

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 105/93
Dated the 30th day of August 1993

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

KRISTIAN HARANG
of Auckland

Broadcaster
TV3 NETWORK SERVICES
LIMITED

I.W. Gallaway Chairperson
J.R. Morris
R.A. Barraclough
L.M. Dawson

DECISION

Introduction

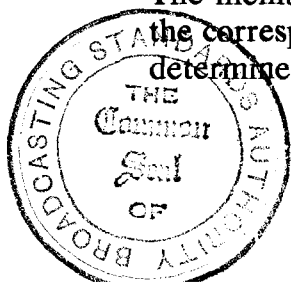
The apparent increase of prostitution in Russia was covered in an item on TV3's current affairs programme 20/20 broadcast between 7.30 - 8.30 pm on Sunday 11 April 1993.

Mr Harang complained to TV3 Network Services Ltd that the item, broadcast during family viewing time, was unbalanced as it suggested that prostitution was a good way to make money and had not advanced the sanctity of marriage perspective.

Explaining that the item (which it said was not targetted at children) reported a highly visible aspect of change in Russia and had not been concerned with the morality of prostitution, TV3 declined to uphold the complaint. Dissatisfied with TV3's decision, Mr Harang referred his complaint to the Broadcasting Standards Authority under s.8(1)(a) of the Broadcasting Act 1989.

Decision

The members of the Authority have viewed the item complained about and have read the correspondence (summarised in the Appendix). As is its practice, the Authority has determined the complaint without a formal hearing.



Prostitution in Russia was the focus of an item on TV3's current affairs programme 20/20 broadcast between 7.30 - 8.30pm on Sunday 11 April. It reported that prostitution, a previously unacknowledged activity, was now highly visible as a result of social change in that country.

Mr Harang complained, first, that the subject of the item was inappropriate in family viewing time, and secondly, that it had not dealt with the issue in a balanced way. It failed that criterion, he added, as it had suggested on the one hand that prostitution was a good way for teenage girls to make money, and on the other, by failing to uphold the perspective held by most New Zealanders of the sanctity of marriage.

TV3 assessed the complaint under standards G6 and G12 of the Television Code of Broadcasting Practice. They require broadcasters:

- G6 To show balance, impartiality and fairness in dealing with political matters, current affairs and all questions of a controversial nature.
- G12 To be mindful of the effect any programme may have on children during their normally accepted viewing times.

Pointing out that the item highlighted one aspect of social change in Russia and was not a debate about the morality of prostitution, TV3 declined to uphold the balance complaint under standard G6. It also declined to uphold the complaint under standard G12, referring to the fact that TV3 had used that Sunday evening time slot for current affairs for some three years and that current affairs programmes were not targetted at children.

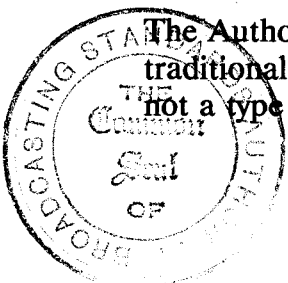
In assessing the balance aspect of the complaint, the Authority accepted that the item dealt with one aspect of social change which had accompanied the collapse of the Soviet Union. In view of the theme, the sanctity of marriage perspective was not relevant. Moreover, the item had highlighted the terrible price which that change had imposed on some women. As the programme had dealt with that issue in a balanced and responsible way, the Authority concluded that the item had not been unbalanced in contravention of standard G6.

The Authority acknowledged that the item had been broadcast during PGR time. The classification guidelines for PGR time reads:

Programmes containing material more suited to adult audiences but not necessarily unsuitable for child viewers when subject to the guidance of a parent or adult.

PGR programmes may be screened between 9am and 4pm and after 7pm until 6am.


The Authority also accepted that the time - 7.30-8.30pm on Sunday evening - was TV3's traditional time for current affairs programmes and, in addition, that current affairs was not a type of programme for which children were the target audience.



These points about time slot and target audience might well be sufficient in themselves to ensure that a programme did not contravene the PGR classification. However, that tentative conclusion was confirmed by the programme itself as it had dealt with the issue in a straightforward manner rather than one which emphasised the sensational or the sleazy. Consequently, the Authority decided that the broadcast had not breached the requirement in standard G12 regarding the need to be mindful of the effect of programmes on children.

For the reasons set forth above, the Authority declines to uphold the complaint.

Signed for and on behalf of the Authority


Iain Gallaway
Chairperson



30 August 1993

Appendix

Mr Harang's Complaint to TV3 Network Services Limited

In a letter dated 12 April 1993, Mr Kristian Harang of Auckland complained to TV3 Network Services Ltd about an item broadcast on 20/20 between 7.30 - 8.30 pm on Sunday 11 April.

Arguing that the item about prostitution in Russia was inappropriate in family viewing time as it contained the message that prostitution was a good way for teenage girls to make money, Mr Harang stated that the programme failed to deal with a controversial issue in a balanced way. There was no reference to the need to uphold the sanctity of marriage which he described as the viewpoint of most New Zealanders.

TV3's Response to the Formal Complaint

TV3 advised Mr Harang of its Complaints Committee's decision in a letter dated 15 June 1993. It reported that the complaint had been assessed under the standard requiring balance and that which requires broadcasters to be mindful of the effect of any programme on children.

Prostitution in Russia, TV3 began, was not controversial in New Zealand. The item, it continued, showed what was previously an unacknowledged activity but now a highly visible aspect of change in that country. The item had not, TV3 added, examined the "pros and cons of prostitution itself".

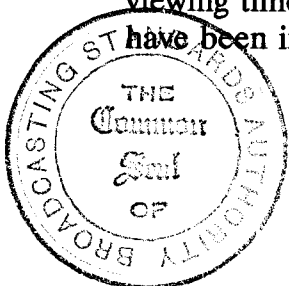
Pointing out that the time slot of the broadcast had been used for current affairs for some years, TV3 said that it was accepted that children did not watch current affairs in any numbers and, indeed, were not the target audience.

TV3 declined to uphold the complaint.

Mr Harang's Complaint to the Broadcasting Standards Authority

Dissatisfied with TV3's decision, in a Complaint Form dated 16 June 1993 Mr Harang referred his complaint to the Broadcasting Standards Authority under s.8(1)(a) of the Broadcasting Act 1989.

Maintaining that the item "glamourised" prostitution and failed to show the alternative viewpoint of "chastity and family values", Mr Harang persisted in his complaint that the item was unbalanced and inappropriately screened in family viewing time. He disputed TV3's comment that people in New Zealand would not have been influenced. He also disagreed that children would not have been watching.



TV3's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 18 June 1993 and TV3, in its reply dated 12 July, advised that it did not wish to comment further.

Mr Harang's Final Comment to the Authority

When asked if he wished to add anything, in a letter dated 15 July 1993 Mr Harang maintained that TV3, by not presenting the family viewpoint, had breached the broadcasting standard requiring balance.

