Upheld/Breached</b> <ul style="list-style-type: none"> <li>25 (out of 31 participants) <b>would have upheld the complaint</b> if they had been the BSA, 4 would not have upheld it and 2 didn't know. <ul style="list-style-type: none"> <li>18 participants (out of 23) felt the clip had <b>breached</b> the standard; 3 felt it complied and 2 didn't know.</li> </ul> </li> </ul>

When asked why, in the BSA's shoes, they **would have upheld the complaint**, participants felt the clip was very offensive. Specifically, the language (F word and lyrics) were shocking and confronting and the content – sexual violence and torture – was upsetting and made some people uncomfortable.

*You pretty much had everything that could go wrong going wrong with it. There wasn't even real words it was just every word was a swear word. It was racist, there were people's faces that looked like they had been in fights or mauled by a dog.  
(Auckland/Younger/Female)*

OOT participants felt the clip had **breached** the standard for multiple reasons. These included the sexual content/themes, swearing, and the incorrect classification (which meant filtering/locking technology would not have worked).

*Breach, this type of content is not suitable for people between the ages of 16 and 19. The only way this would be acceptable to play at 6.50pm with an M rating is if the expletives were dubbed over. The scantily clad singer is less of an issue, but when combined with the lyrics I feel it is inappropriate to not be anything less than AO. (Male/Older/Rural)*

*Breached – I think 16 is too young and 6.50pm too early. I wish MTV would show some discretion and not show these sorts of music videos. I actually found it difficult to watch and couldn't wait for it to end. I find it frustrating that I cannot let my kids watch MTV despite their love of music because these sorts of videos come up and I have to end up turning it off. (Female/Older/Canterbury)*

Those who **would not have upheld the complaint** felt that, as the clip was shown on pay television, viewers and subscribers had more personal responsibility to censor their viewing. A couple commented that they felt the clip was in keeping with the content on MTV and that Nicki Minaj is renowned for her certain style and content, ie, this clip was somewhat par for the course.

*The channel it was on was a music channel and they are all like that and this is the genre of American music and they all talk about niggers and use four letter words. That is what they are all about. You hear them on the radio. (Male/Older/Rural)*

Participants who felt the clip **complied** with the standard noted the clip was broadcast on pay TV which has filtering available, was classified MC and had a content warning. This did not mean they were necessarily happy with the content, however.

*Complied – if it's classified as MC then I guess 6.50pm is ok. (Male/Older/Provincial)*

*I don't think it breached since it was on pay TV which has filtering available, was classified M and had a content warning. One could argue that Minaj breached common decency by having... Chris Brown in her video but that's something to take up with her I suppose. (Female/Older/Wellington)*

## ▪ The BSA Decision

Rating	Verdict
<p><b>Rating the BSA's decision on a scale of 1 to 5, where 1 means very poor and 5 means very good</b></p> <p><b>(Focus Groups and OOT)</b></p>	<p><b>Very good/good decision</b></p> <ul style="list-style-type: none"> <li>94% of all participants (50 out of 53) agreed the BSA's decision was <b>very good, good or acceptable.</b></li> <li>77% (41 out of 53) agreed the BSA's decision was <b>very good or good.</b></li> </ul>

In the OOT, many participants agreed the BSA had made the right decision, but also felt that the punishment did not match the crime. Their view was that the Nicki Minaj clip was a serious breach of standards which should have received a more severe penalty; the broadcaster had gotten off relatively lightly. This reasoning had also encouraged some participants to rate the decision 'Acceptable' (rather than good or very good) because they expected the broadcaster to have to pay greater reparations as a result of the decision.

5 – *The clip was just too disturbing on many levels so I agree with the BSA's decision to fine the broadcaster for the classification error. (Female/Older/Rural)*

4. *I think the BSA made a good decision by upholding their broadcasting standards. (Female/Older/Canterbury)*

3 – *I am glad they upheld the complaint but the penalty should have been more severe. \$1,500 hardly seems much of a deterrent. (Female/Younger/Auckland)*

*Yes, the wrong classification meant that PIN lock did not appear as would have been filtered through for younger viewers to watch. (Male/Younger/Rural)*

4, *I agree – I guess mistakes do happen but care must be taken. \$1,500 is not a lot to these big companies but at least it is a slap on the wrist. (Female/Older/Rural)*

Some participants did concede that the broadcaster had made a **genuine mistake** and that this had a knock-on effect with regards to parental controls/filtering technology not working.

*It is hard to see how the BSA could not have upheld the complaint. What's more, the broadcaster itself agreed it was at fault and that the error of MC instead of 16LC had caused a ripple effect (ie. the filtering did not work). The fine seems trivial given that MTV is a pay channel. I rate the decision a 4 (and not a 5) for that reason. (Female/Older/Provincial)*

*I think the Grizzly Tales breach was worse than this one and should have had a higher penalty than the one given here, which was an error rather than intended rating. (Male/Older/Rural)*

Participants who did not think it was a good decision still agreed the content may offend.

### 3.2.5 Criminal Minds – BSA did not uphold the complaint

#### Key findings – Participants:

- Would not have upheld the complaint.
- Did not feel the Programme Information standard had been breached.
- Felt the BSA decision was very good/good.

#### ▪ The Clip

Rating	Verdict
<b>Rating/classification</b> <b>(Focus groups and OOT)</b>	<b>AO</b> <ul style="list-style-type: none"> <li>• 50 (out of 53) participants felt the clip should have had an AO classification.</li> <li>• Two participants would have rated the clip PGR and, 1 participant, M15.</li> </ul>

*I would say AO and should only broadcast after 9.30pm. Graphic violence is the main reason I gave that classification. (Male/Younger/Auckland)*

*I would have made that clip AO and shown it after 8.30pm because the clips of the captive and eventually murdered/burned teens are really quite disturbing along with the horror-movie strings. (I'm sure there are older kids who could handle it being classified PGR but for mine, aged five and seven, that would definitely be too much.) (Female/Younger/Rural)*

*I would expect this to be an adult only episode and be broadcast later in the evening. There was violent content, graphic descriptions, people in pain and distressed, there was dangerous illegal and antisocial behavior. (Female/Older/Rural)*

Question	Verdict
Warning (Focus groups)	<b>Yes, a warning</b> <ul style="list-style-type: none"> <li>24 (out of 31) participants thought the clip should carry a warning.</li> <li>Four did not think it would carry a warning and 4 didn't know.</li> </ul>
What should the warning be? (Focus groups)	N/A – most participants misunderstood this question and suggested a rating, not a warning.
Age (Focus groups)	<b>Mixed Views, but 16/18+</b> <ul style="list-style-type: none"> <li>13 participants (out of 31) felt this clip was suitable for viewers aged 18+, and 9 felt 16+.</li> <li>Four participants suggested AO, 1 no minimum age and 4 didn't know.</li> </ul>
Time (Focus groups and OOT)	8.30pm onwards.
PIN code/Parental lock? (Focus groups)	<b>Yes</b> <ul style="list-style-type: none"> <li>24 participants (out of 31) would have used a PIN code or parental lock; 6 would not and 1 didn't know.</li> </ul>
Main concerns (Focus groups)	<ul style="list-style-type: none"> <li>Violence; graphic and gratuitous.</li> <li>Sexual violence and assault.</li> <li>Visuals and graphic images/portrayals of the victims/suffering of the victims/torture/dead bodies.</li> <li>Upsetting to viewers.</li> <li>Illegal activity, eg, drug taking.</li> </ul>
Parts of the clip which triggered the complaint (Focus groups)	<ul style="list-style-type: none"> <li>Violence.</li> <li>Drug dealing/taking (illegal activity).</li> <li>Visuals; graphic portrayal of victims; injury, fear, gagging and torture.</li> <li>Gun barrel pointing at the screen.</li> <li>Time shown (too early).</li> </ul>
Would most people agree with you or are you different from most? (Focus groups)	<b>Yes</b> <ul style="list-style-type: none"> <li>17 (out of 29) participants thought most people (parents especially) would agree with them.</li> <li>8 participants didn't know, 3 thought maybe and 1 didn't agree.</li> </ul>
Would you have upheld or not upheld the complaint? (Focus groups)  Breached or complied with the Programme Information standard (OOT)	<b>Not upheld/Complied</b> <ul style="list-style-type: none"> <li>25 (out of 31) focus group participants <b>would not have upheld the complaint</b> if they had been the BSA, 4 would have upheld it and 2 didn't know.</li> <li>17 (out of 23) OOT participants felt the clip <b>complied</b> with the standard; 4 felt it breached the standard and 2 didn't know.</li> </ul>

When asked why, in the BSA's shoes, they **would have upheld the complaint**, participants commented on the graphic content, namely torture and rape. These participants tended to dislike all violence.

OOT participants who felt the programme had **breached** the standard did not feel the warning or advisories were sufficient for the level and nature of the violence. They were also uncomfortable with the 8.30pm timeslot.

