

Media Release

23 March 2017

Story item about accountability of judges found to be in public interest

A complaint about an item on MediaWorks' *Story* which discussed the accountability of judges in New Zealand has not been upheld by the Broadcasting Standards Authority (BSA).

The item referred to a number of high profile criminal judgments by a District Court Judge that were overturned on appeal and examined the broader question of how judges are held to account in New Zealand. It also compared the systems in New Zealand, Switzerland and the United States for the appointment, term and removal of judges.

The BSA did not uphold the complaint that the item placed undue emphasis on the Judge featured, or that Switzerland and the United States were not valid comparisons with New Zealand's judicial system.

In its decision the BSA emphasised that the accountability of New Zealand's judiciary is an issue of public interest, and the item was a valuable exercise of the broadcaster's right to freedom of expression.

"Our media have an important role to play in investigating and highlighting issues about those who hold public office and whose decisions directly impact the country and the community," the BSA said.

In this context the BSA was satisfied the broadcaster provided sufficient balance on the issues discussed and the item was not unfair or misleading.

"It is a fundamental aspect of the judicial system that court processes and decisions are available to the public, and judges can expect to be subject to public scrutiny."

"While the jurisdictions of Switzerland and the United States may not be directly comparable to New Zealand's judicial system... this segment gave viewers a general sense of where New Zealand sits internationally... and audiences would not have been misinformed", it said.

ENDS

For more information contact Nicole Hickman on 027 313 0179.

FURTHER INFORMATION

The full decision is available at <http://bsa.govt.nz/decisions/latest>.

The decision was made under the Balance, Fairness, Accuracy and Good Taste and Decency Standards of the Free-to-Air Television Code of Broadcasting Practice. The Code has been in force since 1 April 2016 and is available at <http://bsa.govt.nz/standards/overview>.

ABOUT THE BROADCASTING STANDARDS AUTHORITY

The Broadcasting Standards Authority is an independent body that oversees the broadcasting standards regime in New Zealand. We do this by determining complaints that broadcasts have breached standards, by doing research and also by providing information about broadcasting standards.

The Authority members are Peter Radich (Chair), Leigh Pearson, Te Raumawhitu Kupenga and Paula Rose.

For more information see our website: www.bsa.govt.nz.