Freedoms and Fetters: broadcasting standards in New Zealand

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Broadcasting Standards Authority

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Current members of the BSA, Tapu Misa, Paul France, Diane Musgrave and I, acknowledge the foresight of previous members and staff. They instituted a research model that benefits from the regular addition of longitudinal research as reported in this publication. Ongoing research helps BSA members in their complaints deliberations and we hope it also adds to the knowledge of those who share our interest in broadcasting content.

There are many opinions and comments in this book. They are not BSA policy determinations; rather they provide readers with a selection of views about this most interesting of issues – what may or may not be acceptable on our airwaves and screens.

Joanne Morris
Chair
Broadcasting Standards Authority
May 2006

Te Mana Kōrero me ōna Here: ko ngā Paerewa Pāho i Aotearoa

He Mihi

He maha tonu ngā tāngata nāna tēnei rangahau i tia haere. Kei te whakamoemiti te Mana Whanonga Kaipāho ki te hunga nāna i tāpae mai ō rātou whakaaro, ā rātou tohutohu, otirā mō ā rātou taunaki katoa i te kaupapa. Kei te mihi ki ngā kaiāwhina i raro iho nei:

Te Komiti Tohutohu: Ko David Innes, Radio Broadcasters Association; Ko Bruce Wallace, Television Broadcasters' Council; Ko George Bignell, Radio New Zealand; Ko David Edmunds, Television New Zealand; Ko Ian Gubbins, Television New Zealand; Ko Morris Shanahan, New Zealand Broadcasting School.

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Neke atu i te rima rau ngā tāngata o Aotearoa nāna i huri mai ki te mahi i runga i te aroha ki te kaupapa, otirā ki te hora i ō rātou whakaaro me tō rātou mātauranga, koia mātou ka mihi atu ki a rātou katoa.

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He nui ngā whakaaro me ngā whakapuaki i tēnei pukapuka. Ehara ēnei i ngā whakatau kaupapa here totoka a te Mana Whanonga Kaipāho, heoi anō ko te hiahia mā ēnei ka whai whakapuaki ngā kaipānui i te pukapuka mō tēnei kaupapa whakahihiko i te hinengaro – he aha ngā paerewa tōtika mō ngā kai e puta mai ana i ō tātou ngaru reo irirangi me ngā mata pouaka whakaata.

Joanne Morris
Tiamana
Te Mana Whanonga Kaipāho
Mei 2006

Executive Summary

The Broadcasting Standards Authority (BSA) frequently surveys New Zealanders on their attitudes towards various broadcasting standards. The BSA's function in this regard is prescribed by the Broadcasting Act 1989: 'To conduct research and publish findings on matters relating to standards in broadcasting'.

This study focuses on two major types of broadcasting standard: the journalistic standards of balance and fairness in their application to factual programming, and good taste and decency, a standard that is applicable generally. A genre of broadcasting, talk radio, is used to discuss issues of balance and fairness; the discussion about good taste and decency springs from an analysis of past BSA decisions. A third element, the right to freedom of expression, is explored in focus groups.

The report consists of six studies. Each study offers a different perspective and employs different methodologies from which to examine the selected standards.

Balance and fairness

The standards of balance and fairness are the focus of the first four chapters.

In Chapter 1, we report on focus-group participants who show an intense interest in the application of balance and fairness principles across a range of factual formats. They say that some formats, such as consumer advocacy TV programmes and talk radio, do not need to be as balanced as news and current affairs. Older participants appear to be more concerned than younger ones that news is reliable, and that programmes treat individuals and organisations fairly. When considering freedom of expression, participants strongly defend the individual's right to express a genuinely held opinion – unless that individual is a newsreader.

Chapter 2 presents an abridged history of the development of talk radio in America and Australia, and a more detailed account is given of its establishment and status within the New Zealand radio scene.

A discussion of talk radio's role in a democratic society contrasts conflicting viewpoints: that talk radio is an important ingredient in democratic nation building versus that talk radio is only an outlet for extremist views and may be a danger to democracy rather than supporting it.

The writer posits that talk radio in New Zealand has become an entertainment medium and no longer plays a vital role in the democratic process; consequently, there has been a shift in expectations of talk radio, which may have an impact on audience and industry expectations of broadcasting standards such as accuracy, balance and fairness.

The relevance of broadcasting standards for talk radio is explored in Chapter 3 through interviews and a survey with New Zealand talk radio practitioners. Practitioners see commercial talk radio as a business whose roles include the

dissemination of information, discussion of issues and provision of entertainment. Talk radio broadcasters need to create an audience for financial gain, but its practitioners recognise their accountability to listeners for issues such as accuracy, balance and fairness.

Chapter 4 reports on focus-group discussions with talkback listeners. They discuss issues of balance and fairness, the standard of social responsibility (which is a standard specific to radio broadcasters) and the right to freedom of expression.

Participants agree that there is a need for balance in talkback, particularly where people or groups are named. They see it as part of the host's role to help provide this balance, but are suspicious that efforts to obtain significant points of view could be manipulated by a host selecting only callers who support his or her view and cutting off others. They say that everyone should be given the right of reply.

There is general agreement among the talkback listeners interviewed that the fairness standard is important as it encourages the respectful treatment of callers and their being given a fair go. However, they are also aware that spirited interactions play a necessary part in creating interest for listeners. They feel that social responsibility will be achieved if the host conducts a fair debate. They say that ultimately there cannot be complete freedom of expression. There must be limits, and common sense should apply.

Good taste and decency

New Zealand society is diverse, and people's expectations of broadcasting vary according to age, culture, religion and personal values. While the broadcasting standards refer to 'current norms of decency and taste in language and behaviour', there are no uniform standards or norms that the BSA can apply mechanically to good taste and decency complaints.

Chapter 5 notes that the BSA will always refer to the 'contextual factors' of a broadcast in decisions about good taste and decency. It is only after taking these factors into account that a meaningful determination can be made. A key contextual consideration is whether the broadcast aired during normally accepted children's viewing times.

Whether about radio or television, the BSA's decisions emphasise a strong expectation that material likely to be heard or seen by children should recognise their innocence and vulnerability.

Another discussion concerns freedom of personal choice. The more that adult viewers and listeners are able to make informed choices about what they watch and hear, the less justification there is for the BSA to intervene.

However, despite the audience's right to choose, there are bottom lines. Where those lines are drawn is not constant; they shift in accordance with the context of each case and prevailing societal attitudes.

National Survey

Chapter 6 reports the findings of a national survey about public attitudes towards free-to-air broadcasting standards. It was conducted during May and June 2005 with 500 members of the general public aged 18 years and over.

The findings add to the BSA's longitudinal research, last reported in *Monitoring*

Community Attitudes in Changing Mediascapes in 2000. In 2005 new emphasis was given to exploring issues of balance and fairness. Television violence and privacy standards were not explored because major studies about these were released in 2004.[1]

This survey confirms that a majority of the public continue to consider it important that an independent organisation should be responsible for overseeing the standard of broadcasting in New Zealand.

Findings reveal that two thirds of New Zealanders spontaneously describe something that concerns them about what is shown on television. As in previous BSA studies (published in 1993 and 2000), the most frequently mentioned concerns relate to the portrayal of violence, sex and nudity, and bad language. There are indications that, compared with 2000, there may be a higher level of concern about sexual content and bad language on television.

Just one third of New Zealanders spontaneously describe concerns about what they hear on radio, with the most common concern being bad language.

While balance, fairness and accuracy standards are seen as very important in all factual formats on both television and radio, the public indicates that accuracy is of paramount importance. This is particularly the case for television news broadcasts.

Slightly more leeway is given to radio talkback in relation to these standards. However, regular talkback listeners rate fairness and balance more highly than does the population as a whole.

With regard to 'bad language' there has been a slight softening of attitudes overall, but the words the public find unacceptable in broadcasting in 2005 are largely the same as those found unacceptable five years ago.

As with the 2000 research, in 2005 the strongest determinant of whether a scene is acceptable or not relates to the time of broadcast (before or after 8.30pm). Secondary determinants are the level of explicitness and the importance of the scene to the story.

When the results of this survey are considered in their entirety, and comparisons made where possible with 2000, it seems that, while society may have become more liberal over time, there is possibly more concern now than in the past about protecting children. This view is based on the following results:

- Some people spontaneously mention concerns about what children are exposed to on television, when this concern has not been so prominent in previous surveys.
- Even though the great majority indicate that it is largely parents' responsibility to control what their children watch on television, most people also see it as critical that there are standards for broadcasting that consider the interests of children.
- The three sex and nudity scenarios that respondents find slightly less acceptable than in 2000 are arguably those that might be seen by children (early evening news, drama and movies shown before 8.30pm).

If concern has increased, the researchers suggest another influence may be the high-profile prosecutions seen in recent years for child abuse, paedophilia, and possession of child pornography.

Whakarāpopototanga Matua

He rite tonu te kawe rangahau a Te Mana Whanonga Kaipāho i waenga i ngā tāngata katoa o Aotearoa e uia ai ō rātou waiaro mō ētahi paerewa pāho. Ko tētahi o ngā tino mahi o te Mana Whanonga i raro i te Ture Pāho 1989, 'he kawe i āna mahi rangahau, he whakaputa kitenga hoki ki te ao e pā ana ki ngā paerewa e tika ana i te mahi pāho'.

E arotahi ana tēnei rangahau ki ētahi momo paerewa pāho matua e rua: ngā paerewa mō te kawe kōrero e pā ana ki te tūtika me te tōkeke, me te pānga o ēnei paerewa ki ngā pānui pakipūmeka, ko te tuarua ko ngā tikanga papai me ngā tikanga rangatira ki te titiro a te iwi, he paerewa tēnei ka taea te whakatakoto mō ngā pānui katoa. Ka tirohia tētahi momo pāho, ngā teihana whakakōrero i te tangata, hei matapaki i ngā take e pā ana ki te tūtika me te tōkeke ; ko ngā kōrero mō ngā tikanga papai me ngā tikanga rangatira o te iwi i takea mai i ngā wetekanga o ngā whakatau a Te Mana Whanonga Kaipāho i mua. Ka tūhuratia tētahi kaupapa tuatoru, te whāinga tika kia whakaputa kōrero ki te ao, i ētahi rōpū whiriwhiri kaupapa motuhake.

E ono ngā rangahau i tēnei pūrongorongo. He rerekē anō ngā tū whakaaro me ngā tikanga mahi o tēnā rangahau, o tēnā rangahau, hei mātai i ngā paerewa i kōwhiritia.

Te tūtika me te tōkeke

Ko ngā paerewa o te tūtika me te tōkeke te arotahitanga matua o ngā upoko tuatahi e whā.

I te upoko 1, ka tuku pūrongo mō ngā tāngata i whakauru mai ki ngā rōpū whiriwhiri kaupapa motuhake i puta ai he whakaaro i a rātou, me te kite tonu iho i tō rātou kaingākau ki ngā mātāpono o te tika me te tūtika i te matahuhuatanga o ngā pānui pakipūmeka. E ai ki a rātou, mō ētahi o ngā kaupapa pēnei i ngā pānui āwhina i te kiritaki i te pouaka whakaata me ngā kaupapa reo irirangi whakakōrero tangata, ehara i te mea kia rite rawa te tūtika ki ngā pītopito kōrero me ngā pāhotanga o te wā. Ko nga kaiwhakauru taipakeke kē ngā tāngata e mea ana kia tino tika rawa te katoa o ngā pitopito kōrero, kia tika anō hoki nga whakahaere e pā ana ki te tangata takitahi me ngā rōpū matua. Ina whiria te kaupapa o te whāinga tika kia whakaputa kōrero ki te ao, e tautoko katoa ana ngā kaiwhakauru i te motika kia wātea tēnā tangata, tēnā tangata, ki te whakaputa i ōna anō whakaaro, mehemea he whakaaro pono tērā nōna, – hāunga ngā kaipānui i ngā pitopito kōrero.

Kei te Upoko 2 tētahi tākinga i te hītori o te tupuranga o ngā teihana whakakōrero i te tangata i Amerika me Ahitereiria, ā, ka tāia hoki he kōrero hōhonu kē atu mō tōna tupuranga hei wāhi o ngā reo irirangi o Aotearoa.

Ina horaina he kōrero mō te tūranga o ngā teihana whakakōrero i te whenua manapori ka tere kitea ngā whakaaro rerekē, he wehe kē ētahi, he wehe kē ētahi: ko ētahi e kī ana he wāhi nui tēnei o ngā mahi whakapakari i te whenua manapori, ko tēnā tēnā, ko ētahi atu e kī ana he waha tēnei mō ngā whakaaro o te hunga taikaha, ka nui pea ōna kino mō te manapori, kāore hoki e kitea he hua.

E mea ana te kaituhi kua huri ngā teihana whakakōrero i Aotearoa hei paohotanga whakangahau noa, kua kore e noho hei wāhi nui nō ngā whakahaere manapori. Nā reira, kua huri haere ngā whakaaro mō ngā teihana whakakōrero i te tangata. Nā tēnei hurihanga i āhua rerekē ai ngā whakaaro o ngā kaiwhakarongo, me te ahumahi whānui mō ngā paerewa pāho pēnei i te pono rawa o ngā kōrero, te tūtika, me te tika.

Kei te upoko 3 ka tūhuratia te hāngaitanga o ngā paerewa pāho mō ngā teihana whakakōrero i te tangata, mā ngā uiuinga i te tangata, mā tētahi tiro whānui hoki i ngā kaimahi reo iririangi o ngā teihana whakakōrero i te tangata i Aotearoa. E ai ki ngā kaimahi, ko ngā teihana whakakōrero arumoni he momo pakihi, ko ētahi o āna kawenga he tuhatuha i ngā pārongo e tika ana, he matapaki i ngā take nunui o te wā, otirā he whakangahau i te tangata. Ko te whāinga matua mā ngā kaipāho i ngā teihana whakakōrero i te tangata, he hao i te tini o te kaiwhakarongo, engari e mōhio ana ngā kaipāho he mea nui te pono o te kōrero, te tūtika me te tōkeke o ngā whakahaere ki ō rātou kaiwhakarongo.

Kei te Upoko 4 ētahi pūrongo mō ngā kōrero ki ngā rōpū whiriwhiri kaupapa motuhake. Ka kōrerotia e rātou ngā take e pā ana ki te tūtika, ki te tika o te kōrero, ngā haepapa ki te iwi nui tonu (he paerewa tēnei e pā ana ki ngā kaipāho reo irirangi motuhake) me te whāinga tika kia whakaputa kōrero ki te ao.

E whakaae ana te hunga whakauru mai he mea nui te tūtika i ngā mahi whakakōrero i te tangata, otirā kei te whakaae he mea tino nui ina whakaingoatia he tangata, he rōpū rānei. E mea ana rātou ko tētahi wāhi o ngā mahi a te kaiuiui he āwhina kia eke ki ngā taumata e tika ana o tēnei mea te tūtika. Heoi anō, kotahi anō te āwangawanga, kāore ngā whakaaro o ētahi e kimihia atu e ētahi o ngā kaipāho, i te mea ka whiria ko te hunga anake e tautoko ana i ōna whakaaro, me te aukati i ngā waea a ētahi atu. Ki a rātou ko te tikanga ia me whakawātea he wāhi mō te katoa ki te whakautu kōrero.

E whakaae ana ngā kaiwhakarongo ki ngā teihana whakakōrero he mea nui te paerewa mō te tika o ngā whakahaere, i te mea mā roto i te paerewa e whakaūtia ai te whakarangatira i te katoa o te hunga waea mai, ka tika hoki te manaaki i a rātou. Ahakoa, e mōhio ana rātou kia kaha tonu te taukumekume i ngā kaupapa, mā reira anake e whai matū ai ngā kai ka pāhotia, ki ngā taringa o te hunga whakarongo. Ki a rātou ka tutuki ngā haepapa ki te iwi nui tonu ki te tika te kawe a te kaiwhakahaere i te taukumekume. Ki a rātou anō, kāore te tangata e āhei te whakaputa kōrero ki te ao, kia kore rawa he here. Me mātua noho mai he here, mā te atamai o te tangata e whakatau he aha.

Ngā tikanga papai me ngā tikanga rangatira

He whānui tonu te pāpori o Aotearoa, he rerekē anō ngā wawata o tēnā, o tēnā mō ngā mahi pāho i runga i te taipakeke, i te ahurea, i te whakapono, me ngā waiaro o ia tangata, o ia tangata. Ahakoa e kōrero ana ngā paerewa pāho mō ngā 'paerewa o tēnei wā mō ngā tikanga rangatira me ngā tikanga papai mō te reo me ngā whanonga' kāre

kau he paerewa ōrite, he tikanga rānei hei anga mō ngā mahi a Te Mana Whanonga Kaipāho ina whakahaere ia i ngā whakapae mō ngā tikanga papai me ngā tikanga rangatira.

E mea ana te Upoko 5 e kore e mutu te titiro a te Mana Whanonga Kaipāho ki ngā 'āhuatanga o muri' o tētahi paohotanga, i roto i āna whakatau mō ngā tikanga papai me ngā tikanga rangatira. Kia tirohia rā anō ēnei āhuatanga, kātahi anō ka taea te whakaputa whakatau whai take. Ko tētahi o ngā āhuatanga o muri hei whiriwhiri, mehemea i pāhotia taua pānui i ngā haora mātakitaki e whakaarotia ana e te nuinga ko ngā haora e mātakitaki ai te tamariki.

Ahakoa mō te reo irirangi, mō te pouaka whakaata rānei, whakahau ai ngā whakatau a Te Mana Whanonga Kaipāho i te tino hiahia kia āta maharatia te harakore me te ngohengohe o te tamariki i roto i ngā kai o ngā paohotanga.

Ko tētahi atu kōrero e pā ana ki te wātea o te tangata ki te whai i āna anō kōwhiringa matawhaiaro. Ki te tino wātea ngā kaimātakitaki pakeke ki te whiriwhiri, i runga i te mārama, i ngā pānui ka mātakina, ka rangona rānei e rātou, tērā e iti iho ngā karanga ki te Mana Whanonga Kaipāho kia huri mai ki te whakawā.

Ahakoa rā, ahakoa te whāinga tika o te hunga mātaki ki te whiriwhiri, arā, anō ngā mea hei whakaaro. Kāore i totoka ngā whakaritenga mō ēnei take, ka rerekē haere i runga i te horopaki o ia kaupapa, me ngā whakaaro o te iwi nui tonu i taua wā.

He Tirowhānui ā-Motu

Kei te Upoko 6 he pūrongo mō ngā hua o tētahi tirowhānui ā-motu mō ngā waiaro tūmatanui tonu, mō ngā paerewa e tika ana i ngā paohotanga kore-utu ki te kāinga. I kawea taua tirohanga i waenganui i te marama o Mei me Hune i te tau 2005 i te taha o ngā tāngata 500 nō te iwi whānui, kei runga ake te pakeke o te katoa i te 18 tau.

E kawe whakamua ana ēnei kitenga i ngā rangahau wā roa a Te Māna Whanonga Kaipāho i tāia ake nei i *Monitoring Community Attitudes in Changing Mediascapes* i te tau 2000. I whakapūmautia anō te hiahia kia tūhuratia ngā take o te tūtika me te tōkeke i te tau 2005. Kāore i āta tūhuratia ngā paerewa mō te taikaha me te matatapu i te mea i whakaputaina he pūrongo nui mō ēnei take i te tau 2004.[1]

Ka mārama anō i tēnei tirohanga te whakaaro o te iwi tūmatanui e tika ana kia noho tonu tētahi rōpū motuhake hei kawe i te haepapa kia āta arotakea ngā paerewa pāho i Aotearoa.

E ai ki ngā kitenga e rua hautoru o ngā tāngata o Aotearoa ka whakaputa noa i tētahi āhuatanga e āwangawanga ai rātou, i waenganui i ngā pānui i te pouaka whakaata. Rite tonu ki ngā tirohanga a te Te Mana Whanonga Kaipāho (i ngā tau 1993 me te tau 2000), ko ngā āwangawanga e kōrero nuitia ana ko te whakaata i te taikaha, i te ai me te tū tahanga, me te kangakanga. E ai ki ngā tohu o ngā kitenga, ina whakaritea ki te tau 2000, kei runga kē pea ngā āwangawanga mō ngā āhuatanga e pā ana ki te ai, me te kangakanga i runga i te pouaka whakaata.

Kotahi hautoru noa iho o ngā tāngata o Aotearoa ka whakaputa noa i tētahi āhuatanga e āwangawanga ai rātou, i waenganui i ngā pānui i te reo irirangi, ā, ko te āwangawanga e rangona nuitia ai ko te kangakanga.

Ahakoa he mea nui tonu ngā paerewa mō te tūtika, te tika me te pono o ngā kōrero i ngā pakipūmeka i runga i te pouaka whakaata me te reo irirangi, e mea ana te iwi tūmatanui ko te pono te mea nui rawa atu. E tino pēnei ana ngā whakaaro mō ngā

pānui pitopito kōrero o te pouaka whakaata.

He āhua tāwariwari kē atu te whakamahinga i ēnei paerewa mō ngā pānui reo irirangi. Ahakoa rā, ko ngā tāngata e auau nei te whakarongo ki ngā teihana whakakōrero i te tangata he kaha kē atu tā rātou whakatairanga i te tika me te tūtika, i te nuinga o te taupori nui tonu.

Mō te 'kangakanga' te āhua nei kua āhua ngāwari haere, iti nei, ngā waiaro. Ahakoa, ko ngā kupu e kī ana te iwi whānui kāore rawa e pai i ngā mahi pāho i te tau 2005, he rite anō ki ērā i kīia kāore rawa e pai e rima tau ki muri.

Pērā anō me te rangahau o te tau 2000, ko te tino ture e whakatauria ai te pai, te kore rānei e pai o tētahi kitenga, ko te ture mō te haora o te pāho (i mua, i muri rānei i te 8.30 i te ahiahi). Ko ngā ture tuarua ko te mārama o te whakaata i taua kitenga ki te kanohi me te noho anō o aua kitenga hei wāhanga matua o te pakiwaitara.

Kia whiria te katoa o tēnei tiro whānui, ina whakaritea hoki ki te tau 2000 ka pēnei pea te kī, ahakoa kua ngāwari kē atu ngā whakaaro o te iwi whānui i roto i ngā tau, he nui kē atu ngā āwangawanga i ēnei rā tērā i mua, mō te ārai i ēnei kitenga kino i te tamariki. I takea mai ēnei whakaaro i ngā kitenga e whai ake nei.

- Arā ētahi tāngata e whakaputa noa ana i ngā āwangawanga mō ngā āhuatanga ka kitea e te tamariki i runga i te pouaka whakaata, kāore hoki i pēnei rawa i ngā tiro whānui o mua.
- Ahakoa e kī ana te nuinga me noho ko te haepapa matua ki ngā mātua ki te ārai i te kino i ā rātou tamariki, e mea ana anō hoki te nuinga o te iwi me noho anō he paerewa mō ngā mahi pāho e anga ana ki te tiaki i te tamariki mokopuna.
- Ko ngā kitenga e toru mō te ai, mō te tū tahanga e whakaarotia ana e te hunga whakautu he kino kē atu, me kī he iti nei te kino atu i ō te tau 2000, he kitenga katoa tērā pea e kitea e te tamariki (ngā pitopito o te ahiahi awatea, ngā whakaari me ngā pikitia i mua i te 8.30 i te pō).