*I believe the clip BREACHED the PIS because although the content was screened in the AO time zone (8.30pm), the advisory that was issued was highly inadequate. There is violence and there is violence. The violence associated with gunning down adversaries using an AK-47 is one thing (it is the staple of ever so many video games and even young children would be inured to it by now); the violence associated with this clip is quite another – as it is not so much physical violence but (somewhat) implied violence that is accentuated by sadism and extreme psychopathy. Maybe the advisory should have included a reference to horror in addition to violence. (Male/Older/Provincial)*

*Breached. I feel that it breached the standards purely because it was shown at 8.30pm and as there are still younger viewers at this time then it should have been shown at 9.30pm given its disturbing content. It does state that caution should be taken during this transition time [moving into the AO timeband] and I don't think that screening it at this time is showing any caution. (Female/Younger/Provincial)*

Those who **would not have upheld the complaint** felt the warnings and timing of the programme were in keeping with the standard. There was also a view that this type of content was commonplace and consistent with this genre of programme. In fact, a couple felt the content was rather tame when compared with some other programmes broadcast.

*I am surprised seeing clips like that, there are a lot of others, Walking Dead for example, Sons of Anarchy that have showed way worse than whatever that was. (Male/Younger/Auckland)*

*The rating was correct. Adults Only. [Broadcast at 8.30pm?] Yes. (Male/Younger/Auckland)*

*Every single episode of that programme is like that. (Male/Younger/Auckland)*

Participants who felt the clip had **complied** with the standard noted that the time of broadcast complied with the AO classification and a warning was given. Some still felt the clip should have been broadcast later, though.

*Complied – they marked it AO as did I and although a half hour earlier than I would prefer it be played they still fall in between the broadcasting standards that have already been set. (Female/Younger/Provincial)*

*It complied. It was classified AO, with a warning, and shown at the right time according to the standard. (You could argue that it should have been shown later in the night, I suppose, but it still followed the standard by being shown at 8.30pm.) (Male/Younger/Canterbury)*

*I think the clip was in compliance with the Programme Information standard. There was violent and sexual content so I feel it was appropriately classified as AO and the audience properly informed that it contained violence. It was also screened at 8.30pm which is supposed to be after bed time for children. (Male/Older/Canterbury)*

However, there were some participants who, while accepting that the clip complied with the standard, were critical of what they perceived as the inadequacy of the standard itself.

*Complied. But only because there are only 3 ratings and it absolutely did not fall into the general or PG category. (Female/Older/Canterbury)*

*It clearly did not breach the free-to-air standard but the standard seems inadequate for this type of programme. (Female/Older/Wellington)*

- The BSA Decision

Rating	Verdict
<p><b>Rating the BSA's decision on a scale of 1 to 5, where 1 means very poor and 5 means very good</b></p> <p><b>(Focus group and OOT)</b></p>	<p><b>Very good/good decision</b></p> <ul style="list-style-type: none"> <li>• 89% of all participants (48 out of 54) agreed the BSA's decision was <b>very good, good or acceptable.</b></li> <li>• Two thirds of all participants (36 out of 54) agreed the BSA's decision was <b>very good or good.</b></li> </ul>

In the OOT, participants who agreed the BSA had made a very good/good decision felt this was because:

- The decision followed the guidelines.
- The programme was shown at the correct time.
- It had the correct classification.
- The BSA's reasoning was clear.

*4 – As their reasoning is clear and I accept that the reasoning relates to the standards. Didn't say 5 because I still think it was broadcast too early and although it didn't actually show the violence it was certainly implied and did show people in distress. (Female/Older/Rural)*

*5 – I totally agree. I wouldn't watch it, and I certainly wouldn't let my kids watch it but the pre-broadcast warning was there and it was broadcast at a time set out in the code so I don't really see what else you could say. (Male/Younger/Provincial)*

*I think the decision was 4, based on the rules around this, and was what BSA are working with and basing their decision on. (Female/Older/Canterbury)*

*3 – I think it should be broadcast at 9.30pm but since the classification was removed... 8.30pm is ok. (Male/Younger/Rural) [Note: The standards previously also contained an additional classification of AO 9.30pm for stronger adult content, which broadcasters were expected to consider when scheduling AO material.]*

One participant agreed that the decision was a good one, but disagreed with the standard itself; she did not feel the standard was strict or strong enough.

*I think that the rules are not strict enough around this, and that there should still be an AO 9.30pm bracket. (Female/Older/Wellington)*

Another participant felt it was a good decision because it was an adult programme and it was the responsibility of parents to ensure their children did not watch it.

Participants who did not think it was a good decision were concerned the content would affect young children and were worried children might be subject to unsuitable content. A number agreed that the rules (standards) were not strict enough.

2 – I can definitely see the reasoning behind the decision and that it was within the rules but as a parent I feel that this isn't really good enough. 8.30pm is just too early for such content. It may not have been graphically violent but sometimes this sort of implied violence and torture is just as bad if not worse. (Female/Younger/Rural)

I think I would rate their decision 3. While they adhered to the standard could they not [have] made a recommendation that in future when programmes seem a little graphic that programmers should err on the side of caution and broadcast later. (Male/Older/Wellington)

### 3.2.6 Is the BSA making the right decisions?

In the OOT, participants were asked if they felt the BSA was generally making the right decisions. The consensus across nearly all participants was 'yes' the BSA is making the right decisions. Some participants also noted how important it was that the BSA existed and that it is in touch with public expectations. Others repeated that the BSA had a difficult job, treading a fine line between censorship and political correctness, and keeping the broadcasters in line.

Yes, I think generally they made the right decisions and having read other people's comments to the other questions I think other people would think the same. I think it is important that there is a group such as the BSA to be a 'watchdog' and that they must remain in tune with public expectations. The public have always got a choice about what they watch and can turn the TV off at any time – and maybe we need to do that a bit more. (Female/Older/Rural)

I think the BSA gets it mostly right. It is interesting that none of these complaints is about a programme being given a more restrictive rating than needed. The BSA has to walk a rather fine line and moderate between laxness on the part of broadcasters and political correctness/censorship from some complainants. (Male/Older/Provincial)

BSA should work more closely with the broadcasters and give more conservative ratings with programmes. It's better to be safe, than under-rate them... generally they have been in the middle. (Older/Female/Provincial)

I really don't want NZ to be a country where things are censored and scenes cut because some board is making decisions for everyone else. Visited a country once where Justin Timberlake's [song] Future Sex/Love Sounds had the word 'sex' beeped out. Thought it was hilarious – but on the serious note, it's really too much and making simple things like these taboo. Don't think NZ would become a country like that though (I hope not!). Basically, too much control by some authority is no good but more information on programmes would be really helpful so that individuals can make informed decisions. (Female/Older/Rural)

I think the BSA does a good job. There can be some difficult decisions where the answer isn't always clear cut, but I think they do a good job. (Male/Younger/Rural)

I believe they are making the right decisions. Taking every complaint and ensuring that the broadcasting standards are met and upheld. (Female/Younger/Auckland)

It seems that every complaint is looked into quite thoroughly and based on case by case. Then an answer is given as to why the complaint was upheld or not, which gives a better understanding to the complainant. (Female/Younger/Auckland)

One participant praised the BSA for their visibility and accessibility.

*Agree, and I do like that the... contact details [for making a complaint] are frequently advertised on TV to remind viewers they can lodge a complaint and viewers' experiences are valued. (Male/Younger/Provincial)*

While the findings in this survey, including the comments above, suggest that the BSA is valued and that their decision making generally aligns with the standards and the NZ public, other findings suggest that there are wider issues to consider than whether the BSA's decisions are correct. Specifically, some participants were of the view that, **while the decisions were right based on the standards the BSA is working with, it is the standards themselves that might need to be reassessed going forward.**

*In all but one instance of complaints do I feel the BSA made a well thought out and satisfactory ruling. I am surprised that the news does not carry a rating and broadcasters need to be especially mindful as this is usually the one thing that is consistently viewed in households on a daily basis. (Male/Younger/Canterbury)*

*Yes, I think they are. Well it goes along with how I read the regulations. Maybe if people have a problem with the way the BSA see things they need to look at the rules and decide if the rules need changed. (Female/Younger/Provincial)*

*Yup, in my view I think that the BSA generally makes the right decision based on the current standards. The current standards are quite basic though, especially for free-to-air TV. Perhaps a review on the current levels? More levels could allow viewers to make better decisions about the content of programmes. Plus, programme timings. Some programmes are pretty high level AO programmes but some are just mild, but all are in the AO category. Perhaps the ones that are mild would be aired earlier on and then sort of 'ease into' the more explicit ones. Though this should really be a guideline. (Female/Older/Rural)*

*I'd also note that I'm far less concerned about sexual content or swearing than I am about cruelty or violence, and it's a bit odd that all of these things are lumped together in the standard, but that's the society we have I suppose. (Male/Older/Provincial)*

*For the most part I feel the BSA is doing a good job at assessing complaints and ruling accordingly within the scope of the legislation. (Female/Older/Wellington)*

The issue of adequate sanctions or penalty was also raised, in particular during the Nicki Minaj music video discussion, where some participants did not feel a \$1,500 fine was a fair reflection of the breach committed.

