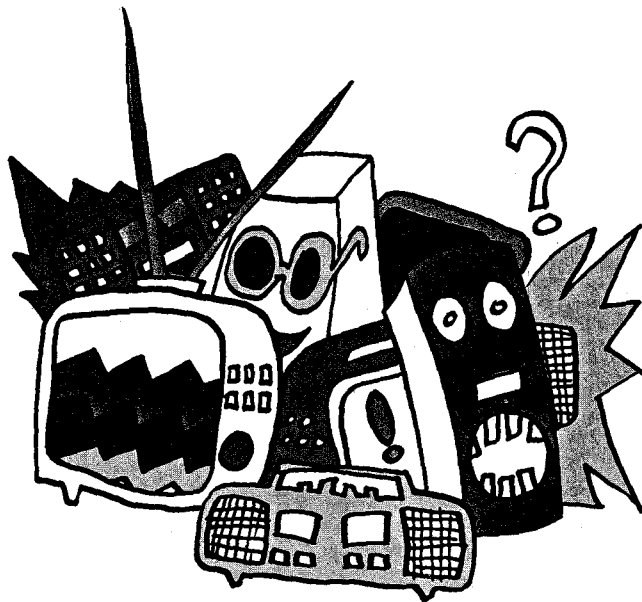


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1995



# ANNUAL REPORT

FOR THE YEAR ENDED  
30 JUNE 1995

## MISSION STATEMENT

To establish and maintain acceptable standards of broadcasting on all New Zealand radio and television, within the context of current social values, research and the principle of self-regulation, in a changing and deregulated industry.

Submitted to the Minister of Broadcasting for presentation to the House of Representatives pursuant to clause 14 of the First Schedule of the Broadcasting Act 1989.

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# FOREWORD

## OUTGOING CHAIRPERSON

The report which follows provides a comprehensive review of the Authority's activities during the past year and at the time of signing it I am immediate past chairperson. Thus it is appropriate that I confine my comments to expressions of appreciation to those who have supported me so loyally and efficiently throughout the past six years.

It is a formidable challenge to be given the task of establishing an entirely new statutory body and guiding and directing it through unexplored territories particularly when those territories are occupied by bodies which so strongly opposed its establishment.

I believe that the Authority has succeeded to the extent that it has become a credible organisation, respected by the majority of those who have dealings with it.

I have enjoyed the privilege of working with eight members during my six years as chairperson, seven of them women, and I have been fortunate indeed in the calibre of those appointed. We have not always agreed (it would be unhealthy if we did), and a number of our decisions have been majority ones, but all six hundred of them have been reached without acrimony and with an understanding of other's viewpoints. Whilst it may be invidious to name individuals, I make special mention of Joanne Morris who served the Authority outstandingly well for all but three months of those six years.

The quality of our small stable staff has been exceptional also. Gail Powell, our Executive Director, has been with the Authority throughout its existence and has been an integral and invaluable support. Ann Hensley, Michael Stace, Phillipa Ballard, Deborah Houston and Madeline Palmer are also long serving and loyal contributors. Dr Stace's ability and attitude to complainants and broadcasters alike, have made him an outstanding Complaints Manager.

I also want to express my deep appreciation of the support which I have received at all times throughout my terms from the two Ministers of Broadcasting with whom I have worked, The Rt Hon Jonathan Hunt and The Hon Maurice Williamson.

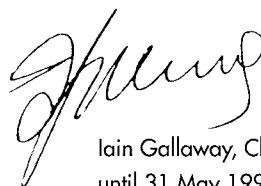
I was first appointed to the Board of the BCNZ in 1979 and apart from a break of two years in the early eighties, I have been shuttling to and from Wellington once or twice each month. There is a certain sense of relief accompanying my retirement but also reassurance in the knowledge that my successor is Judith Potter. I had known her professionally during her period as President of the NZ Law Society and subsequently worked with her as a member of the panel which reviewed the Advertising Standards Authority's advertising code. She brings many qualities to the position and I wish her well.

I end with three hopes for the Authority.

First, that violence on screen will be further reduced. Although there is considerable satisfaction in the knowledge that the level of violence has been reduced quite dramatically in recent years and is at its lowest since monitoring began, there is still a long way to go.

Secondly, that the complaints system can be modified to enable a significant number of less complex complaints to be dealt with more expeditiously.

Finally, that more funds can be provided for research purposes to enable the Authority to ensure that it is working in harmony with the accepted standards of society in general, and the viewing public in particular - standards which are subject to continuous movement.



Iain Gallaway, Chairperson  
until 31 May 1995

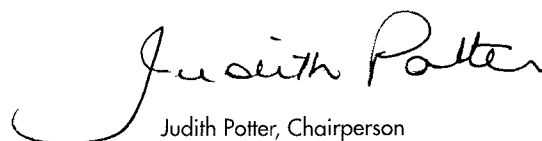
## INCOMING CHAIRPERSON

Since its inception in 1989, the Broadcasting Standards Authority has established for itself a reputation for integrity and reliability, and its relevance in the broadcasting environment is fully justified. I am fortunate to inherit a disciplined, highly motivated organisation whose members and staff are dedicated to quality performance.

A significant event for the Authority this year was farewelling not only founding chairperson Iain Gallaway but also founding member Joanne Morris. Their contribution in setting the standards for quality decision-making and in shaping the direction and vision of the Authority has been immense. I am sure that I speak not only for current and past members and staff but also for viewers and listeners in saying that we all are very grateful for the dedication and wisdom they brought to the Authority during its first six formative years.

Losing another member, Bill Fraser, in July this year for personal reasons has increased considerably the workload of the remaining three members.

Broadcasting impacts upon and influences the daily lives of all of us in the community. It changes to reflect developments in society, and more importantly, it influences those developments. Broadcasting standards must therefore provide active, living guidance for broadcasters. They must reflect the expectations of the community, and take account as far as is realistic, of the important advances in technology which will impact upon broadcasting as we now know it. This presents continuing challenges for the Authority, challenges which it must meet, and must be resourced to meet. I welcome those challenges and look forward to my involvement with the Authority.



Judith Potter, Chairperson  
from 1 June 1995

## MEMBERS



**Iain Gallaway**, QSO, MBE, a Dunedin barrister and solicitor, was the founding chairperson of the Authority and served in that position for six years until his retirement at the end of May this year. Mr Gallaway was a familiar voice on radio throughout New Zealand after 40 years of sports broadcasting. He also served on the Board of the Broadcasting Corporation of New Zealand for seven and a half years including three years as Deputy Chairman of Radio New Zealand. He served as Chancellor of the Anglican Diocese of Dunedin for thirty-four years and on the boards of numerous national and local charities, business and sporting organisations.



**Judith Potter**, CBE, LL.B, a senior commercial partner in the Auckland office of the law firm Kensington Swan and past president of the New Zealand Law Society 1991-94, was appointed Chairperson of the Authority in June 1995. She is a director of ECNZ and the NZ Guardian Trust, a member of the Securities Commission and chaired the working party which reviewed the Advertising Standards Authority liquor advertising code.



**Rosemary Barraclough**, BA (Hons.), Dip Journ, completed her three year term in September 1994. She is a print journalist who worked as a reporter and sub-editor on daily newspapers in Timaru and Hamilton before moving to Auckland.



**Bill Fraser**, AFNZIM, Oamaru, was appointed to the Authority in September 1994. He was a manager and owner of Foodstuffs companies in Otago and Southland. In addition to holding directorships he is deputy mayor of the Waitaki District Council and chairman of its Finance Committee. Mr Fraser resigned at the end of July 1995 for family reasons.



**Lyndsay Loates**, Auckland, began her term on the Authority in July 1994. She has worked as a professional journalist both in New Zealand and overseas and has won several national journalism awards. After a period as deputy editor and senior feature writer with *More Magazine*, she has worked as a freelance journalist.



**Rosemary McLeod**, a Wellington-based journalist, was appointed to the Authority in May 1995. She has won numerous journalism awards for investigative reporting, feature writing, and column writing. She has also had extensive experience as a television drama script writer and editor and has worked as a news reporter for both television and radio.



**Joanne Morris**, OBE, LL.M (Hons.), formerly a senior law lecturer at Victoria University in Wellington, resigned in March 1995, after serving on the Authority since its establishment. Ms Morris is a member of the Waitangi Tribunal, chaired the 1988 Ministerial Committee of Inquiry into Pornography and is a New Zealand Law Commissioner.

Note: One position on the Authority was vacant at the time of publication.

# FORMAL COMPLAINTS

The steady and occasionally dramatic increase in the number of decisions issued each year has featured in past reports. With both pleasure and relief, the Authority records that the number of decisions released during the past financial year decreased slightly from the previous year - from 151 to 144. This reduction occurred despite the on-screen promotion of the complaints procedures, since December 1994, by the television broadcasters, in compliance with their legislative responsibilities. These advertisements have generated a considerable number of requests to the Authority for its Complaints Procedures pamphlet but, to date, only a small increase in the number of referrals when compared to the January to June period last year.

## TRENDS THIS YEAR

As in past years, the processing of complaints has continued to dominate the Authority's work load and its resources. The proportion of complaints upheld by the Authority, in full or in part, remains consistent with past years at approximately 1 in 3.

The number of complaints alleging that a programme has breached the requirement to be balanced, accurate and fair has remained steady but the proportion of those complaints upheld has increased from 35% in 1993-94 to 45% this year. These complaints, which may involve a news item or a *Frontline*, *20/20*, *60 Minutes*, *Fair Go* or other current affairs programmes, often involve an extensive examination of a variety of aspects and consume the major portion of the Authority's time and other resources.

Although the numbers remain small, complaints which focus on violence have increased during the past year - from 6 to 12 or 4% to 8% of all decisions issued. The specific concern in a number of recent complaints is the portrayal of violence shortly after the beginning of Adults Only (AO) time at 8.30pm. It is an issue which the Authority is addressing.

The number of complaints alleging a breach of the good taste and decency standard has increased slightly in recent months but the proportion upheld continues to hover around 20%.