Mehemea kua piki te āwangawanga, e whakapae noa ana ngā kairangahau ko tētahi awe nui ko ngā whakawākanga rongonui o ēnei tau mo te taitōkai, mō te kōpepe tamariki me te pupuri i te pikitia karihika o te tamariki.

Introduction

Broadcasting standards provide a baseline for radio and television broadcasters, in essence requiring them to give people a fair go, to treat programme participants fairly, to report events accurately, to allow a range of opinions to be heard, to help parents monitor their children's viewing, to assist viewers and listeners to avoid content they might find distasteful, and to protect the vulnerable.

This requires multiple and sophisticated judgement calls by the many people involved in making and transmitting programmes. It is instructive to ask audience members how they would make such calls. It is also instructive to analyse trends and views across the years, and to use the academic and institutional information available.

Every few years since its inception in 1989, the Broadcasting Standards Authority (BSA) has surveyed New Zealanders on their attitudes towards various broadcasting standards. These measures of public attitudes, and their shifts across the years, are important snapshots both of public tolerance and of where the public might draw the line on broadcasting standards.

This publication records several different kinds of voices in a way that acknowledges the various complexities involved in evaluating and monitoring broadcasting standards. Two groups of broadcasting standards provide the focus: the most objective – balance, fairness and accuracy; and perhaps the most subjective – good taste and decency.

The first part of this book discusses balance and fairness in depth and touches on accuracy. Next there is a special focus on talk radio. This medium often features the most lively, extreme opinions heard in broadcasting in an unusually frank environment. An essay describes talk radio in New Zealand and its origins. In the chapters that follow, leading radio broadcasters, both on air and behind the scenes, give their opinions on various standards matters, then talkback listeners' views are recorded. Their thoughts provide an interesting counterpoint to those of the professionals.

Later in the book the subject of good taste and decency is tackled. The relevant standard has been phrased this way for decades, yet its application has become no simpler. An overview of BSA decisions discusses how the standard has been interpreted over the years and how the BSA balances this standard against other competing requirements such as the right to free expression.

Finally, the results of a national public survey conducted by ACNielsen are reported and comparisons are made with previous surveys. In May 2005, 500 New Zealanders were asked their views on various broadcasting standards and their responses make fascinating reading.

As the media landscape fragments and diversifies, the need for New Zealanders to understand and take charge of their viewing and listening menu options is unprecedented. The onus remains on broadcasters, as for all publishers, to assist their audiences by providing options that will delight, as well as adequate warning of pitfalls.

Broadcasting standards can only exist with the interest and support of the public. From the variety of voices reported in this book, it is clear that New Zealanders remain passionately interested in broadcasting and its many ethical and moral debates.

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1 New Zealanders talk about factual programmes

Kate Ward

Introduction

The present work continues BSA research last published as *Monitoring Community Attitudes in Changing Mediascapes* (Dickinson *et al.*, 2000). *Changing Mediascapes* comprehensively explored community attitudes to selected broadcasting standards through focus groups and a national survey, carrying on from research first undertaken in 1993.[2]

This chapter recaps the findings of the BSA's focus groups reported in *Changing Mediascapes*. It provides a brief overview of selected international research, and then summarises the BSA's 2005 focus-group discussions.

The BSA has researched the issues surrounding balance, fairness and accuracy in broadcasting in different ways over the years. Broadcaster, BSA and academic perspectives were first set out in *Power and Responsibility: Broadcasters Striking a Balance* (Ballard, 1994). Content analyses of news and current affairs commissioned in 1993 and 2003 resulted in publication of *Balance and Fairness in Broadcasting News 1985–1994* (McGregor *et al.*, 1995), and *Portrayal of Māori and Te Ao Māori in Broadcasting: the foreshore and seabed issue* (The Media Research Team, 2005).

Some audience views can be gleaned from an examination of the BSA's decisions on formal complaints. They show a diverse group of complainants, including politicians, businesses, representatives of interest groups, journalists and programme makers, as well as hundreds of individuals who do not have a public profile but who cared enough to exercise their right to protest. The complaints made reveal that people protest at unfair behaviour; and believe news and current affairs broadcasts should be balanced. They also reveal that some individuals are sticklers for accuracy. But how fair, balanced and accurate? In every news and current affairs format, or some, or most? What are the exceptions, and what, in the public's mind, are the rules?

The 2000 *Changing Mediascapes* focus groups discussed the standards of fairness, balance and accuracy in relation to news, current affairs and talkback radio. The authors concluded that for participants the issues of balance, fairness and accuracy in news and current affairs were interrelated. There was an acute awareness of the 'power of the news media' and its potential to be unfair to people. At the same time there was a perception that the broadcast media were not always living up to their professional codes of being objective and accurate (p. 56). In the conclusion, the authors suggested that participants' vocabularies in talking about the balance, fairness and accuracy standards were not as developed as they are for the more

familiar subjects of violence and sex (p. 66).

The following comments illustrated participants' issues with opinion-based reporting:

> They don't show all avenues … as public we get opinion shown. The news is biased by journalists. *Female, Auckland*

> If someone is doing a programme where they are voicing their own opinions … I don't mind, but if they are doing it [like] as if it were fact … [I do mind].
> *Male, Christchurch*

> The journalists come in with a point of view; there's no neutral person. I want factual stuff about the position of New Zealand without the opinions …
> *Male, Napier* (p. 55)

Participants commented on the importance of fairness in relation to talkback radio, and accuracy in relation to news reporting (pp. 55–56).

Using these earlier discussions as a springboard, in 2005 the BSA decided to concentrate on the standards of balance and fairness as focus-group topics. Over the years, these two standards have provided some of the most interesting and difficult interpretive challenges for the BSA.

Discussion of the accuracy standard was omitted from the focus-group research on these assumptions:

- accuracy in news reporting is a normal expectation of the public and the news media
- focus-group participants would discuss accuracy spontaneously within a general discussion of balance and fairness
- questions about accuracy are relatively simple and appropriate for inclusion in the larger quantitative survey.

These assumptions were borne out by the results of the public survey reported in Chapter 6.

Additionally, participants were specifically asked to consider the relevance of freedom of expression in different news and current-affairs formats, from the differing viewpoints of broadcaster, subject and audience. The purpose of considering the role of freedom of expression was to explore public awareness of the part that it plays in broadcast news and current affairs. This exploration was not undertaken in *Changing Mediascapes,* but it is increasingly a consideration in the determination of complaints about balance and fairness.

Recent international studies

A brief overview of the findings of three relevant overseas studies of public views of balance, fairness and accuracy in broadcast news and current affairs follows.

British study

In 2002 the British Independent Television Commission (ITC) published *New News, Old News* (Hargreaves and Thomas, 2002). The central purpose of the study was to inform the providers of British television news services about the changing viewer

landscape. The authors said that the *New News, Old News* project provided 'a map of UK news media consumption at a time of rapid change' (p. 44). Their findings confirm the importance of television news, the growing importance of the internet, and the relative decline of radio and newspapers as sources of news. Additionally, the researchers explored the requirement for news to be impartial and accurate.

From a quantitative survey of 5,600 respondents, the researchers found that only 43% thought that television news represented all sectors of society fairly (p. 5). They found that there was strong public support for the established impartiality and accuracy rules for news broadcasters (p. 6); and focus groups confirmed 'strong resistance to any relaxation of the laws on impartiality' (p. 72). One focus group respondent said:

> It's just too important. The main terrestrial channels especially reach and influence so many people in their homes. You don't go out and buy a TV news programme like a newspaper, where you know it will reflect certain views. *Male, 25–44, London* (p. 72)

The authors said that a founding principle of UK broadcasting regulation is that news services should be accurate and politically impartial. The survey findings confirmed the importance of this principle for the public. Asked 'how important is impartiality and accuracy?' almost all respondents, 92%, thought the principle of accuracy in news was very important, and 71% took the same view of impartiality (Hargreaves & Thomas, 2002, p. 68). Similar results are found in the present research in Chapter 6, where 93% of New Zealanders see accuracy as very or extremely important for television news. If impartiality (UK) can be aligned with balance (New Zealand), the survey findings in Chapter 6 show that New Zealanders perceive that the balance standard is highly important for TV news (88% gave a rating of 8, 9 or 10 where 10=extremely important) compared with a much lower 71% of UK respondents.

Australian study

In 2001 the Australian Broadcasting Authority published *Sources of News and Current Affairs* (ABA, 2001). The study's purpose was 'to examine Australians' uses of news and current affairs and the views they hold about them' (p. 265).

Public and focus-group surveys were undertaken by a research team led by Professor Mark Pearson from the Centre for New Media and Education at Bond University in Queensland. The central concern was to discover the degree of influence of the Australian media on public opinion.

From a telephone survey of 1,620 Australian adults, it was found that:

- Most Australians believe the news and current affairs media are credible, although many feel they are not as credible as they should be. The most credible sources are the public broadcasters, while the least credible are the commercial broadcasters, with other media sandwiched between them.
- Nearly all Australians believe that their preferred source of news and current affairs has at least some influence on public opinion, and about half attribute a moderate to high level of influence to it (p. 270).

The researchers quantified how often survey respondents thought news and current affairs were sensationalised, or contained intrusive reporting, biased content or inaccurate material. They found that sensationalised reporting in news and current affairs was an issue for 84% of respondents (p. 360). They also found that respondents believed the following occurred often or always:

Intrusive reporting	73%
Biased content	67%
Inaccurate material	60%

(p. 361)

Evidence the researchers collected through a literature search and other surveys also indicated concerns about the independence of news providers.

> Concern exists in Australia and overseas about the independence of news and current affairs providers from a host of powerful constituents. The usual suspects of influence appear, including the commercial interests of media owners and their organisations, of political sources, including interest organisations and of audiences themselves. As a result, polls have indicated that the audience is highly suspicious of news and current affairs providers' credibility.
>
> […]
>
> Free-to-air television, being the preferred source of news and current affairs, is usually deemed as more credible than newspapers. The causes of lower credibility are factors including journalists' use of sources on one side of an argument but not the other, increasing dependency on public relations materials by news managers, and increasing focus on profitability amongst media managers, owners and controllers (pp. 266–267).

Further, they noted:

> Poll data and academic discussions lay bare the problems of bias, inaccuracy, intrusive reporting and sensationalism in news and current affairs (p. 267).

The authors said that a number of large research organisations in Australia and the United States had identified the above as problems with which audiences commonly took issue (p. 267).

The authors posited a reason for negative audience perceptions about the credibility of news and current affairs.

> These beliefs, perhaps considered opinions, emanate from a lack of understanding about journalistic process, from spokespeople in other institutions laying blame on news and current affairs media … (p. 267).

They commented too on research that suggests some people may actually prefer a lively, sensationalist style of news:

> It seems that sensationalism sells and that audiences are more likely, in spite of their criticisms toward purveyors of sensational news and current affairs, to watch, listen to or read what they have to offer (p. 268).

The Australian study's focus on credibility issues is relevant to New Zealand broadcasters and audiences, particularly when considering the balance and fairness standards.

Canadian study

The Canadian Media Research Consortium (a collaboration of researchers from the University of British Columbia Graduate School of Journalism, the York/Ryerson Joint Graduate Program in Communication and Culture, and the Communications Program at Laval University[3]) interviewed 3,012 Canadians in 2003 on credibility, accuracy, fairness and balance in the news media. The study included broadcast and print media. The methodological approach was a 23-minute telephone interview with a representative sample of Canadians. Included were thirteen questions from surveys in the US conducted by the Pew Center for Research on the People and the Press[4], and comparisons were made with that Center's findings (39/40).

The goals of the research were:

- to discover what Canadians think about the news they're getting
- to determine how much Canadians trust the news they're receiving
- to examine issues of media credibility and trust
- to determine if Canadian attitudes and perceptions about the news media are different from American attitudes and perceptions (1/40).

Canadian perceptions of credibility and trust in the news media were compared with American perceptions. US studies found that:

> ... accuracy is the foundation of news credibility .... Credibility in general includes accuracy, but also involves fairness, bias and impartiality (12/40).

Fifty-six percent of Americans thought news reports were inaccurate compared with thirty-one percent of Canadians. The researchers surmise the difference may be because, '... Canadians are not as critical of the media as they should be ... or perhaps they don't consider the mistakes they do see as all that relevant' (14/40).

Respondents were asked 'How often do you think reporters let their own political preferences influence the way they report the news?' Thirty-one percent said often, and forty-eight percent sometimes (16/40). Similar to the Australian researchers' interest in the degree of influence the media has over public opinion, the Canadian sample was asked what they felt was the most important issue affecting trust in the news media. Of those who answered this open-ended question:

- 32% said accuracy
- 32% said impartiality
- 15% said general credibility
- 13% said ownership

(16/40)

On fairness and balance, respondents were asked, 'Do you find news reporting to be fair and balanced?' Only 15% believed that this was seldom the case. The researchers noted that younger Canadians were more likely to perceive a lack of balance, at least sometimes (19/40). Discussing sensationalism and 'trust' in the news media, one respondent made a comment similar to those made by some members of the New Zealand focus groups in the present study:

> I don't want the newscast to be sensationalized – I want them to analyze the situation, try to consider all angles, because they do make judgments and I want them to be fair (24/40).

Conclusion

These international studies show the interest broadcasting regulators and broadcasters around the world have in audience perceptions of balance, fairness and accuracy in news and current affairs.

The Australian results are relevant to New Zealand because they show the importance placed by the Australian public on the credibility of news sources. Many New Zealanders, through satellite TV, now watch Australian news programmes.

The UK results provide insight through that study's focus on the way in which news and current affairs providers can best serve the public. Finally, the Canadian focus on public perceptions showed similar concerns to those of New Zealand respondents as revealed in the following focus-group discussions.

The BSA's research programme continues to be influenced and informed by international models such as those touched on here.

2005 New Zealand focus groups

The objectives of the focus group study were:

- to explore in depth viewers' and listeners' experiences, expectations and tolerance levels of balance and fairness in television and radio covering a range of factual formats. These formats include news, current affairs, talk radio and any other factual formats in which controversial issues of public importance are discussed or presented, and
- to use focus-group findings as input into the questionnaire design for the nationwide quantitative survey, and to help provide context and sensitivity to the quantitative results.

The following summarises the topics canvassed during four focus-group meetings held around the country in March 2005. Twenty-six people were involved. There was one group with participants aged 18 to 30, two groups with participants aged 31 to 50 and a fourth group aged 51 and older. While the sample is small, the three-hour duration and the depth of the discussion provided valuable insights. This summary follows the same progression as the discussion guide. (See Appendix A for methodological details and guide.)

Media use

Participants were first prompted to give a description of their viewing and listening habits. Regarding factual programming, nearly all tried to watch television news, and most made efforts to watch documentaries and current-affairs programmes on television. Most listened to the radio every day. Twenty-five percent were National Radio listeners, but only one listened to that station exclusively.

A range of commercial music stations was enjoyed. Some listeners favoured local offerings, such as Plains FM, a Canterbury access radio station. Only one was a regular talkback listener, and several enjoyed Radio Sport.

Most watched the early evening television news at least once a week, and older people generally followed the news hour with one or other of the 7pm current-affairs shows. By contrast, the younger group was less interested in the 7pm TV current-affairs offerings, but those living with parents were familiar with the hosts and formats of these shows. The thirty and forty-year-olds were more interested in current affairs scheduled later in the evening once children were settled for the night. People across the generations said they enjoyed television documentaries.

Only one of the younger people regularly listened to news on the radio, whereas those with children to look after indicated a preference for it. They could be cooking tea, or driving, and listening at the same time.

> … I often think, oh she looks a mess today [on TV], or whatever, but I don't think that when I'm listening to the radio because I'm only listening to voices, and I'm actually listening to the content and I'm not so aware that it's a show – because I think the [TV] news can be a bit of a show. I think I concentrate more on what's being said as well as it being more in-depth anyway, so you can grasp the concepts more. *Female, 30s, Wellington*

A regular listener to John Banks' morning talkshow on Radio Pacific described his experience of it.

> … he generally just goes on about crime in the morning and criminals and getting some compensation and that sort of thing … and he's saying it how it is – that's the truth and stuff – and I sort of think why can't more people ask those sort of questions and say things like that, that are in the public eye? Because it's not politically correct to do so.

He really enjoyed 'Banksie':

> It's almost an aggression sort of thing. It's good that he sort of gets over all the PC nonsense and can ask those sorts of questions. *Male, 30s, Palmerston North*

A younger woman liked political, social and economic news and debates, and talkback radio, 'just to hear what other people think … [and know that] I'm not the only person thinking like that' (female, 20s, Auckland). The other young woman also liked the news, but was sometimes saddened by it.

> I like the news; I like to watch it because I like to know what's going on. But it seems they always take the negative point of view … it saddens me because they only ever seem to show the bad things. *Female, 20s, Auckland*

A young man was critical of early evening television news, he thought it was 'terribly superficial', and that journalism standards are low.

> It's sort of like light entertainment, there's no real journalism involved, it's just reporting … you have a couple of pretty pictures, there's the situation set up and that's it. There's no follow up – they're all sort of mosaics of what's occurring … it all seems so awfully disjointed. Which is probably why I prefer documentaries because there's quite a bit of in-depth investigation going on, there's news, there's views, there's conclusions. *Male, early 20s, Auckland*

The other young man said that he only watched the news because *The Simpsons* was on straight after it. 'Most of it [the news] doesn't particularly concern me … all the

world stuff, it just doesn't interest me' (male, early 20s, Auckland).

By contrast, older participants said they sought unbiased, well-researched informative items on whatever station they happened to be watching or listening to. One particularly liked National Radio.

> … I am not so impressed with a lot of telly … I like *Nine to Noon*, Linda Clark's show … there is a good variety, it's well researched, it's sensible and they interview people that you wouldn't normally hear, and I quite enjoy that.
> *Female, 60s, Christchurch*

Another also enjoyed National Radio because she said it provided informed comment through interviews with people involved in news events.

For the news, everyone had a clear preference for one television channel or another.

> I feel that there is a little more seriousness about TV One news – more in depth.
> *Female, 50s, Christchurch*

> I am a TV3 fan. I think they are very, very professional people.
> *Male, 60s, Christchurch*

Concerns about news and current affairs

Shoddy, 'fluff', or biased news and current affairs concerned participants in their 30s and 40s. 'You want to hear fact and truth – people's stories told in an honest way', said one (female, early 30s, Palmerston North).

A concern about balance came up spontaneously.

> I get concerned about the bias … sometimes I think that some of the news broadcasts only give one side of the story and it's often from a … left sort of leaning, socialist type thing … that's fine, but you want a bit of a balance. If you're going to report the news, you may as well give both sides of the story. *Male, 30s, Palmerston North*

Another agreed.

> And that's why TV3 is more balanced … with Te Wananga[5] they took not only the Government perspective but they were looking at the Māori people and how proud they were of what has happened, and I thought that was really balanced. You're getting both views, and you're left with the feeling of making up your own mind, which I thought was really good. *Female, mid 30s, Palmerston North*

A younger participant also expressed spontaneous concern about whether news reports were balanced.

> … you never know whether they've edited it so that it's pointed to only one idea or trying to get your thinking to one side. *Female, mid 20s, Auckland*

Participants judged whether news stories had been covered properly, and commented about how stories were prepared for broadcast.

> … you've got to remember that it's somebody's perspective. Somebody is deciding what is newsworthy. Somebody is deciding what should go first.
> *Male, early 40s, Palmerston North*

Some were concerned about the use of viewer phone-in polls during current affairs programmes. One said that the results of that sort of poll should not be regurgitated as fact in later news bulletins. Another agreed with him.

> Those sorts of things I find misleading as well … you don't know if it's one person ringing in a hundred times because they've got a bee in their bonnet, or … the people that are watching that show regularly – the people who have access to pay 99 cents who have a particular feeling about one thing. Then they promote the results at the end …. *Male, early 40s, Palmerston North*

Some said that they did not like sports stories taking up precious news time. Others regretted a perceived dearth of world news, and there was also criticism of the amount of time allocated to overseas celebrities such as items about the Michael Jackson trial or the goings-on of the British royals.

There was unprompted concern about the power of the media to influence people.

> … I think there are an awful lot of people that actually believe verbatim what comes out of that television. A news reporter has said this – it must be true – regardless as to whether it is true or not … *Male, mid 60s, Christchurch*

Another observed that, 'New Zealand would be a very easy country [for politicians] to control what we think simply by using the media to [do it], and they do, up to a point, [use] the media in a way that suits their purpose …' She said that Māori in New Zealand:

> … feel very aggrieved in terms of the media because all they present is the sensational, bad stuff. There's a whole raft of really great stuff going on but nobody even knows about it …. This influences us as a nation; it influences the way we vote, the way we respond. *Female, 60s, Christchurch*

Another argued that it was up to the individual not to be influenced. Rather, people should take everything into account before making up their minds about what they thought.

Discussion turned to concerns about the coverage of tragedies such as the December 2004 tsunami. This tragedy, with its high media coverage, overwhelmed some with feelings of shock and horror. People felt concern for the individuals affected who were caught in the media spotlight.

> You get annoyed when the camera pries and the reporter asks 'how do you feel?' *Female, 30s, Wellington*

> Would you want the world to know about your private tragedy? *Male, 40s, Wellington*

As noted, some younger participants found television news depressing and superficial. For one, the tsunami news had seemed to go 'on and on'. Another agreed.

> They didn't really ever have any more new information or anything; they were just showing the same things over and over again. *Female, early 20s, Auckland*

Members of the older group discussed the 'realism' of news reporting these days. For one, the amount of amateur as well as professional video footage now used meant that:

> … with the tsunami it was like we were there … and then the Iraqi war … it's as if we're standing behind the guy with the gun. *Female, 60s, Christchurch*

But for all the verity that such reporting provided, compassionate coverage was desired by another. She feared that the relentless realism of the news could desensitise viewers to violence. A third argued that there was 'no such thing as a compassionate war' (females, 50s, Christchurch).

Sensationalism annoyed many.

> … I don't like sensationalism. You listen to current affairs and news programmes to hear fact, truth, and to have people's stories portrayed in an honest as possible way. When journalists turn that around to try and turn it into something exciting … it's just taking away from the original point of having the person come on and share their views. *Female, 30s, Wellington*

Reflecting on a story that had not been 'sensationalised', one man described his feelings about reports of a kidnap victim's plight.

> … the lady that got kidnapped and got freed the other day, she was unharmed. I felt quite good about that, quite exhilarated because there's not many of them victims get turned loose without something – being either dead or beat up … I think they did it pretty good, because they never sensationalised it very much …
> *Male, 50s, Christchurch*

For another, sensationalism was 'bad reporting'.

> … like they don't think about the whole sense, that this tiny little thing doesn't actually affect many people. They just draw massive conclusions and try and scare everybody by saying such and such is going to happen. *Male, early 20s, Auckland*

Perceptions and experiences of one-sided or biased reporting were discussed. A woman talked about the recent controversy surrounding the mishandling of 111 calls.[6] In her view, the news media got hold of this issue in a one-sided way.