*Yes, I do think it's generally making the right decisions. I might quibble over the extent to which they enforce the decisions but given what the standards are I think they do a good job of keeping children's interests in mind. (Male/Older/Wellington)*

*I am glad they upheld the complaint but the penalty should have been more severe. \$1,500 hardly seems much of a deterrent. (Female/Younger/Auckland)*

*I guess mistakes do happen but care must be taken. \$1,500 is not a lot to these big companies but at least it is a slap on the wrist. (Female/Older/Rural)*

One participant did not think the BSA were making the right decisions '**ethically**', even if they were making them in the context of the standards, which this person believed were not strict enough.

*Based on the limited number of video clips we have viewed and analysed, I would say that BSA often gets it wrong, and that too many programmes with potentially distressing content are shown at times when young viewers could be exposed. I voted 'breached' 4 times out of 5, so that supports my argument that BSA gets it wrong far too often, but one would have to see the statistics of all complaints and how many of them are being upheld. In general, I think there is a tendency of society in general becoming complacent towards violence,*

*bad language and sex on TV. I would not have watched what children are exposed to today. But societies evolve and what was taboo yesterday, is acceptable today. The internet has 'normalised' negative behavior, bullying, aggressive language, sex, etc and even if with a strict, correct, well-intended rating system to control the viewing of TV programmes. Our young people will find 'banned' content on their phones or other devices when mum and dad are not watching. So, that puts the entire rating system in perspective. As parents, we can only do our best and set the right example. What our children do with that guidance is up to them. (Female/Older/Rural)*

# Appendix

## 4.1 Detailed findings by group

- Grizzly Tales

Group	Younger - Auckland	Older - Auckland	Younger - Invercargill	Older - Invercargill	Online Overtime Focus Group	Overall
<b>Rating/ Classification</b>	PGR - 6	PGR - 4 AO - 3 G - 1	PGR - 6 PGR/G - 2 G - 1	PGR - 5 AO - 3 G - 1	G - 3 PG10 / PG - 7 PGR - 11 AO - 2	<b>PGR</b>
<b>Warning</b>	Yes - 6	Yes - 5 No - 1 Maybe - 1	Yes - 7 No - 1	Yes - 5	NA	<b>Yes</b>
<b>What should advisory be?</b>	PG - 2 PGR - 1 May scare younger viewers - 1	Content can disturb Frightening material Inappropriate Material	Violence - 3 Themes PGR Graphic Content Not suitable for younger viewers G Spooky themes,	PGR Not suitable for children Graphic violence - 2 Content may offend Not for younger viewers	NA	<b>Mix - violence, graphic and inappropriate material and not suitable for younger viewers.</b>

Group	Younger - Auckland	Older - Auckland	Younger - Invercargill	Older - Invercargill	Online Overtime Focus Group	Overall
<b>Age</b>	5/6+-12+	6+-AO	9+-13+	7+-AO	NA	<b>Varied, but all older than pre-school</b>
<b>Time</b>	Day - 2 Evening / 4.30pm onwards - 4	Evening - 4 Not at all - 1	Late afternoon / Evening - 8 1. 00pm. - 1	Evening / 7pm - 7 Any - 1	4pm / Early evening - 4 7.30pm onwards - 15 No answer - 4	<b>Evening</b>
<b>Pin</b>	Yes - 3 No - 3	Yes - 4 No - 1 Maybe - 2	Yes - 2 No - 5	Yes - 6 No - 2	NA	<b>Older - Yes Younger - mixed</b>

**Overall - Most would have upheld the complaint**

<b>Younger Auckland</b> Yes - 6	<b>Older Auckland</b> Yes - 3 No - 3 DK - 1	<b>Overall</b> Yes - 23 No - 6
<b>Younger Invercargill</b> Yes - 6 No - 3	<b>Older Invercargill</b> Yes - 8 No Answer - 1	

**Overall - Strong majority agreed the BSA decision was a good / very good one**

**Younger Auckland**

Good/V Good - 5

DK - 1

**Older Auckland**

Good/V Good - 5

Acceptable - 2

**Younger Invercargill**

Good/V Good - 7

Poor - 2

**Older Invercargill**

Good/V Good - 6

Acceptable - 2

DK - 1

**Overall**

**Good/V Good - 43**

**Acceptable - 5**

**Poor - 4**

**DK - 2**

**Online Focus Group**

Good/V Good - 20

Acceptable - 1

Poor - 2

- The Night Shift promo

Group	Younger - Auckland	Older - Auckland	Younger - Invercargill	Older - Invercargill	Online Overtime Focus Group	Overall
<b>Rating</b>	AO - 3 PGR - 2 G - 1	AO - 3 PGR - 3 G - 1	PGR - 8 G - 1	AO - 6 PGR - 3	M - 1 AO - 11 PGR - 9 G - 2	<b>AO - 23 PGR - 25 G - 5 M - 1</b>
<b>Warning</b>	Yes - 2 No - 4	Yes - 1 No - 6	No - 6 Yes - 1 DK - 2	Yes - 5 No - 3 DK - 1	NA	<b>Yes - 9 No - 19 DK - 3</b>
<b>What should advisory be?</b>	AO - 1 PGR - 1 Bra Shot - 1 DK - 3	AO - 3 PGR - 3 G - 1	PGR - 8 G - 1	AO - 6 PGR - 3	NA	<b>AO - 10 PGR - 15 G - 1 Bra Shot - 1 DK - 3</b>

Group	Younger - Auckland	Older - Auckland	Younger - Invercargill	Older - Invercargill	Online Overtime Focus Group	Overall
<b>Age</b>	Mostly 16+	Any / 11+	10/11+	15/16+	NA	<b>Older - 16+ Younger - 10/11+</b>
<b>Time</b>	8.30pm onwards	Late Eve	5.30pm / 6pm onwards	8.30pm onwards	Mainly 8.30pm onwards	<b>Later Evening</b>
<b>Pin</b>	Yes - 2 No - 4	Yes - 3 No - 4	Yes - 1 No - 7 DK - 1	Yes - 5 No - 3 DK - 1	NA	<b>Yes - 11 No - 18 DK - 2</b>

**Overall - The most contentious (split) decision  
Older and younger Auckland participants more likely to uphold the complaint**

<p><b>Younger Auckland</b> Yes - 4 No - 2</p>	<p><b>Older Auckland</b> Yes - 4 No - 2 DK - 1</p>	<p><b>Overall</b> Yes - 15 No - 14 DK - 2</p>
<p><b>Younger Invercargill</b> Yes - 1 No - 8</p>	<p><b>Older Invercargill</b> Yes - 6 No - 2 DK - 1</p>	

**Overall - The BSA decision was a good/very good one**

<p><b>Younger Auckland</b>          Good/V Good - 2          Acceptable - 2          Poor - 2</p>	<p><b>Older Auckland</b>          Good/V Good - 4          Acceptable - 2          Poor - 1</p>	<p><b>Overall</b>          Good/V Good - 32          Acceptable - 13          Poor - 6          DK - 3</p>
<p><b>Younger Invercargill</b>          Good/V Good - 5          Acceptable - 3          Poor - 1</p>	<p><b>Older Invercargill</b>          Good/V Good - 4          Acceptable - 2          DK - 3</p>	
<p><b>Online Focus Group</b>          Good/V Good - 17          Acceptable - 4          Poor - 2</p>		

- One News

Group	Younger - Auckland	Older - Auckland	Younger - Invercargill	Older - Invercargill	Online Overtime Focus Group	Overall
<b>Rating</b>	AO - 3 PGR - 2 None - 1	AO - 2 PGR - 3 G - 1 DK - 1	AO - 6 PG - 3	AO - 4 PGR - 1 G - 1 None - 1 DK - 2	MV - 1 PGR - 5 PG - 6 G - 1 AO - 4 None - 5	<b>MV - 1 AO - 19 PGR - 14 G - 3 None - 7 DK - 3</b>
<b>Warning</b>	Yes - 6	Yes - 7	Yes - 8 DK - 1	Yes - 7 No - 2	NA	<b>Yes - 28 No - 2 DK - 1</b>
<b>What should advisory be?</b>	AO - 2 Violence - 1 PGR - 1	G - 1 PGR - 3 AO - 2	PGR - 3 AO - 6	G - 1 PGR - 1 AO - 4 None - 1	NA	<b>G - 2 PGR - 8 AO - 14 Violence - 1 None - 1</b>

Group	Younger - Auckland	Older - Auckland	Younger - Invercargill	Older - Invercargill	Online Overtime Focus Group	Overall
<b>Age</b>	Mostly 16+ / Adult	10/11+ to not at all	13+ / Adult	15/16+	NA	<b>16+</b>
<b>Time</b>	News Time 8.30pm	News	6.30pm onwards	News Time 8.30pm	6pm news or later evening news	<b>News time or later evening</b>
<b>Pin</b>	Yes - 3 No - 3	Yes - 2 No - 4 DK - 1	Yes - 4 No - 3 Difficult - 2	Yes - 5 No - 4	NA	<b>Yes - 14 No - 14 Difficult - 2 DK - 1</b>