The decrease in the number of complaints alleging breaches of the standards dealing with the incidental promotion of alcohol is the most noticeable trend in the past year - from 31 or 20% of the total decisions in 1993/94 to 14 or 10% in 1994/95. Indeed, had the number been consistent with the previous years, the Authority's total number of decisions would have continued its seemingly inexorable increase.

The Authority believes that there are two reasons for this decline. First, the Authority reviewed its standards relating to the promotion of liquor within programmes, and in December 1994 issued the revised programme standards which simplified and clarified the previous rules.

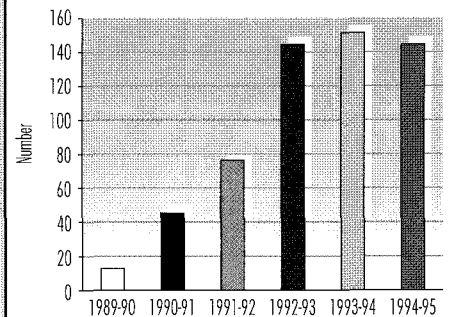
Secondly and, in the Authority's opinion, the more substantial reason for the downturn, has been the broadcasters' approach to the standards. The Authority believes that television staff - from technical staff to producers - are now better informed of their responsibilities and are conscientiously endeavouring to comply with the standards in detail and in spirit.

As shown in the graphs on page 5, individuals lodged two thirds of the formal complaints received by the Authority. This fact challenges the frequently heard criticism that the process is too complicated for ordinary viewers and listeners. Men refer twice as many complaints to the Authority as women - contrary to popular belief that women are more interested in maintaining programme standards than men.

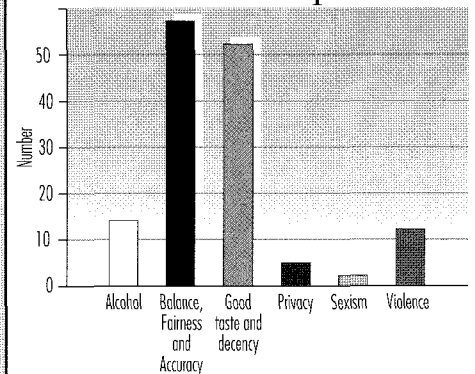
## FUTURE TRENDS

While the major broadcasters do not, in the Authority's experience, adopt a cavalier attitude to the standards, broadcasting standards are only one of the imperatives they face in a commercial environment. Some of their programmes, be it investigative journalism or a drama series, involve nudging the boundaries of community sensibilities and seem inevitably to provoke complaints. Moreover, while the requirements for such matters as balance, fairness and accuracy remain immutable, community standards on taste and decency issues are

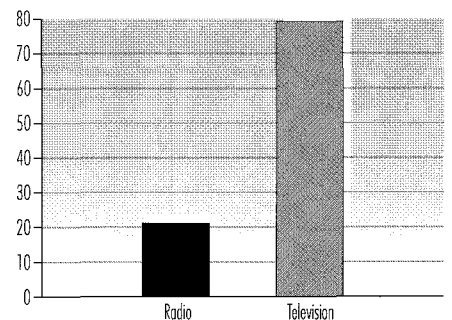
Number of Decisions Issued



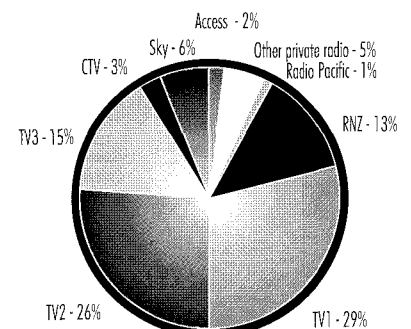
Basis of Complaint



Broadcaster

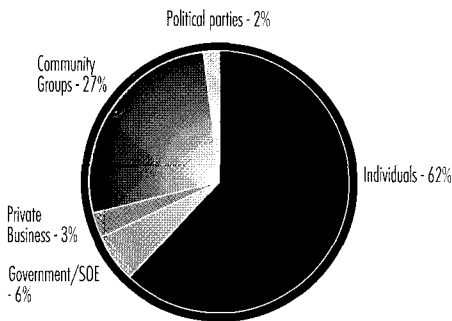


Complaints by Broadcaster

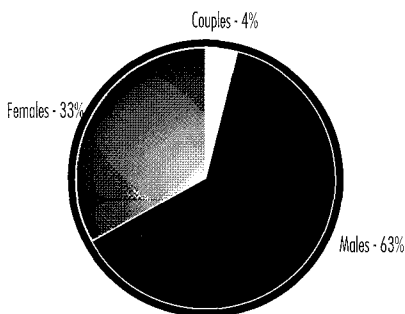




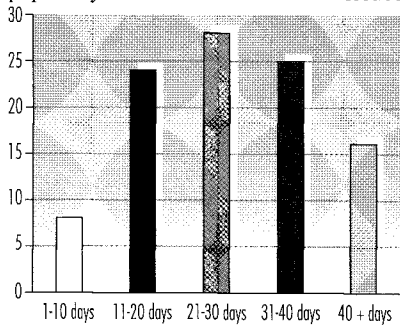
### Source of Complaints



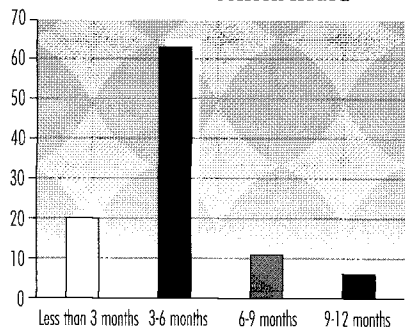
### Complainants (Individuals)



Number of working days from receipt of final papers by BSA until date decision issued



Number of months from when programme screened until decision issued



never static and the Authority will receive complaints that broadcasters are out-of-step, by either lagging behind the changes or assuming too much change.

Equally important are viewers' expectations, first, of broadcasters and, secondly, of the complaints process and the Authority's role. There is no doubt that radio and television remain the major source of entertainment and information for the community and broadcasting continues to be a powerful influence in society. It is the Authority's responsibility, while acknowledging the changes in expectations and in the face of a degree of scepticism, if not cynicism, to ensure that the community retains its faith that the complaints system will ensure that acceptable standards are maintained. It is too early to predict whether the number of complaints has finally reached its peak or whether the steady upward trend will be seen again during the forthcoming year.

### APPEALS

The number of appeals to the High Court against the Authority's decisions has consumed a substantial amount of staff time and the Authority's financial resources this past year. This increase appears to be evidence of, amongst other things, an increasingly litigious society. In its first four years - January 1990 to December 1993 - the Authority issued 338 Decisions with two appeals being filed in the High Court. Ten appeals have been filed relating to the 196 decisions issued since January 1994. One aspect of particular concern is that having filed an appeal some appellants make no attempt to pursue the action, which makes a mockery of the whole process.

Although it is not possible to stand aside from appeals totally, the Authority, in view of the high costs involved, has tried to minimise its involvement to the extent possible after examining the details of each particular case. Having been named in the appeals alternatively as the sole respondent, the first respondent, the second respondent or not at all, the Authority sought a ruling and in May 1995 the High Court upheld its contention

that, as the adjudicative body, it should not be named as a party to the appeal. Now that this ruling has been obtained, the Authority should be able to reduce its involvement with the other appeals.

### PRIVACY

In 1992, the Authority developed five privacy principles which it has since applied to complaints which allege that a broadcaster has failed to comply with the standard which is consistent with, to cite s.4(1)(c) of the Broadcasting Act 1989, "the privacy of the individual".

Although the right to be left alone is a common sense definition of privacy, it was necessary for the Authority to follow what it considered to be appropriate legal precedents. Because of the paucity of reported cases and the lack of a clear definition of privacy in New Zealand in respect to the media, the Authority relied upon precedents from the United States when it developed the five principles which it has since applied.

The Authority's privacy principles were challenged in an appeal heard this year and it was gratified that its approach was endorsed by Eichelbaum C J who dismissed the appeal in *TV3 Network Services Ltd v Broadcasting Standards Authority & Anor* (Wellington HC, 15 May 1995).

To ensure easier access to the privacy principles which it applies, the Authority intends to suggest to broadcasters that these principles be added to the Codes of Broadcasting Practice.

## CODE REVIEWS

### REVIEW OF THE PAY TELEVISION CODE

Early in 1995, the Authority announced that it intended to review the Pay Television Code of Broadcasting Practice. The Authority first began investigating standards on services other than free-to-air television two years ago. Mindful of the rapid advances in technology and the likely consequences of the proliferation of pay and cable services, it awarded a grant to Chris Watson of Massey University to research practices in North America and Europe on the implications of satellite technology on standards issues. His 1994 report - *Regulating Aliens: Problems Relating to the Control of Extra-Terrestrial Television (Cultural Identity, Pornography and the Law)* - highlighted the potential problems of regulating the content of broadcasts from outside New Zealand and the effectiveness of disabling devices to prevent children from viewing Adult Only (AO) material.

Pay television services are becoming well established in New Zealand. Sky Television using broadcast transmission now covers most of New Zealand with a subscriber base of over 200,000 households, and other operators, such as Kiwi Cable and Telecom, have begun to provide cable services to smaller markets.

The decision to undertake a review of the pay television code this year was precipitated by two complaints received about two *Playboy* programmes on Sky Television. Both of these programmes were rated by the broadcaster as R18. The first complaint, received in February 1994, alleged that a *Playboy* programme screened at 10.45pm breached standards of good taste and decency and in addition, that it encouraged discrimination against women. In a decision released in August 1994 the Authority upheld, by a majority, the complaint that the programme breached good taste and decency standards because of the hour at which it was broadcast and a majority declined to uphold the complaint that the programme discriminated against women. As reported in its last annual report, the Authority felt that it could not say confidently

that its decision reflected public opinion and that it should seek public views.

As a result of this decision Sky began broadcasting its adult entertainment programmes at midnight, thus signalling clearly that the material was intended for adults. When a second complaint was received about the *Playboy* programme in October 1994, the Authority declined to determine the complaint "in all the circumstances" under s.11 of the Broadcasting Act 1989. The Authority said that it was unable to decide whether the programme was in breach of standards at the later hour of broadcast as it had not yet assessed public views. In the decision issued in March 1995 the Authority announced that it had begun a formal review of the code for pay television services.