> … normally if the first one that went really badly wrong hadn't happened, the rest of them probably wouldn't have been reported. And I just felt that the whole reporting of it was really one-sided, and I didn't feel that the reporters had any idea of the crap that police officers and 111 operators deal with every day.
> *Female, 30s, Palmerston North*

Another empathised. Something similar happened in a government organisation that he had worked for. He said that the event had been '… blown so far out of proportion … I was quite gutted, to be honest with you' (male, 30s, Palmerston North).

Broadcasting standards

After about an hour of general discussion of media use, preferences and concerns, broadcasting standards were introduced. First, general expectations about broadcasting standards were elicited.

Participants were asked what their expectations were around standards of broadcasting. 'That's what the off button is for' and 'we all have remote controls' were typical off-the-cuff responses.

> I would turn it off … and if enough people don't watch it then it won't be on television. *Female, 30s, Wellington*

Becoming more thoughtful, one said that she would rather have standards set for what goes on TV because, a) her children know how to use the remote control, and b) she personally would find it intrusive if she turned on the TV and there was 'really gory stuff' on, 'bodies that were kind of all disintegrated and blood and bones and torture chambers' (female, 30s, Wellington).

Generally, participants knew that broadcasting standards included a classification system. One recounted a conversation between family members at home. They were watching a television promotion explaining the classification system.

> My son was sitting there and he turned to Geoff[7] my husband and said, 'what does PG mean daddy?' Geoff said 'parental guidance.' Then [her son] said, 'so what does that actually mean?' and Geoff says, 'I have to sit and watch it with you.' [My son] said, 'I wish everything was PG daddy and then we'd spend more time together.' He'd picked up on that! *Female, 30s, Wellington*

Participants expected that standards were set for many things: from protecting children from sex scenes and gratuitous violence, to factual programmes being factual, to all aspects of news stories being fairly presented. Other areas they expected standards for were misinformation, 'PR posing as news', a too-narrow range of views being presented, and sensationalism.

One articulated her hope that broadcasting standards have a degree of influence over the way that news is reported.

> ... the news presents itself as being the truth, so it is really important that it is ... the broadcasting standards should uphold that. There should be some accountability. *Female, 30s, Palmerston North*

Respondents were then introduced to the concepts behind the specific broadcasting standards of balance and fairness. First, to encourage discussion of how news and current-affairs programmes raise issues of broadcasting standards, three actual broadcast items were played. The items had been selected as examples of the kind of broadcast that engender complaints to the BSA alleging breaches of the balance and fairness standards. Each tape was played without prior briefing or comment from the facilitator other than to say the name of the programme and the station it played on.

Case studies

Study 1 – "Paul Holmes Breakfast", NewstalkZB, April 2004

The first example was a radio talkshow host commenting about a protest march, and then making personally insulting remarks about a female politician.

In one group, there was a mainly negative reaction to the broadcast: 'the bad language was a turn-off' (male, 30s, Wellington). 'You didn't learn anything' (female, 30s, Wellington). 'If you listen to Paul Holmes – that's what you get. It's not all right' (female, 30s, Wellington). 'You wouldn't want your children to listen to it' (female, 30s, Wellington).

In another group, one found the item amusing and another thought that Holmes was merely being provocative – 'just playing a game for publicity'. But others in the group expected that Holmes would have been taken to task for the personal remarks

he made about the politician – that he would have been accountable for them. One commented: 'It's unfair because she didn't have the chance to answer back' (female, 30s, Palmerston North).

The younger listeners were dismissive. They said that the item had no point, was one-sided, and that the host was 'just ranting'.

> I think journalists on the whole are very opinionated in this country, especially these so called celebrity journalists ... they think they have the authority to just bag anybody. As I said earlier, a journalist has to be neutral. You don't bring your personal feelings into it. *Female, mid 20s, Auckland*

An older woman described how she would feel if she heard such a broadcast live.

> ... I would be angry that someone was using the media for his own particular point of view ... he was interpreting what he thought she was thinking ... and what did it add to what we know of the issues he was talking about anyway? It didn't add anything. *Female, 50s, Christchurch*

Another in the older group defended the host saying that he was entitled to his opinion. But most found him 'rude', 'abusive' and 'racist'.

Study 2 – "One News", TVNZ, November 2003

The second clip was broadcast during the 6pm weeknight news hour. It showed a reporter investigating a government department so-called 'bungle'. It showed a brief interview with a representative from the department concerned and a woman, allegedly a victim of the 'bungle'.

Participants in one group said they found the use of the word 'bungle' judgemental and emotive. They found the item itself 'jumbled'. Questions such as 'how did it happen?' should have been asked and weren't. They said that the item lacked balance because there was not enough comment from the department concerned; that it was unfair because it was one-sided; and that, in general, there was little concrete evidence provided to back up the story. The younger group also thought that the story had been poorly investigated, but an older viewer was the most dismissive of it.

> It was a beat up. If I had been watching that I would have completely dismissed it .... It had all the hallmarks of just being a beat up. *Female, 60s, Christchurch*

The researcher prompted her to describe what demonstrated truthfulness for her.

> Being able to pull information from both sides without showing a bias. We don't want the interviewer's opinion necessarily; we want both sides of the story. *Female, 60s, Christchurch*

Interestingly, while most participants seemed skeptical of it, one 'believed' the story. She was very concerned for the plight of the woman shown adversely affected by the 'bungle'.

> They were saying about how she locks her doors and windows at night, personal safety ... And that her privacy had been invaded because of the 'bungle'. ... because we've all got a right to privacy, but this lady – she's fearing for her life now ... *Female, 30s, Palmerston North*

Study 3 – "Nine to Noon", Radio NZ, April 2004

The third example was from a radio current-affairs show. The first eight to ten minutes of an interview with a woman whose children and grandchildren had been on medication for behavioural problems was played. The woman claimed such medication was over-prescribed.

A member of the older group was adamant that the item lacked balance. That led, once again, to a charge of sensationalism.

> Again, where was the other side of the story? It was just a sensational 'one person's opinion' type of thing. *Female, 50s, Christchurch*

Another said, 'I think she did a good job of interviewing and she listened to the woman, but they should have had someone else on the line or some expert straight after it' (female, 50s, Christchurch).

Many in their 30s and 40s also thought that the item needed an expert's opinion – 'for balance'. One took an even harder line.

> I think if it's a medical item, it should have only medical people discussing it. It shouldn't have a person giving an opinion, especially on a live programme, about something that she isn't really qualified to speak about … I mean, the person could have a vested interest couldn't they? *Male, late 40s, Palmerston North*

By contrast, only one of the younger participants wanted to hear a range of viewpoints. The others were content to have heard just one person's account of her family's experiences – '… there is nothing inherently wrong with that' (male, early 20s, Auckland).

Balance

Next, the standards of balance and fairness from the broadcasting codes of practice were explored.

First, a written copy of the balance standard was handed out, and read aloud by the researcher.

> In the preparation and presentation of news, current affairs and factual programmes, broadcasters are responsible for maintaining standards consistent with the principle that when controversial issues of public importance are discussed, reasonable efforts are made, or reasonable opportunities are given, to present significant points of view either in the same programme or in other programmes within the period of current interest. (Standard 4, Free To Air Television Code of Broadcasting Practice)

To initiate the discussion, the researcher broke the standard into its various parts. She asked how important it was that reasonable efforts were made to present significant points of view. One responded, 'It's vital, otherwise there is no balance'. Another said, 'You *rely* on broadcasters to make a reasonable effort' (females, 30s, Wellington).

Referring to the *One News* broadcast discussed in Study (2), one expressed his concern that a reasonable opportunity may not have been given to the government department representative to put the department's view.

> … that's what they wanted to put in rather than getting the whole story … he might have been really apologetic for the first twenty minutes [of his interview] saying 'oh jeez we're so sorry, blah blah'. *Male, 30s, Palmerston North*

Breaking the principle down further, participants were asked what, for them, constituted 'a controversial issue of public importance'. 'Hot topics' and 'political issues' were top of mind.

> Things you might demonstrate against – not a computer glitch. *Female, 30s, Wellington*

> Race, religion. Anything that's a hot topic. *Male, 40s, Palmerston North*

> Things that people have a right to know. *Female, mid 20s, Auckland*

> Political issues and things like the foreshore. *Male, early 20s, Auckland*

Participants agreed that issues were controversial (in terms of the balance principle) when there were significant 'pros and cons', and when they affected many people.

Consideration was given to the degree of balance that was required of different formats. In general, it was important for participants that news reports were balanced, although time was seen as a constraint on the extent to which balance could be achieved in any one report. Balance was seen as important for documentaries, and documentary makers had the time to get it right. But, in general, participants agreed that if there was no controversy involved, regardless of the format, balance was less of a consideration.

A younger participant challenged the validity of the principle.

> This [the balance principle] is sort of speaking about objectivity, but nowadays there's an understanding about objectivity, that it doesn't really exist. It's all about subjective viewpoints. I don't know – [it is] trying to apply an older standard that's no longer really recognised. *Male, early 20s, Auckland*

In his view, it was acceptable for a presenter to posit a subjective viewpoint as long as other sides of the story were presented 'within the period of current interest'.

Summarising the younger group's view of the balance standard, one said that programmes people relied on to get facts, like the news, were at the very important end of the scale, but for other formats, balance did not always matter. For instance, for a documentary, it depended on the content (whether a major topic or not) whether it needed to be balanced. The host's style could also influence whether the balance standard applied. If audiences knew that a host was going to be opinionated, then they might accept that he or she would not present a balanced programme.

For one younger respondent, whether current affairs should meet the balance standard came down to a matter of credibility for the programme concerned.

> It depends on whether they want to keep their credibility. It's important if they want to stay credible and informative, as it were, but if they just want to be, like, pushing one viewpoint across every subject, then they can do what they want. *Male, early 20s, Auckland*

The impression gained is that those in their 30s and 40s are generally more concerned that news be truthful and that people attacked in the media be given 'the chance to answer back'. This age group relies on broadcasters to make a reasonable effort 'to present significant points of view'.

In contrast, both younger and older participants appear somewhat dismissive or cynical of the reliability and trustworthiness of news and current affairs.

Fairness

Participants discussed the importance they placed on fairness in news, current affairs and documentaries. First they considered the wording of the principle in the code.

> In the preparation and presentation of programmes, broadcasters are required to deal justly and fairly with any person or organisation taking part or referred to. (Standard 6, Free To Air Television Code of Broadcasting Practice)

One participant expressed his fear in relation to fairness in news and current affairs.

> I have a personal fear that if I'm ever in the news for any particular reason at all, and I'd be very wary if I said something, and this is just based on my … experiences with things that have happened in the past – that they will just take particular sound bites of what I said, and then they'll turn it and twist it out of context. Not that I'm ever going to be in the news or anything. But that's really the general fear that if I was …

He worried about others too.

> … and what shot they choose to use of whomever, I mean, to make them look in a particular way. If you're going to choose when perhaps they're looking a bit shifty or … gone to sleep or whatever and use that … that might have been the one second or two seconds where you just nodded off a bit, but that's the bit they use to say 'this is it'. *Male, 30s, Palmerston North*

Mostly, those in their 30s and 40s agreed that it was important that all programmes dealt justly and fairly with people – even talk radio hosts who deliberately courted controversy. But one thought otherwise:

> … I think they can rant about things … I think they can do that, because that's part of their way of drawing attention to things. *Female, 30s, Palmerston North*

One group thought that the criteria for fairness should be applied flexibly to allow for some entertainment value in news and current affairs, 'You don't want everything to be too PC' (male, 40s, Wellington). Another expanded on this comment.

> Door-stepping is not always 'fair' but we quite enjoy it. People are sometimes targeted with a certain amount of bias, but that's okay as long as it's on the basis of some pretty thorough research. *Female, 30s, Wellington*

While the older group members were unequivocal that news and current affairs should treat people fairly, the younger group debated the extent to which some formats should or could fairly treat topics and people involved.

> *20/20* and *Foreign Correspondent*, they tend to advocate what's wrong and right a great deal. They will actually pick an editorial direction and go this is either wrong or right, and then they will report to that standard. *Male, early 20s, Auckland*

Another commented about a well-known current-affairs and talk radio host.

> … it doesn't matter whether he treats people fair or not. I mean, the people he's talking to most of the time, he's not going to treat them fairly and they probably know that before they even go on. *Male, early 20s, Auckland*

A third observed:

> He probably should treat people fairly, but it's just expected that he won't now. *Female, early 20s, Auckland*

Comparing responses across age groups with regard to fairness, an unequivocal requirement for fairness in factual formats came from the older group. The others debated some instances where broadcasters could either legitimately be unfair, or could 'get away with' being unfair, such as on talk radio. Nevertheless, there was an overall sense of reluctance about making an exception even for this genre.

Freedom of expression

Next, a new concept was introduced to the discussion. The statutory right to freedom of expression is provided for in Section 14 of the New Zealand Bill of Rights Act 1990. All broadcasting standards deliberations are conducted with this principle in mind.

> Everyone has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form.

After some debate, focus-group participants in general agreed that the freedom of expression rights of broadcasters and their audiences should be limited in some circumstances, such as newsreaders not expressing their opinions about news, and slanderous, abusive or otherwise inappropriate behaviour or comment. But many also thought that freedom of expression over news and current-affairs material mattered greatly.

> … I mean you can't have the Government saying you can't report on this thing or the other thing. They have to be free to report on what they want. *Female, 30s, Wellington*

While valuing free expression, they were equally certain that facts should not be clouded by the opinions of presenters of news. One put it this way:

> Freedom of expression is the starting point, but then you have to have limits – you can't have freedom of expression for presenters of news and current affairs. *Female, 30s, Wellington*

Another said, 'We are looking for facts in factual programmes – not freedom of expression' (male, 40s, Wellington).

News reporters and presenters were seen as middlemen whose job it was to get both sides of the story.

> … they should be perceived as not having an opinion, because what they're doing is presenting stuff for us to work out, make our opinion. As soon as you get the reporter [saying 'the bungle'] … they're editorialising, saying, yes we think it's a bungle … as opposed to say interviewing one of the people and them saying this is a

> real bungle. You know, it's suddenly the people who are supposed to be presenting to us actually adding to, if you like, one side of the thing. You probably would say that [the TV channel] in this case is on the side of the people who have had that happen to them, as opposed to [being neutral]. *Male, 40s, Palmerston North*

Another differentiated between news and interviews, as between truth and opinion.

> ... the news is presented as the truth, whereas that interview with that woman [Study 3] was presented as her opinion. *Female, 30s, Palmerston North*

A third, in an ironic reference to opinionated current-affairs hosts, said 'Freedom of expression is always extremely important, and for some, their livelihood depends on it' (female, 30s, Palmerston North).

There was general agreement among this group that breakfast radio hosts should be free to express opinions, as should, to a lesser extent, the presenters of current-affairs and consumer-affairs programmes such as *Close Up* and *Fair Go*. It was also important that anyone being interviewed had freedom of expression as long as the standards of balance and fairness were adhered to. In particular, people should be given the right of reply.

Younger participants debated the talk radio host's role.

> ... it's essentially all about opinion, so you can't really hold it consistent to things like journalistic standards. *Male, early 20s, Auckland*

He thought talk radio hosts should be able to say almost anything they wanted to. But another, aware of the existing limits on freedom of expression, said:

> We have things like libel and slander, and freedom of expression is undercut right from the 'get go'. *Male, early 20s, Auckland*

The same young man made some observations about approaches to freedom of expression for differing types of documentary.

> In documentary, it's free for everyone except the journalists to display their views, but then again it depends on the documentary. Say something like a Michael Moore documentary, you know he is going to be completely one-sided, whereas, something like a *DNZ* documentary has to show the views of everyone and can't push one side out. *Male, early 20s, Auckland*

In this discussion too, talk radio was spontaneously used to frame participants' views about freedom of expression and opinion in factual formats. It seems that this genre throws into sharp relief the standards under discussion.

Conclusion

The questions participants wrestled with are difficult issues. The principles of balance and fairness are of intense interest to broadcasters and their audiences. Balance is about audiences receiving all the significant points of view on important topics. People rely on the news for 'the facts'. In other factual formats, such as documentary or talk radio, the degree of balance required could depend on the topic or established programme style. For example, the expectation for balance might be less if the audience accepts a host's opinionated style.

Fairness is about the people and organisations involved in the stories: have they

been treated reasonably? The older participants were unequivocal that they should be, but younger ones debated instances where fairness might not matter so much.

In a free and democratic society such as New Zealand, the right to freedom of expression underpins our communications with each other, albeit with constraints that statutes such as the Broadcasting Act may fairly place on it. Yet the freedom of expression clause in the Bill of Rights set as New Zealand law came as a surprise to some participants that appeared shaken by the potential that it could support excessive forms of expression. Nevertheless, there was general agreement that genuinely held opinions should be freely expressed – but not if you are a newsreader.

Talk radio and its sub-genre talkback, as expected, crop up spontaneously as categories of interest when discussing balance, fairness and freedom of expression. The next three chapters look at this genre in more depth, first exploring its history, and then the views of current industry practitioners and their audiences about talk radio and talkback in relation to broadcasting standards.

Finally, it should be reiterated that focus-group discussions contributed to the development of questions for the national survey that is reported in Chapter 6. They were especially helpful in the formulation of renditions of the standards that would be understood readily by survey respondents in a very different environment.

2 New Zealand talk radio: the story

Morris W Shanahan

Radio in New Zealand was born in the finest traditions of the BBC. Information, education, and even some entertainment, all took pride of place in the government-owned instrument for communicating to the masses. Radio was immersed in this state-controlled vision that went unchallenged until the late 1960s. Championed by private entrepreneurs and supported by sympathetic factions within successive governments, the BBC birthright was grudgingly relinquished in the 70s and 80s and finally all but abandoned in 1989 with the passing of the Radiocommunications Act and the Broadcasting Act that largely deregulated the New Zealand radio environment.

By 2004, New Zealand, with a total population of just over four million, boasted, arguably, the highest number of 'in-use' radio frequencies *per capita* of any country in the world. This huge expansion in the number of radio outlets spawned a variety of niche formats, with radio stations covering everything from American-influenced hip hop to classic rock to Kiwiana to all sport to 'goodtime' oldies to right-of-centre talkback. With one station for approximately every 5,000 citizens (Shanahan and Duignan, 2005) the populace appeared to be well and truly served in quantity, although the debate as to quality still continues. But there is one format that has emerged above all others both in audience and revenue terms – that format is 'talk radio'.

Talk radio, the financial darling of the commercial radio industry, filled with larger-than-life personalities, controversy, opinion, infomercials and argument. Is this the new guardian of the democratic rights of citizens, having wrestled this position from the Reithian-oriented public broadcaster? Is commercial talk radio the purveyor of informed debate, the champion of fairness and individual rights? Is it the voice of the people, the vehicle where citizenry can access a balanced view of the world? Just what is this creature, and is it really the new protector of the democratic right of New Zealanders to be heard?

This chapter provides a brief history of commercial talk radio and then delves into the issues of the role of commercial talk radio in today's society, with particular emphasis on the industry's views on balance and fairness. Is commercial talk radio the 'Son of Reith', or are we being subjected to a new form of radio based on principles foreign to New Zealand's former BBC radio heritage?

An abridged history of talk radio

By 1926 radio was firmly established in New Zealand but of seemingly little import. It was considered by many to simply be a case of technology driving demand (Pauling, 1994). But that changed with the first elected Labour Government in 1935 lead by Michael Joseph Savage. Talk (or 'speech' as it is referred to by the BBC) on radio proved very influential and persuasive (Crissell, 1994), so much so that the newly elected Labour Government decided action was necessary to stymie what they perceived as the right-wing conservative factions inside radio. This new medium was generating fresh social constructions 'different from that offered by the family circle' (Hendy, 2000, p. 128) and concern was deep with the political crowd. Fear of losing control of the only method of reaching (and possibly influencing) vast numbers of citizens and the realisation that unless there was adequate governmental constraint New Zealand could adopt the free-enterprise model from the United States, simply did not sit well in the social and political climate of the day. Decision-makers turned eyes northwards towards Mother England and adopted much of the radio structure championed by the BBC.

It was a construction that tolerated and even encouraged political interference and intrusion, and this design was to remain in place for close to 60 years, and some may argue still exists today. As Pauling (1994) states, radio moved rapidly from the pastime of enthusiasts and innovators to the plaything of the political fraternity. By controlling the form and structure of radio, politicians hoped to also control the substance, including the content, of the talk. But the story to this point is only about talk 'on' radio, not talk radio as a programme genre. Once again it was a case of technology driving change.

Before a discussion of talk radio can go any further, some definition is necessary. There are various interpretations of what talk radio is and is not. Turner (2003) argues that talk radio has two forms: (1) news and talk, and (2) talkback. The former is primarily to inform and discuss issues, while the latter is more to generate a sense of community by allowing access to citizens. But the format in New Zealand easily encompasses both of these forms. Therefore, for the purposes of this chapter, commercial talk radio will be defined as:

> A commercial radio format that revolves around a core of news and information, with programming and content which invests in some expert as well as public discussion on relevant topics, and includes requisites of listener participation.

The start of talk radio – the American experience

Although we tend to think of talk radio as a relatively new phenomenon, in the United States talkshows go all the way back to the beginning of the medium more than 80 years ago (*Talkers Magazine*, September 2002), when agricultural discussions involving the farming community were aired frequently. However, Kurtz (1996) argues that Walter Winchell, the "famed gossip columnist" (p. 270), was the first to be wholly recognised as a talk personality, but that Jerry Williams of WKDN, Camden, New Jersey, was the first to take callers in 1950. But Bick (1987, cited in Gesell-Streeter, n.d.) argues that John J. Anthony broadcast the first radio call-in show in 1930 when he asked his listeners to call him at the station and then repeated what they said on the telephone live on air. Who was first may never be resolved, but

what is certain is that as technology made listener interaction and contribution more readily accessible, an increasing number of radio stations adopted the talk radio format. In 1960 KABC in Los Angeles went talk, followed in 1964 by New York's WNBC (Kurtz, 1996). Development was rapid after that.

The early 1970s saw talk radio dominated by the political implications of Watergate and the Vietnam War. Kurtz states that by the late 70s talk radio had become a 'service industry' (p. 272), with everything from listeners' sexual frustrations to financial difficulties being exposed and 'solved' on air. There was little change in the 80s, with talk radio continuing to grow around a steady core of news and information. Many stations, such as KIRO in Seattle, maintained strong market dominance. But late in the 80s the social and political environment began to change for talk radio.

Three major influences in the past 20 years have resulted in the style of talk radio popular in the United States today. The first of these was the abandonment of the Fairness Doctrine in 1987 by the Federal Communications Commission (FCC). Almost immediately the previous requirement to present balanced and fair debate on radio was no longer a statutory obligation. Broadcasters were not required to present both sides of an issue, but could represent a partisan view with little fear of political or legal retribution. By the early 90s, talk-based formats in the United States had usurped the seemingly unstoppable country music format as the most-listened-to radio genre (Shanahan, 2005), and opinions, mostly of an extreme nature, were being heard on a wide variety of polarising topics with little if any counter argument to impart some sense of balance. While certain standards of presentation with regard to taste and decency were still being maintained, the broadcasters were able to provide unfettered perspectives without fear of reprisal.