**Overall - Majority would not have upheld the complaint (in line with BSA decision),  
though a sizable minority would have upheld it**

<b>Younger Auckland</b> Yes - 2 No - 4	<b>Older Auckland</b> Yes - 2 No - 3 DK - 2	<b>Overall</b> Yes - 11 No - 17 DK - 3
<b>Younger Invercargill</b> Yes - 2 No - 7	<b>Older Invercargill</b> Yes - 5 No - 3 DK - 1	

**Overall - Nearly three quarters of participants agreed the BSA decision was a good, very good or acceptable one, but a quarter did not**

<p><b>Younger Auckland</b> Good/V Good - 3 Acceptable - 3</p>	<p><b>Older Auckland</b> Good/V Good - 4 Poor - 3</p>	<p><b>Overall</b> Good/V Good - 32 Acceptable - 10 Poor/Very Poor - 8 DK - 3</p>
<p><b>Younger Invercargill</b> Good/V Good - 6 Acceptable - 2 Poor - 1</p>	<p><b>Older Invercargill</b> Good - 3 Acceptable - 1 Poor - 2 Very Poor - 2 DK - 1</p>	
<p><b>Online Focus Group</b> Good/V Good - 16 Acceptable - 4 Poor - 0 DK - 2</p>		

- Nicki Minaj

Group	Younger - Auckland	Older - Auckland	Younger - Invercargill	Older - Invercargill	Online Overtime Focus Group	Overall
<b>Rating</b>	16+ - 2 8+ - 4	18+ - 1 16+ - 2 M - 4	16+ - 3 18+ - 4 M - 2	16+ - 1 18+ - 5 M - 3	M - 2 AO - 9 16+ - 2 18+ - 9 PGR - 1	<b>18+ - 23</b> <b>16+ - 10</b> <b>M - 11</b> <b>PGR - 1</b> <b>M - 2</b>
<b>Warning</b>	Yes - 6	Yes - 7	Yes - 9	Yes - 9	NA	<b>Yes - 31</b>
<b>What should Advisory Be?</b>	Content/ Language/ Sexual Themes/ Violence	Content (Sexual)/ language/ violence	Sexual content/ language/ sexual violence	Sexual content/ violence/ language	NA	<b>Sexual content, violence and language</b>
<b>Age</b>	16+ - 2 18+ - 3	16+	16/18+	18+	NA	<b>18+</b>
<b>Pin</b>	Yes - 6	Yes - 7	Yes - 8 Depends - 1	Yes - 9	NA	<b>Yes - 30</b> <b>Depends - 1</b>

**Overall - A strong majority would have upheld the complaint (in line with BSA decision)**

<b>Younger Auckland</b> Yes - 6	<b>Older Auckland</b> Yes - 2 No - 3 DK - 2	<b>Overall</b> Yes - 25 No - 4 DK - 2
<b>Younger Invercargill</b> Yes - 8 No - 1	<b>Older Invercargill</b> Yes - 9	

**Overall - All bar three participants agreed that the BSA's decision was very good, good or acceptable**

<p><b>Younger Auckland</b> Good/V Good - 6</p>	<p><b>Older Auckland</b> Good/V Good - 2 Acceptable - 5</p>	<p><b>Overall</b> Good/V Good - 41 Acceptable - 9 Poor - 1 DK - 2</p>
<p><b>Younger Invercargill</b> Good/V Good - 8 Poor - 1</p>	<p><b>Older Invercargill</b> Good/V Good - 7 Acceptable - 1 DK - 1</p>	
<p><b>Online Focus Group</b> Good/V Good - 20 Acceptable - 2</p>		

- Criminal Minds

Group	Younger - Auckland	Older - Auckland	Younger - Invercargill	Older - Invercargill	Online Overtime Focus Group	Overall
<b>Rating</b>	AO - 5 PGR - 1	AO - 7	AO - 9	AO - 8 PGR - 1	M15 - 1 AO - 21	<b>AO - 50 PGR - 2 M15 - 1</b>
<b>Warning</b>	Yes - 6	Yes - 6 DK - 1	Yes - 6 No - 2 DK - 1	Yes - 6 No - 2 DK - 1	NA	<b>Yes - 24 No - 4 DK - 3</b>
<b>What should advisory be?</b>	R16 - 1 AO - 1	AO - 6	AO - 9	AO - 8 PGR - 1	NA	<b>AO</b>

Group	Younger - Auckland	Older - Auckland	Younger - Invercargill	Older - Invercargill	Online Overtime Focus Group	Overall
<b>Age</b>	16+ - 3 18+ - 2 AO - 1	18+ - 4 AO - 1 DK - 2	16+ - 3 18+ - 5 AO - 1	16+ - 3 18+ - 2 AO - 1 None - 1 DK - 2	NA	<b>16+ - 9 18+ - 13 AO - 4 None - 1 DK - 4</b>
<b>Time</b>	8.30pm onwards	9pm/9.30pm onwards	8.30pm onwards	8.30pm/9pm onwards	8. 30pm/9pm onward	<b>8.30pm onwards</b>
<b>Pin</b>	Yes - 4 No - 2	Yes - 5 No - 2	Yes - 8 No - 1	Yes - 7 No - 1 DK - 1	NA	<b>Yes - 24 No - 6 DK - 1</b>

**Overall - A strong majority would not have upheld the complaint (in line with BSA decision)**

<p><b>Younger Auckland</b> No - 6</p>	<p><b>Older Auckland</b> Yes - 2 No - 3 DK - 2</p>	<p><b>Overall</b> Yes - 4 No - 23 DK - 4</p>
<p><b>Younger Invercargill</b> Yes - 1 No - 7 DK - 1</p>	<p><b>Older Invercargill</b> Yes - 1 No - 7 DK - 1</p>	

**Overall - All bar four participants agreed that the BSA decision was very good, good or acceptable**

<p><b>Younger Auckland</b> Good/V Good - 6</p>	<p><b>Older Auckland</b> Good/V Good - 3 Acceptable - 2 Poor - 2</p>	<p><b>Overall</b> Good/V Good - 36 Acceptable - 12 Poor - 5 DK - 1</p>
<p><b>Younger Invercargill</b> Good/V Good - 5 Acceptable - 4</p>	<p><b>Older Invercargill</b> Good/V Good - 4 Acceptable - 3 Poor - 1 DK - 1</p>	
<p><b>Online Focus Group</b> Good/V Good - 18 Acceptable - 3 Poor - 2</p>		

## 4.2 Focus group discussion guide and prompts

### Introduction and warm up [10 minutes]

- Welcome and introduction by moderator; thank participants for attending.
- Explanation of what qualitative research is, ie, it is about understanding not measuring, there are no rights or wrongs and everyone's opinion is equally valid. It is important that everyone participates.
- Explain the purpose of the research, ie, understanding broadcasting standards with focus on television, including free-to-air and pay TV. May also touch on online/on-demand/subscription video eg, Lightbox/Netflix.
- May see some sensitive/disturbing material; just a warning, but you will have the option of leaving the room or taking a break if you need to.
- Confidentiality issues; explain how the information will be used. Consent to record the session.
- Housekeeping; cell phones, toilets, fire exits, refreshments, timing etc.
- Individual introductions:
  - First name, household, what do you do in your leisure time.

### Television, me and my family [5-10 minutes]

- Brief description of television viewing habits; preferred channels, programmes, times of day, who with.
- Any programmes/channels you might avoid? Why?

Ask those with responsibility for children (NB: 'child' is defined as under 14 years):

- Do you monitor or oversee their television viewing?
- If so, please tell me a little about what you monitor and how you do this.

## Broadcasting standards [10 minutes]

- Spontaneous discussion; describe in your own words what you think I mean when I say broadcasting standards. [WRITE IT DOWN]
- Who do you think decides on and oversees broadcasting standards for television and radio?

Read explanation [ALSO WRITE UP ON WHITE BOARD]

*Broadcasters in New Zealand have codes of practice and are responsible for maintaining standards in their programmes. The Broadcasting Standards Authority (BSA) is an independent government agency that oversees New Zealand's broadcasting standards and provides the public with a free, independent complaints service. The way the complaints process works is that generally a person must complain to the broadcaster first, and then if they are not happy with the broadcaster's decision, they can have it reviewed by the BSA. The exceptions are privacy complaints and complaints about election programmes, which can be made directly to the BSA.*

- Was there anything new for you in this explanation?
- How much would you say you know about the Broadcasting Standards Authority?
- Has anyone ever made a complaint or gone to the BSA website to get information?
  - If YES explore experience of the process.

## Introduce Programme Information standard [15 minutes]

Broadcasting standards cover several different issues concerning what we watch on TV or listen to on the radio. In our discussion, today, we'll be covering just ONE of those standards – the Programme Information standard. This standard deals with the provision of information about programmes, including programme classifications, when some programmes can be broadcast (called programme scheduling), and warnings/advisories.

Now let's go through this standard and discuss what it covers:

- From what I have told you so far, what do you think the standard means in practice?

Hand out information sheet for participants to read (**Prompt One – Appended**).