Since then the Authority has received 11 complaints about the broadcast of the R18 film *Basic Instinct* on Sky Television. It has advised the complainants that it has deferred making a decision on those complaints pending the review of the Code of Broadcasting Practice for Pay Television.

After advising the Minister of Broadcasting and the pay television industry that it intended to undertake a review of the code, the Authority advertised widely for submissions. It sought views on a number of questions including whether the interpretation of statutory requirements should be different for pay television and free-to-air television. Over 250 submissions, and 16 petitions containing several thousand signatures, were received. Submissions were heard in Wellington in August and in Auckland in September.

If a programme is classified as R18, whether by the Office of Film and Literature Classification or by a broadcaster's internal appraisers, it is usually because of violence, coarse language or sexual images. The Authority has previously examined the literature and conducted research itself on television violence, including public opinion research. It has done the same for coarse language and other good taste and decency issues but those investigations did not include "soft pornography". Consequently, as part

of the information gathering process, a review of the literature on soft pornography was prepared for the Authority (see publications list) and members were briefed by the Films, Videos and Publications Classification Office on the statutory requirements found in the Classification Act and its views regarding the availability of soft pornography. In addition, it met with other individuals who have useful experience and expertise including those who work with offenders who use pornography. Practices in other countries were also examined.

When it called for submissions, the Authority also announced that it intended to canvass public opinion to gauge the public's views by conducting both quantitative and qualitative research. However, due to the lack of funds the Authority, reluctantly, has had to postpone this research until its funding is increased. Consequently, the review of the Pay Television Code, and the determination of the outstanding complaints will not be completed until the results of the public opinion research are available.

### REVIEW OF LIQUOR PROMOTION CODE

In 1992 when a code permitting brand advertising was introduced, the Authority announced that the new code might be adjusted after six months and would be fully reviewed in two years. After the six month review was completed in 1993, the responsibility for advertising standards on radio and television was transferred to the Advertising Standards Authority (ASA). Therefore in 1994 the Broadcasting Standards Authority (BSA) reviewed the promotion of liquor within programmes and an independent panel, appointed by the ASA, reviewed brand and sponsorship advertising of liquor. The Authority's 1994 Annual Report described the consultation process followed in the review of the *Code for the Promotion of Liquor Within Programmes*.

The BSA and the ASA decided to follow the same basic approach to improve the codes - basic principles were set out which broadcasters and advertisers must follow,

## TELEVISION VIOLENCE

both in spirit as well as in the letter. The BSA worked closely with broadcasters and other interested parties, and broadcasters agreed to the revised programme code before the Authority gave its final approval in December. The revised programme code came into effect in February 1995.

The basic principles of the programme code did not change - that liquor promotions within programmes in some cases must be eliminated and in others minimised and that the saturation of liquor promotions must be avoided. However, by simplifying the format, it is hoped the code is easier for all involved to understand and implement.

Assistance with interpreting the principles contained in the standards is given in ten guidelines which often include very specific "rules of thumb". These guidelines were in part based on decisions on complaints received prior to promulgating the revised code which identified specific interpretation problems in the previous code.

Another document which assists in interpreting the ASA and BSA codes is attached to the programme code - *The Voluntary Sports Code: Liquor Advertising and Promotion on Television*. This code, developed by the major sporting bodies and liquor sponsors, under the guidance of the New Zealand Sports Assembly, is a good example of responsible self-regulation. The Authority hopes that sporting bodies and liquor sponsors at both local and national levels will acknowledge that it is in everyone's interest to comply with the *Voluntary Sports Code* to make it easier for broadcasters, particularly television broadcasters, to ensure that the broadcasts of sporting events, sponsored by liquor companies, comply with the broadcasting code.

One of the first issues which the Authority addressed when it was established was television violence and the issue continues to feature highly in public concern and in the Authority's work. However, this year, for the first time since the Authority began examining the issue, the amount of violence portrayed on New Zealand free-to-air television appears to be declining significantly. Although the Authority was disappointed that it did not have the funds to repeat the comprehensive monitor of television violence which it first commissioned in 1991, it gave the NZ Mental Health Foundation a modest grant so that it could repeat its monitor of drama programmes. The 1995 Media Watch Survey, which was the ninth one the Foundation has conducted, found among other things that:

- The level of violence on the three major free-to-air channels was the lowest of any media watch survey and, at an average of 3.9 episodes of violence per hour, it was less than half the level of the three other surveys done in the 1990s, and
- Violence in children's viewing time has reduced by more than half.

The Authority commends broadcasters for their positive and effective efforts to reduce the amount of violence on television. However, it is still concerned by several factors highlighted by the Media Watch Survey, in particular, the exaggerated level of violence in programme promos. Programme promos contain more violence per hour than any other type of programme. A second concern is that for children aged between 2 and 12 years there are no real alternatives to cartoons and animated programmes, which traditionally contain a high level of violence. Although the average number of episodes of violence per hour in children's programmes is less than half the average 2½ years ago, it is still high at 4.7 per hour.

Dr Geoff Bridgman, the author of the Media Watch Survey report, attributes the drop in the level of television violence to a

number of factors including an improved code governing the portrayal of violence, which was developed as a result of the Authority's initiative; increasing awareness of the research evidence connecting television violence with violence in real life; and public pressure effectively channelled through pressure groups such as Media Aware and the National Council of Women. He also acknowledges the role of decision-makers in television who have responded to research evidence and public concern.

In addition to contributing to this research the Authority also contributed to public awareness of research findings about the impact of prolonged viewing of screen violence by assisting Media Aware to bring an internationally known researcher, Professor Rowell Huesmann, to New Zealand. He spoke to public groups and decision-makers in the four major centres about his findings from 22 years working in the field of screen violence. A small publication summarising his views and findings can be obtained either from Media Aware or the Authority. Of particular interest was Professor Huesmann's claim that the link between boys watching violent television and violent behaviour in adulthood is as strong as that between cigarette smoking and cancer.

As noted earlier, the number of complaints alleging breaches of the violence standards has increased slightly and the Authority has continued to deliver a strong message to broadcasters that gratuitous and repeated violence is not acceptable. Although the number is too small to draw firm conclusions, over the past five years the Authority has upheld two thirds of the complaints which it received alleging a breach of the violence code, a ratio twice as high as the average for all complaints. The Authority's decisions upholding complaints that programmes in the series *Mighty Morphin Power Rangers* breached aspects of the violence code were widely reported in the media and provoked public debate, most of it supportive.



## BALANCE AND FAIRNESS

The focus of the Authority's modest research programme this year was the release of the findings of Judy McGregor and Margie Comrie of Massey University on *Balance and Fairness in Broadcasting News (1985 - 1995)*. This research, jointly funded by NZ On Air and the Authority, was a content analysis of specific news categories of the most important news bulletins of TVNZ and TV3 (New Zealand's major television broadcasters), Morning Report (public service radio) and Mana News (the national Maori radio news service). The study measured variables such as time allocation, sources used and their affiliations, attribution of story material, geographic focus, emotive language and the tone of the news. Using two constructed weeks in five different years from 1985-1995 the research identified trends and changes over time in relation to the issues of balance and fairness.

This comprehensive report has much information of importance to New Zealand broadcasters and to the Authority but a few findings stand out:

- Of the stories sampled across the four broadcasters, 81% of the stories were found to have dealt justly and fairly with every person taking part or referred to in the story;
- In the majority of cases, the interviewer's tone of voice was rated neutral; and
- In the vast majority of news stories, the main claim was fully supported.

The authors identified several areas of concern, based on their findings. Possibly their greatest concern was the "blending" of news on television and the increasing likelihood that the television reporter is part of the story as well as the storyteller. The authors have strongly recommended that opinion should be separated more clearly from fact and that sources be more fully identified in television news. The proportion of crime stories sampled from 1985 to 1994

increased compared to other subject areas and the focus on violent crime was disproportionate to the actual incidence of violent crime in New Zealand society. The amount of political news across both television channels and National Radio's *Morning Report* appears to be on the wane. They also observed that there is a "persistently low proportion of Maori news stories in the story mix of the three traditional broadcasters at a time of considerable social and political flux of the Maori and Pakeha in New Zealand society."

## CHILDREN'S PROGRAMMING ISSUES

The other major information-gathering activity for the Authority was to participate in the *World Summit on Television and Children* held in Melbourne, Australia in March. This exciting and stimulating conference, attended by representatives of television broadcasters, producers, regulators and consumer groups from all over the world, highlighted the importance of programming for children and the problems faced worldwide. Certainly, New Zealand is not unique in being concerned about the lack of quality drama, the dominance of foreign-made programmes, the amount of advertising and product placement in programmes and "protection of children" issues such as television violence and adult themes in programmes shown during family viewing time. A children's television charter was drafted during the conference and is being circulated to participants for endorsement. An interesting outcome of the conference was the establishment of a research network (which the *Australian Broadcasting Authority* is supporting with administrative services) which should enable an exchange of research internationally for the benefit of everyone.

## PARTY POLITICAL ELECTION ADVERTISING

Fortunately the Authority has not had to implement during the past year any of its responsibilities under Part VI of the Broadcasting Act 1989 which requires it to allocate monies appropriated by Parliament and free time donated by broadcasters for party political advertising during an election. The Authority is still firmly of the belief that this responsibility does not rest well with its other responsibilities and is hopeful that the proposed Broadcasting Act Amendment Bill will result in this responsibility being transferred elsewhere.

## INFORMATION AND PUBLICATIONS

The Authority has repeatedly said that it believes that a well-informed public which debates standards issues and uses the formal complaints procedure is vital in maintaining broadcasting standards. It is pleased to report that the major national television broadcasters are periodically promoting the formal complaints procedures over the airwaves.