The second event was the arrival of Howard Stern in New York with his unencumbered discussions of masturbation, sexual encounters, and personal exploration of cultural biases and sexism. Stern's brand of talk radio opened the American airwaves to unbridled debate on previously taboo subjects, and issues of taste and decency went the same way as balance and fairness. However, this time the backlash was fierce and effective both from the FCC and the US advertising industry. So much so that Stern was repeatedly fined and censured, but not before he became a national phenomenon with audiences in nearly every major United States market. The owner of the Stern outlets, Clear Channel, were looking for a reason to oust Stern, but the financial impact of ridding the company of the highest rated talker in US history was unsustainable – that is until the third major event that changed the psyche of the American population and the course of talk radio in the United States. That event was 9/11.

The attack on the World Trade Centre in New York irrevocably altered the mood of the United States public, shifting it from a permissive, laissez faire, self-actualised disposition to one where safety, belongingness, tradition and validation were paramount. Opportunists such as Rush Limbaugh, Gordon Liddy and others were quick to take advantage of the change in American mentality and use talk radio to drive a conservative, right-wing, populist agenda. Talk radio in the US became even more one-sided, with little attention to keeping content balanced or fair. Shields (cited in Kurtz, 1996) suggests that if US talk radio is considered as 'nutrition', then 'ours is not a diet on which people are going to meet the minimum daily requirements of citizenship' (p. 359), while Paul (2001) asserts that talk-based programming in the

US has 'evolved from a dispassionate discussion of public affairs into an incendiary forum for extremist opinions' (p. 30). As MacVicar (2004) states, much of what is now heard on US talk-based commercial radio is simply 'editorial opinion dressed up as infotainment … having little factual basis … reinforcing deeply held stereotypes born out of ignorance'.

Irrespective of how it is viewed, talk radio in the United States continues to dominate the ears of the public. In Los Angeles 19 of the top 47 stations are talk based, garnering well over 16% of all radio listening. In Boston the number of talk radio stations in the top 34 numbers only five, but those five stations have over 21% of all people 12+ listening (Radio and Records, 2005). Despite, or perhaps as a result of, the divisive nature of talk radio in America today, the genre seems well and truly established. It will be interesting to see what the next major event may bring for the future of the medium there.

Australian talk radio

Turner (2003) suggests that talk radio in Australia had exposure as early as 1925, until governmental regulations made such broadcasts illegal. A law change in 1967 finally made the genre lawful and the format rapidly expanded. While the Australian Broadcasting Corporation (ABC) stations included large amounts of talk, there was no listener interaction. It was not until the 1960s that radio stations like the full-service 2GB in Sydney, and a little later the Top 40 2UE, shed their roots to build long and illustrious talk records. They were followed in other centres by the likes of 3AW in Melbourne, 4BC in Brisbane, 5AA in Adelaide and 6PR in Perth. Larger-than-life personalities emerged and now command significant salaries and equally large audience shares.

Today, talk hosts such as John Laws and Alan Jones hold huge sway both from a social and a political perspective. Politicians are quick to get themselves on talk radio, where they can promote their views virtually free from journalistic intercession. As Turner (2003) argues, most talk hosts are not trained journalists and therefore do not feel constrained by journalistic rules and ethics. Instead, these individuals are entertainers whose primary task is to attract audiences for commercial advantage. They can and do, either subtly or directly, advocate certain political and social views, some of which may be politically or even financially motivated. Such attitudes were apparent in Sydney during the race riots that erupted in Cronulla in December 2005, with talk radio personalities broadcasting inflammatory racist talk and generally doing little if anything to reduce the tension. Actually, they appeared to take advantage of the situation to push particular social and political agendas.

But as talk radio enters a period of commodification, the role of the host becomes increasingly ambiguous (Turner, 2005) as witnessed earlier in Australia by the 'Cash for Commentary' controversy that revealed several top Australian radio talkshow hosts receiving substantial financial rewards for favourably commenting on a client's products and services. Indeed, some are even arguing for tighter constraints on commercial talk radio, claiming:

> … commercial decisions are always going to override other aspects of broadcasting … many stations and talk back hosts claim that talkback programs are entertainment rather than current affairs programs, thus avoiding any codes of practice on

> current affairs "fairness" ... Clearly, if current affairs issues are discussed, and/or political views expressed, then any codes relating to them should be applied. ('Australian media: In current need of reform?' Retrieved online 21 July 2005 at http://www.pcug.org.au/~terryg/media1.htm)

The recent events in Sydney's southern suburbs certainly provide additional support for such arguments. But despite the clamour, the hosts embroiled in the 'Cash for Comment' affair and the commentary prior to and during the race riots have emerged relatively unscathed and commercial talk radio remains a very strong radio format in Australia. In Survey 5/2005 in Sydney, talker 2GB was the top-rated radio station, with the other commercial talk outlet, 2UE, holding third place, all people 10+ (Neilsen Media Research, Sydney Survey 5/2005), and in Melbourne, talk station 3AW was the highest rated radio station 10+ (Neilsen Media Research, Melbourne Survey 5/2005).

New Zealand talk radio – Radio Pacific

By contrast to the US and Australia, New Zealand was relatively slow to get underway with talk radio. While the likes of Uncle Scrim with his subtle yet influential style of political persuasion did a lot of talking, even he did not fit the current definition.[8] Arguably, it was not until the mid-70s that Radio i in Auckland began broadcasting in a style that would now be considered talk radio.

Eccles Smith and Gordon Dryden were but two of the emerging talk radio proponents on Radio i. Dryden, a highly intelligent and educated broadcaster, viewed radio as a medium to bring information and critical debate to the masses. It was Dryden who in 1977 became the initiator and Managing Director of the newly formed Radio Manakau (soon to change its name to Radio Pacific). This was the first station in Auckland to gain a warrant under the cumbersome Broadcasting Tribunal system (Pauling, 1994).

With a near-Reithian vision of creating a medium that informed and educated citizens, Dryden was hamstrung with a number of content constraints inherent in the granting of the warrant to broadcast, including commitments to Māori and Pacific Island content.

While the station developed a small but devoted audience, it was a commercial disaster. Undergoing a variety of format changes, including an all-talk format with a roster of notable New Zealand icons, the station still floundered monetarily. It was only a last-minute financial deal in 1982 involving a number of respected private broadcasters and investors that kept the station from disappearing altogether.

In 1984, headed by former Radio Hauraki pirate Derek Lowe, this station emerged from the ashes as the 'new' Radio Pacific, a populist, older style talk radio station. Lowe and the team at Radio Pacific worked hard to create a feeling of security and community with the over-50s demographic group (Shanahan, 2005). It marketed itself alongside its listeners with the positioning statement 'The Radio Pacific Family', building strong bonds with the older, more conservative, disenfranchised, predominantly Pākehā Auckland population (a positioning statement that the station has re-adopted recently). A combination of shrewd programme decisions and a realistic approach to the business side of things saw Radio Pacific nearly double its ratings by the mid to late 80s and put itself on a sound foundation financially.

Radio Pacific maintained a secure position in the Auckland market into the

90s. In the early 90s Pam Corkery was highly successful in the Breakfast slot, never mincing words and appearing to champion the causes of the everyday New Zealander (Francis, 2002). Tim Bickerstaff was also on the Radio Pacific line-up espousing his sometimes clouded view of the world. Even the politically robust former Prime Minister Rob Muldoon fronted a Sunday morning show. Each in their own way delved deep into the psyche of the average 50-plus New Zealander and exposed the worries and frustrations they were experiencing at the time. As the free-market economic changes of Rogernomics began to bite hard into the core of the more socialist mentality of older New Zealanders, Radio Pacific gained something of a reputation as representing the 'whingers', those who were continually complaining about conditions in the country and promoting a return to the economic and social environment of the 60s and 70s. This was a significant section of the over-50 audience and Radio Pacific provided them with an outlet for their frustrations and validation of their thoughts and feelings. Radio Pacific was doing well.

However, a board decision in the early 90s to invest heavily in the new TV3 spelt near disaster for Radio Pacific. When TV3 went into receivership in 1992, Radio Pacific was in deep trouble. Owing close to $1.5 million dollars, something dramatic was needed. In what has now entered the annals of New Zealand radio folklore, a last-second telephone call to Derek Lowe from the Totalisator Agency Board (TAB) provided both good and bad news. The bad news was that Radio Pacific had to agree to continue broadcasting race commentaries to an ever-aging and dwindling racing fraternity for virtually the remainder of its licensing term. The good news was that an injection of cash from the TAB would allow Radio Pacific to pay off its debts with enough left over to help fund expansion into the rest of the country. Radio Pacific was soon to become a national talk radio brand.

The requirement for Radio Pacific to provide racing commentaries from around New Zealand severely impacted on the station's ability to maintain a strong audience share. Breaking into a heated debate on a topical issue of the day to broadcast 'the fifth race from Stratford' was simply not conducive to audience maintenance. Radio Pacific was stuck between the proverbial 'rock and a hard place'.

It was evident that high ratings were no longer going to be possible, so the new Radio Pacific owners moved the station closer in line with advertiser needs and expectations. By the late 90s and into the new millennium, driven by a merger with Energy Enterprises to become part of the new RadioWorks group (which has subsequently become part of CanWest), Radio Pacific was overtly client focused, providing product-driven programming, infomercials, advertorials, and personality-endorsed adlibs. The need to attract listeners was secondary to the need to encourage revenue growth. Radio Pacific did this exceptionally well and in 2005 continues to make a strong contribution to the financial bottom line of the RadioWorks group.

Radio Pacific has recently incorporated the racing commentaries and, according to their website:

> ... has become a dedicated and focused TAB racing and information station broadcasting throughout the country. During Racing hours, Radio Pacific takes on the brand, Radio Trackside. In hours of non-racing broadcast, Radio Pacific will provide a unique blend of music, information and entertainment. (Radio Pacific, retrieved online 29 August 2005 at http://www.mediaworks.co.nz/Default.aspx?tabid=73)

With RadioWorks launching a new, younger-audience-oriented talk radio network, and the new perceptual separation between the TAB requirements and Radio Pacific as a brand, the station has just recently moved back to its roots of 50-plus, conservative New Zealand.

According to Mitch Harris, Director of Programmes, CanWest Talk Radio, Radio Pacific provides 'a lifeline to the elderly people of New Zealand, an audience that doesn't necessarily want controversial talkback or rudeness but more of a friendly, nostalgic chit chat' (personal communication, 16 August 2005). As Chris Gregory, Radio Pacific Programme Director, states, 'Radio Pacific has been a voice for the people, especially those over 50 with traditional Kiwi values, and that is what it is again today' (personal communication, 16 August 2005). While this shift back to its roots has yet to be tested by a ratings survey, those involved believe that Radio Pacific is secure in its future as a New Zealand network talk outlet.[9]

Newstalk ZB

As Radio Pacific and the private radio industry were emerging, the government-controlled stations were undergoing radical change to try and remain competitive.

The introduction and influence of American-based radio consultants Todd Wallace and Bill Clemens in the late 70s brought a new perspective to the Broadcasting Corporation of New Zealand (BCNZ). BCNZ commercial stations, that previously had taken a battering from the newly introduced private stations, began to fight back. First it was the music stations (the ZMs) with the launch of the Hit Radio music format and a slogan of 'More Music, Less Commercials'. These stations made major inroads into markets such as Christchurch and Wellington. It was not long before the American influence was turned on the full-service flagships of the BCNZ and particularly Auckland's 1ZB.

Faced with the challenge posed by Radio Pacific and new FM competition (91FM), both in audience and revenue terms, it was clear the BCNZ needed to do something. But as Francis (2002) points out, even in the mid-80s talk was not something the BCNZ stations did much of, with most talk confined to nights only. It was the private stations that had established talk as a genre and generated already well-recognised personalities such as Tim Bickerstaff, Gordon Dryden, Eccles Smith, Brian Edwards and Sharon Crosby. As Francis (2002, p. 42) states 'What became glaringly apparent was the need for 1ZB to find a long-term niche in the marketplace', and in 1986 plans were set in place to establish a new format for this heritage station.

Extensive audience research suggested that although 1ZB played a significant level of music, its strengths mainly resided in the credibility of its news and information (M. LePetit, personal communication, 22 August 2005). Clemens and new partner Peter Don, a former BCNZ Programme Director, worked closely and secretly with 1ZB Station Manager Brent Harman to devise a format for 1ZB that capitalised on these strengths. The launch of Newstalk 1ZB, Auckland, in March 1987 was a well-kept secret.[10]

Overnight, listeners discovered that this stable, iconic Auckland radio station had changed completely. Gone were the old appointment listens and the perpetual Breakfast Show host Merv Smith. These were replaced with a steady diet of talk, news, sport, comment and opinion, all presented by a variety of new personalities.

The old and reliable was replaced by the new and somewhat contentious.

At the now-infamous BCNZ Programme Directors Conference at the former Orongorongo Lodge outside Wellington in 1987, the newly launched Newstalk 1ZB was highly celebrated.[11] This station would take on Radio Pacific for the lucrative Auckland talk market but with a greater focus on news, sport and some current affairs, and a less populist, somewhat younger-audience approach to discussion compared to Radio Pacific's obvious focus on the older demographic. It was to prove a disaster, at least in the short term.

According to Francis (2002), he had never witnessed 'such an unprecedented attack on a radio station from its audience' (p. 48). In particular, the newly appointed Breakfast personality Paul Holmes came under severe scrutiny. The radio station dropped dramatically in the ratings, moving from number one down to number six. To the credit of the then Director General of the BCNZ, Beverley Wakem, the station and the people were given their opportunity. While some personalities came and went, in most areas of the station the underlying strategy remained in place and slowly but surely Newstalk 1ZB started to gain traction. The emphasis on a core of news and information, with strong personalities, constructive talkback and a robust sporting component, gave Newstalk 1ZB credibility with the information seekers in the lucrative 30-plus market. In just over two years it was back on top of the Auckland ratings, a position it has largely retained.[12]

During this period the government once again interfered in broadcasting and in 1988 the BCNZ was split into two state-owned enterprises, with Newstalk 1ZB belonging to the newly formed Radio New Zealand (RNZ) commercial arm. It quickly became apparent that RNZ Commercial was being readied for sale to private investors. The new CEO, Nigel Milan, determined that the development of network brands would help rationalise the high costs associated with being live and local in virtually every market in New Zealand, and that the Newstalk brand should lead the way.

By 1993 the roll-out of Newstalk to other New Zealand markets was underway. The '1' was dropped from the name and it became known simply as Newstalk ZB around the country. It met with stern resistance in some markets, particularly Wellington and Christchurch, but by the end of the 90s and into the new millennium under the guidance of the new owners, The Radio Network (TRN), the Newstalk ZB stations were doing well, both in ratings and particularly in revenue. Paul Holmes in Breakfast became increasingly more acceptable and his massive television success fed into his popularity on radio.[13]

The introduction in the early 90s of talk host Leighton Smith proved a bonus as well, as his more right-of-centre approach tended to reflect the attitudes of the target audience. Other popular and well-known personalities, such as Danny Watson, Larry Williams and Kerre Woodham, were added to the roster and in the first Research International radio ratings surveys in 2005 of all people 10 years and older Monday through Sunday 12mm-12mn, the Newstalk stations are number 1 with all listeners aged 10+ in Auckland, Christchurch and Taranaki; number 2 in Hawke's Bay; number 3 in Wellington, Southland and Tauranga; number 4 in Dunedin; number 6 in Northland; number 7 in the Waikato; number 8 in Rotorua; and 8th equal in the Manawatu (Research International, 1/2005 Auckland, Christchurch, Wellington, Dunedin and Waikato; Research International Survey, 1/2004 Hawke's

Bay, Northland, Manawatu, Rotorua, Southland, Taranaki, Tauranga).[14]

Even more vital to TRN is the fact that this brand brings in a significantly disproportionate level of revenue compared to ratings. As the baby-boomer population comes increasingly into the focus of talk radio outlets, this is likely to continue. These people are the new information seekers and need to be acculturated into the news and talk mentality. According to Francis (personal communication, 15 August 2005) 'the brand needs to regenerate its audience to ensure longevity and financial sustainability'. But the path is not without obstacles. Competition has arrived in recent years – some friendly, and some not so friendly.

Radio Sport

Previously, the public broadcaster Radio New Zealand (RNZ) had provided significant levels of sporting coverage. *Sports Roundup* was broadcast over the summer months on the Concert network's AM frequencies, sometimes also used for parliamentary broadcasts (G. Duignan, personal communication, 22 August 2005). After the sale of Radio New Zealand Commercial in 1996 (becoming TRN), the new owners provided *Sports Roundup* through a lease arrangement of the RNZ frequencies. Of particular note was the fact that this arrangement included a contract with New Zealand Cricket (NZC) for live coverage of national and international cricket fixtures, a tenuous arrangement with which neither TRN nor NZC were enamoured (Francis, 2002).

In a race between competitors to see who would get there first, TRN managed to secure the contract with NZC and dump the lease arrangement with RNZ. In 1998 TRN was finally afforded the opportunity to launch a new brand of talk radio – Radio Sport. Capitalising on the Kiwi penchant for all things sporting, Radio Sport took coverage to new levels and introduced 24-hour-a-day sporting talk, news, analysis, coverage, interviews, opinion, and even sports talkback. TRN employed well-known and respected personalities such as Brendan Telfer, Andrew Dewhurst and Glen Larmer, and they hired the often outspoken and occasionally outrageous Martin Devlin to host the vital breakfast show. All appeared set for success.

Unfortunately, the separatist mind-set of this fledgling network resulted in financial problems for Radio Sport. The collaboration expected by TRN between Radio Sport and the Newstalk ZB brand did not really eventuate. The rationalisation of costs across brands failed to occur, resulting in a financial underperformance by Radio Sport that was unacceptable to the new owners. TRN was swift to make changes at the management level and generate the expected synergies. Radio Sport was placed under the Newstalk ZB wing, and experienced programmer Bill Francis was quick to identify necessary adjustments. Bolstered now with the might of the TRN newsroom, which included the resources of sport broadcasters such as Murray Deaker, Radio Sport became a formidable force. The rights to numerous major sporting events were garnered and, leading with a staple diet of rugby and the acquisition of sporting icons such as Phil Gifford to the ranks of presenters, Radio Sport continued to grow in both ratings and revenue. The network now reaches the vast majority of New Zealanders and boasts a reasonable share of the audience in most markets. At times rather staid and old-fashioned (live cricket commentaries), and at other times controversial and outlandish (the previous *Martin Devlin Breakfast Show*), Radio Sport has filled a niche in the talk radio environment, provides a service for the

sports-loving fans of New Zealand, and affords TRN financial opportunities that were previously unrealised.

Radio Live

Unfriendly competition for Newstalk ZB arrived recently in the form of the CanWest owned RadioWorks' Radio Live. Launched on April 1st 2005, Radio Live started with coverage to most main centres. Its positioning statement is 'Think Again' and it has a strong line-up of well-known personalities such as the controversial Martin Devlin (pinched from TRN's Radio Sport); former MP and current Mayor of Wanganui, the contentious Michael Laws; well-known female presenter Kerry Smith; and former journalist and TV One Breakfast personality Paul Henry. Radio Live underwent its first ratings survey late in 2005 and managed a credible nationwide debut share of 2.2% and a cumulative share of close to 114,000 listeners. The station has certainly generated some debate, with controversial positions presented by its personalities on a number of issues from race relations to immigration to education to law and order to coverage of the 2005 election.

Presentation, as with Newstalk ZB, tends to revolve around a core of news and information (M. Harris, personal communication, 16 August 2005), but talk is more focused on relatively quick pieces on relevant issues, with recycling of hot topics while there is still life left in them. Opinion is widespread and there is a conspicuous, almost tongue-in-cheek, level of humour permeating the programme.

Radio Live appears to have taken on board some of the programming lessons learned by music stations about rotation of content and the need to keep the entertainment level high. The station also uses the synergies available through cross-ownership to promote its personalities on related television network TV3. The newness of Radio Live in the market suggests that its final impact is yet to be felt and survey results in 2006 will be eagerly anticipated.

The role of talk radio

There can be little doubt that the role of radio and in particular talk radio in today's commercial world is a contentious issue. There are those such as McChesney (1997), Atkinson (1998; 1999), Isofides (1999), Hendy (2000), Friedman (cited in *Low-tech Democracy*, 2001), Turner (2003), and Jones (2004) who argue that talk radio is an important ingredient in democratic nation building, ensuring open, healthy debate on a variety of issues relevant to the citizenry. Friedman even argues that the best way to foster democratic principles in developing nations is to supply the people of those countries with FM transmitters and cheap receivers, rather than lectures on democratic principles (cited in Shanahan, 2005). Even industry experts support the argument of a role for radio in democracy. Shanahan (2000) found that 93% of industry experts surveyed believed that [talk] radio should be the modern-day version of the Hyde Park soapbox, providing a catalyst for open, diverse discussion on a wide range of topics.

But some argue that there is a gap between presumption and reality. Lewis (1993) argues that a populist talk radio approach is really only an outlet for extremist views and may actually be a danger to democracy rather than a catalyst. Kurtz (1996) states that 'Talk radio does not play by the everyday rules of journalism' and 'The

most valued currency on the airwaves seems to be sheer outrageousness, a talent for pushing the acceptable boundaries of humour or anger or personal diatribe' (pp. 257–258).

Lewis and Kurtz have support from at least one New Zealand industry professional who states that 'radio offers up-to-the-minute news and can be a forum for opinions, but it has become primarily an entertainment medium and no longer plays such a vital role in the democratic process as such' (Shanahan, 2000). Hendy (2000, p. 213) suggests that 'radio's claims to be an instrument of democracy are somewhat inflated', and he may indeed have a point. This sentiment was reflected in comments from numerous talk radio professionals interviewed. It is apparent that commercial talk radio has matured into a category consisting of multiple niches (Hartman, 2002) and the traditional expectations of radio as a tool for democracy may be, as Hendy states 'a little unrealistic' (p. 214).

If there has been a shift in attitude and expectation concerning talk radio, how does this impact on traditional audience expectations and broadcast standards? How do industry professionals view the role of commercial talk radio in today's environment? What about conventional expectations such as accuracy, balance and fairness? Are they still relevant? Do gatekeepers, producers and hosts care any more? As the New Zealand commercial talk radio industry seems to edge closer to the American and Australian model of divisive, biased, politically motivated talk, it is time to explore industry perspectives on these questions. This will be the focus of the next chapter.

Acknowledgements

Duignan, G., former Programme Director, 2ZB, Wellington New Zealand, personal communication 22 August 2005.

Francis, B., Programme Manager, Newstalk ZB, personal communication 15 August 2005.

Gregory, C., Programme Director, Radio Pacific, personal communication, 16 August 2005.

Harris, M., Director of Programming, Radio Live, personal communication, 16 August 2005.

LePetit, M., former National Programme Director, BCNZ and RNZ Commercial, personal communication 22 August 2005.

