

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 127/93
Dated the 6th day of October 1993

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

CLIFF TURNER
of Hamilton

Broadcaster
TELEVISION NEW ZEALAND
LIMITED

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

DECISION

Introduction

A brawl between two American baseball teams was shown on TV1's *Moro Sports Extra* broadcast between 7.30 - 8.30pm on Monday 14 June 1993.

Mr Turner complained to Television New Zealand Ltd that the broadcast breached the code of broadcasting behaviour applicable to the portrayal of violence as the item was included solely because of the violence depicted.

Noting that *Moro Sports Extra* was a weekly compendium of sports news and features, TVNZ said that the item was broadcast to show a recurring problem in American baseball. It declined to uphold the complaint. Dissatisfied with TVNZ's decision, Mr Turner 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.



A brief item on TV1's *Moro Sports Extra*, broadcast between 7.30 - 8.30pm on 14 June, showed a brawl between two North American baseball teams. Mr Turner complained to TVNZ that as no part of the game was shown, the item had been included solely because of the violence portrayed. He alleged that the broadcast breached "Standard 16 of the television code for the portrayal of violence".

TVNZ examined the complaint under standards V14 and V15 of the Television Code of Broadcasting Practice. These two provisions, headed "Sports Programmes", are in the section of the Code dealing with violence and read:

- V14. Care must be taken to ensure that violent incidents during or surrounding play are not repeated gratuitously.
- V15. Sports announcers and commentators must avoid making comments which appear to approve of or glamorise any violent behaviour on or off the field which is not in accordance with the rules of the particular sport.

Arguing that the brawl was not glamorised in any way and was screened to depict a recurring problem in baseball, TVNZ declined to uphold the complaint.

When he referred the complaint to the Authority, Mr Turner expressed the belief that standard 16 had contained the appropriate criteria against which the programme should be assessed but accepted that standards V14 and V15 were now the relevant rules.

The Authority was of the opinion that Mr Turner intended to refer to standard V16 which states, under the heading "Protection of Children":

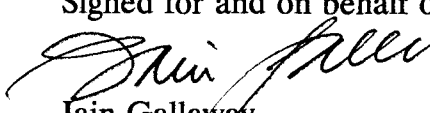
- V16. Broadcasters must be mindful of the effect any programme, including trailers, may have on children during their generally accepted viewing periods, usually up to 8.30pm, and avoid screening material which could unnecessarily disturb or alarm children.

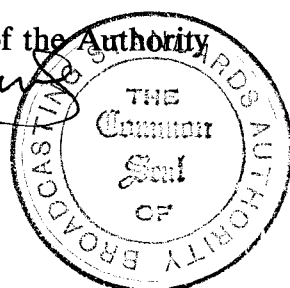
In the circumstances, the Authority decided to consider the complaint under standards V14, V15 and V16.

With regard to standards V14 and V15, the Authority agreed with TVNZ. The incident which was reasonably brief, was newsworthy, was shown only once and the accompanying commentary contained disapproval of it. As for standard V16, the Authority acknowledged that the broadcast occurred before 8.30pm and that children might well have been watching. However, again taking into account the points that the brief item did not glamorise the behaviour portrayed and indeed was accompanied by disapproving remarks, and in addition was one of a number on a fast moving and energetic programme, the Authority declined to uphold the complaint under standard V16.

For the reasons set forth above, the Authority declined to uphold the complaint under standards V14, V15 and V16 of the Television Code of Broadcasting Practice.

Signed for and on behalf of the Authority


Iain Gallaway
Chairperson
6 October 1993



Appendix

Mr Turner's Complaint to Television New Zealand Limited

In a letter dated 15 June 1993, Mr Cliff Turner of Hamilton complained to Television New Zealand Ltd about an item on TV1's *Moro Sports Extra* broadcast between 7.30 - 8.30pm on Monday 14 June.

The item showed a brawl between two North American baseball teams and Mr Turner maintained that as the broadcast was shown solely because of the violence depicted, it breached the standards in the television code relating to the portrayal of violence.

TVNZ's Response to the Formal Complaint

TVNZ advised Mr Turner of its Complaints Committee's decision in a letter dated 22 July when it reported that the complaint had been considered under standards V14 and V15 of the Television Code of Broadcasting Practice.

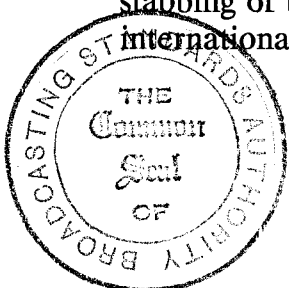
Noting that *Moro Sports Extra* was a weekly compendium of sports news and features, TVNZ said that events surrounding games could become more prominent than the game itself. The baseball brawl had fallen into that category which also applied to some of the antics of the English soccer fans and to the stabbing of tennis player Monica Seles. TVNZ reported that brawls of the nature depicted were a recurring problem in American baseball and not to show them, could imply that they were no longer an issue.

Pointing out that the brawl was not shown in slow-motion and was not glamorised in any way, TVNZ declined to uphold the complaint.

Mr Turner's Complaint to the Broadcasting Standards Authority

As he was dissatisfied with TVNZ's decision, in a letter dated 27 July 1993 Mr Turner referred his complaint to the Broadcasting Standards Authority under s.8(1)(a) of the Broadcasting Act 1989.

He persisted in his complaint that the broadcast had shown "violence for violence's sake". He disagreed with TVNZ's submission that the incident equated with the stabbing of tennis player Monica Seles as that event, unlike the baseball brawl, was international news.



II

TVNZ's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 29 July 1993 and TVNZ's response 11 August.

Explaining that the incident was only 22 seconds long, TVNZ argued that it was appropriate to remind viewers that professional baseball in the United States continued "to be plagued by on-field violence". TVNZ maintained that the fact that the pictures were syndicated world-wide showed a certain amount of international interest. It was unlike the Monica Seles incident in terms of newsworthiness as that event was totally unexpected and involved a big name player.

TVNZ said that the item was not "violence for violence's sake", but that an on-going problem could not be swept under the carpet.

Mr Turner's Final Comment to the Authority

When asked if he wished to comment on TVNZ's reply, in a letter dated 14 August 1993, Mr Turner said he did not wish to comment further.