One of the Authority's main contributions to an informed and empowered public is the publication of the Codes of Broadcasting Practice. A copy of the Codes can be found in many educational institutions and in most public libraries. A brochure explaining how to make a formal complaint can be obtained free of charge from the Authority. The Authority continues to distribute its decisions to the parties involved and to other key organisations free of charge, offers an annual subscription service for \$150 and provides copies of individual decisions at \$5 a copy.

## HUMAN AND FINANCIAL RESOURCES

The number of complex complaints determined this year, coupled with the two code reviews, has meant that the workload of members of the Authority has been considerable and stretched the limits of part-time commitment. The Authority's staff is very small and staff resources have also been stretched. It is fortunate that in a time of considerable change for members that the staff has remained stable.

### FUNDING

As noted earlier, adequate funding continues to be a source of great concern to the Authority and it is unable to fulfil its statutory obligations adequately with its current level of funding. It is relieved that the issue of the Authority's funding is being addressed and hopes that new measures can be put in place as soon as possible which allow the Authority to resume its research, public consultations and educational functions.

Due to the government's injection of a special capital grant of \$90,000, the Authority has managed to avoid ending this year with a deficit, having \$765 working capital available at 30 June 1995, compared to a working capital deficit of \$24,354 in 1994.

### ADDRESS

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## STAFF

Executive Director .....	Gail Powell, M.A.
Complaints Manager .....	Michael Stace, LL.M., D.Jur.
Complaints Executive .....	Phillipa Ballard, M.A., LL.B
Administration Manager .....	Ann Hensley
Office Secretary .....	Deborah Houston
Receptionist/WP Operator .....	Madeline Palmer
(shared with NZ On Air)	

The Authority will determine complaints referred after consideration by the broadcaster or privacy complaints sent directly to the Authority, as promptly and informally as possible, mindful of the quasi-judicial nature of the Authority and following the principles of natural justice and other requirements of the Broadcasting Act 1989

## OUTCOME

Improved compliance with the broadcasting standards

## TIMELINESS

The Authority will issue decisions within 40 working days of receipt of final comment from all parties, unless delayed by court proceedings. Complaints on party political advertising will be fast-tracked and decisions issued within 48 hours of receipt. Decisions will be despatched to the parties within a day of date of signature

## QUALITY

The Authority will recognise community standards and expectations, the production realities which broadcasters face, research findings and international practices when relevant

Decisions will be and be seen to be principled, firm, just and relevant by the complainant, public and broadcasters. They will be written in a concise and logical manner and explain clearly the Authority's reasons and expectations. Complex decisions will be summarised for the media to ensure accurate reporting

Sanctions will be fair and effective

The Authority will respond to all queries about formal complaints procedures in a helpful and "user-friendly" manner and provide accurate and full information while maintaining impartiality

## PERFORMANCE

	1990/91	1991/92	1992/93	1993/94	1994/95
<b>COMPLAINTS RECEIVED</b>	52	106	159	168	162
<b>COMPLAINTS DETERMINED</b>					
Total Decisions Issued:	45	76	144	151	144
Upheld (all or in part)	19	25	43	54	50
Not upheld	26	51	101	97	94 <sup>1</sup>
Interlocutory Decisions	1	1	3	1	1
Declined Jurisdiction (time bar, etc)	-	5	8	12	9
Withdrawn	-	7	8	11	10
Orders	-	4	8	9	8 <sup>5</sup>
<b>ADVISORY OPINIONS</b>	-	2	-	-	2
Decisions issued within 40 working days <sup>2</sup>	88% <sup>3</sup>	99% <sup>3</sup>	65%	81%	84%

## COSTS

	Budget <sup>4</sup>	Actual <sup>4</sup>
Financial	\$411,900	\$406,900
% of total resources	65%	64%
Members' time	80%	80%

## NOTES

- 1 Includes 7 deferred decisions and 4 which the Authority "declined to determine"
- 2 Decision issued within 40 working days after receipt of final comment unless delayed by court proceedings
- 3 Target was 60 working days
- 4 Includes a portion of overheads
- 5 The orders involved only seven programmes. One programme was the subject of two decisions

The Authority, mindful of public views, local and international practices and research findings, will assess the adequacy of the codes developed by the broadcasters. If the codes appear inadequate the Authority will encourage broadcasters to develop new standards which meet the Authority's concerns. As a last resort, the Authority will impose codes

### OUTCOME

Adequate and easily understood codes which contribute to acceptable standards on radio and television

### TIMELINESS

A code will be reviewed when it is shown to be inadequate, either during consideration of formal complaints or where there is significant public demand for a review

### QUALITY

The Authority will consult extensively when undertaking a formal review of a code. The review will be handled in a professional manner including announcing the review publicly and providing detailed information to all known interested parties. Discussion papers about the parameters of the review and the time frame will be clearly written and distributed widely. Public input will be thoroughly assessed and all viewpoints given careful consideration

The Authority will work constructively with broadcasters to ensure that a new code is practical and fair but also reflects the expectations of viewers and listeners and the requirements of a just society. Interested parties will be invited, where appropriate, to comment on draft codes before final approval

### PERFORMANCE

Targets 1994/95	Actual	Notes
Review pay television code	In progress	
Complete review of the standards for liquor promotion within programmes and together with broadcasters develop a revised code	Achieved	
Consult with broadcasters and develop standards for talk back programmes	Postponed	
Identify current standards issues, if any, regarding racism/sexism - on television and radio	On-going	1

### COSTS

	Budget <sup>2</sup>	Actual <sup>2</sup>
Financial	\$75,500	\$103,300
% of total resources	12%	16%
Members' time	10%	12.5%

### NOTES

- 1 Although no formal assessment was undertaken, the Authority was particularly observant of these issues and has not identified cause for concern. Minor changes to the free-to-air television code were discussed with broadcasters and agreed on
- 2 Includes portion of overheads

As finances permit, the Authority will use its own staff as well as commission trained researchers to conduct New Zealand-specific research on broadcasting standards and community views and publish the findings

## OUTCOME

Expanded knowledge which will enhance the Authority's ability to improve codes and determine complaints and will assist broadcasters in maintaining standards acceptable to ordinary viewers and listeners

## QUALITY

Research priorities will be carefully assessed based on the Authority's strategic goals and public concerns. Both internal and commissioned research will meet all the professional criteria for quality research. Findings will be published as soon as they are available

The Authority will use a range of consultation techniques, including geographical spread, to keep in touch with the opinions of New Zealand viewers and listeners. Local consultations will be advertised widely and handled in a friendly and informal manner

## PERFORMANCE

### Target Activities 1994/95

Actual Note

### Conduct Research

Repeat monitor of television violence and examine trends	Partly achieved	1
Commission public opinion survey re standards on pay television	In progress	
Commission research on fairness, balance & accuracy in broadcast news	Achieved	
Study trip to Australia to examine television violence, alcohol promotion, and pay television programme standards	Partly achieved	2
Conduct research on saturation of liquor promotions on radio	Achieved	
Hold focus group consultations on specific issues, including the Maori and Samoan communities	Not achieved	3

### Publish Research

<i>Balance &amp; Fairness in Broadcast News : Research Report</i>	Achieved	
<i>Perspectives on Pornography : Literature Review</i>	Achieved	

### Activities Additional to Target

Participate in World Summit on Television and Children	Achieved	
Assist with lecture tour of international researcher on television violence	Achieved	

## COSTS

	Budget <sup>4</sup>	Actual <sup>4</sup>
Financial	\$93,500	\$80,700
% of total resources	15%	13%
Members' time	10%	5%

## NOTES

- 1 Due to funding restraints the Authority could not repeat the comprehensive monitor it commissioned in 1991. However, it gave a grant to the Mental Health Foundation to repeat its monitor of drama programmes
- 2 The Authority decided instead to send two delegates to the World Summit on Children and Television in Melbourne and some of the issues were canvassed there
- 3 Available resources were utilised to complete the review of liquor promotion and begin the pay television code review
- 4 Includes portion of overheads



## Output 4

## Publications, Education and Promotion

The Authority will use appropriate opportunities to stimulate public debate about standards matters, the role of the Authority and the way individuals and groups can influence broadcasters' decisions about standards issues, including use of the formal complaints process

**OUTCOME** Raised awareness about standards matters

**QUALITY** Published information will be easily understood, eye-catching and professionally produced. Essential material will be published in Maori and Samoan languages. The Authority's material and its procedures will be as "user-friendly" as practicable

**TIMELINESS** The Authority will release public statements at every appropriate opportunity to publicise its work. New editions of the codes and brochures will be published as soon as is practicable after changes are made. Subscription copies of decisions will be despatched 48 hours after the decision is sent to the parties involved

<b>PERFORMANCE</b>	Target 1994/95	Actual	Notes
	Continue to publish and distribute the Codes of Broadcasting Practice	Achieved	
	Continue to publish and distribute widely, free of charge, the brochures about the procedures for making formal complaints	Achieved	
	Continue to offer a subscription service for the Authority's decisions	Achieved	
	Liaise with appropriate groups to facilitate the production of an educational kit to use in schools to increase understanding of standards issues	Not achieved	1
	Continue to provide information for student projects	Achieved	
	Advertise complaints procedures	Not applicable	2
	Seek out and use opportunities to speak about programme standards and formal complaints procedures	On-going	

<b>COSTS</b>	Budget <sup>3</sup>	Actual <sup>3</sup>
Financial	\$57,600	\$44,100
% of total resources	9%	7%
Members' time	5%	2.5%

- NOTES**
- 1 Postponed due to lack of resources
  - 2 No longer necessary because broadcasters are advertising the procedures
  - 3 Includes portion of overheads

## Output 5

## Allocate Funds and Free Time for Political Party Advertising

The Authority will advise all political parties of the proper procedures for applying for free time and public monies for political party advertising during elections and by-elections, consult with broadcasters, hold formal hearings, allocate time and money and authorise payments to broadcasters according to the principles and requirements of the Act

**OUTCOME** Fair and open allocation of public funds for party political advertising during elections

**QUALITY & TIMELINESS** The procedures will be followed within the time frames specified in the Broadcasting Act and in a manner which is fair, open and helpful to both broadcasters and political parties. The parties will be given as much advance notice as is practicable. Procedures for by-elections will be simplified as appropriate in the time frame. Payments will be authorised within five working days of receipt of documentation