3 Case study: what talk radio broadcasters think

Morris W Shanahan

> The BSA's code based on the Broadcasting Act of 1989 requires broadcasters to maintain balance, impartiality and fairness when dealing with political matters, current affairs and all questions of a controversial nature. It says the broadcaster can achieve this by making reasonable efforts to present significant points of view, either in the same programme or in other programmes within the period of current interest. (Utting, N. 2002, as cited in Interview: Election Watch. 23 June 2002)

A number of commercial talk radio professionals were interviewed on 15/16 August 2005 (see Table 3.1) and asked a series of questions concerning commercial talk radio (see Appendix B). All interviews were recorded for transcription. Particular attention was apportioned to the role of commercial talk radio and the subjects of accuracy, balance and fairness. Interviewees ranged across all commercial talk stations and included a mix of gatekeepers, hosts and producers. Each participant was also asked to complete the Perceptual Questionnaire (see Appendix C). In addition, several other individuals directly involved with the production of commercial talk radio were asked to complete the questionnaire, increasing the total sample size to 17.

Table 3.1: Commercial talk radio interviewees and positions

Name	Position
Coleman, James	talkshow presenter, Radio Live, Auckland.
Crump, Martin	morning show co-presenter, Radio Pacific, Auckland
Francis, Bill	Programme Manager, Newstalk ZB, Auckland.
Gregory, Chris	Programme Director, Radio Pacific, Auckland.
Harris, Mitch	Director of Programming, Radio Live, Auckland
Leaney, Carolyn	morning show producer, Newstalk ZB, Auckland.
Lush, Marcus	evening presenter, Radio Live, Auckland.
Parkinson, Jeremy	Senior Producer, Radio Live, Auckland.
Smith, Leighton	morning presenter, Newstalk ZB, Auckland.
Watson, Danny	afternoon presenter, Newstalk ZB, Auckland.
Williams, Larry	drive-time presenter, Newstalk ZB, Auckland.

Commercial talk radio as a business

There is no doubt that commercial talk radio professionals view the medium as a business. One states that 'Talk radio is here to provide an audience for commercials. It's there to make money for the shareholders', a sentiment voiced by nearly all

of the interviewees. However, the same respondent went on to say 'It [talk radio] does provide a huge social service' and this provides a richness when the 'how' is examined.

There is unanimous agreement that commercial talk radio is 'an entertainment medium' constructed around a solid core of accurate news and information. Gregory states it clearly: 'Radio Pacific is an entertainment medium. It's a show-biz format outside our core of news and information. The entertainment comes in how we package our talk.' These sentiments are shared by Harris who says, 'This is an entertainment medium. Radio Live is youthful, humorous infotainment', and Williams who suggests that, 'The entertainment value of a talk radio programme cannot be underestimated.'

While this approach may have Lord Reith spinning in his grave, practitioners agree that the entertainment value of commercial talk radio does not need to come at the expense of informing and even educating the listeners. Coleman suggests that 'There is a lot of entertainment in talk radio, but people are entertained while they are debating and forming their opinions. There is a crossover.' Williams states, 'You need to strike a balance between entertainment, news, information, debate and discussion. Entertainment doesn't stand alone but is embedded in those other things.'

But there is caution urged by several respondents. Francis argues that the journalistic values of accuracy and balance need to be maintained in the core news and information packages, and that listeners make distinctions between these elements of the programme and the talk and talkback. He suggests that 'Entertainment is something that is textured into the programme by the presenters, and audiences understand and expect this'. As Francis puts it, 'This is one of the secrets to a good talk host, and what will attract listeners'. Parkinson agrees, stating: 'Entertainment is vital, but not at the expense of things like balance and fairness and accuracy. You can get at the facts in an entertaining manner. Talk doesn't have to be boring.' Crump issues a warning about viewing talk radio only as entertainment: 'If it just becomes an entertainment medium then it could lose what made it famous in the first place. Entertainment is important and an essential ingredient in the package, but we need to be careful it doesn't permeate the whole product.'

Clearly industry practitioners view commercial talk radio as primarily an entertainment commodity that is driven by sound financial business principles. What impact then does such a position have on the industry's approach to the issues of accuracy, balance and fairness as set down in the broadcasting codes of practice?

Accuracy

There is little doubt that commercial talk radio has adopted a more Americanised model, but adapted it to ensure the core elements of news and information have not lost their journalistic integrity. Indeed, both major providers of radio news (TRN and CanWest RadioWorks) have their news rooms closely aligned and even embedded within the talk radio brands. TRN news is branded as 'Newstalk ZB News' and the entire news function is located within the confines of the Newstalk ZB station environment. Newstalk ZB News provides bulletins for all of the TRN brands from this outlet. Likewise with the CanWest RadioWorks news service, now

branded as 'Radio Live News'. It is accommodated within the same premises as Radio Live, providing a variety of news services to the company's stable of radio stations (Hercock, personal communication, 24 August 2005).

All involved in the news process agree that 'accuracy and balance in news is essential'. Francis reflects the industry stance when he describes the two components to talk radio: 'One is to provide accurate, balanced news and information, while the other talkback side is far more fluid, opinionated, robust, and can have a strong entertainment element attached to it'. He believes that 'Newstalk ZB has developed into a more opinionated style of talk radio', but its news delivery is still paramount and needs to be 'accurate, credible and authoritative'. Both Harris and Gregory express the same thoughts about their particular talk radio brands.

Even the talk hosts believe accuracy is an indispensable ingredient. Watson says, 'Accuracy is an essential. You look really bad if you don't have your facts right and that can be embarrassing as well as help you lose your credibility', and Lush believes: 'There is a huge obligation on the host to be well informed and to contest information that is wrong'.

Nearly everyone interviewed expressed the belief that commercial radio talk listeners have been much maligned and are better informed and more intelligent than they are given credit for by critics of the medium. Practitioners make a strong distinction between the callers that make up only about 10–20% of the audience (Leaney, personal communication, 15 August 2005) and the 80–90% of people that are the passive listeners. Overall, the consensus is that a broadcaster has to be accurate to be believable, as the audience 'knows better' and 'are far better informed than we might like to think'. As Harris suggests, 'There is a huge level of trust between the presenter and the caller, and giving them inaccurate information certainly isn't in the best interest of the presenter or the station. You simply cannot break that trust.' Evidence suggests that there is certainly agreement on the issue of accuracy in commercial talk radio – get it right, always – it is a matter of good business.

However, accuracy is a relative issue. Perceptual questionnaire results show that practitioners believe that the importance audiences place on accuracy in talkback radio is well below the level for other formats (see Table 3.2). While television and radio news scored extremely high in level of importance, radio talkback scored much lower. It appears clear that industry professionals believe listeners make an unambiguous distinction between news and talkback and have differing expectations concerning the accuracy of each. This particular perspective was supported by many of the comments from industry professionals. Williams sums it up best when he states:

> People will not stick with you simply because they want to hear the next news bulletin or interview. That serves one purpose. You [the presenter] need to be entertaining too – use wit, humour, irony, opinion – that's different from the news and the listeners are smart enough to tell the difference.

It is interesting to note the similarity between the audience results reported in the public survey findings in this book (Chapter 6) and how practitioners believe the audience feels about issues of accuracy.

Table 3.2: Accuracy
Industry results in percentages for question one: 'how important do you think the listeners or viewers think the issue of accuracy is for each'

	Not important at all	A little important	Quite important	Very important	Extremely important
TV News				23	77
TV Current Affairs programme			16	31	54
Documentaries on TV or Radio			8	38	54
Radio News				31	69
Current Affairs on Radio			16	38	46
Radio Talkback		**8**	**38**	**46**	**8**

At first glance, it appears that radio talkback professionals have a good understanding of what their audiences expect in relation to issues of accuracy. However, it is worth noting that the ACNielsen results suggest that both women and Māori find issues of accuracy more important than males. Could it be that the male dominance in commercial radio talkback suggests something of a gender bias, with females demanding greater levels of accuracy than their overly represented male counterparts? And could the difference between Māori and NZ European respondents on the importance of accuracy (87% of Māori compared to 75% of NZ European believe it is important) be an artifact suggesting a possible ethnic imbalance in talk radio environments and/or disenfranchisement with the accuracy of racially-based content? These are certainly possible areas for further exploration.

Balance

It is in the area of balance that an even clearer distinction is made by industry between the content of the more formal news/information packages and the 'talk' elements on the station. Harris says, 'We strive for balance and fairness in news, but there is a strong differentiation between news and talk or talkback'. While most agree that balance and fairness are important in news content, there is a different attitude taken with the talk elements of the broadcast.

In relation to balance, gatekeepers all agreed that their approach is a more all-encompassing one, where balance is examined across the week or month rather than show by show or event by event. According to Francis, 'Balance is less and less necessary. To run a successful radio station there needs to be variety. Whether or not it ends up being balanced is another question. But I know we have a variety of hosts that over the course of a week provide the audience with a balanced view.' This appreciation of 'balance' in a more absolute frame is echoed by Harris who says, 'It is impossible to be balanced all the time. I look to ensure we offer a generally balanced view across the week. We have everything on Radio Live from Willie Jackson to Paul Henry. Individual shows may not always be fair and balanced, but the network as a whole is fair and balanced.' Gregory agrees, stating 'We try and take a balanced approach over time – but not host by host or topic by topic at any given time. Personalities have their opinions and express them, so we look to maintain a balance over the week on issues rather than show by show. You couldn't do that.'

Even the hosts and producers have strong views on balance. According to Williams:

> Talk radio has a role in democracy to provide a balanced and fair view of issues. On most occasions, but not always, we try to get both sides of the story. Sometimes it is hard to get a view as one side may not want to contribute. Even though I might agree with someone or some point, I try to counter their view to create interesting radio. That way we add some balance to the discussion.

Parkinson believes that providing some balance and fairness to the programme is in the best interests of the presenter. He states, 'You have to be a good listener to be a good host and that alone provides for a level of balance and fairness'. He further suggests that 'Balance is something that has to be taken over time, not judged on any one comment or event'.

But providing an equitable equilibrium can be problematic for talk radio. As Lanpher (2002) suggests, providing balance requires 360-degree vision where all aspects of an argument need to be recognised and apparent. Crump argues that by inviting 'everyone in to give their opinion' balance can be maintained. But Leaney believes this is difficult: 'We don't sit there thinking, "I've had a bit of this, so I need a bit of that". That just doesn't happen. The decision as to who goes on is based on keeping the show moving and entertaining.' Parkinson says that occasionally the issues of balance and fairness need to be sacrificed for the majority that are not listening: 'This isn't about freedom of speech, it is about presenting good radio that attracts an audience. But we do want to ensure we get other voices and opinions on as well, and hear a variety of stories, but there are constraints.' Gregory agrees, suggesting that 'When deciding who goes to air, it is a qualitative decision, not a quantitative one. We cannot be about free speech. That is the quantitative model – take every caller and let them have their say. The audience wants more informed debate, which is the more qualitative approach.'

It is here that the tensions emerge between providing balance and the egocentric commercial imperatives of keeping an audience entertained. Gregory argues that 'By providing conflicting, entertaining viewpoints on an issue, we naturally provide a level of balance as well as entertainment', and Lush suggests that entertaining and balanced talk can be achieved simultaneously: 'If talkback is working well, then the [balance of] information will get out there and we can do it and be entertaining at the same time'.

However, two issues need to be addressed. First, the insidious 'Cash for Comment' activities in Australia exhibited the potential for financial and ego-driven imperatives to interfere with the balance of any particular programme. It is a tribute to the New Zealand industry that every single interviewee for this chapter stated categorically that they have never been placed under any financial and/or commercial pressure that would impinge upon their efforts to maintain balance in their programmes. While this is certainly admirable and to be commended, constant vigilance will be necessary if such integrity is to be sustainable.

The second issue is the problem of identifying a point from which 'balance' can be measured. Each station has its own particular niche: Newstalk ZB as the more conservative, intelligent and thoughtful talk station providing a heavy emphasis on news and information; Radio Pacific as the older, very traditional talk station that acts

as a friend to the elderly of New Zealand; and the newcomer Radio Live, providing a more tongue-in-cheek approach to topics. The stations revolve a variety of different hosts, each with their individual world-view. According to industry respondents, they provide a variety of perspectives of the same subject matter at differing points of the day. Any possible consideration of 'balance' then becomes relational and not absolute, proving problematic in the determination and enforcement of standards concerning balance.

Commercial talk radio hosts come from the strong political right to the slightly left of centre, from the abrasive to the thoughtful, from the rude to the friendly. While each has his or her own character, several features are commonplace. First, they need sound, durable, appealing personal qualities. As Leaney states, 'Talk is all about personality radio. It's an attraction to whatever that person has to offer. That's a major reason that people listen. In the end, it is the front person who holds the show together.' Smith argues, 'There is a strong relationship going between listeners and the presenter. It's almost familial.' If the host is not appealing, 'they won't attract an audience'.

Second, talk radio hosts must have a robust personal view of the world. Gregory proposes that while 'The presenter's role is to facilitate discussion and bring forward points of difference, listeners like to know what people stand for – so hosts need to express their opinions'. Crump believes that 'You need opinions and to be interested in people. When people know the real you, it makes it easier for them to approach you. They know what they are going to get.' Meanwhile, Harris says talk hosts with no opinions would 'be boring'. 'You cannot have talkback hosts who do not have opinions. That's for politicians.' Williams believes that, 'You are what you are. I am opinionated, but the listeners couldn't give a toss. They [listeners] know which way you lean and they're comfortable with that.'

The key is how the host declares his or her opinions. According to nearly all interviewees, the main factor is honesty – 'you simply can't fake it. Listeners will spot a phoney straight away.' Crump argues that 'you have to be yourself to be a good talk radio presenter', a sentiment with which all agreed.

A third criterion for successful commercial talk radio hosts is knowledge. Williams believes, 'The presenter's role is to give the listener an overview of the issues of the day, express opinion, editorialise, analyse, and interview the news-makers. You have to know what's going on.' Smith argues that any talk radio host must be at least intellectually equal to, if not ahead of, their audience, and this can only be accomplished through a 'convincing knowledge and understanding of what is going on in the world'. Nearly everyone agreed that to achieve this takes constant monitoring and effort.

Finally, and perhaps paramount, is the need for commercial talk radio hosts to be able to texture high levels of entertainment throughout their shows. As Gregory suggests, 'They need to add that bit of entertainment value to keep people who would never ring in listening'. To achieve this, hosts need to express strong opinions, challenge the boundaries, and, as Francis says, 'have fun and provide that entertainment factor'. Harris believes at least part of this entertainment is driven by the host–caller interaction: 'The talk audience is far more intelligent than most people outside talk radio may think. They make their own decisions and, like the hosts, they have their own opinions. When the two clash it stimulates debate and

makes for entertaining radio.' This ability to entertain seems to permeate everything the host attempts and is targeted at delivering the largest possible audience, which brings the debate almost full circle.

So it appears that commercial talk radio measures balance against a self-imposed yardstick which is open to varying interpretations – one for each radio station, even one for each host – making 'balance' a corporate determination as opposed to one set by society through broadcasting standards. Indeed, the results of the perceptual questionnaire show that commercial talk radio practitioners view issues of balance as less important on talk radio than other formats, particularly television and radio news where 62% and 54% of respondents rated balance as either 'very' or 'extremely' important. These results are in alignment with audience responses reported in Chapter 6.

Table 3.3: Balance
Industry results in percentages for question two: 'how important do you think the listeners or viewers think the issue of balance is for each'

	Not important at all	A little important	Quite important	Very important	Extremely important
TV News			38	8	54
TV Current Affairs programme		16	31	38	16
Documentaries on TV or Radio		8	54	31	8
Radio News			46	23	31
Current Affairs on Radio			38	46	16
Radio Talkback	**16**	**16**	**31**	**31**	**8**

The dangers are obvious. If there were no standards by which to measure balance other than self-imposed ones, the New Zealand industry would run the risk of moving towards the American and Australian models, where populist rhetoric aimed at generating audience share takes precedence over any democratic principles of open, balanced debate. Simply validating existing views and biases is not democracy at work.

Fairness

The notion of fairness sparked a great deal of debate and even consternation among industry professionals. Most of the anxiety revolved around the definition of 'fairness' in the *Radio Code of Broadcasting Practice*. Principle 5 of the code states:

> In programmes and their presentation, broadcasters are required to deal justly and fairly with any person taking part or referred to.

Without doubt, this is open to a relatively diverse interpretation. Although the guidelines offered in the code are of some utility, practitioners can and have translated them in a variety of ways. Smith wondered: 'What does fairness mean? Being open to new and different ideas? If that is fairness, then I am definitely fair.' Watson suggests that fairness is 'a judgment call that comes from the gut. You know it when it doesn't feel right', while Coleman makes an interesting point when he states that, 'Fairness relates not only to the fairness to the caller to express their views, but the fairness

to those listening who might find the content objectionable or be damaged by it'. Nearly all agreed that regulated expectations of fairness were all but impossible to determine and enforce as it is 'such a grey area'.

However, most industry experts interviewed appear to agree that fairness relates primarily to callers, to a lesser degree to people being interviewed by hosts on particular topics, and to those being referred to in the content of any talk segment, reinforcing the findings of the BSA study reported in 2000 (Dickinson *et al.*, 2000) and the findings reported in the ACNielsen survey in this book.

There was general agreement by the industry that being fair meant:

- being listened to by the host
- not being talked over
- not having the host or another person 'put words in your mouth'
- not being prejudiced against for any reason whatsoever
- not being criticised and then not being allowed to respond.

Lush argues that being fair is a self-serving necessity; 'I think the audience responds to a sense of fairness. Being unfair is simply bad business. It destroys trust and that results in people turning away. This defeats the purpose of the presenter to get an audience.' Crump agrees, stating that fairness is inherent in the fabric of New Zealand society and that the underdog mentality means that people who treat others unfairly will simply not last. Gregory says 'If someone is treated unfairly it misses the point of what we are trying to do. We're a customer service industry after all.'

The industry is in general agreement that business imperatives will ensure that a rigorous degree of fairness exists on commercial talk radio, but that fairness is relational to callers rather than to issues, events, or even news-makers themselves. However, caution may be required if the American experience is to be considered. After 9/11 talkshows were deluged by callers denigrating those with Islamic beliefs and hosts did little if anything to provide fair representation of the Muslim community. There was far more commercial mileage in providing citizens with an outlet for their anger and anxiety than in trying to inject some rationality into the debate. The few Muslims who did get to air often received harsh receptions from both hosts and callers. This same scenario was evident in Sydney prior to the race riots in late 2005, with certain racial groups being given little time to put their point of view as the presenters appeared intent on whipping the white masses into a frenzy of exasperation and provocation. Fairness became a relative commodity determined by the majority, championed by the hosts, and, in both of these cases, with disregard to the attitudes and feelings of particular minorities.

In New Zealand, the more Americanised approach to talk radio also tends towards a more populist, white middle-class male perspective where minority interests can be easily marginalised. Caller selection is but one filter where producers can keep a close eye on who goes on air and who does not, but the need to provide entertainment masked as alternative debate can place minority, and possibly even female, opinions in an unenviable position. While this is seemingly not done in a deliberate fashion – as Parkinson states: 'You just can't take all the variables into consideration', the tension between fairness and the need to entertain the majority may be a functional

necessity. As Watson says, 'You need to be seen as fair, but there is also that level of entertainment when someone rings with an extreme view'.

It is the egocentric definition of 'extreme view' that lies within each talk host and producer, indeed within the station character, that may need examination when fairness is utilised as a yardstick. This is represented in the responses by talk radio practitioners to the question of fairness in the perceptual questionnaire. Results indicate that the respondents believe the audience does not expect the same level of fairness when it comes to talkback radio as it does for the other formats examined (see Table 3.4). In fact, the overall scores for fairness are well below those for accuracy and balance presented earlier. One can conclude that the industry does not believe fairness is an issue that is as important as those of balance and accuracy. Using the common definition of fairness from the broadcasting code of practice, this result tends to be in equilibrium with the attitudes and feelings of the respondents in the ACNielsen survey reported in Chapter 6.

Table 3.4: Fairness
Industry results as percentages for question three: 'how important do you think the listeners or viewers think the issue of fairness is for each'

	Not important at all	A little important	Quite important	Very important	Extremely important
TV News			16	54	31
TV Current Affairs programme			31	46	23
Documentaries on TV or Radio			23	54	23
Radio News			31	38	31
Current Affairs on Radio			31	46	23
Radio Talkback		**16**	**38**	**38**	**8**

Conclusion

The role of commercial talk radio in today's society is a complex one. Arguments range from viewing talk radio as nothing more than a business with no responsibility to audiences other than to attract them, through to commercial talk radio as the 'Hyde Park soapbox' where anyone can have their say and true, open democratic principles are paramount. The reality is somewhere between these two ends of the continuum.

Practitioners seem to agree that the role of commercial talk radio is to disseminate information, news, discuss issues and provide an outlet for people to express themselves, all done with a degree of entertainment woven into the presentation at the appropriate times and manner. Leaney sums it up best by describing the medium as follows: 'Talk radio: it's entertainment, it's got the newsworthy value, it's an outlet for people, it's opinion, it's discussion – it encapsulates all of that'. Operators face the need to create an audience for financial gain, but recognise that what comes in conjunction with that responsibility is a listener accountability that relates to issues such as accuracy, balance and fairness.

But do we need to have a lawful body overseeing these issues or, as several practitioners suggested, is it a self-regulatory process driven by commercial imperatives? As Gregory believes:

> We have a pretty good understanding of what we do. Companies have responsibilities to their customers and we don't need a statutory body to look after us. We can do that. It's a matter of good business.

Indeed, it is interesting to note that of the spontaneous concerns about radio reported in the ACNielsen study in Chapter 6, none relates directly to issues of accuracy, balance or fairness, and two-thirds of respondents reported no spontaneous concerns at all about radio in New Zealand. It is also noteworthy that the study shows that respondents rated accuracy, balance and fairness in order of level of importance the same way the radio industry practitioners did. For the public of New Zealand, accuracy, balance and fairness scored far lower in importance for talkback radio than for any of the other formats tested. These results do suggest that, at the very least, commercial talk radio professionals are in tune with the attitudes of their audience.

However, what also appears evident in discussions with commercial talk radio professionals is the apparent lack of awareness of the impact of the medium on individuals and society. The industry takes a seemingly superficial perspective on talk radio, ostensibly unaware of the debates surrounding the issues of public sphere, expressions of public anxiety (Fitzpatrick & Housley, 2005), concepts of *the* public and *a* public (Warners cited in Fitzpatrick & Housley, 2005), the construction of meaning (Hendy, 2000), and the possibility of radio consumption as a function of basic human need as opposed to something that people simply 'do' (Shanahan & Brown, 2002). These issues do come to the fore at times, however, no better illustrated than by the social reaction to the 'cheeky darkie' comments made by Paul Holmes on Newstalk ZB. While initially somewhat dismissive of the adverse reaction to Holmes' remark, the station rapidly made amends when faced with a vociferous public outcry and the possibility of legal action via the BSA. It is uncertain which of the two were more instrumental in the company's decision to act on the complaints, but without a lawful necessity there would have been no mandatory requirement to do so.