[HAVE KEY POINTS ON WHITEBOARD WITH LINKS TO KEY POINTS FROM CHILDREN'S INTERESTS STANDARDS]

Tell participants that the working in the shaded box at the top of the page (summarised hand out from UMR) or in Navy (full handout from BSA) is the most important information. The guidelines are just there to help application.

The Programme Information standard is closely linked with the Children's Interests standard, and considers many of the same issues. So, we have also included this in the information we've given you for context (on back of pages), and to consider as well in the next part of the discussion.

- Now that you have had a read of this; anything surprising here? Is this what you would expect? Anything that doesn't make sense?
- What are the kind of things that would prompt people to make a complaint about a programme not being consistent with the Programme Information standard?

*(For moderator only: eg, wrongly classified, broadcast at wrong time of day, needed a warning.)*

- How have people's views of classifications and timebands changed over the years? What do you think has prompted these changes?

*(For moderator only: eg, this might be availability of material online, subscription video services, availability of PIN code/filtering technology.)*

- What information do you want/do you think other people want when deciding whether to watch a programme/whether to allow your children to watch something?
- How useful are timebands in this day and age where content can generally be watched at any time on demand? Are the timebands that apply to free-to-air TV important to you/do you rely on these to ensuring suitable viewing for children in your care?
- Guidelines 2h-2j in the Pay TV Code refer to filtering technology:
  - What do you understand 'filtering technology' to be?
  - Are you aware of filtering technology on your TV at home?
  - Have you used/do you use filtering technology as a way to control younger people's viewing?

## Individual judgements (n=5) [60 minutes - 12 minutes per clip]

Hand out Self Completion Sheets for Individual judgements (**Prompt Two – Appended**), labelled to correspond with each clip.

Show/play each of the five clips (rotated order) and leave time for participants to write down their initial thoughts and answers to the following questions before discussing them with the group:

To introduce the clip, moderator will read the first bullet point from the decision summary (ie, what the programme was, **not** any of the following bullets) (**Prompt Three – Appended**)

Eg, 'An episode of **Criminal Minds** involved the murder of three restaurant workers during an armed robbery, prompting the FBI to re-open a cold case from six years earlier. It featured armed robberies, bloody and beaten victims, burnt corpses, a shoot-out, and drug use.'

**Note – for Nicki Minaj video, sufficient to say, 'this is a music video for Nicki Minaj's song Only' – for intro to clip**

**GO THROUGH ALL CLIPS FIRST BEFORE DISCUSSING INDIVIDUAL RESPONSES**

Now explore individual judgements (in the order the clips were shown).

- Those who would uphold the complaint and why?
- Those who would not uphold the complaint and why?
- Would your decision be different if:
  - the programme was broadcast on a different channel or at a different time?
  - the programme was broadcast on Pay Television rather than Free-to-Air (or vice versa)?
  - the programme was online/on-demand eg, on Netflix or other subscription video service?
  - Contained a different advisory. If so, what should it have said?

## **Rating and discussion of the BSA's decision**

I am now going to hand out a sheet which tells you what the complaint on this clip was and the actual BSA decision and the key points that led to the decision, for you to read.

### ***Hand out BSA decisions relating to the clip in question (Prompt Three – Appended)***

- Initial response; Do you agree with the outcome?
- How clear and easy to understand is the BSA's decision and the reasoning provided for the decision? (Keeping in mind this is only a summary.)
- What, if any, were the similarities and differences between the BSA's and your own decision?
- Do you think this decision reflects the attitudes of today's society? Why? Why not?

***I'd now like you to rate the BSA's decision and reasoning on a scale of 1-5, where 1 means the decision was very poor and 5 means the decision was very good.***

### ***Hand out self-completion rating sheets (Prompt Four – Appended)***

(Participant to read out their score and how they came to that score).

Moderator to summarise all participants' scores on whiteboard.

- Did the BSA make the right decision and did they explain this decision in a way which is easily understood? If not, what can be improved?
- Having seen all these clips and the BSA decisions are there any other comments you want to make about classifications and timebands generally, or the Programme Information standard? Any suggestions you would like to give to the BSA?

**Thank you and close.**

## **Additional questions about wanting to complain, but not doing so, if time allows:**

- For those who have wanted to complain, but haven't, explore the reasons why.

If not mentioned, prompt on:

- Because you didn't know who to complain to
- The process seemed too difficult
- The process takes too long
- Don't have time
- Want to be anonymous.

- For anyone who has not ever felt they wanted to complain, explore reasons why.

If not mentioned prompt on:

- Because they haven't seen anything that concerned them
- Didn't know who to complain to
- Process seemed too difficult.

- What would it take for you to make a complaint?

## PROMPT ONE – FREE-TO-AIR TELEVISION CODE: MAIN POINTS

<b>STANDARD 2 - PROGRAMME INFORMATION</b>	<b>Broadcasters should ensure that programmes are correctly classified and screened in appropriate timebands, and where appropriate, issue an audience advisory where the content of a broadcast may not be suitable for likely viewers</b>
<b>Classifications</b>	<ul style="list-style-type: none"> <li>• Broadcast on all content except news, current affairs, sport and live content</li> </ul>
<b>G - General</b> <b>Screened at any time</b>	<ul style="list-style-type: none"> <li>• Excludes material unsuitable for children</li> <li>• Includes programmes not designed for children but should not contain material likely to alarm or distress children</li> </ul>
<b>PGR - Parental Guidance Recommended</b> <b>Screened between 9am-4pm and 7pm-6am</b>	<ul style="list-style-type: none"> <li>• Contains material more suitable to mature audiences but not necessarily unsuitable for children with parent or adult providing guidance</li> </ul>
<b>AO - Adults Only</b> <b>Screened midday-3pm weekdays (except school and public holidays)</b> <b>And 8.30pm-5am</b>	<ul style="list-style-type: none"> <li>• Contains adult themes and for mature audiences</li> </ul>

<p>1. Caution during transition from G or PGR to AO programming when determining level of AO content to be screened; giving careful consideration of children.</p>	<p>2. News, current affairs, sport and live content do not need to be classified but children's interests should be taken into account and warnings used where appropriate.</p>
<p>3. Audience advisory should be used if programme is likely to disturb or offend a significant number of viewers OR content outside audience expectations.</p>	<p>4. Promos should comply with the classification of the programme to be screened.</p>

<b>STANDARD 3 - CHILDRENS INTERESTS</b>	<b>Broadcasters should ensure children can be protected from broadcasts which might adversely affect them.</b>
<p><b>Material under this standard includes:</b></p> <p><b>...that are outside the programme's classification</b></p>	<ul style="list-style-type: none"> <li>• <b>Sexual material or themes</b></li> <li>• <b>Violent content or themes</b></li> <li>• <b>Offensive language</b></li> <li>• <b>Social or domestic friction</b></li> <li>• <b>Dangerous, antisocial behaviour or illegal behaviour</b></li> <li>• <b>Material in which children or animals are badly treated</b></li> <li>• <b>Graphic descriptions of people in extreme pain or distress</b></li> </ul>
<p><b>Considerations when assessing complaints:</b></p>	<ul style="list-style-type: none"> <li>• <b>Time of broadcast</b></li> <li>• <b>Target and likely audience</b></li> <li>• <b>Audience expectations</b></li> <li>• <b>Public interest</b></li> <li>• <b>Any factors that lessen likely harm to children eg, humour, educational benefit</b></li> </ul>
<p><b>If programme contains material likely to disturb children and broadcast during accepted children's viewing times</b></p>	<ul style="list-style-type: none"> <li>• <b>Audience advisory should be broadcast that informs parents/guardians and helps them make an informed decision about children viewing the programme</b></li> <li>• <b>The advisory itself should not contain details disturbing to children</b></li> </ul>
<p><b>New, current affairs and factual programmes; disturbing material should be in the public interest</b></p>	<ul style="list-style-type: none"> <li>• <b>An audience advisory should be broadcast when children likely to be viewing</b></li> </ul>

## PROMPT ONE – PAY TELEVISION CODE: MAIN POINTS

<b>STANDARD 2 - PROGRAMME INFORMATION</b>	<b>Viewers should be informed by regular and consistent advice about programme content (including classifications and warnings) and, where available, filtering technology. Broadcasters should ensure that programmes are correctly classified and, if filtering technology is not available, appropriately scheduled.</b>
<b>Classifications</b>	<ul style="list-style-type: none"> <li>• Broadcast on all content except news, current affairs, sport and live content</li> </ul>
<b>G</b>	<ul style="list-style-type: none"> <li>• General viewing</li> </ul>
<b>PG</b>	<ul style="list-style-type: none"> <li>• Parental guidance recommended for younger viewers</li> </ul>
<b>M</b>	<ul style="list-style-type: none"> <li>• Mature audiences 16 years and over</li> </ul>
<b>16</b>	<ul style="list-style-type: none"> <li>• People under 16 years should NOT view</li> </ul>
<b>18</b>	<ul style="list-style-type: none"> <li>• People under 18 years should NOT view</li> </ul>