**PERFORMANCE** No performance targets or allocation of resources were developed since a general election was not anticipated

# Analysis Of Decisions

JULY 1994 - JUNE 1995

JULY 1994 - JUNE 1995	COMPLAINTS RECEIVED: 162	DECISIONS ISSUED: 144
JULY 1993 - JUNE 1994	COMPLAINTS RECEIVED: 168	DECISIONS ISSUED: 151
JULY 1992 - JUNE 1993	COMPLAINTS RECEIVED: 159	DECISIONS ISSUED: 144
JULY 1991 - JUNE 1992	COMPLAINTS RECEIVED: 106	DECISIONS ISSUED: 76
JULY 1990 - JUNE 1991	COMPLAINTS RECEIVED: 52	DECISIONS ISSUED: 45
JULY 1989 - JUNE 1990	COMPLAINTS RECEIVED: 43	DECISIONS ISSUED: 12

## BASIS OF COMPLAINT

(1993 - 1994 FIGURES IN BRACKETS)

	TOTAL	Good Taste & Decency (including language)	Balance, Fairness and Accuracy
Declined	94 (97)	42 (33)	32 (37)
Upheld (all or in part)	50 (54)	10 (7)	25 (20)
Declined Jurisdiction	9 (12)		
Complaint Withdrawn	10 (11)		
Alcohol Advertising		Violence	Privacy
Declined	8 (14)	3 (3)	6 (9)
Upheld (all or in part)	6 (17)	9 (3)	- (4)
Racism		Other	Sexism
Declined	- (3)	- (-)	3 (-)
Upheld (all or in part)	- (1)	- (-)	- (-)

Seven orders were made by the Authority. Five related to complaints about balance, fairness and accuracy and required the broadcast of a statement. One related to a complaint about excessive incidental liquor promotion and required the broadcast of a statement and one involved an order for costs of \$5,000.

## BY BROADCASTER AND PROGRAMME

TVNZ	TOTAL	NEWS	CURRENT AFFAIRS	HOLMES	TALK BACK	DOCU-MENTARY	OTHER
Declined	50 (68)	9 (14)	7 (10)	3 (10)		5 (10)	26 (24)
Upheld (all or in part)	29 (34)	4 (9)	3 (3)	3 (2)		- (-)	19 (20)
TV3	CURRENT AFFAIRS						
Declined	15 (15)	8 (5)	1 (7)			- (-)	6 (3)
Upheld (all or in part)	7 (12)	3 (2)	2 (6)			1 (-)	1 (4)
CTV	Declined	1 (3)			- (-)		1 (3)
Upheld (all or in part)	3 (4)				1 (-)		2 (4)
Sky	Declined	8					8
Upheld (all or in part)	1						1
RNZ	Declined	12 (3)	1 (1)	4 (-)	4 (-)		3 (2)
Upheld (all or in part)	6 (2)	4 (2)	- (-)	1 (-)			1 (-)
Private and Other Radio	Declined	7 (8)			1 (3)		6 (5)
Upheld (all or in part)	5 (2)				- (1)		5 (1)

## Complaints Determined by the Authority

JULY 1994 - JUNE 1995

Decision Number	Complainant	Programme	Nature of Complaint	Decision
3/94	Francis Tracey	Host's comments about the Irish on <i>Newstalk ZB</i> , RNZ	Offensive and racist	Not Upheld
4/94	Lewis Clarkson	"Still Craving for Love", on <i>Canterbury Upfront</i> , CTV	Unbalanced, inaccurate, discriminated against homosexuals	Upheld in Part
5/94	Keith and Kay Burgess	<i>Countdown 93</i> , TV3	Unbalanced and inaccurate	Upheld in Part
6/94	S Archer	Announcer's comments, <i>Pirate FM</i>	Invaded privacy	Not Upheld
7/94	Jahn Werry	News item on hospital records, RNZ	Unfair, inaccurate and unbalanced	Upheld in Part
8/94	Christchurch City Councillors	Host's comments on <i>Gifford and Balani</i> , CTV	Unfair and unbalanced	Upheld in Part Broadcast of summary and apology ordered
9/94	Exclusive Brethren Christian Fellowship	Series of items on <i>Holmes</i> , TVNZ	Inaccurate, unfair, unbalanced and encouraged discrimination	Upheld in Part
10/94	Graham and Jenny Jacobsen	<i>Mr Wroe's Virgins</i> , TVNZ	Offensive	Not Upheld
11/94	GOAL	Rugby match on <i>Countrywide Bank Grandstand</i> , TVNZ	Saturation and excessive incidental liquor promotion	Upheld in Part
12/94	Phillip Smits	<i>Playboy Late Night/After Dark</i> , Sky	Offensive and demeaning to women	Upheld in Part
13/94	Maurice New	<i>Grace Under Fire</i> , TVNZ	Offensive	Not Upheld
14/94	Wellington Palestine Group	News item on Hebron Massacre, TVNZ	Inaccurate	Not Upheld
15/94	Wellington Palestine Group	News item on East Jerusalem, RNZ	Inaccurate	Upheld in Part
16/94	Families Apart Require Equality (FARE)	Broadcast ordered by the Authority, TV3	Inaccurate	Upheld in Part
17/94	Gordon Copeland	News item on Hero Parade, TV3	Inaccurate and unfair	Not Upheld
18/94	Edward Malcolm and others	<i>Holmes</i> item on Exclusive Brethren, TVNZ	Inaccurate and unfair	Not Upheld
19/94	Wellington Palestine Group	Item on Hebron Massacre on <i>Good Morning NZ</i> , RNZ	Inaccurate	Upheld in Part
20/94	Jardine Insurance Brokers	<i>Fair Go</i> items on crop insurance, TVNZ	Inaccurate, unfair and unbalanced	Upheld in Part Broadcast of Summary ordered
21/94	Minister of Health	Talkback discussion on health, RNZ	Dissatisfied with action taken on aspects upheld and that complaint not upheld in full	Further aspect Upheld, Action taken sufficient
22/94	Sporting Shooters' Association	Comments on <i>The Ralston Group</i> , TV3	Offensive and denigratory to duck hunters	Not Upheld
23/94	Rescare New Zealand	Documentary: <i>The House on Grey Street</i> , TVNZ	Unfair and inaccurate	Not Upheld

Decision Number	Complainant	Programme	Nature of Complaint	Decision
74/94	Dennis Walker	An interview with Madonna on <i>Holmes</i> , TVNZ	Offensive and unsuitable for children	Not Upheld
75/94	A Voogt	Language and gestures on <i>Mountain Dew - On the Edge</i> , TVNZ	Offensive	Not Upheld
76/94	Terry Tarrant	News item on forthcoming book, TV3	Unfair and unbalanced	Not Upheld
77/94	Christian Heritage Party	Discussion about gay magazine on <i>The Ralston Group</i> , TV3	Inaccurate, offensive and unbalanced	Not Upheld
78/94	Credo Society Inc	<i>Radio Gala</i> comments about Easter, Access Radio	Offensive and unfair to Christians	Upheld in Part
79/94	Sam Hunt	ZMFM promotion referred to complainant without his permission, RNZ	Invasion of privacy	Not Upheld
80/94	D Low	Anti-royalty comments on <i>Insight</i> , RNZ	Inaccurate and offensive	Not Upheld
81/94	Bayfield Kindergarten	<i>Mighty Morphin Power Rangers</i> , TVNZ	Excessive violence	Upheld in Part
82/94	Carolyn Barr	<i>Mighty Morphin Power Rangers</i> , TVNZ	Excessive violence	Upheld in Part
83/94	Children's Media Watch	<i>Mighty Morphin Power Rangers</i> , TVNZ	Excessive violence	Upheld in Part
84/94	Mosjuel Central Kindergarten	<i>Mighty Morphin Power Rangers</i> , TVNZ	Excessive violence	Upheld in Part
85/94	Female Images and Representation in Sport (FIRST)	Sports news item on Fletcher Marathon, TVNZ	Inaccurate, unbalanced, unfair and encouraged discrimination against women	Upheld in Part
86/94	Jardine Insurance Brokers	<i>Fair Go</i> items on crop insurance, TVNZ	Application for Costs	Costs of \$5,000 awarded
87/94	Credo Society Inc	Items on <i>The G &amp; T Show</i> and <i>International Homosexual News</i> , Access Radio	Inaccurate and partial	Not Upheld
88/94	Manufacturing and Construction Workers Union Inc	Editorial comment, More FM	Unfair	Not Upheld
89/94	Jeffrey Raven	Announcer's comments, <i>Pirate FM</i>	Offensive	Upheld
90/94	GOAL	Saturation of liquor promotion on <i>DB Sport</i> , CTV	Dissatisfied with action taken when complaint upheld	Action sufficient
91/94	Southland Fuel Injection Ltd	<i>Fair Go</i> item on car repairs, TVNZ	Dissatisfied that original complaint was not upheld in full and dissatisfied with action taken on aspects upheld	Aspects of both upheld Broadcast of summary of decision ordered
92/94	Phillip Smits	Interview with strip show performers, Radio Hauraki	Offensive and demeaning to women	Upheld in Part
93/94	Monica O'Neill	News item on young man convicted of drink/driving, TV3	Invasion of privacy	Not Upheld