It is important that talk radio is not viewed as, or even considered representative of, the feelings, attitudes and mood of the public, but rather as a construct determined by the corporate approach of the broadcaster, the egocentricities of the host, the selection of callers and interviewees, and the need to provide entertainment to the vast majority who are passively consuming it. According to Hendy (2000, p. 147), 'it is they [the audience] who help "construct" the meaning – and the cultural resonances – of radio output produced "for" them by the industry'. If, as Crissell (1994) argues, radio's situation in the very fabric of everyday existence gives it the potential to significantly influence the construction of individual as well as social attitudes and values, then the influence of talk radio should not be underestimated. As Kurtz (1996) suggests:

> Those who listen to talk radio are, almost by definition, more passionate about issues, more activist, more likely to call their congressman about a hot topic .... What is less clear is whether or not professional loudmouths are whipping them into a frenzy or simply tapping into existing public frustration. (p. 260)

There is general consensus amongst those interviewed that, as Williams puts it, 'Talk radio presenters don't tend to change people's views or lead opinion as most listeners already have the same view as you [the presenter] anyway'. This phenomenon may be a direct function of the deregulation of the New Zealand commercial radio

environment back in the late 80s as more and varied outlets for talk emerge. As Hartman (2002) suggests, talk radio has materialised into a category of radio with multiple niches catering for a diversity of opinion, ideas, attitudes and interests. As with music radio, listeners will tend to migrate to brands that most suit their particular frame of reference. This is seemingly the trend in the United States and appears to be the way in which talk radio audiences are segregating within New Zealand. It therefore begs two questions: (1) is a 'one size fits all' set of standards still applicable to commercial talk radio, and (2) where do citizens go for balanced and fair debate of relevant issues?

Finally, there needs to be a word of caution about New Zealand talk radio going down the American path. It should be noted that these same arguments of diversification were expressed by the commission that recommended the Fairness Doctrine in the United States be abolished. They concluded:

> ... that the interest of the public in viewpoint diversity is fully served by the multiplicity of voices in the marketplace today and that the intrusion by government into the content of programming occasioned by the enforcement of the doctrine unnecessarily restricts the journalistic freedom of broadcasters. (Fairness Doctrine Report. 102 FCC 2d 145. 1985)

There is little doubt that the new American model, freed from the requirement to apply standards of balance and fairness to programme content, has lead to a divisive, intolerant medium that is more about show-business than any real contribution to democracy. Fischoff, Professor Emeritus at California State University in Los Angeles and a former 'expert' guest on Geraldo, states (n.d.) in relation to television talkshows that, 'calm intellectual discourse is unwelcome ... Emotions and conflict are two of the critical ingredients of the talkshow recipe that give it the tang that is so addictive. On contemporary talkshows, conflict is king!' He suggests this form of talk programming will continue 'until our culture stops its free fall from civility and when shame and privacy reassert themselves in the pantheon of social values'.

So where do citizens of a democratic society turn to get informed, unbiased debate on a range of issues? Private operators will argue that this is not their domain, but rather the responsibility of public radio, and that commercial radio has no obligation other than to return a dividend to shareholders.

In a pure business model, this argument has significance. Others, like Laphner (2002), will agree, stating that it is public radio that has the mission to meet listener expectations of 'information that's free of cant, that invites insight and that helps listeners better perceive the world around them'. Indeed, the Radio New Zealand Charter makes specific reference to 'engendering a sense of citizenship and national identity' and clauses 1f and 1g are clear in their intent in ensuring RNZ provides:

> (f) Comprehensive, independent, impartial, and balanced national news services and current affairs, including items with a regional perspective; and
>
> (g) Comprehensive, independent, impartial, and balanced international news services and current affairs;

There are no such obligations inherent in the licenses to broadcast for commercial operators.

But in a deregulated radio environment, where most people choose to listen to a commercial alternative and where the public broadcaster operates under severe financial and political limitations, do rules need to be applied? Perhaps in these changing times where personal accountability is primary, the onus of being informed resides within the citizen and is no longer a responsibility of any particular commercial broadcaster. This certainly appears to be the perspective of the commercial radio industry.

Whatever the circumstances, people will continue to ring in to commercial talk radio and it will continue to play an active role in the construction of social meaning in the public sphere. As Kurtz (1996) suggests, 'the power of words, unadorned with flashy videotape or computer graphics, retains a surprising hold on the imagination' (p. 259). Lush believes people will continue to ring talk radio:

> … because they feel they have something to say, to react to something that's already been said, because it makes them feel important, because they enjoy it and want a laugh, to partake, to relate an experience or lesson they may have learned. There's a strong sense of community out there.

Perhaps it is the individual's imaginative construction of community that, provided it reflects that person's particular ideal of community, will keep people listening to talk radio now and in the future.

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Harris, M., Director of Programming, Radio Live, personal communication, 16 August 2005.
Hercock, K., Director of News, Radio Live, personal communication, 24 August 2005.
Leaney, C., morning show producer, Newstalk ZB, personal communication 15 August 2005.
Lush, M., evening presenter, Radio Live, personal communication, 16 August 2005.
Parkinson, J., Senior Producer, Radio Live, personal communication, 16 August 2005.
Smith, L., morning presenter, Newstalk ZB, personal communication 15 August 2005.
Watson, D., afternoon presenter, Newstalk ZB, personal communication 15 August 2005.
Williams, L., drive-time presenter, Newstalk ZB, personal communication 15 August 2005.

4 Talkback listeners' views

Kate Ward

Background

The perceived offensiveness of items on talkback radio was first explored by the BSA in 1993. In its quantitative research *Perceptions of Good Taste and Decency in Television and Radio Broadcasting* (1993), the following scenarios were found to be more than moderately offensive by 70% of those surveyed.

> A talkback host insults a caller on his/her radio show.
> A talkback host insults a studio guest on his/her radio show.

Seven years on, the BSA's *Monitoring Community Attitudes in Changing Mediascapes* (2000) study included focus groups that addressed a range of broadcasting standards. The following comments were recorded in *Changing Mediascapes* about fairness and balance in relation to talkback radio.

> I think two people arguing from different sides is acceptable because they both bring their view. It's pretty fair and acceptable anytime. *Male, 18–30, no children, Christchurch*

> It's fair as long as they're not personal … fair coverage of the good and the bad. *Māori male, Auckland*

> … there's still an inequality of power there because if they don't like what they hear people speaking about, they just cut them off and don't let them respond. *Māori female – Auckland* (pp. 55–56)

These comments led to the formation of a question in the 2000 public attitude survey about the acceptability or otherwise of being cut off by a talkback host. The scenario put to respondents was:

> A radio talkback host hangs up on callers without allowing them to finish their point.

The finding recorded in *Changing Mediascapes* (2000) was that 65% of those surveyed said such host–caller behaviour would be unacceptable (p. 89).

A steady flow of complaints to the BSA about talkback indicates the utility of research into public attitudes and listener sensitivities in relation to broadcasting standards for this format. Talkback is often characterised as having a 'robust nature', and the BSA sought a further qualitative exploration of the public's view of its 'nature'

five years on from *Changing Mediascapes*. The BSA is also aware of a tension in talkback between balance and fairness on the one hand, and freedom of expression on the other, and wonders about listeners' perceptions of this tension.

Therefore, the objectives of the current research are to find out:

- how talkback radio listeners regard content – primarily as current affairs or opinion, or a mix of the two, and how the concepts are differentiated
- what broadcasting standards could/should apply to talkback radio
- what degree of balance or fairness the public wishes from this format
- how much freedom of expression is valued in relation to the format.

The BSA theorised that only people who listened to talkback were relevant commentators, as those that do not listen may be biased against it. This likely bias is borne out in an exchange between members from a different focus group discussing balance and fairness in news and current affairs (reported in Chapter 1). Participants discussed, in passing, their view of the John Banks and Paul Holmes radio talkshows.

> A normal intelligent person can see what these two are, they are a pair of idiots, they really are ...
>
> But the truth of the matter is that more people listen to Paul Holmes' morning programme than any other programme in New Zealand.
>
> That's why it takes Aucklanders three days to drive to work in the mornings. They are stupid. *Balance and Fairness focus group members, Christchurch*

Further confirmation of this likely bias was illustrated by a man in one of the talkback focus groups who shared his wife's view of talkback listeners.

> [My wife said to me] 'of course, you're off to your weirdos' meeting tonight aren't you?' For her, anybody who actually listens to, or indeed and even more so, contributes toward talkback radio has got a serious problem!
> *Male, 60s, Auckland*

Research design

Market researchers ACNielsen prepared the discussion guide, recruited participants and conducted two focus-group meetings in March 2005. There were eleven participants in all. The standards examined are those of 'balance', 'fairness', and 'social responsibility' from the Radio Code of Broadcasting Practice. Participants were also asked to consider the role of freedom of expression in talk radio. See Appendix D for the discussion guide.

Participants were chosen to provide a mix of metropolitan listeners. Only those who regularly listened to talkback were recruited, in the belief that people demonstrate a high degree of choice over this medium – actively choosing to listen to it, with favourite hosts and particular times to tune in.

Pre-selection criteria were that:

- participants be medium to heavy listeners of talkback radio

- there be some listeners who also participated in talkback discussions (i.e. phoned into the stations)
- groups could be formed with a mix of Newstalk ZB and Radio Pacific listeners
- groups could be formed with a mix of programmes listened to (i.e. listen at different times of the day/week).

Findings

Defining talkback and its role

A focus group member said that talkback is 'people discussing topics … ringing in' (female, 50s, Palmerston North). Others said, variously, its role was to provide entertainment, for the exercise of democracy, to provide an outlet for people to hear and express opinions, and to keep informed.

Participants said they listened for pleasure and relaxation, to have their views affirmed, and for company and stimulation. One stated, 'you've got to listen to the whole thing to form an opinion' (female, 60s, Palmerston North). They said that sometimes they found talkback frustrating; it could even make them angry. At other times, they felt quite satisfied with it.

> You feel as if you're part of the on-rushing crowd when you're listening … I love to hear people's opinions and thoughts, and some are funny. *Female, 60s, Palmerston North*

For one, talkback's role was linked to her interest in the news of the day.

> I don't think the young people are so much interested in news today. Whereas I'm a real news junkie. And I guess anything to do with the news and talkback about it and discussions, I love. *Female, 60s, Auckland*

Another said: '… it keeps me up with what's going on everywhere because there are so many subjects introduced' (female, 60s, Auckland).

The researcher asked how talkback had changed over the years. One commented that there are 'Heaps more commercials'. Other changes were also noted.

> It's far more liberal than it was – once swearing wouldn't have been allowed. *Female, 60s, Palmerston North*

> There wasn't much [talkback]. People want to voice their opinions … You can say what you think. *Female, 50s, Palmerston North*

Phoning in

Two participants were talkback advocates to the extent that, having control in their workplaces over what was played on the communal radio, they dictated that everyone around them listen to talkback – and encouraged their fellows to participate by phoning in.

Most agreed that you would phone in if you had some knowledge of the topic being discussed. One said that for her 'it's the bug' to participate. All admitted having wanted to phone in at some time or other. 'But sometimes you don't because you

have to wait [on the line] a long time' (female, 50s, Palmerston North).

Reasons for not phoning in included: 'they belittle you' (female, 60s, Palmerston North), and, 'they have to get a dig in – it's not fair' (male, 50s, Palmerston North). Another barrier was nervousness or a lack of self-confidence about expressing one's views. This related to being fearful about what the host might say to you, and fear about what other listeners might think of you.

Likes and dislikes

The researcher asked what participants liked and did not like about talkback.

Likes:

> Variety – diverse subjects. You don't have to concentrate for too long. *Male, 50s, Palmerston North*

> It's more like conversing with friends. *Female, 50s, Palmerston North*

Dislikes:

> Ridiculous interchanges between hosts; childlike comments. *Male, 60s, Auckland*

> Too much sport and too much racing. *Female, 60s, Auckland*

> They [the hosts] are there to facilitate and not tell me about their homelife. *Male, 60s, Auckland*

> Too opinionated at times. *Female, 50s, Palmerston North*

> The thing that I really loathe is they talk to someone and it's almost disguised as a normal talkback call but in reality it's advertising. Those are the ones I hate. *Female, 50s, Palmerston North*

> He [John Banks] does some interesting interviews with people concerning topics of the day which I find quite good, but he just infuriates me so much I really want to ... [switch off]. *Female, 60s, Palmerston North*

It seemed that some participants 'loved to hate' the medium.

Good research by the host was a positive theme for one. He praised a discussion he had heard about a Unimog accident.[15]

> Those three young soldiers that were killed down south – I was going to ring in because I've got some intimate knowledge how we do our driver training and all that, but he [the host] had all the information at his fingertips. So obviously that was well researched. *Male, 40s, Palmerston North*

Another had concerns about the amount of influence that hosts have.

> I think they've got a great deal of sway, that's the trouble .... People are very influential, and I guess it goes too far to sort of say it's brainwashing ... but I have 29 residents in my rest home so I have trained them to listen, because I like to listen, to talkback radio. And they all have their own favourite parts. I actually hear them quoting back what I've heard on the radio ... and that may not be their opinion. *Female, 50s, Palmerston North*

She recounted an example of the degree of influence one talkback host who was also standing for a political party had.

> ... do you know, by the end of those programmes he was actually convincing some of my elderly people that this was the way they should vote. I just don't feel that radio is for that. It's for open discussion and open-minded things. *Female, 50s, Palmerston North*

Expectations of standards for talkback radio

Participant's expectations in relation to broadcasting standards for talkback radio were explored.

One thought that broadcasting standards for talkback could be minimal because, 'you're not a captive audience and you can switch off' (female, 50s, Palmerston North).

But others thought that there should be certain standards, especially for the host.

> I heard a host say the other day, 'oh he's a little wanker', and that just absolutely horrified me. I thought that was shocking. *Female, 60s, Palmerston North*

Another said that such a comment had no place on radio, and a third that the host in question should have been reprimanded. The group agreed that the onus for reprimanding hosts was on listeners to call in and complain – if they had the time. Having good manners and not being rude were the qualities most desired of a host.

As usual when talking about broadcasting standards, language was a 'top of mind' concern. Participants all said that swearing was unacceptable. A comment was also made about slang, '... there is an amazing acceptance now of words we weren't allowed to say at school' (male, 50s, Palmerston North).

Reaction to broadcasts

The groups were asked to listen to several broadcasts and jot down their thoughts about them. The items had been chosen to help participants think about talkback in terms of broadcasting standards. Each item had been the subject of a formal complaint to the BSA.

Recording One: Michael Laws' Talkback – Radio Pacific

The first recording was a talkback host introducing his morning's topics. The introduction included a lengthy diatribe against a named religious group.

Generally, participants thought that the host's introduction was unacceptable because of the lack of respect he showed toward the religious group. However, several agreed that the host was also probably trying to generate conversation by being deliberately provocative.

One said, 'I think it's absolutely not on'.

> I thought it was totally unacceptable. Any talkback host's role is as a host. Sure he can put forward a topic ... [and] is entitled to his own opinion, and he can agree or disagree with anyone who phones in .... By presenting that topic the way he did he was almost self-fulfilling that people would phone in who agreed. Those who didn't would get insulted or talked down or cut off. I think that's totally unacceptable and unprofessional. *Male, 60s, Auckland*

Another countered, 'You don't know if it's his opinion. I think it's quite entertaining to be honest' (male, 50s, Auckland). A third thought that the host's comments were just to drum up interest, to get a reaction, 'to generate opinion' (female, 60s, Auckland).

One woman did not consider the host's comments fair at all, but reflecting back on the live broadcast which she had heard, she said, 'Well I didn't take it personally this time, but if it had been the Catholics I would have been up in arms and on that phone' (female, 50s, Palmerston North).

Another was more detached.

> It's interesting that he uses that way of encouraging people to ring in. I suppose he's targeting a particular bunch of callers. They're going to call in and discuss this. There will be the extremes – it's probably what he was going for. *Male, 40s, Palmerston North*

Recording Two: Larry Williams Breakfast Show – Newstalk ZB

This item was an interview by a host with two media commentators. They talked about a Tuvaluan 'overstayer' who was having life-saving dialysis treatment in New Zealand. The man had come before the court for assaulting his wife and could have been deported, but was not.

Frustration was the main reaction from focus-group members – but for practical reasons as the following exchange demonstrates.

> I got really frustrated with that one. *Female, 50s, Palmerston North*
>
> Just listening to it now you mean? *Female, 60s, Palmerston North*
>
> Yeah. I got frustrated when I heard it originally too. I thought, we send all of that money to overseas aid, why can't we buy a dialysis and send him home ... *Female, 50s, Palmerston North*
>
> It was the fact that he was going to die because he couldn't get dialysis .... I have a friend who has a rest home and they have a dialysis machine in their home for one person. *Female, 60s Palmerston North*

The broadcast was dismissed by another as 'a rabble'. He said, 'no-one could finish a sentence' (male, 60s, Auckland). Those who enjoyed hearing 'both sides of a story' said they could not be bothered with it.

The format was also not to anyone's taste. 'It's frustrating – it's like a referee in a boxing match' (male, 50s, Auckland). 'The subject itself was really quite serious but they weren't treating it that way' (female, 60s, Auckland).

The researcher probed their concerns. Was it alright that they didn't treat the topic seriously? One responded democratically:

> I think it's the nature of that programme. I'm sure they've given them the topics beforehand. In fact, it's almost rehearsed, and it's meant to present outlandish views. There's room for that in society. *Male, 40s, Palmerston North*
>
> So, acceptable? *Researcher*
>
> If you want to listen to that yeah. *Male, 40s, Palmerston North*
>
> If you want to listen to it you can. *Female, 50s, Palmerston North*

> Turn it off if you don't. *Female, 60s, Palmerston North*

> There's lots of choice. There's always another station. *Female, 50s Palmerston North*

They said that it was not talkback *per se* but a rehearsed segment.

An irony was observed by one.

> When you think about it, it encapsulated the views of anybody that would phone into a programme lasting three hours, and they put it all down in 10 minutes. They all shouted, they all had a different opinion … all the things that would have been talked about over a long period of time, just condensed. *Male, 60s, Auckland*

Recording Three: Talkback – Newstalk ZB

The third item was a host personally abusing a caller, an older woman, and then hanging up on her.

Some participants were unhappy with the host's abrupt treatment of the caller. But others thought he may have been entitled to his reaction, particularly in the environment of talkback radio where 'live' and sometimes gutsy interactions play a large part in creating interest for listeners.

> At the end of the day, if you decide to ring into talkback radio and you know that there's a possibility that you could end up on the receiving end like that woman, well you really have to go into it knowing that that's a possibility, I suppose. *Female, 50s, Palmerston North*

One said that if a caller choose to participate in the talkback forum – they should realise that it comes with an unwritten warning, 'caller beware!' (female, 60s, Palmerston North).

Others found the host's personally abusive remarks funny, in the same way that you might laugh at slapstick comedy; another suspected it was not a genuine call, but staged to shock and entertain. The suspicion was that mock callers are common, and listeners should be prepared to take what they hear with a pinch of salt – it's all part of the fun of talkback.

One thought it might have been a genuine call and empathised with the caller:

> That's an older lady … if that's a genuine call then that lady would be absolutely shattered personally … I just think that was totally disgusting. *Female, 50s, Palmerston North*

The researcher asked if she meant the way the host had treated the woman? She agreed, 'She had no reply either … that's what he said and hung up. She didn't say, well you're a wanker too'.

This participant's sympathies were echoed by others.

> He had a cheek. *Female, 60s, Palmerston North*

> She was entitled to her opinions same as everyone else. *Male, 40s, Palmerston North*

> Treat the elderly with respect. I was brought up that way. F*emale, 60s, Palmerston North*

> No need to be that directly personally insulting. *Male, 40s, Palmerston North*

Discussion of the principles in the Radio Code of Broadcasting Practice

> **Balance**
> In programmes and their presentation, broadcasters are required to maintain standards consistent with the principle that when controversial issues of public importance are discussed, reasonable efforts are made, or reasonable opportunities are given, to present significant points of view either in the same programme or in other programmes within the period of current interest. (Principle 4, Radio Code of Broadcasting Practice)

Breaking the balance standard into some of its clauses for the purpose of discussion, the researcher first asked participants about the importance they placed on having all sides of a story fairly presented. Participants responded that people ringing in generally fulfilled that requirement. But one made the case of a politician being interviewed and said balance could be achieved then by always having someone from another party to comment as well. Another said, 'It's very difficult to have two politicians on at the same time because neither of them will let the other speak!' (male, 60s, Auckland).

On the subject of politicians, some were concerned about the use hosts made of talkback for political self-promotion.

> I also found with Michael Laws, when he was running for mayor, he did a lot to bring himself forward .... He did a lot to promote himself, and I feel at the moment that John Banks, now he's talking about getting back into Parliament, all he seems to do is knock this Parliament and say, 'I think it's time I was back in there and I'll show them what to do, and I'll do this and I'll do that'. So he is also self-promoting ... which I find is not really his job .... *Male, 60s, Auckland*

Participants agreed that some topics did not require balance; for example, when a product was being promoted. However, where people or groups of people were the subject, balance was vital. An example of balance in action was given by one group member who recalled a talkback discussion about the kidnap of a wealthy Chinese woman in Howick. He said that a Chinese caller argued with the host's point of view about such crimes.

> I think that an interesting and good aspect of talkback radio is that you can get the view of part of our community or other ethnic groups far more clearly than you will get from the newspaper or the TV or whatever. It gives them the opportunity to express their views. *Male, 60s, Auckland*

Continuing to discuss the balance standard clause by clause led to a debate about the subjective nature of 'reasonable efforts'. 'What I consider a reasonable effort, [another] might not', said one (female, 60s, Palmerston North). There was suspicion that efforts to obtain significant points of view could be manipulated by a talkback host selecting only callers who supported his view and cutting off others.

Of the phrase 'period of current interest', another asked: 'where do you draw the line ... if a subject goes on for days ...?' (male, 50s, Auckland).

One challenged his group to re-express the principle in a 'very, very simple five word sentence'. The first effort was sarcastic.

> You can say whatever you like and discuss whatever you like as long as it's within the period of current interest – am I right there? *Male, 50s, Auckland*

They suspected that the wordiness of the principle was an attempt by broadcasters to 'pull the wool', to give themselves an 'out' from bad behaviour. Others were less cynical.

> Perhaps we could sum it up in a few words and say that, 'everyone has a right to reply'. *Female, 60s, Auckland*

> Everyone is given an opportunity within the standards if it's a controversial issue. *Male, 60s, Auckland*

The general view was that talkback covered controversial issues of public importance all the time. Participants considered a wide range of topics were controversial issues – from the Civil Union Bill to vicious dogs to 'anything which affects all of us as a population as opposed to as an individual' (male, 60s, Auckland).

However, many topics could also be excused from needing to adhere strictly to the balance principle. In the end, if people felt strongly enough that there was an injustice on talkback they could always complain. Participants noted that there were many avenues for complaint in New Zealand.

Fairness
In programmes and their presentation, broadcasters are required to deal justly and fairly with any person taking part or referred to. (Principle 5, Radio Code of Broadcasting Practice)

Whether hosts have a right to control topics was discussed. Was it fair for them to do so, and was it fair for the host's opinion to dominate?

> It's all about Michael Laws and if you don't agree with him, then sorry, he doesn't even want to hear you .... It makes me angry .... If it's talkback you should be able to have your say and that's why I like Alice [Worsley] and Martin [Crump]. They don't cut the people off. They let them have their say. *Female, 60s, Auckland*

Some did not have a problem with the host picking the topic, or with callers being screened to ensure that they talked to it. But others did. They thought that hosts should be polite and hear callers out, even when callers were 'off the topic'.