<b>1. Classifications should be screened at the beginning of programmes, and be included in programme guides (printed and electronic)</b>	
<b>2. Promos should comply with the programme classification</b>	
<b>3. Broadcasters must be mindful of children’s interests and other broadcasting standards and include advisories where appropriate</b>	
<b>4. Audience advisories:</b>  <b>C - content may offend</b>  <b>L – language may offend</b>  <b>V - contains violence</b>  <b>S - sexual content may offend</b>	<ul style="list-style-type: none"> <li>• Must be run prior to the programme running</li> <li>• Included in programme guides</li> <li>• Not required for content on foreign pass-through channels with no/little local editorial changes</li> </ul>
<b>5. Filtering technology</b>	<ul style="list-style-type: none"> <li>• If provided free of charge and regularly promoted by the broadcaster, content classified 18 may screen at any time provided other broadcasting standards are met</li> <li>• If not available, content classified 18 may screen only between: <ul style="list-style-type: none"> <li>• 8PM and 6AM or 9AM and 3PM (other than weekend days, school and public holidays when it may screen only between 8.30AM and 5AM)</li> </ul> </li> <li>• Made available on basis that customers elect to use it provided it is easy to set up using TV remote or similar</li> </ul>

<b>STANDARD 3 - CHILDRENS INTERESTS</b>	<b>Broadcasters should ensure children can be protected from broadcasts which might adversely affect them.</b>
On pay TV, children are frequently protected through security systems (filtering technology)	<ul style="list-style-type: none"> <li>• These should be promoted to customers</li> </ul>
Material under this standard includes:  ...that are outside the programme's classification	<ul style="list-style-type: none"> <li>• Sexual material or themes</li> <li>• Violent content or themes</li> <li>• Offensive language</li> <li>• Social or domestic friction</li> <li>• Dangerous, antisocial, or illegal behaviour</li> <li>• Material in which children or animals are badly treated</li> <li>• Graphic descriptions of people in extreme pain or distress</li> </ul>
Content	<ul style="list-style-type: none"> <li>• Must always be considered including whether filtering technology is available so parents can protect children from viewing unsuitable content</li> <li>• Content not intended for children should not be promoted to children or screened as per Standard 2</li> <li>• If classified M or above, it should not screen adjacent to content aimed at children</li> <li>• Themes or scenes in fictional content dealing with matters known to disturb children (eg, ill-treatment of children) should be appropriately classified and scheduled</li> <li>• Portrayal of realistic violence likely to be viewed by children should be appropriately classified and scheduled</li> </ul>
Channels	<ul style="list-style-type: none"> <li>• If targeted at children, they should only contain content appropriate for children</li> </ul>

## PROMPT TWO – INDIVIDUAL JUDGEMENTS – SELF COMPLETION SHEETS

Eg, FREE-TO-AIR TV – Criminal Minds

<p>What rating/classification would you give this clip? (See Standard 2 Handout for Free-to-Air TV)</p> <p>Why?</p>	<p>G – General</p> <p>PGR – Parental Guidance Recommended</p> <p>AO – Adults only</p>
<p>Do you think the clip should carry a warning/advisory?</p> <p>If yes, what should the advisory say?</p>	
<p>Who do you think the clip is suitable for/what age(s)?</p>	
<p>What time do you think it should be allowed to be shown on television?</p>	
<p>Would you use a PIN code/parental lock to prevent children from viewing this clip?</p>	
<p>What were your main concerns, if any, with the clip?</p>	
<p>What part(s) do you think triggered the complaint about Programme Information?</p>	
<p>Do you think most people would agree with you? Or do you think you are different from most?</p>	
<p>If you were the BSA, would you have upheld this complaint? (ie, do you think it breached the Programme Information standard?)</p>	<p>Uphold the complaint – the standard was breached</p> <p>I would not uphold the complaint – no breach</p>

## PROMPT THREE – BSA DECISIONS

Decision No. 2016-049: *Grizzly Tales*

Please note this is only a brief summary of the decision, focusing on the issue we are interested in today. The full decision is available at [www.bsa.govt.nz](http://www.bsa.govt.nz).

### The programme

- Episode of British Cartoon *Grizzly Tales* featured 'Victoria Spew' who threw tantrums until she vomited to get her way. Victoria's mother (who hated vomit) bought a new vacuum cleaner to clean up after her. The vacuum cleaner sucked Victoria into the vacuum cleaner bag, showing her dismembered body parts in the bag, and Victoria could be heard whimpering and calling for help.
- **The episode was classified G (General) and broadcast at 7.20am on TV2.**

### The BSA decision

- **The BSA upheld the complaint** that the content of the episode was inappropriate for the G classification and timeslot, and did not enable child viewers to be protected.
- G classification must ensure that G-rated programmes are appropriate for *all* children under the age of 14.
- Parents, caregivers and guardians should be confident leaving children unsupervised during G programmes.
- Combination of vomiting, dismemberment and implied death was gruesome and had the potential to alarm and distress younger children.
- The use of classifications is one of the main ways broadcasters enable audiences to make informed viewing choices and regulate their own, and their children's viewing.
- 'G' did not sufficiently inform audiences of the programme's likely content, and viewers were not given a reasonable opportunity to exercise discretion. PGR would have been more suitable.
- The BSA did not make any order, as the decision provided guidance to broadcasters.

## PROMPT THREE – BSA DECISIONS

Decision No. 2014-156: Promo for *The Night Shift*

Please note this is only a brief summary of the decision, focusing on the issue we are interested in today. The full decision is available at [www.bsa.govt.nz](http://www.bsa.govt.nz).

### The programme

- A promo for *The Night Shift* (a medical drama series) showed a male and female passionately kissing and the female taking off the male's shirt. Another character said to the female, 'I know you're sleeping with TC'.
- **The promo was classified G (General) and broadcast at approximately 8pm on TV3, during the animated movie, *Shrek Forever After*.**
- *The Night Shift* was rated AO (Adults Only).

### The BSA decision

- **The BSA upheld the complaint** that it was inappropriate to broadcast the adult content in this promo during a G-rated family movie.
- Broadcasters are allowed to promote AO programmes outside of AO time, so long as the promo is consistent with the classification of the programme during which it is broadcast.
- The sexual content exceeded the G classification and should have been classified PGR.
- The kissing shown was relatively explicit and 'adult' in nature, and it was clearly implied that the couple were about to engage in sexual activity.
- Parents and caregivers are entitled to rely on a programme's classification. It was reasonable to think they didn't need to supervise child viewers during a G-rated animated movie.
- The BSA did not make an order, as the breach was relatively minor, and the decision gave guidance to broadcasters around promos screened during G-rated programmes aimed at children.

## PROMPT THREE – BSA DECISIONS

Decision No. 2014-109: **ONE News**

Please note this is only a brief summary of the decision, focusing on the issue we are interested in today. The full decision is available at [www.bsa.govt.nz](http://www.bsa.govt.nz).

### The programme

- A *ONE News* item showed a violent attack on a liquor store worker by four men. The newsreader said the footage was being shown to assist police in identifying the attackers.
- **The item was broadcast during the 6pm news, which is not classified (it does not carry a rating).**
- **Two warnings were given:**
  - 'We begin tonight with a disturbing story that comes with a strong warning. It contains some graphic and violent pictures.'
  - 'We must warn you, the violence gets even worse.'

### The BSA decision

- **The BSA did not uphold the complaint** that the 'extreme' violence shown in the news item was unacceptable for the time of broadcast, and the item should have been aired later at night.
- News and current affairs programmes are not classified. This is because it is recognised they will sometimes contain disturbing or violent material – but broadcasters must include warnings where appropriate.
- Showing footage of the full attack was justified – for the important purpose of identifying the attackers. This was in the public interest.
- The broadcaster gave two clear and explicit warnings, which were proportionate to the level of violence shown.
- The violent footage came 16 seconds after the first warning, allowing an opportunity to make a different viewing choice or exercise discretion with regard to children's viewing.

## PROMPT THREE – BSA DECISIONS

Decision No. 2015-011: **Nicki Minaj music video**

**Please note this is only a brief summary of the decision, focusing on the issue we are interested in today. The full decision is available at [www.bsa.govt.nz](http://www.bsa.govt.nz).**

### The programme

- Music video for Nicki Minaj's song 'Only' contained frequent use of explicit language including sexual references, and imagery containing suggestions of sexual violence and torture.
- **The music video was classified MC (M - suitable for mature audiences 16 years and over; C - content may offend). It was broadcast at 6.50pm on a weekend, on the MTV Hits channel on SKY.**

### The BSA Decision

- **The BSA upheld the complaint** that the music video contained sexually and otherwise explicit lyrics, which should not have been broadcast uncensored at a time that younger viewers were likely to be watching.
- The broadcaster said the video was usually classified 16LC (16 - people under 16 years should not view; LC - language and content may offend) but due to an error, this particular broadcast was classified MC. 16LC would have been more appropriate.
- Viewers expect music videos to contain some challenging content, but the MC classification label did not indicate the high level of adult content in this video.
- This meant viewers were more likely to have been surprised by the content, and therefore offended or disturbed.
- The incorrect classification meant that filtering technology (parental lock/PIN code) would not have blocked this video, if the filtering was set to block any content classified 16 and above.
- The BSA ordered the broadcaster to pay a fine of \$1,500 costs to the Crown.

