

BROADCASTING STANDARDS TIPS FOR COMPLAINANTS

The easiest way to lodge your complaint is via our website: www.bsa.govt.nz
but you can also send it by email or post.

TO MAKE AN EFFECTIVE COMPLAINT

- ① Make sure your complaint is lodged **within the required timeframe**.
If you are *posting* your complaint, allow enough time for it to reach its destination.
 - **FORMAL COMPLAINTS** – these must go to the **broadcaster** in the first instance and must be received within 20 working days of the broadcast
 - **PRIVACY COMPLAINTS** (on their own) and **Election Complaints** come to the **BSA** and must be received within 20 working days of the broadcast
 - **REFERRALS TO THE BSA** – where you are asking the BSA to review the broadcaster’s decision or their lack of action – must be received within 20 working days of the broadcaster’s decision (or within 60 working days of the broadcast if you have not received a decision)
- ② You must be able to **provide all of the following details**:
 - name of the programme
 - date and time that it was broadcast
 - the relevant TV channel or radio station
 - the Code and standard(s) you are complaining under
 - your name, email address, postal address, and phone number

Note!

 - *We need your details to address your complaint effectively.*
 - *Name suppression will only be given in exceptional circumstances.*
- ③ Read the **relevant Broadcasting Code of Practice** – Free-to-Air Television, Pay Television, Radio or Election Programmes.
- ④ Make sure you **choose the standards that best fit your concerns** – the Authority will not consider any standards that are not applicable and you cannot change or add standards at a later stage in the process.
For a brief explanation of the focus of each standard, see **Choosing a Standard** overleaf.
- ⑤ If you are lodging your complaint online (or printing and completing a form off the website to post), make sure you **choose the right Complaint Form**.
On our website go to **Making a Complaint** and scroll down to **Make a complaint now**.
- ⑥ **LESS IS MORE!**
Explain as succinctly as you can why you think each standard was breached, with reference to specific content in the broadcast.

FOR MORE INFORMATION YOU CAN GO TO THE BSA’S WEBSITE, WWW.BSA.GOV.T.NZ

BROADCASTING STANDARDS CHOOSING A STANDARD

WHICH STANDARD IS RELEVANT TO MY CONCERNS?

There are four Broadcasting Codes of Practice (for free-to-air television, radio, pay TV and election programmes in an election period) and they all contain 'standards', which outline what is required of broadcasters when they broadcast programmes in New Zealand.

The standards differ slightly from Code to Code in their numbering and wording, but all four Codes are concerned with the same issues.

When making your complaint, you need to **choose the standards that best fit your concerns** – the Authority will not consider any standards that are not applicable and you cannot change or add standards at a later stage in the process.

See the explanations below to help you choose the most relevant standard(s).

GOOD TASTE AND DECENCY

May relate to offensive language, sexual material, nudity and violence, or anything else that might cause offence or distress in the context of a programme.

PROGRAMME INFORMATION

Primarily concerned with programme/promo classifications, timebands and advisories (including warnings). The application of this standard differs across radio, free-to-air television and pay television.

CHILDREN'S INTERESTS

Relates to children as viewers, not participants. It is primarily concerned with classifications and whether a programme was broadcast during children's normal viewing or listening times.

VIOLENCE

Broadcasters must exercise 'care and discretion' when dealing with violence, so this standard is primarily concerned with contextual factors such as the time of broadcast, warnings and the nature of the programme.

LAW AND ORDER

Applies to broadcasts that encourage viewers to break the law or otherwise promote criminal or serious antisocial activity.

DISCRIMINATION AND DENIGRATION

Only applies to sections of the community, not individuals. A high level of condemnation is required to find a breach.

ALCOHOL

Concerned with whether a broadcast amounted to 'alcohol promotion' and if so, whether this promotion was socially responsible.

BALANCE

Only applies to news, current affairs or factual programming which discusses a controversial issue of public importance. Broadcasters must make reasonable efforts to present competing viewpoints about significant issues.

ACCURACY

Only applies to news, current affairs or factual programming. Programmes should be accurate in relation to 'material points of fact' and should not mislead.

PRIVACY

Only applies to identifiable individuals featured in the broadcast or directly affected by the broadcast. Key issues include whether an individual had a reasonable expectation of privacy, whether private information was disclosed, and whether the disclosure or intrusion was highly offensive.

FAIRNESS

Only applies to individuals or organisations taking part or referred to in a programme. Key issues include informed consent, informed participation and reasonable opportunity to comment.

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