Decision Number	Complainant	Programme	Nature of Complaint	Decision
94/94	GOAL	News interview of South African rugby players, TVNZ	Excessive and contrived incidental promotion of liquor	Upheld
95/94	GOAL	News item after rugby match, TV3	Excessive incidental liquor promotion	Not Upheld
96/94	Patricia Waugh	<i>Mighty Morphin Power Rangers</i> , TVNZ	Excessive violence	Upheld
97/94	WIG Fountain	Sex education item on <i>Body and Soul</i> , TVNZ	Offensive and unbalanced	Not Upheld
98/94	C B	Announcer's comment, Energy FM	Offensive and invasion of privacy	Upheld in Part
99/94	Bernard Gadd	Political bias in news item, TV3	Partial	Not Upheld
100/94	GOAL	Fitness segment on <i>Body and Soul</i> , TVNZ	Dissatisfied that complaint about excessive incidental liquor promotion not upheld in full	Not Upheld
101/94	Alcohol Healthwatch	Fitness segment on <i>Body and Soul</i> , TVNZ	Dissatisfied with action taken on aspects upheld	Upheld. Broadcast of apology and summary of decision ordered
102/94	C R Turner	News item on male strip club, TVNZ	Offensive	Not Upheld
103/94	R J England	News item on body piercing, TVNZ	Offensive	Not Upheld
104/94	Grant Sumner	Host's comment on <i>Newsstalk ZB</i> , RNZ	Invasion of privacy	Not Upheld
105/94	Chris Sorrell	Language in <i>Verbatim</i> and on <i>Insight</i> , RNZ	Offensive	Not Upheld
106/94	R J England	Film, <i>Red Heat</i> , TVNZ	Excessive violence and offensive language	Not Upheld
107/94	J P Lowe	<i>60 Minutes</i> item included file footage of naked men, TVNZ	Offensive	Declined to Determine - trivial
108/94	Phillip Smits	Examination of Auckland's red light district in <i>Under Investigation</i> , TVNZ	Offensive and unbalanced	Not Upheld
109/94	GOAL	<i>Holmes</i> item on All Blacks coach, TVNZ	Saturation of and excessive incidental liquor promotion	Upheld in Part
110/94	GOAL	<i>DB Sport</i> , CTV	Excessive incidental liquor promotion	Upheld. Broadcast of summary of decision ordered
111/94	NZ Immigration Service	20/20 item on removal of Western Samoan woman, TV3	Unbalanced and inaccurate	Upheld in Part. Broadcast of summary of decision ordered
112/94	Dame Thea Muldoon	<i>Muldoon: The Grim Face of Power</i> , TV3	Unfair, inaccurate and unbalanced	Upheld in Part
113/94	Dr J P Downs	Warning before <i>Between the Lines</i> , TVNZ	Unbalanced and discriminatory	Not Upheld
114/94	Trish O'Donnell	Warning before <i>Between the Lines</i> , TVNZ	Unbalanced and discriminatory	Not Upheld
115/95	Phillip Smits	"DD Cup" skit on <i>Hale and Pace</i> , TVNZ	Offensive and exploits women	Not Upheld
116/94	Phillip Smits	News item on Manga Film Festival, TVNZ	Offensive and unbalanced	Not Upheld
117/94	Phillip Smits	News item on Hugh Hefner, TVNZ	Unbalanced	Not Upheld

Decision Number	Complainant	Programme	Nature of Complaint	Decision
118/94	Palestine Human Rights Campaign	<i>Air New Zealand Holiday</i> , TVNZ	Dissatisfied with action taken on aspect upheld and that complaint not upheld in full	Not Upheld
119/94	Credo Society Inc	"Every opinion is welcome" promo, Radio Pacific	Inaccurate and misleading	Not Upheld
120/94	Twilight Promotions	Review of show on <i>5.30 Live</i> , TV3	Inaccurate and unacceptable	Not Upheld
121/94	Lewis Morgan	Replays of the All Black and South African rugby test, TVNZ	Inaccurate and unbalanced	Upheld in Part
122/94	GOAL	Coverage of All Black and South African rugby test, TVNZ	Saturation of incidental liquor promotion	Not Upheld
123/94	GOAL	Rugby coverage on <i>One World of Sport</i> , TVNZ	Excessive incidental liquor promotion	Upheld in Part
124/94	The Pavan Family	Use of forensic science explained in <i>Under Investigation</i> , TVNZ	Unfair, inaccurate and unnecessarily intrusive	Not Upheld
125/94	P R Parry	Threatened use of knife on <i>Melrose Place</i> , TV3	Excessive and mindless violence	Upheld in Part
126/94	Mavis Flowers	Series, <i>Lipstick on Your Collar</i> , TVNZ	Offensive and discriminatory	Not Upheld
127/94	Trevor Mallard MP	<i>Heartland: Wainuiomata</i> , TVNZ	Unbalanced and offensive	Upheld in Part
128/94	Valerie Grehan	<i>Heartland: Wainuiomata</i> , TVNZ	Unbalanced and offensive	Upheld in Part
129/94	Wainuiomata Community Board	<i>Heartland: Wainuiomata</i> , TVNZ	Unbalanced and offensive	Upheld in Part
130/94	Dennis Keall	<i>Heartland: Wainuiomata</i> , TVNZ	Unbalanced and offensive	Upheld in Part
131/94	Bill Nairn	<i>Insight</i> programme on Selwyn by-election, RNZ	Unbalanced	Not Upheld
132/94	Lewis Clarkson	News item with outspoken religious person, TV3	Offensive, inaccurate, unfair and unbalanced	Not Upheld
133/94	P Heather Cosh	<i>Holmes</i> item on Taumarunui Hospital, TVNZ	Sensational and unbalanced	Upheld in Part
134/94	Kay Bannatyne	Children's cartoons on TV2, TVNZ	Excessively violent and unsuitable for children	Upheld in Part
135/94	Leader of the Opposition	News coverage before the Selwyn by-election, TVNZ	Inaccurate and partial	Upheld in Part
136/94	Leader of the Opposition	News coverage of by-election results, TVNZ	Inaccurate and partial	Upheld in Part
1/95	Dennis Frank	Discussion on cannabis, <i>Fraser</i> , TVNZ	Inaccurate and unbalanced	Not Upheld
2/95	One New Zealand Foundation Inc	Treaty of Waitangi process, <i>Insight</i> , RNZ	Unbalanced and partial	Not Upheld
3/95	Judith MacKenzie	Employment of social worker, <i>60 Minutes</i> , TVNZ	Breach of privacy	Not Upheld
4/95	AMBLA	Sex offenders' unit, <i>Frontline</i> , TVNZ	Inaccurate and unbalanced	Not Upheld
5/95	Dr Graeme Bishop	Film, <i>Casual Sex</i> , TVNZ	Offensive language	Not Upheld
6/95	Paul McBride	<i>Man O Man</i> , TVNZ	Sexist and denigrated men	Not Upheld
7/95	Peter Zohrab	School academic performance, <i>Fraser</i> , TVNZ	Unbalanced and discriminated against men	Not Upheld

Decision Number	Complainant	Programme	Nature of Complaint	Decision
95	Wellington Palestine Group	News item on Israel, RNZ	Inaccurate	Upheld
95	Wellington Palestine Group	News item on Israel, RNZ	Inaccurate	Upheld
/95	Edward and Dianne Bland	Comment, Rock 93FM, Hamilton	Dissatisfied with action taken after complaint about offensiveness upheld	Not Upheld
/95	Phillip Smits	<i>Playboy: Secret Confessions</i> , Sky	Offensive and discriminated against women	Declined to Determine
/95	James Oakley	Announcer's comment on <i>Newstalk ZB</i> , RNZ	Unfair	Not Upheld
/95	Brian Kirby	Land at Manganui Bluff, <i>60 Minutes</i> , TVNZ	Inaccurate and unbalanced	Not Upheld
/95	Mary N Aitchison	Storylines on <i>Shortland Street</i> , TVNZ	Offensive	Not Upheld
/95	P H E Bloomer	Programmes do not start at advertised time, TVNZ	Bad taste	Declined to Determine
/95	David Hope	Joke involving alcohol consumption, RNZ	Poor taste	Not Upheld
/95	W J Cowan	<i>60 Minutes</i> news item on road accident, TV3	Caused unnecessary grief to family	Upheld
/95	Cliff Turner	Promos for <i>Coronation Street</i> , TVNZ	Inaccurate	Not Upheld
/95	Kings College	<i>60 Minutes</i> item on former teacher at Kings College, TVNZ	Inaccurate, unfair and unbalanced	Upheld in Part
/95	John Taylor	<i>60 Minutes</i> item on former teacher at Kings College, TVNZ	Inaccurate, unfair and unbalanced	Upheld in Part
/95	Joanne Daczo	<i>Ren and Stimpy</i> , TVNZ	Offensive	Not Upheld
/95	Wendy Shepherd	Promos for "AO" programmes in "G" and "PGR" time, TVNZ	Unsuitable for children	Not Upheld
/95	Lance Harbour	News item on DNA testing, TVNZ	Inaccurate and unfair	Not Upheld
/95	GOAL	One day cricket match, TVNZ	Saturation of liquor logos	Not Upheld
/95	MAF	Item on BSE, <i>Frontline</i> , TVNZ	Inaccurate and unbalanced	Upheld. Broadcast of summary of decision ordered
/95	Health Action - Nelson	League players in playing uniform on <i>Sale of the Century</i> , TV3	Excessive incidental promotion of liquor	Not Upheld
/95	Alcohol Healthwatch	League players in playing uniform on <i>Sale of the Century</i> , TV3	Excessive incidental promotion of liquor	Not Upheld
/95	Andrew McLoughlan	News item on Hero Parade, TV3	Poor taste and unsuitable for children	Not Upheld
/95	Phillip Smits	News item interviewing former <i>Playboy</i> centrefold, TVNZ	Unbalanced	Not Upheld
/95	R J England	Absence of news item on teachers' strike, TVNZ	Deceptive programme practice	Declined to Determine