## PROMPT THREE – BSA DECISIONS

Decision No. 2016-029: ***Criminal Minds***

Please note this is only a brief summary of the decision, focusing on the issue we are interested in today. The full decision is available at [www.bsa.govt.nz](http://www.bsa.govt.nz).

### The programme

- Episode of **Criminal Minds** involved the murder of three restaurant workers during an armed robbery, prompting the FBI to re-open a cold case from six years earlier. It featured armed robberies, bloody and beaten victims, burnt corpses, a shoot-out, and drug use.
- **Episode was classified AO (Adults Only) and broadcast at 8.30pm on TV ONE.**
- **Episode carried a warning: ‘This programme is rated Adults Only. It contains violence.’**

### The BSA decision

- **The BSA did not uphold the complaint** that the episode contained strong adult content and should have been broadcast at 9.30pm, not 8.30pm. (*Note: There used to also be an ‘AO 9.30pm’ classification for stronger adult content eg, graphic violence, sexual violence, greater degree of sexual activity or coarse language. This classification was removed from the standard as of 1 April 2016, prior to this decision being released.*)
- While the episode contained challenging content, the classification and time of broadcast did not breach broadcasting standards taking into account the context:
  - the absence of visual portrayal of acts of violence
  - the AO classification and clear pre-broadcast warning for violence
  - the target, and likely, audience of mainly adult viewers
  - *Criminal Minds* is a long-running and well-known criminal drama series, so there is a high level of audience expectation and awareness of its typical content. People who don’t want to watch it can make a different viewing choice.
- The BSA therefore did not agree with the complainant that the broadcaster did not adequately consider children’s interests by broadcasting the programme at 8.30pm.
- While series like *Criminal Minds*, which contain violent and other challenging content, may not be to everyone’s liking, the right to freedom of expression protects the public’s ability to access a diverse range of content, and the broadcaster’s right to screen this content (within reason).

## PROMPT FOUR – RATING of BSA Decisions

### Eg, Criminal Minds

On a scale of 1 to 5, where 1 means the BSA’s decision was very poor and 5 means the decision was very good, how would you rate the BSA’s decision for the **Criminal Minds** complaint?

1 Very Poor	2 Poor	3 Acceptable	4 Good	5 Very Good
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## 4.3 OOT process and question areas

Day / Date	Action
W/C 27 Feb	Recruitment
Monday 6 <sup>th</sup> March	<p>Welcome email</p> <p>Dear (Name)</p> <p>Thank you for agreeing to participate in this online panel. We value your input and hope you find the experience interesting. Below is some information you will need before beginning.</p> <p><b>The Logistics</b></p> <ul style="list-style-type: none"> <li>• Please log in twice a day to check if new questions have been added and/or to comment on other people’s contributions.</li> <li>• Your log in details are: <ul style="list-style-type: none"> <li>○ Login -</li> <li>○ Password -</li> </ul> </li> <li>• The survey will be live from Tuesday 7<sup>th</sup> to Thursday 9<sup>th</sup> March. We will add new questions each morning and afternoon on each of these three days.</li> <li>• Please answer all questions in the order they appear.</li> <li>• You will be able to see and comment on what other people have said once you have completed each question.</li> <li>• Please keep your comments courteous though, even if you strongly disagree with what other people have said.</li> <li>• More information/questions will be added each day, but you will only be able to see them once you have completed the previous questions.</li> </ul> <p><b>The Survey</b></p> <p>We are undertaking this research on behalf of the Broadcasting Standards Authority (BSA). Below is a brief description of the BSA and its role.</p> <p><i>Broadcasters in New Zealand must comply with broadcasting codes of practice and are responsible for maintaining standards in their programmes (on TV or radio). The Broadcasting Standards Authority (BSA) is an independent government agency that oversees New Zealand’s broadcasting standards and provides the public with a free, independent complaints service. The way the complaints process works is that generally if a person believes a programme on TV or radio has breached broadcasting standards, they must complain to the broadcaster first, and then</i></p>

*if they are not happy with the broadcaster's decision, they can have it reviewed by the BSA. The exceptions are privacy complaints and complaints about election programmes, which can be made directly to the BSA.*

Broadcasting standards cover several different issues concerning what we watch on TV or listen to on the radio. During this panel, we will be covering just ONE of those standards – the Programme Information standard. This standard deals with the provision of information about programmes, including programme classifications, when some programmes can be broadcast (called programme scheduling), and warnings/advisories. I have attached some information for you to read before the panel starts and to have available to refer to during the panel.

The Programme Information standard is closely linked with the Children's Interests standard, and considers many of the same issues. So, we have also included this in the information we've given you for context and to consider as well during the panel.

We will be sending you links to television clips on all three days, so you will need to have sound on your device. **All of the clips have been subject to a complaint** to the Broadcasting Standards Authority, meaning a viewer believed the clip had breached the Programme Information (or Children's Interests) standard. We apologise if you find any of the content disturbing or offensive. We advise that you view them without young children present.

Finally, please respond to this email to confirm you have received it and can log in.

Thank you again, we look forward to your input.

Kind regards

Karen Connell  
**UMR Moderator**

<p>Tuesday 7<sup>th</sup> March a.m.</p>	<p><b>Opening Questions</b></p> <ol style="list-style-type: none"> <li><i>Please describe your TV watching habits including, where relevant, Free-to-Air TV, Pay TV (SKY) and online/on-demand/streaming video eg, Lightbox/Netflix. What programmes/channels do you typically watch? Are there any programmes or channels you avoid?</i></li> <li><i>For those of you with children under 14 years in your household, do you restrict or monitor their TV viewing and, if so, how you do this?</i></li> <li><i>Looking at the information about the Programme Information and Children’s Interests standards we have sent you, what are your thoughts or comments? What, if anything, was surprising or new information to you?</i></li> </ol>
<p>Tuesday 7<sup>th</sup> March p.m.</p>	<p><b>Email participants the link to Clip One – Criminal Minds – with the following instructions:</b></p> <p>Please watch the attached video clip from an episode of the television crime drama Criminal Minds all the way through. You may want to view it twice in case you miss anything the first time.</p> <p>Please refer to the information provided about the <b>Programme Information Standard for Free-to-Air TV</b> when answering the following questions.</p> <p><b>Thinking about what you have learned about the Programme Information Standard:</b></p> <ol style="list-style-type: none"> <li><i>What classification would <u>you</u> have given this clip? Please explain your answer.</i></li> <li><i>What time would <u>you</u> have broadcast it? Please explain your answer</i></li> </ol> <p><b>Once participant has answered Q. 5, tell them:</b></p> <ul style="list-style-type: none"> <li>This episode was classified AO (Adults Only) and broadcast at 8.30pm on TV One.</li> <li>The episode carried a warning: ‘This programme is rated Adults Only. It contains violence.’</li> </ul> <p>Now thinking about the information in the bullet points above, and what you have learned about the Programme Information Standard:</p> <ol style="list-style-type: none"> <li><b>Do you think this clip:</b> <ul style="list-style-type: none"> <li><i>Breached the Programme Information Standard?</i></li> <li><i>Complied with the Programme Information Standard?</i></li> </ul> </li> </ol>

**Please write in Breached or Complied and explain your answer.**

**Once participant has answered Question 6, reveal the BSA decision.**

**The BSA decision**

- **The BSA did not uphold the complaint** that the episode contained strong adult content and should have been broadcast at 9.30pm, not 8.30pm. (*Note: There used to also be an 'AO 9.30pm' classification for stronger adult content eg, graphic violence, sexual violence, greater degree of sexual activity or coarse language. This classification was removed from the standard as of 1 April 2016, prior to this decision being released.*)
  - While the episode contained challenging content, the classification and time of broadcast did not breach broadcasting standards taking into account the context:
    - the absence of visual portrayal of acts of violence
    - the AO classification and clear pre-broadcast warning for violence
    - the target, and likely, audience of mainly adult viewers
    - *Criminal Minds* is a long-running and well-known criminal drama series, so there is a high level of audience expectation and awareness of its typical content. People who don't want to watch it can make a different viewing choice.
  - The BSA therefore did not agree with the complainant that the broadcaster did not adequately consider children's interests by broadcasting the programme at 8.30pm.
  - While series like *Criminal Minds*, which contain violent and other challenging content, may not be to everyone's liking, the right to freedom of expression protects the public's ability to access a diverse range of content, and the broadcaster's right to screen this content (within reason).
- 7. On a scale of 1-5 where 1 means the BSA's decision was very poor and 5 means the BSA's decision was very good, how would you rate the BSA's decision for *Criminal Minds*?**

**Please explain your rating.**

Wednesday 8<sup>th</sup>  
March a.m.

**Send participants a link to Clip Two – Grizzly Tales – with the following instructions:**

Please watch the attached video clip from an episode of the British Cartoon, Grizzly Tales, all the way through. You may want to view it twice in case you miss anything the first time.

