

Good Taste and Decency

The Proposed Code provides a more comprehensive set of factors to consider in assessing whether programming has breached this standard of Good Taste and Decency. It also covers wider considerations of the context of programming.

I believe that this is a positive change. Contextualising content is of the utmost importance as standards of good taste and decency vary widely in many aspects. In order to effectively assess levels of good taste and decency, various factors need to be considered, as opposed to the limited guidelines of the current code. Viewers of programming are receptive to information and are able to decode messages presented to them. It is therefore important to consider context, as it is the context of any given programming which gives the basic content meaning.

Furthermore the inclusion of audience advisory's ensure the audience are warned and informed about potentially upsetting content. This is important as it allows viewers to exercise the freedom to choose what the subject themselves to protect the freedom of expression.

Free-to-Air TV Code - Violence

The Proposed Code appears to widen the scope of freedom of expression whilst recognising context as an extremely important consideration. I believe this change is positive.

Firstly freedom of expression is of the utmost importance in New Zealand. While recognising public protection also needs to be protected, I believe the proposed code is positive. The use of audience advisory's provides viewers with adequate information and warning about whether to watch programming that contains violence. Viewers should be given this freedom to choose to watch or not watch as they feel appropriate.

Secondly, context needs to be an important consideration, as it dictates what meaning viewers give to depictions of violence.

Guidelines to exercise caution around content likely to incite or encourage violence or brutality is important. If the context is such that viewers are likely to be incited or encouraged to commit violent acts, public safety is important to balance with viewer discretion.

Free-to-Air TV Code - Law and Order

As noted in the Proposed Code, the wording has been elaborated so as to recognise the important of context.

The proposed code appears to limit specific details about what should not appear on programming. Instead, broader categories are adopted. While this is positive in the sense of upholding the freedom of expression, it may be too vague.

I propose the guidelines expand on the phrases 'actively promote' and 'serious anti-social behaviour.' As these considerations are to be outrightly avoided as opposed to being cautiously considered, further elaboration would be desirable.

Free-to-Air TV Code - Discrimination and Denigration

The Proposed Code defines what both discrimination and denigration means. This is a positive change as it allows more specific guidelines to be upheld.

The Proposed Code expands a large amount on the current code. It reiterates the high threshold. Once again, this is a positive change as it ensures the protection of the freedom of expression. Maintaining the specific circumstances which this is not designed to prevent is effective.

Furthermore the inclusion of context ensures there are more detailed guideline to follow. This allows for a more comprehensive assessment of whether the nature of the content breaches the standards of Discrimination and Denigration. This is a positive change as the previous code was very minimalistic in regards to discrimination and denigration.

Free-to-Air TV Code - Alcohol

Firstly, the Proposed Code is significantly more concise than the current code. This makes the guidelines more accessible and clear.

Alcohol regulation is important, is it therefore important that this is reflected in New Zealand's broadcasting standards. Easy access to content portraying and often glamourising alcohol consumption it something to be avoided, especially in young people.

I acknowledge that there exists a separate piece of legislation governing the sale, promotion and advertisement of alcohol. I believe it is a positive step to streamline the broadcasting standard authority guidelines to provide consistency with the Act.

Free-to-Air TV Code - Accuracy

The Proposed Code is a lot more comprehensive than the current code. It is a positive addition to add the definitions of the phrases such as 'material inaccuracy.'

Such detailed guidelines ensures broadcasting standards are consistent with common law principles regarding media law such as defamation.

In order to maintain the accuracy of programming and ensure broadcasters have made a reasonable effort to ensure accuracy, many considerations need to be taken into account. This is reflected in the Proposed Code which is a positive change.

Furthermore, accuracy of programming is an important consideration in regards to statements of fact to ensure the public are not mis-informed by reliable broadcasters. The Proposed Code achieves this, while specifying that it does not apply to anything other than statements of fact. This is an important distinction to make.

Free-to-Air TV Code - Privacy

Firstly, it is important to recognise the importance of privacy in regards to broadcasting in New Zealand. While there is no right to privacy in New Zealand, and there is a right to Freedom of Expression, protecting against common law principles of privacy are important.

While the Proposed Code does streamline the privacy guidelines, no important considerations mentioned in the current code. This is important, as all of the considerations are necessary to ensure individual's privacy is protected and provide consistency with the current common law tort of privacy. The matters in regards to the breach of privacy of children and information of highly offensive nature are more clearly laid out in this code, making the assessment of whether programming has breached this standard more simple.

Outlining the defence of legitimate public interest is important as it highlight the need for freedom of expression and reflects the common law.

In essence, the Proposed Code streamlines the guidelines whilst not removing any of the important consideration.