Fairness meant, variously:

> Anyone that rings up talkback deserves to be treated fairly. *Female, 50s, Palmerston North*

> Anyone that rings in – it takes courage – they should be given a fair go. *Male, 40s, Palmerston North*

> It's a basic principle that we should all live by. *Female, 60s, Palmerston North*

Although, there were dissenting voices: '... deal justly ... we've probably got seven different views of what it means to deal justly and fairly with some of these people who call in' (female, 50s, Palmerston North).

And another disputed the need for standards over talkback:

> … I think talkback radio by its very nature cannot be controlled to that extent because you need an outlet where people can phone in and say anything they like, whether it offends you or not, and if you start bringing in standards like this in broadcasting, you're going to just cut it down. People are going to stop listening and phoning. *Female, 60s, Palmerston North*

Others argued with her:

> You can be just and fair …. You listen and give them an opportunity to present their point of view, and that's being fair. *Female, 50s, Palmerston North*

The researcher asked if this standard should be applied across talkback shows? Most thought so, but one said that politicians should be exempt from having to be dealt with justly and fairly. He said, 'They are big enough and liable enough to accept any criticism, good or bad' (male, 60s, Auckland).

Social responsibility
In programmes and their presentation, broadcasters are required to be socially responsible. (Principle 7, Radio Code of Broadcasting Practice)

They debated the meaning of social responsibility, and whether it was a role of talkback radio.

> [It means] you've got to be responsible for your actions on the radio when you're broadcasting. *Female, 50s, Palmerston North*

> [It means] you don't call people names. *Female, 60s, Palmerston North*

> It's very similar to this one [the fairness principle] *Male, 40s, Palmerston North*

One worried about the efficacy of the standards.

> … there has to be a standard set somewhere along the line. I'm not absolutely convinced that any of these principles in whole or part are telling a broadcaster where the beginning and the end is though – they're very, very wishy-washy. *Female, 50s, Palmerston North*

Another thought that talkback should provide a liberal forum.

> I think it should represent all shades of the political spectrum and all shades of society, and if you don't like it switch off. *Female, 60s, Palmerston North*

The researcher asked, 'So you like the idea of a talkback radio station that has a much broader discussion or standard than what is usual?' She agreed.

> Well exactly. If you don't like it switch off …. I think this business about children only receiving a very narrow part of an education is quite wrong. Expose them to everything and discuss it with them. Explain why you don't hold that point of view rather than switching it off because you think the children shouldn't be listening to that sort of thing. How else do they learn? *Female, 60s, Palmerston North*

Others disagreed. 'I think there are lots of things that children needn't know about and needn't learn' (male, 40s, Palmerston North). Another said, 'It depends what age we're talking about' (female, 60s, Palmerston North).

The issue of freedom of speech arose spontaneously.

> I like the way we have a freedom of speech here, but you have to be very careful that you don't start screwing things down so much that you no longer have the freedom of speech. *Male, 40s, Palmerston North*

There was a wariness expressed that strict adherence to the principle of social responsibility could put a dampener on the sometimes diverse and challenging views expressed on talkback radio.

Freedom of expression
– Everyone has the right to freedom of expression, including the freedom to seek, receive and impart information and opinions of any kind in any form. (S14 NZ Bill of Rights Act 1990)

The researcher asked what participants' understanding of freedom of speech was.

> It means that I'm free to be able to give an opinion without being worried about being locked up, being assaulted by somebody. It gives me the right to make a free choice and to walk down the street as myself – to go about my business. *Female, 50s, Palmerston North*

> I actually think freedom of speech can be a myth … because I think there are certain things you can and you can't say in society, and you wouldn't. I think it's a myth. *Male, 40s, Palmerston North*

> Mine is that you can get on air and talk about anything you like, or any topic of interest. I have an advantage [in appreciating this] because I've been in certain countries that are hotspots in the world and there is no freedom of speech. Everything is at the point of a gun. *Male, 40s, Palmerston North*

> That to me [freedom of expression] is talkback radio. That is exactly why talkback radio was established. *Female, 60s, Palmerston North*

One observed that the freedom of expression clause contradicted the broadcasting standards. Another wondered whether we need the broadcasting standards given the freedom of expression right? In the ensuing discussion, participants struggled to resolve the relationship between the standards and freedom rights. They said that ultimately there could not be complete freedom of expression. There had to be limits on it, and common sense must apply.

> Common sense in the time of day and society around which the programme is structured. The talkback host sets out guidelines in respect to subjects … *Male, 60s, Auckland*

Compared with TV, talkback is a lot more restrictive of freedom of expression. 'You tune in after 9pm, and she's all there!' 'Yes. Which you'd never get away with on talkback. No way in the world.' 'You couldn't use that language for a start off' (Auckland participants).

Conclusion

It appears that these listeners regarded talkback as both an entertainment and current-affairs medium. They considered that many of the topics discussed were

'controversial issues of public importance'. They held good hosts in high regard. Some hosts were judged good because they made them laugh from time to time, others because they were always polite and let people have their say. Some hosts did good research and others were enjoyed because they were energizing – you got 'wound up' listening to them.

These listeners accepted that hosts and callers both had the right to express their opinions. For them, talkback is an opinion-based medium with some fact and education thrown in for good measure. They also mainly accepted that it was the host's role to occasionally provoke comment by voicing an extreme opinion. They noted the difference between purely opinion pieces – 'rants' – and real talkback where there was a 'conversation' between callers and host; and between 'talk' shows where hosts did not have open lines but talked to pre-selected contributors, and real talkback where 'everyone can have their say'.

Discussing balance, focus group members believed that it was part of the host's role to provide balance on a topic. However, the requirement for balance depended on the topic. The principle they thought was most important for talkback was fairness, and they also considered that the social responsibility guidelines in the radio code would mostly be covered if the host conducted a fair show. The national survey results in Chapter 6 support these focus-group impressions somewhat reporting that 77% of regular listeners to radio talkback felt that the fairness standard was important in that medium, compared with 67% for the population as a whole. These same percentages and differential are also recorded for the balance standard (see p. 107).

Finally, the issue of freedom of expression in talkback was discussed. The general feeling amongst the group members was that it should be tempered to a reasonable and commonly acceptable level of expression. There is a broadcaster perspective in Chapter 3 which some would have been comfortable with: 'When deciding who goes to air, it is a qualitative decision, not a quantitative one. We cannot be about free speech. That is the quantitative model – take every caller and let them have their say' (Chapter 3, p. 46). Others had the view that, regardless, every caller should be given a fair go.

5 Drawing the line: BSA decisions on good taste and decency

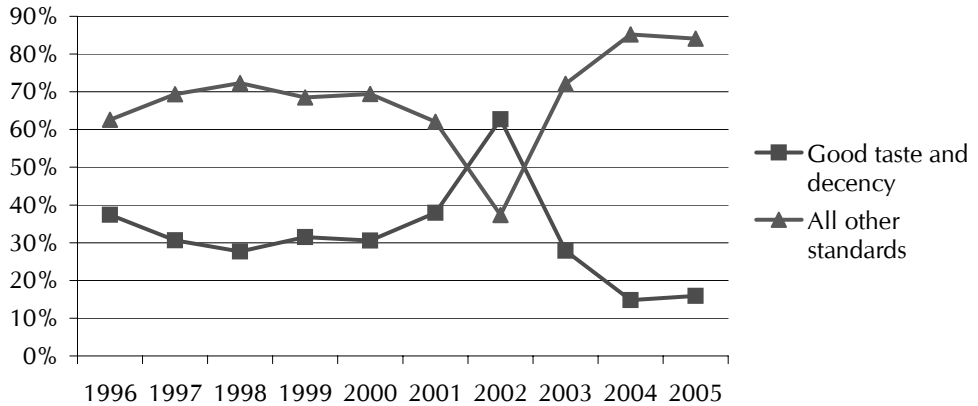
John Sneyd and Michael Stace

New Zealand society is diverse, and people's expectations of broadcasting vary depending on age, culture, religion and personal values. While the guidelines to the broadcasting standards refer to 'current norms of decency and taste in language and behaviour', there are no uniform standards or norms that the BSA can apply mechanically to good taste and decency complaints. For this reason the BSA regularly conducts qualitative and quantitative research into societal attitudes, and in determining specific complaints it takes heed of the findings.

This chapter reviews ten years of BSA decisions about good taste and decency. The authors first discuss issues relating to television, then radio, and then present case studies of a range of complaints.

In the past decade about one third of the BSA's decisions have been concerned with good taste and decency. This is illustrated Figure 5.1, which also shows that the proportion of good taste and decency complaints is declining. Note that the high number of complaints in 2002 was due to the determined effort of one complainant who made numerous allegations about broadcasts on The Rock radio station.

Figure 5.1: Percentage of good taste and decency complaints to the BSA
Source: BSA Annual Reports 1996–2005



In every complaint alleging a breach of good taste and decency the BSA decision refers to the 'contextual factors' of the broadcast. These factors include such things as the time of broadcast, the type of programme, its target audience, and the sort of prior information given to the audience about the programme's content, for example through a warning or classification symbol. It is only after taking these contextual factors into account, that the BSA can meaningfully determine a good taste and decency complaint.

Television

The good taste and decency standard in the free-to-air television code states:

> **Good taste and decency: Free-to-Air Television Code**
>
> *Standard 1*
> In the preparation and presentation of programmes, broadcasters are responsible for maintaining standards which are consistent with the observance of good taste and decency.
>
> *Guideline 1a*
> Broadcasters must take into consideration current norms of decency and taste in language and behaviour bearing in mind the context in which any language or behaviour occurs. Examples of context are the time of the broadcast, the type of programme, the target audience, the use of warnings and the programme's classification. The examples are not exhaustive.
>
> *Guideline 1b*
> Broadcasters should consider – and if appropriate require – the use of on-air visual and verbal warnings when programmes contain violent material, material of a sexual nature, coarse language or other content likely to disturb children or offend a significant number of adult viewers. Warnings should be specific in nature, while avoiding detail which may itself distress or offend viewers.

Compare the following: an afternoon television show designed for children, and a 9.30pm drama about the murder of prostitutes. The differences between the programme genres and audiences for each mean that these programmes could not be labeled simply 'acceptable' or 'not acceptable'. The degree of acceptability will differ depending on the circumstances of each broadcast. What may be quite acceptable in one context may be unacceptable in another.

Children's interests and classification

Several sections of the free-to-air television code consider the interests of children, including Standard 9, Children's Interests, and Standard 7, Classification.

Standard 9 requires broadcasters to consider the interests of children during their normally accepted viewing times (not just the times specifically designated for children).

Standard 7 states that programmes, including promos, must be appropriately classified, and must adhere to stipulated timebands.

An appendix in the code sets out the free-to-air television classification regime:

Appendix 1: Free-to-Air Programme Classifications

G – General
Programmes which exclude material likely to be unsuitable for children. Programmes may not necessarily be designed for child viewers but must not contain material likely to alarm or distress them.

G programmes may be screened at any time.

PGR – Parental Guidance Recommended
Programmes containing material more suited for mature audiences but not necessarily unsuitable for child viewers when subject to the guidance of a parent or an adult.

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

AO – Adults Only
Programmes containing adult themes and directed primarily at mature audiences.

AO programmes may be screened between midday and 3pm on weekdays (except during school and public holidays as designated by the Ministry of Education) and after 8.30pm until 5am.

AO 9.3Opm – Adults Only 9.30pm – 5am
Programmes containing stronger material or special elements which fall outside the AO classification. These programmes may contain a greater degree of sexual activity, potentially offensive language, realistic violence, sexual violence, or horrific encounters.

A key consideration for the BSA in assessing good taste and decency complaints is whether the programme was broadcast during normally accepted children's viewing times. There is a clear expectation that programmes screening during children's viewing times will be appropriate for them. There is a general agreement that children should be protected from bad language and depictions of sex or violence.

Children's viewing time is not confined to the afternoon. The code acknowledges that the issue is when children are *likely* to be watching. The broadcast of material unsuitable for children during timeslots such as early evening could potentially breach three standards: good taste and decency, children's interests, and programme classification.

Gratuitous material

Another factor in assessing good taste and decency complaints is whether the material in question is in context with the programme as a whole, or gratuitous to it. Non-contextual sex or violence included purely for voyeuristic entertainment is, for example, likely to threaten the standard more than content that is a natural or essential part of the story, or important for character development.

Expectations of the target audience

Some programmes are clearly designed to appeal to a specific section of the population. In those cases, the BSA will consider the expectations of the target audience. For example, *Jackass*, targeted at the youth audience, would be able to extend the boundaries of taste and decency more than *Monarch of the Glen*, provided its classification and scheduling were appropriate and a warning was given.

Once a programme departs from the established expectations of its target audience, it can be argued that its viewers have, to an extent, been denied their right to make

a fully informed choice. This informed choice, discussed next, is an important consideration.

Adult viewers able to make informed choices

The majority of the BSA's decisions in this area reflect the fact that in AO-designated time, adults are mostly entitled to choose what they watch and, perhaps more importantly, what they do not wish to watch. Essentially, the BSA's interpretation of the good taste and decency standard assumes that adult viewers will take reasonable measures to inform themselves about what they are watching and accept responsibility for protecting their own sensibilities.

For this reason, the BSA considers the extent to which viewers could have been aware that a programme contained material that may offend. There are a number of ways that viewers are given this information.

- By the programme's classification. For example, if it is rated AO (on free-to-air TV) or M, 16 or 18 (on pay-TV), then it contains material suitable only for adults.
- By on-screen warnings and voiceovers used by broadcasters to advise viewers about the presence of sex, language, nudity or violence in the forthcoming broadcast.
- By the time of the broadcast. It is well established that programmes broadcast late at night may contain material that is more challenging.
- Through information about the individual programme from other sources, for example in listings, pre-publicity, and from a common-sense evaluation, e.g. a drama about two people having a torrid affair is more likely to have sex scenes than a documentary about an environmental issue.
- Often the format and nature of the individual show becomes well known as part of an ongoing series. For example, satirical programmes such as *Eating Media Lunch* have developed a reputation for including material that some will find offensive.

The purpose of the good taste and decency standard is not to prohibit challenging material, or material that some people might find offensive. Its purpose is to ensure sufficient care is taken so that challenging material is played only in an appropriate context, and that the challenges are not so offensive that they are unacceptable regardless of context. In many cases, it is when viewers have felt 'ambushed' by material that the standard is threatened.

Some complainants express the concern that as long as viewers are warned, broadcasters can 'get away with anything'. There is no doubt that placing a degree of responsibility for choice on viewers does allow for the broadcast of more challenging material. In this regard, the approach taken by the BSA is consistent with the New Zealand Bill of Rights Act 1990, and, in particular the right to freedom of expression contained in s14.

As well, under s5 of the Bill of Rights Act, the BSA can limit a broadcaster's right to freedom of speech only where that limitation is reasonable, and demonstrably justified in a free and democratic society.

Are there any bottom lines?

Even allowing for the right of viewers to watch what they choose, there will be bottom lines – material that the public does not accept as appropriate, no matter how much care has been taken with scheduling, or how well viewers have been informed about what to expect.

Explicit sex will test the boundary. It seems likely, for example, that the public would not expect to see explicit adult material, that may be available in rental outlets, on a free-to-air television channel, even if it were broadcast late at night with a bevy of detailed warnings.

The BSA has also questioned whether a programme showing repeated real-life violence for the sole purpose of entertainment (e.g. 'reality' clips of people fighting) could ever appropriately be shown on free-to-air television. Indeed, the BSA concluded that the broadcast of such a programme at 8:30pm was 'an affront to decency' (decision 2003-018/019). This decision suggests that certain portrayals of violence might breach the standard, irrespective of the context.

Even bottom lines, however, may change depending on the channel concerned. Mass audience, general entertainment channels have a considerable degree of licence, perhaps because their audiences have the widest ranges of tastes and expectations. It is understood that programming on those channels will reflect that diversity.

On the other hand, with the increase in television channels available to New Zealanders, there are now many niche channels whose content is carefully selected to appeal to a certain audience. Even on Sky Television's basic start-up package, subscribers have access to channels providing material in such niche areas as history, science and technology, animals, home and lifestyle, and children's interests.

While audience expectations for a channel providing general entertainment might vary widely, expectations for many of these niche channels are almost certainly more constrained. The most obvious examples of this are the channels specifically targeting children, such as Nickelodeon or Disney. There is a clear expectation – on the part of both parents and the BSA – that the material broadcast on these channels will be suitable for its intended audience. Sex, violence and bad language are inappropriate in this niche, and their portrayal would inevitably threaten broadcasting standards. The bottom line in this context would be far more conservative than for a general entertainment channel.

In a similar manner, home and lifestyle channels, science and technology channels and natural history channels all provide specific content, quite different from general entertainment channels. Viewer expectations of these channels will be correspondingly different. Challenging content – such as repeated bad language on a home and lifestyle channel – would risk 'ambushing' viewers, and would potentially threaten the good taste and decency standard at an objectively lower level of seriousness than would be the case for general entertainment channels.

Therefore, in the context of niche channels, it seems likely that bottom lines will fluctuate depending upon the usual content of the particular channel. In some cases, as discussed above, the threshold for finding a breach of the standard may well be lower than for general entertainment channels. In other cases – such as pay-per-view channels – the threshold may well be significantly higher.

A different kind of pay television is pay-per-view, where viewers must pay an extra fee to receive either a particular programme or a block of time. Pay-per-view channels

in New Zealand in general offer three types of programmes: recent blockbuster movies, selected sporting/entertainment events (most often boxing or wrestling) and adult sexual material. In this environment, there is limited opportunity for viewers to be ambushed by challenging material. An adult purchasing adult content on Spice TV could rarely claim to be surprised by its sexual content.

It is likely that in the pay-per-view environment, good taste and decency is of reduced relevance. It is possible that the only bottom line in this context is that the material must be legal (i.e. not deemed objectionable under the Films, Videos and Publications Classification Act 1993), as the service is, in effect, similar to renting a DVD from a store. Any lower threshold for good taste and decency might well be an unjustified infringement on the rights of broadcasters to show legal material, in a controlled manner, to only those who specifically request it.

Such an approach would be consistent with the rationale behind the application of the good taste and decency standard discussed above – the right of individuals to exercise their informed choice.

Bottom lines are therefore a fluid concept. It is apparent that there is no universal bottom line that will apply across time-bands, channels and delivery mechanisms. A bottom line for one channel may be perfectly acceptable for another.

Radio

The radio code version of the good taste and decency standard differs due to radio's auditory nature. The standard in the radio code states:

> **Good taste and decency: Radio Code**
>
> *Principle 1*
> In programmes and their presentation, broadcasters are required to maintain standards which are consistent with the observance of good taste and decency.
>
> *Guideline 1a*
> Broadcasters will take into consideration current norms of decency and good taste in language and behaviour bearing in mind the context in which any language or behaviour occurs and the wider context of the broadcast, e.g. time of day, target audience.

Unlike television, radio has never had a classification and time-band system. There is often little information available about the content of a programme prior to broadcast. Therefore, the BSA uses two key principles to determine good taste and decency complaints about radio broadcasts: the interests of children, and target audience expectations.

Interests of children

For all radio stations content broadcast during times when children and young people are most likely to be listening, such as in the morning before school and after school, should be moderated appropriately.

Target audience and audience expectations

All radio stations have a clearly defined target audience and programme accordingly.

In 2005, the most popular stations for the 10–17-year-old audience were commercial music stations – The Edge, ZM, The Rock, Mai FM, Flava and More FM.[16] Stations that cater primarily to a more mature audience include Newstalk ZB, Radio Pacific, Solid Gold, Classic Hits, Hauraki and National Radio. The target audiences are clearly reflected in each station's content. Those targeting young people reflect 'youth culture', while those aimed at the older demographic focus on news, current affairs, talk, and music featuring hits from previous decades. None targets children specifically, although a few have a small number of children's programmes.

Broadcasters cannot always rely on a station's target audience as a defence for the broadcast of offensive material. The 'target audience' defence is predicated on the basis that stations aimed at a particular niche, for example young adult males, should be able to cater for that demographic without having to take account of the sensibilities of the wider population. As revealed in survey findings in Chapter 6 of this book, for many young men, it seems that anything goes. They seem relaxed about explicit talk of bodily functions, jokes at the expense of identifiable groups, and references to sex. University students, as well, are known to be liberal in terms of the type of content they consider acceptable.

However, while an older person might choose to avoid a station targeting young men or students, there is no way of ensuring that children are not listening. Thus, even niche-marketed stations, such as student radio, are expected to exercise a degree of discretion during times that children normally listen to the radio. This discretion applies to both talk and music selection.

Case Studies

This section discusses some influential complaints about good taste and decency on both television and radio determined by the BSA during the last 10 years. Complaints alleging a breach of this standard can be divided into five main categories:

1. The use of language (including blasphemy and song lyrics)
2. The portrayal or discussion of sexual activity
3. The portrayal of non-sexual nudity
4. Violence seen as an aspect of good taste and decency
5. Other material considered offensive by the complainant.

Decisions cited by number (e.g. 2000-104) in the following paragraphs can be read in full on the BSA website, www.bsa.govt.nz.

1. The use of language

For a summary of words considered most offensive by New Zealanders in a broadcast context, see Chapter 6, p. 97.

Every year the BSA receives a number of complaints about the use of bad language. In determining these complaints, the BSA recognises that swear words are used in many contexts and by many people. Nevertheless, the BSA's research shows that people generally find certain words offensive. They neither expect nor want these words to be a regular feature of their viewing or listening.

Free-to-air television

On television the use of expletives in G-rated programmes is highly unusual and is unlikely to be acceptable to the BSA. In PGR programmes, the rules are slightly more relaxed, but it is still likely that only low-level swear words would be considered acceptable (e.g. 'bugger' if used infrequently). There is no doubt that there are certain words that can be used only in AO time. Some are unlikely to be acceptable before 9.30pm. As the BSA has observed on a number of occasions, the 8.30pm watershed is not a waterfall, and material that is unacceptable at 8.29pm does not automatically become acceptable at 8.31pm.

In AO programmes, there is no presumption that any particular word will automatically breach the standard. Given the right contextual factors, such as the time of broadcast, appropriate classification, appropriate warnings and the context in which the language was used, even very strong language may be acceptable. However, it is certainly not a case of after 9.30pm anything goes. On a number of occasions, the BSA has upheld complaints about bad language where the use was overwhelming and unnecessarily gratuitous.

Much depends on the context in which the language is used. Colloquial speech tends to be less offensive than the same words used to abuse personally. The genre of the programme is also important. Stand-up comedy, for example, is well recognised as containing strong language. In drama, language appropriate to the characters and their situation is more acceptable than language unrelated to characterisation or story.

An example of this is found in a decision about *The Sopranos* which was broadcast on TV2. Typically for this series, the episode complained of contained extensive use of strong language. The programme began at 9.30pm, an hour after the watershed, and contained a strong warning about language. The BSA found that the language was 'entirely consistent with the subject matter and was a credible aspect of the characters portrayed'.