Please refer to the information provided about the **Programme Information Standard for Free-to-Air TV** when answering the following questions.

***Thinking about what you have learned about the Programme Information Standard:***

**8. What classification would you have given this clip?**

***Please explain your answer.***

**9. What time would you have broadcast it?**

***Please explain your answer***

**Once participant has answered Q. 10, tell them:**

- The episode was classified G (General) and broadcast at 7.20am on TV2.

Now thinking about the information in the bullet points above, and what you have learned about the Programme Information Standard:

**10. Do you think this clip:**

- ***Breached the Programme Information Standard?***
  - ***Complied with the Programme Information Standard?***
- Please write in Breached or Complied and explain your answer.***

**Once participant has answered Question 11, reveal the BSA decision.**

**The BSA Decision**

- **The BSA upheld the complaint** that the content of the episode was inappropriate for the G classification and timeslot, and did not enable child viewers to be protected.
- G classification must ensure that G-rated programmes are appropriate for *all* children under the age of 14.
- Parents, caregivers and guardians should be confident leaving children unsupervised during G programmes.

	<ul style="list-style-type: none"> <li>• Combination of vomiting, dismemberment and implied death was gruesome and had the potential to alarm and distress younger children.</li> <li>• The use of classifications is one of the main ways broadcasters enable audiences to make informed viewing choices and regulate their own, and their children's, viewing.</li> <li>• 'G' did not sufficiently inform audiences of the programme's likely content, and viewers were not given a reasonable opportunity to exercise discretion. PGR would have been more suitable.</li> <li>• The BSA did not make any order, as the decision provided guidance to broadcasters.</li> </ul> <p><b>11. On a scale of 1-5 where 1 means the BSA's decision was very poor and 5 means the BSA's decision was very good, how would you rate the BSA's decision for Grizzly Tales?</b></p> <p><b><i>Please explain your rating.</i></b></p>
<p><b>Wednesday 8<sup>th</sup> March p.m.</b></p>	<p><b>Send participants a link to Clip Three – The Night Shift – with the following instructions:</b></p> <p>Please watch the attached video clip from a promo for The Night Shift (a medical drama series). You may want to view it twice in case you miss anything the first time.</p> <p>Please refer to the information provided about the <b>Programme Information Standard for Free-to-Air TV</b> when answering the following questions.</p> <p><b><i>Thinking about what you have learned about the Programme Information Standard:</i></b></p> <p><b>12. What classification would <u>you</u> have given this clip?</b> <b><i>Please explain your answer.</i></b></p> <p><b>13. What time would <u>you</u> have broadcast it?</b> <b><i>Please explain your answer.</i></b></p> <p><b>Once participant has answered Q. 15, tell them:</b></p> <ul style="list-style-type: none"> <li>• The promo was classified G (General) and broadcast at approximately 8pm on TV3, during the animated movie, Shrek Forever After.</li> <li>• The Night Shift was rated AO (Adults Only).</li> </ul>

Now thinking about the information in the bullet points above, and what you have learned about the Programme Information Standard:

**14. Do you think this clip:**

- **Breached the Programme Information Standard?**
- **Complied with the Programme Information Standard?**

**Please write in Breached or Complied and explain your answer.**

**Once participant has answered Question 16, reveal the BSA decision.**

**The BSA decision**

- **The BSA upheld the complaint** that it was inappropriate to broadcast the adult content in this promo during a G-rated family movie.
- Broadcasters are allowed to promote AO programmes outside of AO time, so long as the promo is consistent with the classification of the programme during which it is broadcast.
- The sexual content exceeded the G classification and should have been classified PGR.
- The kissing shown was relatively explicit and 'adult' in nature, and it was clearly implied that the couple were about to engage in sexual activity.
- Parents and caregivers are entitled to rely on a programme's classification. It was reasonable to think they didn't need to supervise child viewers during a G-rated animated movie.
- The BSA did not make an order, as the breach was relatively minor, and the decision gave guidance to broadcasters around promos screened during G-rated programmes aimed at children.

**15. On a scale of 1-5 where 1 means the BSA's decision was very poor and 5 means the BSA's decision was very good, how would you rate the BSA's decision for The Night Shift promo?**

**Please explain your rating.**

**Email participants a link to Clip Four – Nicki Minaj – with the following instructions:**

Please watch the attached video clip from a music video for Nicki Minaj's song 'Only' all the way through. You may want to view it twice in case you miss anything the first time.

Please refer to the information provided about the **Programme Information Standard for Pay Television** when answering the following questions.

***Thinking about what you have learned about the Programme Information Standard:***

**16. What classification would you have given this clip?  
Please explain your answer.**

**17. What time would you have broadcast it?  
Please explain your answer.**

**Once participant has answered Q. 17, tell them:**

- The music video was classified MC (M - suitable for mature audiences 16 years and over; C - content may offend).
- It was broadcast at 6.50pm on the MTV Hits channel on SKY.

Now, thinking about the information in the bullet points above, and what you have learned about the Programme Information Standard:

**18. Do you think this clip:**

- **Breached the Programme Information Standard?**
- **Complied with the Programme Information Standard?**

**Please write in Breached or Complied and explain your answer.**

**Once participant has answered Question 18, reveal the BSA decision.**

**The BSA Decision**

- **The BSA upheld the complaint** that the music video contained sexually and otherwise explicit lyrics, which should not have been broadcast uncensored at a time that younger viewers were likely to be watching.
- The broadcaster said the video was usually classified 16LC (16 - people under 16 years should not view; LC - language and content may offend) but due to an error, this particular broadcast was classified MC. 16LC would have been more appropriate.

	<ul style="list-style-type: none"> <li>• Viewers expect music videos to contain some challenging content, but the MC classification label did not indicate the high level of adult content in this video.</li> <li>• This meant viewers were more likely to have been surprised by the content, and therefore offended or disturbed.</li> <li>• The incorrect classification meant that filtering technology (parental lock/PIN code) would not have blocked this video, if the filtering was set to block any content classified 16 and above.</li> <li>• The BSA ordered the broadcaster to pay a fine of \$1,500 costs to the Crown.</li> </ul> <p><b>19. On a scale of 1-5 where 1 means the BSA's decision was very poor and 5 means the BSA's decision was very good, how would you rate the BSA's decision for Nicki Minaj's music video?</b></p> <p><b>Please explain your rating.</b></p>
<p>Thursday 9<sup>th</sup> March a. m.</p>	<p><b>Email participants a link to Clip Five – One News – with the following instructions:</b></p> <p>Please watch the attached video clip from a One News item all the way through. You may want to view it twice in case you miss anything the first time.</p> <p>Please refer to the information provided about the <b>Programme Information Standard for Free-to-Air TV</b> when answering the following questions.</p> <p><b>Thinking about what you have learned about the Programme Information Standard:</b></p> <p><b>20. What classification would <u>you</u> have given this clip?</b> <b>Please explain your answer.</b></p> <p><b>21. What time would <u>you</u> have broadcast it?</b> <b>Please explain your answer.</b></p> <p><b>Once participant has answered Q. 21, tell them:</b></p> <ul style="list-style-type: none"> <li>• The item was broadcast during the 6pm news, which is not classified (it does not carry a rating).</li> <li>• Two warnings were given: <ul style="list-style-type: none"> <li>○ 'We begin tonight with a disturbing story that comes with a strong warning. It contains some graphic and violent pictures.'</li> </ul> </li> </ul>

- 'We must warn you, the violence gets even worse.'

Now, thinking about the information in the bullet points above, and what you have learned about the Programme Information Standard:

**22. Do you think this clip:**

- **Breached the Programme Information Standard?**
- **Complied with the Programme Information Standard?**

**Please write in Breached or Complied and explain your answer.**

**Once participant has answered Q. 22, reveal the BSA decision.**

**The BSA Decision**

- **The BSA did not uphold the complaint** that the 'extreme' violence shown in the news item was unacceptable for the time of broadcast, and the item should have been aired later at night.
- News and current affairs programmes are not classified. This is because it is recognised they will sometimes contain disturbing or violent material - but broadcasters must include warnings where appropriate.
- Showing footage of the full attack was justified – for the important purpose of identifying the attackers. This was in the public interest.
- The broadcaster gave two clear and explicit warnings, which were proportionate to the level of violence shown.
- The violent footage came 16 seconds after the first warning, allowing an opportunity to make a different viewing choice or exercise discretion with regard to children's viewing.

**23. On a scale of 1-5 where 1 means the BSA's decision was very poor and 5 means the BSA's decision was very good, how would you rate the BSA's decision for the One News clip?**

**Please explain your rating.**

**Thursday 9<sup>th</sup> March  
p. m.**

**Final questions and wrap up**

Now you have seen which complaints the BSA upheld and the ones they did not uphold and the reasons for their decisions.

**24. In your view, do you think the BSA is generally making the right decisions?**

***Please explain your answer.***

Thank you for taking part; your time and feedback is much appreciated.

We hope you have found the panel interesting.

If you have any other comments or feedback about broadcasting standards generally or the Programme Information Standard specifically, please enter them below.