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**Verbal sparring about Ports of Auckland dispute did not breach standards**

The Broadcasting Standards Authority has declined to uphold a law and order complaint about an exchange on Radio Live during the Ports of Auckland dispute earlier this year.

Host Willie Jackson made controversial comments in support of striking workers which prompted a complaint that he incited physical violence and the destruction of personal property.

The comments were made during a robust discussion with co-host John Tamihere who challenged Willie Jackson on his comments and provided counter arguments. Willie Jackson retracted his comments shortly afterwards and Radio Live issued a media statement saying that his comments should not be taken as a call for violent action.

In its findings, the BSA focused on freedom of expression. It said: “We are concerned here with protest speech which is seen to be of high value. It is a subset of political speech which is important in our democratic society.”

“Some of the words used by Willie were extreme and advocated strong industrial action. On the face of it, some of the words encouraged physical violence and damage to property, which ordinarily would breach the law and order standard. While Willie’s later retraction and explanation could be seen as an acknowledgement that the first part of his speech was unacceptable, it can also be seen as a counterbalance.

“Taken in context, Willie’s comments amounted to his vehemently expressed opinion, which advocated strong protest action at the wharf....Overall, and notwithstanding the literal words used, we find that listeners would not have been encouraged to act against the law. Rather, the comments gave vent and a verbal outlet to a particular voice in the Ports of Auckland dispute.

“We think most listeners would have judged this broadcast to be good humoured, provocative verbal sparring. It was a kind of *letting off of steam*. It was not serious advocacy of violence. It was the sort of ranting that our society is willing to allow and not take seriously, particularly on talkback radio.”

The full report is available at [www.bsa.govt.nz](http://www.bsa.govt.nz)

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