Annual Report
The BSA's 2006 annual report will be tabled in Parliament mid-November. Copies will be available from the BSA, and it will be posted on our website.

New publication – findings of a symposium on the balance standard
A balance symposium attended by broadcasters, programme makers, and media academics was convened by the BSA in May. The day’s proceedings will soon be available in a publication Significant Viewpoints: broadcasters discuss balance.

The book will be launched by chief executive Jane Wrightson at the JEANZ conference in Auckland in December. Copies will be available free of charge from the BSA, and a pdf version will be posted on our site.

Significant Viewpoints: broadcasters discuss balance order form
Please send me __________ copies of Significant Viewpoints
Name: ____________________________
Address: __________________________
Post to: Broadcasting Standards Authority, PO Box 9213, Wellington, New Zealand

Directory
The current members of the Broadcasting Standards Authority are:
Joanne Morris (Chair), Tapu Misa, Diane Musgrave and Paul France.
Contact us at:
2nd Floor, Lotteries Commission Building, 54-56 Cambridge Terrace, Wellington, New Zealand.

Publications
BSA Quarterly
Number 32, November 2006
This edition of BSA Quarterly features the launch of the Community Advisory Panel (CAP) in Christchurch in September. We notify you about the commencement of the radio code review, the reappointments of BSA members, website changes, and a forthcoming publication, Significant Viewpoints: broadcasters discuss balance.

Community Advisory Panel Launch
The Community Advisory Panel (CAP) was launched at a small function in Christchurch on 29 September. The panel, formed in July, met to discuss plans for the forthcoming year.

Christchurch Mayor Garry Moore and BSA chair Joanne Morris welcomed representatives from Christchurch-based broadcasters, along with invitees from a variety of community service, advocacy and educational groups. Former BSA member Rodney Bryant and former BSA chair Ann Maing were also able to attend.

CAP Chair Diane Musgrave, Christchurch Mayor Garry Moore, Christchurch CAP member Fraser Campbell at the launch.

The CAP was established following a national advertising campaign to recruit a cross-section of New Zealanders to advise the BSA of their views on broadcasting standards matters. Establishment of the panel means that the BSA can have ongoing feedback from a group of New Zealanders who are informed about, and interested in, the issues that the BSA grapples with.

CAP with BSA board members. Absent: Lynda Park and Le Hind.

Radio Code Review
The BSA has begun the review of the Radio Code with a preliminary meeting with representatives of the Radio Broadcasters Association and Radio NZ. We hope to issue a consultation paper on any proposed changes early in 2007.

Member re-appointments
Authority chair Joanne Morris was re-appointed for a second three-year term in July. Authority member Diane Musgrave has been re-appointed until October 2008, and member Paul France’s re-appointment is for three years to October 2009.
Of particular interest include the following:

**Denigration – John Banks**

Broadcasting on Radio Pacific, host John Banks described Mōari Television as ‘useless’ and ‘one of the most disgusting apartheid TV stations in the history of the world’, and he suggested that it was a waste of taxpayer funds to support the station.

Mōari Television complained that the comments breached the prohibition against denigration contained in guideline 7(a) of the Radio Code of Broadcasting Practice. The BSA found that the host’s comments were ill-informed and calculated to offend. It noted, however, that the protection of the denigration guideline extends only to a ‘section of the community’. In the present case, the host’s comments were directed primarily at the policy decision to create and fund Mōari Television, and incidentally at Mōari Television as a corporate entity. In the view of the BSA, Mōari Television was not a ‘section of the community’, and thus the guideline did not apply. Accordingly, it did not uphold the complaint. Decision ref. 2006-058

**Fairness in relation to ‘doorstepping’**

One News reported that the Ministry of Health was investigating the illegal marketing of ‘Goji juice’ to the Tongan community in Auckland. The item described how marketers of the product made a number of claims about its therapeutic benefits; however, a number of people with serious health problems, such as diabetes, had fallen ill after drinking it.

Freelife, the manufacturer of the product, complained that the item was unbalanced, inaccurate, and unfair. Freelife said that the marketing campaign referred to was the result of individuals placing their own ads in local Tongan newspapers.

Freelife alleged that one of those responsible for the marketing campaign had been hired unfairly by One News reporter. The woman had been approached for her response to allegations about the campaign after the reporter had first posed as a person wanting to buy Goji juice. The BSA upheld the fairness complaint, as well as a breach of the programme information guideline. The BSA found that the industry did not in fact exist and thus did not uphold either aspect of the complaint. Decision ref. 2006-055

**Privacy – reality series**

The complainant’s forcible ejection by police from the Westpac Stadium in Wellington was captured by a camera crew filming a reality series about the work of police recruits, Police College. The complainant was shown resisting and being abusive towards the police. He alleged that the broadcast of these pictures, 13 months after the incident in question, breached his privacy and was unfair.

In respect of the privacy complaint, the BSA decided that the complainant’s removal from the stadium was a public fact, and therefore there had been an insufficient lapse of time between the event and the broadcast for the fact to have become private again. For this reason, the privacy complaint was not upheld.

In respect of fairness, the complaint alleged that he was not informed of the reason for his proposed contribution to the programme (guideline 6b) and was unnecessarily identified (guideline 8f).

The BSA found that the requirement to inform participants of the reason for their proposed contribution was intended to apply only to those situations where an individual’s contribution was planned. The guideline therefore did not apply to a reality programme such as Police College, which filmed unexpected and unplanned incidents.

In response to the allegation that the complainant was unnecessarily identified, the BSA noted that as the guideline came under the fairness standard, the overriding question was whether he was treated unfairly. While it may have been strictly unnecessary to identify him, the BSA found that he was not treated unfairly.

Decision ref. 2006-061

Programme classification & children’s interests

Arts programme Frontbeat contained a brief clip from the film A Clockwork Orange, showing a man being beaten by a group of thugs. The programme had been given a G classification, and was broadcast at 7.55pm, in the presence of the complainant, aged 13.

The complainant was concerned that the programme was incorrectly classified, and displayed insufficient regard for the interests of children. A majority of the BSA concluded that the scene was unsuitable for children, as it clearly showed the victim being beaten, and thus the programme should not have been classified G. Accordingly, it found a breach of Standard 7 (programme classification) which requires that all programmes be appropriately classified.

As TVNZ had failed to exclude from a G-rated programme material that was unsuitable for children, the BSA also concluded that the programme breached the children’s interests standard.

Decision ref. 2006-056

3 News Radio Live Programme

Item on Chernobyl made allegedly inaccurate, and displayed insufficient regard for the interests of children.

The BSA found that the requirement to inform participants of the reason for their proposed contribution was intended to apply only to those situations where an individual’s contribution was planned. The guideline therefore did not apply to a reality programme such as Police College, which filmed unexpected and unplanned incidents.

In response to the allegation that the complainant was unnecessarily identified, the BSA noted that as the guideline came under the fairness standard, the overriding question was whether he was treated unfairly. While it may have been strictly unnecessary to identify him, the BSA found that he was not treated unfairly.

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