Decision Number	Complainant	Programme	Nature of Complaint	Decision
31/95	GOAL	Item on <i>Sportsnight</i> , TVNZ	Excessive incidental promotion of liquor	Not Upheld
32/95	SPUC	Storyline on abortion on <i>Shortland Street</i> , TVNZ	Unbalanced	Not Upheld
33/95	Merlene and John Gliddon	Storyline on abortion, on <i>Shortland Street</i> , TVNZ	Unbalanced	Not Upheld
34/95	Joanne Daczo	<i>Ren and Stimpy</i> , TVNZ	Harmful to children	Not Upheld
35/95	Janet Chapman	<i>Just Kidding</i> item on man in straitjacket, TVNZ	Portrayed the mentally ill in a denigratory manner	Not Upheld
36/95	B A Mumford	News item on HIV positive sex workers, TVNZ	Poor taste	Not Upheld
37/95	Kim Taylor	News item on dead cyclist, TV3	Insensitive	Not Upheld
38/94	E A Light	Promos for "AO" programmes in "PGR" time, TV3	Dissatisfied with action taken after complaint upheld	Not Upheld
39/95	Philip Morrison	Mock news item, 93 ROX, Dunedin	Poor taste	Not Upheld
40/95	Richard England	<i>X-Files</i> , TVNZ	Excessively violent	Not Upheld
41/95	Richard England	Film, <i>The Accused</i> , TVNZ	Excessively violent	Not Upheld
42/95	Richard England	Series, <i>Murder in the Heartland</i> , TVNZ	Excessively violent	Upheld
43/95	Minister of Housing	News item on Housing, TV3	Unfair and unbalanced	Upheld
44/95	M and B Hetherington	<i>Holmes</i> item on neighbourhood gang, TVNZ	Breach of privacy	Not Upheld
45/95	Susan Batty	<i>Top of the Morning</i> , RNZ	Unfair and discriminated against women	Not Upheld
46/95	Catholic Diocese of Auckland	Comment on <i>Newstalk ZB</i> , RNZ	Dissatisfied with the action when inaccurate and unfair complaint upheld	Not Upheld
47/95	James O'Dea	<i>Ireland Calling</i> , Access Auckland	Unfair	Not Upheld
48/95	Wellington Palestine Group	News item referring to Israel, TVNZ	Inaccurate	Not Upheld
49/95	Heather Minnis	Comment about yachting during cricket commentary, TVNZ	Denigrated Australians	Not Upheld
50/95	Cliff Turner	Film, <i>American Ninja 3</i> , TVNZ	Gratuitous violence	Not Upheld
51/95	Coven of Natural Law	20/20 item "Satanic Panic", TV3	Encouraged discrimination of Satanists	Not Upheld
52/95	Wellington Palestine Group	News item on Israel, RNZ	Inaccurate	Not Upheld
53/95	Calum Sawyers	Talkback, Radio Pacific	Unfair and encouraged discrimination against homosexuals	Not Upheld
54/95 - 60/95	Rape Prevention Group and others	Film, <i>Basic Instinct</i> , Sky	Poor taste as it encouraged belief that when a woman says "No" she means "Yes"	Decision Deferred
<b>Other Decisions</b>				
ID1/95	Judith MacKenzie	Employment of Social Worker, <i>60 Minutes</i> , TVNZ	Unfair and unbalanced	Declined to accept as formal complaint



## Research Publications

JULY 1994 - JUNE 1995

- Perspectives on Pornography: Literature Review*  
Phillipa Ballard, July 1995 ..... 10.00
- Balance and Fairness in Broadcasting News (1985-1994)*  
Judy McGregor and Margie Comrie, Massey University, April 1995.  
A report of comprehensive content analysis research. .... 15.00
- Power and Responsibility: Broadcasters Striking A Balance*  
Broadcasting Standards Authority, October 1994. A Compilation  
of papers presented to a national seminar in May 1994 on balance,  
fairness and accuracy issues. .... 20.00

## PUBLICATIONS OF GENERAL INTEREST FROM RECENT YEARS

- Attitudes and Perceptions of Television Violence: Graeme Bassett  
and Roy Shuker, 1994. Comparison of attitudes and perceptions  
of television violence by socio-economic groups. .... 15.00*
- Perceptions of "Good Taste and Decency" in Television and Radio Broadcasting;*  
AGB McNair, July 1993 (public opinion research) ..... 20.00
- Attitudes of Acceptable Standards of Language (Swearing and Blasphemy)  
on New Zealand Radio and Television; Geoff Lealand, 1990. Report of  
qualitative research using focus groups. .... 15.00*
- Regulating Aliens: Problems Relating to the Control of Extra-terrestrial  
Television (Cultural Identity, Pornography and the Law); Chris Watson,  
March 1994. A discussion of current practices and the questions raised  
in respect of standards by satellite broadcasting. .... 15.00*

## PUBLICATIONS PERMANENTLY AVAILABLE

- The Codes of Broadcasting Practice for Radio and Television,*  
February 1995. A compilation of industry codes approved by the Broadcasting  
Standards Authority and the Advertising Standards Authority. .... 15.00
- Television and Radio Complaints Procedures - A Guide for Viewers and Listeners.*  
This brochure, published in English, Maori and Samoan languages can be  
ordered as a single copy or in bulk. .... Free

To order any of the above write to the Broadcasting Standards Authority, PO Box 9213, Wellington.

# FINANCIAL STATEMENTS

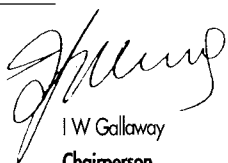
FOR THE YEAR ENDED JUNE 1995

## CONTENTS

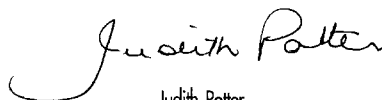
Statement of Responsibility and Report of the Audit Office .....
Statement of Financial Performance .....
Statement of Financial Position .....
Statement of Cash Flows .....
Statement of Accounting Policies .....
Notes to the Financial Statements .....

## STATEMENT OF RESPONSIBILITY

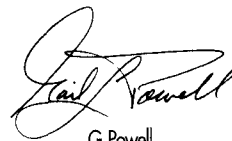
The management of the Broadcasting Standards Authority is responsible for the preparation of these financial statements and the judgements used herein. The management is responsible for establishing and maintaining a system of internal control designed to provide reasonable assurances as to the integrity and reliability of financial reporting. In the opinion of the management, these financial statements fairly reflect the financial position and operations of the Broadcasting Standards Authority for the year ended 30 June 1995.



I W Galloway  
Chairperson  
until 31 May 1995



Judith Potter  
Chairperson  
from 1 June 1995



G Powell  
Executive Director



Audit New Zealand

## REPORT OF THE AUDIT OFFICE

TO THE READERS OF THE FINANCIAL STATEMENTS OF  
THE BROADCASTING STANDARDS AUTHORITY  
FOR THE YEAR ENDED 30 JUNE 1995

We have audited the financial statements on pages 21 to 24. The financial statements provide information about the past financial and service performance of the Broadcasting Standards Authority and its financial position as at 30 June 1995. This information is stated in accordance with the accounting policies set out on page 22.

### RESPONSIBILITIES OF THE AUTHORITY

The Public Finance Act 1989 and the Broadcasting Act 1989 requires the Authority to prepare financial statements in accordance with generally accepted accounting practice which fairly reflect the financial position of the Broadcasting Standards Authority as at 30 June 1995, the results of its operations and cash flows and the service performance achievements for the year ended 30 June 1995.

### AUDITOR'S RESPONSIBILITIES

Section 43 (1) of the Public Finance Act 1989 requires the Audit Office to audit the financial statements presented by the Authority. It is the responsibility of the Audit Office to express an independent opinion on the financial statements and report its opinion to you.

The Controller and Auditor-General has appointed Stephen Lewis of Audit New Zealand to undertake the audit.

### BASIS OF OPINION

An audit includes examining, on a test basis, evidence relevant to the amounts and disclosures in the financial statements. It also includes assessing:

- the significant estimates and judgements made by the Authority in the preparation of the financial statements, and
- whether the accounting policies are appropriate to the Broadcasting Standards Authority's circumstances, consistently applied and adequately disclosed.

We conducted our audit in accordance with generally accepted auditing standards in New Zealand. We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatements, whether caused by fraud or error. In forming our opinion, we also evaluated the overall adequacy of the presentation of information in the financial statements.

Other than in our capacity as auditor acting on behalf of the Controller and Auditor-General, we have no relationship with or interest in the Broadcasting Standards Authority.

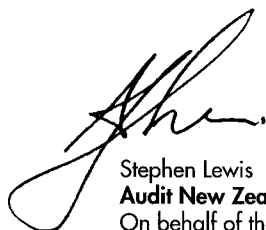
### UNQUALIFIED OPINION

We have obtained all the information and explanations we have required.

In our opinion the financial statements of the Broadcasting Standards Authority on pages 21 to 24:

- comply with generally accepted accounting practice; and
- fairly reflect:
  - the financial position as at 30 June 1995;
  - the results of its operations and cash flows for the year ended on that date; and
  - the service performance achievements in relation to the performance targets and other measures adopted for the year ended on that date.

Our audit was completed on 30 September 1995 and our unqualified opinion is expressed as at that date.



Stephen Lewis  
Audit New Zealand  
On behalf of the Controller and Auditor-General  
Wellington, New Zealand

# STATEMENT OF FINANCIAL PERFORMANCE

FOR THE YEAR ENDED 30 JUNE 1995

	NOTES	1995 Actual \$	1995 Budget \$	1994 Actual \$
<b>INCOME</b>				
Grant		540,889	540,657	548,444
Grant - Capital Injection		90,000	90,000	-
Interest		4,004	2,000	8,989
Publication Sales		8,483	4,000	9,202
Gain on Asset Sales		1,537	-	-
Funding for Part VI		-	-	30,666
<b>TOTAL INCOME</b>		<b>644,913</b>	<b>636,657</b>	<b>597,301</b>
<b>LESS EXPENDITURE</b>				
Depreciation		18,785	3,500	30,531
Human Resources	1	391,073	392,800	379,178
Loss on Sale of Assets		-	-	362
Other Expenses	2	225,337	221,700	179,748
Part VI Functions	3	-	-	40,142
<b>TOTAL EXPENDITURE</b>		<b>635,195</b>	<b>618,000</b>	<b>629,961</b>
<b>SURPLUS (DEFICIT) OF INCOME OVER EXPENDITURE</b>				
Transferred to Public Equity		\$ 9,718	18,657	(32,660)

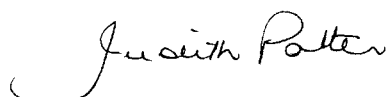
# STATEMENT OF FINANCIAL POSITION

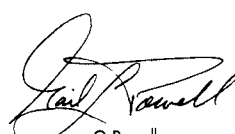
AS AT 30 JUNE 1995

	NOTES	1995 Actual \$	1995 Budget \$	1994 Actual \$
<b>CURRENT ASSETS</b>				
Cash, Bank & Term Deposits	4	57,673	50,000	25,634
Accounts Receivable & Accrued Interest		300	200	149
Prepayments		1,393	-	-
GST Receivable		10,181	10,000	11,126
		<u>69,547</u>	<u>60,200</u>	<u>36,909</u>
<b>LESS CURRENT LIABILITIES</b>				
Accounts Payable & Accruals		68,782	51,070	61,263
<b>WORKING CAPITAL</b>		<u>765</u>	<u>9,130</u>	<u>(24,354)</u>
<b>NON CURRENT ASSETS</b>				
	5	34,426	35,000	49,827
<b>NET ASSETS</b>		<u>35,191</u>	<u>44,130</u>	<u>25,473</u>
<b>PUBLIC EQUITY</b>				
Balance 30 June 1994		25,473	25,473	58,133
Plus Surplus for Year		9,718	18,657	(32,660)
<b>TOTAL PUBLIC EQUITY</b>		<u>35,191</u>	<u>44,130</u>	<u>25,473</u>

The statement of accounting policies and the notes form an integral part of and should be read in conjunction with these financial statements.

  
I W Galloway  
Chairperson

  
Judith Potter  
Chairperson

  
G Powell  
Executive Director

Wellington  
30 September 1995

## STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED 30 JUNE 1995

	NOTES	1995 Actual \$	1995 Budget \$	1994 Actual \$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>				
Cash was provided from:				
Grants and Publication Sales		549,221	544,675	548,444
Capital Injection Grant	6	90,000	90,000	-
Interest Received		4,004	2,000	10,079
Net GST Received from IRD		1,821	-	-
Cash was disbursed to:				
Payments to Employees & Members		(328,770)	(333,300)	(336,918)
Payments to Suppliers & Other Operating Expenses		(282,390)	(290,336)	(297,501)
Net GST paid to IRD		-	-	(4,727)
<b>Net Cash Flow From Operating Activities</b>	<b>7</b>	<b>33,886</b>	<b>13,039</b>	<b>(80,623)</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>				
Cash was provided from:				
Sale of Fixed Assets		1,537	14,827	1,200
Cash was disbursed to:				
Purchase of Fixed Assets		(3,384)	(3,500)	(14,824)
<b>Net Cash Flows From Investing Activities</b>		<b>(1,847)</b>	<b>11,327</b>	<b>(13,624)</b>
<b>NET INCREASE IN CASH HELD</b>		<b>32,039</b>	<b>24,366</b>	<b>(94,247)</b>
<b>PLUS Opening Cash Brought Forward</b>		<b>25,634</b>	<b>25,634</b>	<b>119,881</b>
<b>ENDING CASH CARRIED FORWARD</b>		<b>57,673</b>	<b>50,000</b>	<b>25,634</b>
Petty Cash		100	100	100
Bank Accounts - Current		11,387	14,900	123
- Deposits		-	-	-
- Ready Access		46,186	35,000	25,411
<b>ENDING CASH CARRIED FORWARD</b>		<b>\$57,673</b>	<b>\$50,000</b>	<b>\$25,634</b>

## STATEMENT OF ACCOUNTING POLICIES

FOR THE YEAR ENDED 30 JUNE 1995

The financial statements of the Broadcasting Standards Authority, a wholly owned entity of the Crown, are presented in accordance with generally accepted accounting principles and the Public Finance Act 1989.

The measurement base adopted is that of historical cost unless otherwise stated.

The following accounting policies which materially affect the measurement of financial performance, position and cash flows of the Authority have been applied:

1. **Fixed Assets**  
Fixed assets are recorded at historical cost less accumulated depreciation.
2. **Depreciation**  
Depreciation is provided on a straight line basis on all tangible fixed assets, at rates calculated to allocate the assets' cost less estimated residual value, over their estimated useful lives:
 

Partitions, Office Equipment,	5 years
Furniture and Furnishings	5 years
Photocopy Equipment,	3 years
Computer Hardware	3 years
Artworks	Are expected to appreciate
3. **Receivables**  
Accounts receivables are stated at their estimated net realisable value.
4. **Lease Payments**  
Operating lease payments, where lessors effectively retain substantially all the risks and benefits of ownership of the leased items, are included in the determination of the operating result in equal instalments over the lease terms.
5. **Taxation**
  - a) Income tax: no income tax liability is incurred
  - b) FBT: FBT is payable on all fringe benefits
  - c) GST: The Authority is a registered trader for GST purposes and is liable for GST on all goods and services supplied. The financial statements are prepared GST exclusive.
6. **Financial Instruments**  
Revenues and expenses in relation to all financial instruments are recognised in the Statement of Financial Performance. All financial statements are recognised in the Statement of Financial Position.
7. **Changes in accounting policies**  
There have been no changes in accounting policies. All policies have been applied on bases consistent with those used in previous years.



# NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 1995

<b>1. HUMAN RESOURCES</b>	1995 Actual \$	1995 Budget \$	1994 Actual \$
Consultancy/Contract Services	9,464	9,500	8,304
Members' Fees	112,053	102,000	97,760
Staff Remuneration	269,556	281,300	273,114
	\$ 391,073	\$ 392,800	\$ 379,178

<b>2. OTHER EXPENSES</b>	1995 Actual \$	1995 Budget \$	1994 Actual \$
Audit	7,200	7,300	7,300
Complaints	28,945	16,300	9,068
Information and Promotion	15,463	26,000	20,032
Office Expenses	34,158	38,000	32,228
Rent and Maintenance	57,665	58,800	58,425
Research/Seminar	34,130	32,300	14,617
Travel, Accommodation & Training	47,776	43,000	38,078
	\$225,337	\$221,700	\$179,748

**3. PART VI FUNCTIONS**  
 Since these costs are incurred principally in the years in which elections are held there is no expenditure for 1995.

	1995 Actual \$	1995 Budget \$	1994 Actual \$
Consultancy	-	-	21,354
Members' Expenses	-	-	5,969
Members' Fees	-	-	11,871
Miscellaneous	-	-	948
	-	-	\$ 40,142

<b>4. CASH, BANK &amp; TERM DEPOSITS</b>	1995 Actual \$	1995 Budget \$	1994 Actual \$
Cash on hand:			
Petty Cash	100	100	100
Banks:			
Westpac Banking Corporation			
- Current Accounts	11,387	14,900	123
- Ready Access Deposit	46,186	35,000	25,411
	\$57,673	\$50,000	\$25,634

<b>5. NON CURRENT ASSETS</b>	Cost Price \$	Accum. Depn. \$	1995 Book Value \$	1995 Budget Book Value \$	1994 Book Value \$
Art Works	5,687	-	5,687	5,800	5,687
Computer Equipment	42,595	23,181	19,414	19,500	29,855
Furniture & Furnishings	49,760	48,830	930	1,000	1,843
Partitioning & Fitout	50,621	50,620	1	1	1
Photocopier	7,500	5,826	1,674	1,800	4,172
Office Equipment/Televisions	23,289	16,569	6,720	6,899	8,269
	\$179,452	\$145,026	\$34,426	\$35,000	\$49,827

**6.** The Government made a one-off capital injection of \$90,000 to restore Authority's financial position.

**7. RECONCILIATION OF THE NET OPERATING DEFICIT WITH NET CASH FLOWS FROM OPERATING ACTIVITIES FOR THE YEAR**

	1995 Actual \$	1995 Budget \$	1994 Actual \$
Reported Surplus (Deficit) for the Year	9,718	18,657	(32,660)
Add Non-Cash Items: Depreciation	18,785	3,500	30,531
Adjust Item Classified as Investing Activity:			
Net (Profit) Loss on Sale of Fixed Assets	(1,537)	-	362
Add Movements in Other Working Capital Items:			
(Increase) Decrease in Accounts Receivable	(151)	(51)	1,089
Increase (Decrease) in Accounts Payable	10,209	(7,693)	(40,806)
Increase (Decrease) in Provision for Holiday Pay	(2,690)	(2,500)	(1,008)
(Increase) Decrease in Net GST Receivable	945	1,126	(7,465)
Increase (Decrease) in Revenue Received in Advance	-	-	(30,666)
(Increase) Decrease in Prepayments	(1393)	-	-
Net Cash Flow from Operating Activities	\$33,886	\$13,039	\$(80,623)

**8. STATEMENT OF COMMITMENTS**

The following significant future commitments have been incurred by the Broadcasting Standards Authority against future years' income.

**Leased Premises**

The Authority has a lease from the NZ Lotteries Commission for the rental of the premises comprising part of the second floor, 54-56 Cambridge Terrace, Wellington from July 1 1995 until July 1 1998.

	1995 \$	1994 \$
Less than one year	28,695	49,563
One to two years	28,695	-
Three to five years	28,695	-
Total Rent Expenditure Committed	\$86,085	\$49,563

**9. STATEMENT OF CONTINGENT LIABILITY**

As at 30 June 1995 ten decisions of the Authority are in various stages of appeal in the High Court and judicial review has been sought on two decisions. It is not possible to predetermine the financial cost to Authority of those appeals or future appeals (1994/95 - \$23,240).

**10. FINANCIAL INSTRUMENTS**

Broadcasting Standards Authority is party to financial instrument arrangements as part of its everyday operations. These financial instruments include instruments such as bank balances, investments and accounts receivable.

**Credit Risk**

In the normal course of its business the Authority incurs credit risk from trade debtors, and transactions with financial institutions.

The Authority does not require any collateral or security to support financial instruments with financial institutions that the Authority deals with, as these entities have high credit ratings. For its other financial instruments the Authority does not have significant concentrations of credit risk.

**Fair Value**

The fair value of financial instruments is equivalent to the carrying amount disclosed in the Statement of Financial Position.

**Currency and Interest Rate Risk**

The Authority has no exposure to currency risk and its financial instruments are not interest rate sensitive.