> While such language might have been offensive in another context, the Authority considers that within the mob culture, it was acceptable everyday speech which reflected the values of that group. In the Authority's view, the language used was part of the natural milieu of the characters and appeared to add credibility and authenticity to the characterisation. (2000-104)

Other cases where the BSA found the use of bad language did not breach the standard include:

- The action film *The Last Boy Scout*, which screened on TV2 at 9.25pm. The BSA noted that 'the audience watching a film of this nature, would not be surprised by the language used in the film, as it is not uncommon for films of this genre to seek realism through the characterisation and language that is the subject of this complaint' (2002-183).
- The TV drama series *Spooks*, which was shown on TV1 at 9:30pm. The BSA found that although no specific warning about language was given, the language complained of was not used until 10pm. The series involved tough characters in a shadowy part of law enforcement, and the language was not unexpected in the environment being portrayed (2004-068).

- The comedy series entitled *Havoc 2000 Deluxe*, shown at 10.20pm on TV2, in which the hosts used strong language on a number of occasions. The BSA considered that the language used was gratuitous, but given the late-night time of broadcast, the young adult target audience, the well-known 'Havoc and Newsboy' characters and their humour, and the fact that the use was not threatening, abusive or sexual, the standard was found not to have been breached (2000-041).

On the other side of the coin, a complaint was upheld about the film *Albino Alligator* broadcast on TV4, beginning at 9.30pm. In finding a breach of the standard, the BSA held that in spite of a number of contextual factors mitigating the effect of the broadcast (the programme's AO rating, the time of screening, and the visual and verbal warning preceding the programme), these were insufficient to outweigh the gratuitous, repeated and overwhelming use of highly offensive words (2001-211).

Another case in which the standard was found to have been breached was a music video, broadcast at 4.25am on TV2, containing a reference to the drug rape of an under-age girl, with the lyrics, repeated four times, 'he fucked her all night'. While this was broadcast in the early morning, when few people were likely to have been watching, and music videos are known to every so often contain challenging material, a majority of the BSA concluded that the combination of the repetitive use of the language, combined with the theme of drug rape, meant the broadcast went beyond commonly accepted norms of decency and taste (2002-154).

Radio

As noted previously, bad language is heard less frequently on radio than on television. Commercial radio announcers, who may push the boundaries in terms of sexual innuendo, apparently rarely use swear words. Swearing, it seems, is generally confined to those stations with established youth target audiences.

The BSA has dealt with relatively few cases involving the use of bad language by radio announcers. Indeed, some of the complaints were about the public broadcaster National Radio. This demonstrates that material that takes listeners by surprise, on a station where they do not expect it, may cause offence.

None of the National Radio complaints was upheld. National Radio's target audience is rarely children, and it is probable that few children were listening to the news and current affairs or arts programmes complained about. Second, the language complained of was used in an appropriate context such as in literature, drama, or reporting in an objective way the words of news-makers.

While commercial radio announcers are generally careful about their language when children might be listening, there is the occasional lapse. The BSA has received only one complaint about an announcer using New Zealanders' number-one offensive word, 'cunt', on Channel Z at 4.30pm. That complaint was upheld despite the station arguing that the announcer was simply reporting the words of a rugby player who had been sent off. The BSA noted that children could reasonably have been expected to be part of the listening audience at that time, and the broadcaster was ordered to pay $750 costs to the Crown (2001-131).

The Rock was the subject of numerous complaints about bad language in the early 2000s, a number of which were upheld. In one decision, the BSA concluded:

> In the Authority's view, the use of the word 'fuck' at breakfast time breaches the requirement for broadcasters to maintain standards consistent with the observance of good taste and decency, given the nature of the language, and the fact it was broadcast at a time when children could reasonably be expected to have been part of the listening audience. Furthermore, as the Authority considers that 7.40am falls within normally accepted listening time for children during weekday mornings, the Authority also considers that the broadcaster breached its obligation to be mindful of the effect of the broadcast on children. (2002-121/127)

The BSA's decisions on both television and radio programmes suggest that the use of very strong language at times when children are likely to be listening will normally breach the requirement for good taste and decency. Outside those times, the complaint will turn on the context of the broadcast such as the target audience, whether the use was insulting or provocative, whether the language was repeated or was just a one-off, and other relevant contextual factors as discussed earlier in this chapter.

Blasphemous language

The BSA receives a few complaints each year about the use of language considered blasphemous.

While some with religious beliefs find such language blasphemous, it forms a common part of colloquial speech for other New Zealanders. The BSA acknowledged this polarisation in a decision about an interview on National Radio during which the interviewee said 'Christ' as an exclamation (the BSA's research shows that 'Jesus' and 'Christ' are the most offensive of the blasphemous expressions. See Chapter 6).

> ... the Authority has to test the language complained about against community standards of good taste and decency. On this occasion, the Authority recognises that the use of the word 'Christ' in the context complained about could be seen as offensive to some people. It notes that public opinion surveys conducted by the Authority indicate that blasphemy is viewed by some as a very serious lapse of good taste. However, the Authority's research also shows that the community's views on blasphemy are polarised, and to a majority, the use of the word in question in this context would not offend against community standards of good taste and decency. Accordingly, it declines to uphold the complaint that Principle 1 was breached in the specific situation complained about. (2000-054)

BSA decisions to date do not mean that such language could never amount to a breach of standards. It is possible that in certain contexts such as a programme aimed at young children or a religious programme broadcast on a Christian holiday, the provocative use of blasphemous language might amount to a breach of standards.

Song lyrics

Song lyrics are often controversial. Again, the key factors are likely to be the time of the broadcast, and whether children could be listening.

Songs that contain explicit lyrics broadcast during children's listening times will probably breach the standard. This was the case when explicit lyrics repeated in a song by the Nine Inch Nails were broadcast at around 5.00pm, on commercial station 96.1 (1999-065).

In certain cases, despite factors usually considered mitigating, a broadcast can breach the standard because of highly sexually explicit lyrics. The BSA considered a

complaint about a song called 'You Suck', broadcast on student radio station 95bFM at 8.30pm. The lyrics contained explicit references to oral sex. The BSA concluded:

> On previous occasions, the Authority has held that broadcasts on student radio stations present a special case when it considers the application of the good taste standard. (See, for example, Decision Nos: 1993-145, 1996-068 and 1997-029). Nevertheless, those decisions acknowledge that although it is accepted that the boundaries of acceptability will be tested on those stations, the requirements of the Broadcasting Act and the Radio Code of Practice still apply. Notwithstanding the special contextual factors in operation at the time the song was broadcast, and the song's satirical intent, the Authority concludes that its unusually graphic and sexually explicit content exceeded community expectations of good taste and decency. Despite the fact that the target audience was gay and lesbian listeners, the broadcaster must be aware that it is unable to restrict its audience to such a limited group. (2000-154)

2. The portrayal or discussion of sexual activity

Once again, the determination of complaints about the portrayal of sexual activity takes into account the context in which the broadcast took place.

Free-to-air television

Time-bands are critical. Any frank discussion of sex or portrayal of sexualised activity in a G-rated programme would test the limits of the standard. PGR programmes may have a little more latitude, but there continue to be restrictions. While PGR programmes might contain sexual themes (a *Shortland Street* decision 2001-233 is a good example), these must be limited to the extent that they are suitable for child viewers who are subject to adult supervision.

During a gay film festival, Triangle Television, a regional TV station, broadcast a film called *Issues 101*, a movie about gay college students in California. The movie screened at 8.30pm, and contained prolonged scenes of oral and anal sex, although no genitalia were visible.

Despite the movie's AO classification, its broadcast time of 8.30pm, that it was preceded by a warning and formed part of a film festival targeted at a gay adult audience, a majority of the BSA found that the film breached standards of good taste and decency.

> The majority of the Authority is of the opinion that regardless of the contextual matters, the scenes involving oral and anal sex went beyond the outer limit of what was acceptable on free-to-air television.
>
> The majority of the Authority is of the opinion that the activity complained about was prolonged, graphic, and featured an indulgent depiction of oral sex which, notwithstanding the absence of genitalia, was considered to be explicit. (2003-047)

Other programmes that have been judged to have gone too far involved 'documentary-style' shows about sex which were, in reality, simply an excuse to broadcast material designed to titillate. *Hollywood Sex* and *British Sex*, both broadcast at 9.30pm on TV2 and TV3 respectively, focused on sexual practices and the sex industry. The programmes offered minimal observations or commentary on the material shown. Instead, they appeared designed primarily to satisfy viewers' prurience. The BSA

found that both programmes breached standards of good taste and decency. In relation to a complaint about *Hollywood Sex*, the BSA concluded:

> The contextual factors which the Authority considers relevant on this occasion include the time of broadcast, the programme's AO classification, and the fact that a warning, which the Authority considers to be clear and explicit, preceded the programme. In addition, it considers that the programme's title gave an unambiguous signal as to its likely content. The Authority also considers as relevant the fact the programme was broadcast on free-to-air television.
>
> In reaching its decision, the Authority notes that the programme's content was clearly aimed at adult viewers. Nevertheless, sex was the sole and uninterrupted focus of the programme and was, in repeated instances during the broadcast, presented in graphic detail.
>
> The Authority notes too that the programme material was presented without any explanation or commentary of substance. It considers that the absence of such explanation or commentary contributed to an impression that the material was gratuitous and voyeuristic, and that the primary purpose of the programme was titillation.
>
> While programmes which are scheduled during AO time and which are classified AO are intended for adult audiences, broadcasters are still obliged to comply with the requirement to observe standards of good taste and decency. The Authority considers that, notwithstanding the contextual factors cited above, the programme's content exceeded the limit of what is acceptable in terms of decency and taste in behaviour on free-to-air television at 9.30pm. (1999-234, see also decision 2000-040)

Likewise, *Mo Show,* a 'documentary-style' programme on TV2 about making pornographic films, broadcast at 10pm and targeted at a young-adult audience, was found to have breached the standard, mainly in view of the intention to titillate (2003-001).

The BSA's decisions suggest that where appropriate care is taken in respect of non-explicit sexual material on free-to-air television, the standard will not be breached. Even sexualised nudity may be acceptable provided the content is adequately classified. On the other hand, the standard will be threatened by highly explicit material – even if warnings have been given, or by material that focuses on sex or sexual practices in a manner clearly designed to arouse prurient interest or titillate.

Pay-TV

Two decisions emphasise the need to exercise discretion about the broadcast of sexualised material outside an AO time slot even on pay television. They concern the US-made dating show *The Fifth Wheel*. The BSA received complaints about two episodes of the show on pay television, one on Sky TV, the other on Saturn. Both were broadcast at 6.30pm, rated PGR, and contained sexualised nudity and behaviour. In both cases, the nudity was electronically masked, but the sexual nature of the material was unmistakable.

The BSA found that the sexual material was gratuitous and inappropriate for a PGR programme playing at 6.30pm. Even though the actual nudity was masked, the nature of the sexual behaviour was such that it was clearly unsuitable for a younger audience. This was aggravated by the fact that the subsequent programme was *The Simpsons*, which was likely to attract younger viewers. The BSA acknowledged that

pay television might be allowed more latitude than free-to-air television in terms of sexual content, but considered that the conduct on these programmes went too far. Both broadcasters were ordered to pay $1,500 (2004-092/093, 2004-094).

These decisions suggest that during children's normally accepted viewing times pay channels will probably be subject to similar standards as free-to-air. Interestingly, the national survey in Chapter 6 found that 70% of those with pay-TV thought that the same standards should apply for pay-TV as free-to-air.

During adult viewing times on pay television, other contexts are considered when determining whether or not a breach has occurred. On one occasion, it was relevant that the programme, *Emmanuelle 7,* was broadcast at 12.30am on Sky 1, and preceded by a warning (2004-007).

However, it was also relevant that the material complained about was a rape scene included in an adult movie comprising multiple scenes of 'soft core' sexual depictions. In the context of an adult movie, the BSA considered that the rape scene appeared designed to be as titillating as the consensual sex that was depicted.

While R18 programmes which are scheduled after 8pm on pay television are intended for adult audiences, broadcasters do not have a licence to schedule programmes which do not conform to broadcasting standards. The BSA considered that the eroticised presentation of the rape scene in *Emmanuelle 7* should not have been broadcast and upheld the complaint.

While this case may provide a bottom line for pay television, as noted earlier in this chapter, parameters for PPV and specially targeted digital channels have not yet been determined.

Radio

The range of radio stations available allows listeners to find one compatible with their values, perhaps this may contribute to the lower level of complaints reviewed by the BSA about radio broadcasts.

While innuendo abounds on commercial radio morning shows, explicit sexual material is unusual. The exception to the rule has been The Rock where, some years ago, morning show announcers regularly discussed sexual themes, often in a crass and explicit manner. One complainant decided to take The Rock to task and lodged multiple complaints over a two-year period. The BSA, in several decisions between 2000 and 2002, found that The Rock had breached the code, especially at times when children were likely to have been listening to the radio. (See decisions 2000-182/191, 2001-071/084, 2001-138/204, 2002-121/127, and 2002-128/143.) The BSA imposed orders for costs to the Crown in these decisions, which required the broadcaster to pay a total of $40,750.

In a recent decision about a broadcast by Radio Pacific, the BSA determined that a discussion about the sex industry between the presenter and 'adult entertainment king', Steve Crowe, did not breach standards. The BSA held that the discussion was targeted at an adult audience and broadcast at a time when children were not likely to have been listening to the radio (midday on a Friday). Furthermore, the discussion was matter-of-fact, and not designed to shock or titillate (2005-015).

It is apparent from these decisions that radio announcers should take care in their discussions of sexual themes and, particularly, not indulge in crude anecdotes or jokes at times that children are likely to be listening.

3. The portrayal of non-sexual nudity

During the PGR timeband, non-sexual nudity may not necessarily constitute a breach of the code, depending on the context of the depiction. A PGR programme specifically targeting a younger audience would have to exercise discretion in showing nudity or partial nudity. In *Ice TV*, a TV3 PGR-rated show aimed at a teenage audience, the male presenters showed their buttocks as part of a skit. On that occasion, the BSA did not uphold the complaint, noting the humorous context and that the nudity was at a very low level (1999-175).

News and current affairs programmes sometimes contain items involving nudity, and naturism features reasonably regularly. Provided the nudity is not sexualised and is relevant to the item, the standard is not usually threatened (see decisions 2005-018, 2005-027, 2005-029). These programmes, although unclassified, are often broadcast during an underlying PGR timeband. The BSA will take into account that children are less likely to watch news programmes unsupervised.

In AO time, the BSA has recognised that non-sexual nudity is more acceptable. For example, a complaint about a scene in a TV One drama programme, *Ultimate Force,* in which male and female soldiers were shown showering together, was not upheld (2005-013).

In AO time, as long as the broadcaster takes appropriate care in terms of time of broadcast, classification and warnings, it remains the case that relatively few complaints about 'non-sexual' nudity have been upheld.

4. Violence

While there is a separate broadcasting standard dealing with violence, the BSA has found that repetitive depictions of realistic violence that are included primarily for the voyeuristic entertainment of viewers may also breach standards of good taste and decency.

In decision 2003-018/019, the BSA upheld a complaint about *Maximum Exposure: International Fight Club* which screened on Prime TV at 8.30pm. The programme consisted of a series of clips of people fighting, both brawling in groups and fighting one-on-one. The clips contained a high level of violence, showing multiple shots of people being punched and kicked in the head and body, sometimes by a number of assailants simultaneously. The clips were accompanied by a soundtrack which artificially emphasised the sound of the blows landing.

> The Authority considers that the relevant contextual factors on this occasion include the time of the broadcast (at 8.30pm), and the collage of clips depicting violent behaviour, which was gratuitous and intended as entertainment. In the Authority's view the material shown was outside current norms of good taste and decency because the footage shown was a sustained display of violence which was an affront to decency. The accompanying sensational and flippant commentary promoted and trivialized violence in a mocking manner. (2003-018-019)

Another complaint about violence which the BSA upheld involved a scene from *The Sopranos* in which one of the mobsters beats a pregnant woman to death. The show was broadcast on TV2 at 9.30pm, was classified AO, and was preceded by a strong warning. Nevertheless, the BSA concluded the programme breached the good taste and decency and violence standards.

> The Authority has considered these contextual matters carefully and concludes that they did not justify the broadcast of the attack scene. The Authority does not consider that the material was essential in the context of the programme. In its view, the violence was gratuitous. In the Authority's view, the fact that the blows were not seen connecting was outweighed in this instance by the realistic and horrific nature of the assault scene reinforced by the visuals of the bloodied woman's body shown afterward. The Authority also considered the broadcaster's argument that the scene was important to the character development of Ralph, the instigator of the attack. In its view, it was not. Ralph's character seemed apparent to the Authority without the need for the scene complained about. (2002-008)

By way of contrast, the BSA has declined to uphold complaints where the violence is obviously staged and unrealistic, especially when screening in AO time. A complaint about a WWF wrestling show on TV4 from 8.30pm was not upheld. Despite the high level of violence, the bouts were known to be staged (2000-026/027). A complaint about a programme that took a satirical look at prison life, *Bogan's Heroes* on TV2 at 11.25pm, was not upheld because the BSA found that the 'manifestly unreal nature of the [violent] imagery' was an important factor (2005-102).

As with other aspects of good taste and decency, the BSA's decision will turn on the care that the broadcaster has exercised in showing the material. As the above cases demonstrate, the use of realistic violence, especially as entertainment, needs to be approached with a considerable degree of care.

5. Other material considered offensive by the complainant

This category covers the discussion or portrayal of other matters that are potentially distasteful or offensive such as critical comment or coverage of tragedy.

As with all good taste and decency complaints, much will ride on the context. Was the discussion or portrayal serious or flippant, deliberately provocative or a genuine discussion about a sensitive issue?

This category is especially relevant to talk radio, during which hosts and callers sometimes offer controversial thoughts or ideas. A number of decisions emphasise the need for hosts to exercise a degree of care.

In one decision, a Radio Pacific talkshow host referred to Ministry of Education staff as 'child molesters of the mind'.

> ... in view of the image of sexual violation commonly connoted by the phrase, the Authority is in no doubt that the repellent concept contained in the phrase breaches the broadcasting standard requiring good taste and decency. (1997-051)

In a similar vein, the BSA also upheld a complaint about a Radio Pacific broadcast in which the caller, discussing the Department of Conservation's plan to cull mountain goats from a helicopter, stated:

> I mean, they weren't satisfied with getting rid of a few people at Cave Creek, now they've got to go up and start on the animals.

The host responded:

> These must be the worst pack of bastards ever to work for the public service.

The BSA concluded that the offensiveness of the caller's remark was such that the host was obliged to take steps to soften its impact.

> [The] Authority considers that the presenter's responsibility was, in the context of such a flagrant breach, to respond in such a way as to ameliorate the offensiveness of the remark. That did not occur and, accordingly, the Authority finds that the comment and the presenter's response also contravened the standard [of good taste and decency]. (1998-035)

Personal abuse will threaten the standard. A recent decision demonstrated the risk hosts run if they abuse identifiable people. A complaint was made about the host of a Radio Sport talkshow who got into an argument with a caller who had called him an 'overstayer' (the host was English). The host responded with several terms of abuse, including calling the caller a 'soft cock'. The BSA observed that the comments were borderline, and that 'the abusive tone and manner in which [the term] was used pushed the comments to the limit of acceptability'. However, it found that there were several mitigating features such as the caller's previous abuse of the host, and concluded that the standard was not breached on this occasion (2004-100).

News and current affairs programmes are sometimes the subject of good taste and decency complaints. For example, a complaint was made about a 6.00pm *One News* edition that reported a crash at Western Springs Speedway in which the driver was killed. The BSA made the following observations:

> On this occasion, the footage showed a fatal accident when it occurred at a local speedway. There was, therefore, a high likelihood that the television audience included people who knew the victim. Although filmed from a distance, the footage was broadcast a total of four times during the broadcast, including once in the news headlines. By the time of the third and fourth repeats of the footage, viewers would have been in little doubt as to which object was the man and how he was killed. Furthermore, the item was placed early in the news bulletin and was not preceded by a warning. These matters are factors which potentially could result in a breach of the standard.
>
> Against this, the Authority notes that the accident was filmed from a distance, that it was not immediately clear which of the objects that were flung from the car was the man, and that there were no shots of the aftermath of the accident. Furthermore, as TVNZ has described, the commentary raised an issue about the failure of the safety harness and reported that officials were mystified as to why the driver had not been restrained when the car flipped. As it was a well patronised local event, the Authority acknowledges that it was of interest to viewers, particularly as the race track apparently had a good safety record. (1999-080)

The BSA did not uphold this complaint, but the decision serves as a warning that violent or tragic news footage should not be played or repeated gratuitously.

Conclusion

There is no single answer to the question of what breaches 'current norms of decency and taste in language and behaviour'. The problem, as noted at the start of this chapter, is that there are no such commonly accepted norms. New Zealanders' views about taste and decency differ; what is outrageous to one, passes unnoticed by another.

In the area of good taste and decency the BSA can only act as a safety net. It cannot hope to cater to the range of personal tastes that exist within our society. Given the impossibility of applying a single standard that meets everyone's expectations, its job

must be to establish the outer limits of society's acceptance, acknowledging various contexts, and there draw the line.

A review of the cases discussed above demonstrates that there are three fundamental principles that guide the BSA in constructing this safety net. First, is the principle that children are worthy of special protection. Whether about radio or television, the BSA's decisions emphasise its strong expectation that material likely to be heard or seen by children should recognise their innocence and vulnerability. The television classification and watershed systems underpin this special protection.

The second principle is that of the freedom of personal choice. As a democratic society, New Zealanders place great value on individuals' rights to choose. Outside of children's listening and viewing times, this principle is critical. The more that viewers and listeners are able to make informed choices about what they watch and hear, the less justification there is for the BSA to intervene.

Third, despite the audience's right to choose, there are bottom lines. Where those lines are drawn is not constant; they shift based on the context of each case, and the prevailing societal attitudes of the time. Drawing those lines is always going to necessitate an exercise of judgement by the members of the BSA, and for that reason there is no magic formula. Bottom lines do exist, and as is demonstrated by the cases discussed above, they are regularly drawn.

6 National survey

ACNielsen

This chapter reports the findings of a national survey about public attitudes towards free-to-air broadcasting standards. It was conducted during May and June 2005 with 500 members of the general public aged 18 years and over. The questions focused primarily on the broadcasting standards of balance, fairness, accuracy, and good taste and decency.

These findings continue the BSA's longitudinal research last reported as *Monitoring Community Attitudes in Changing Mediascapes* in 2000. In 2005 new emphasis was placed on exploring issues around balance and fairness. Neither TV violence nor privacy were specifically probed this time as major studies of both were released in 2004.[17]

Focus groups, reported in Chapter 1, helped develop questions about the importance of the balance and fairness standards.

Executive Summary

This survey confirms that the majority of the public continues to consider it important that an independent organisation should be responsible for overseeing the standard of broadcasting in New Zealand.

Spontaneous concerns

Two thirds of New Zealanders spontaneously describe something that concerns them about what is shown on television. As in previous studies (in 1993 and 2000), the most frequently mentioned concerns relate to the portrayal of violence, sex and nudity, and to bad language.

Just one third of New Zealanders spontaneously describe something that concerns them about what they hear on radio, with the most common concern being bad language.

There are indications that, compared with 2000, there may be a higher level of concern about sexual content and bad language on television.

Importance of broadcasting standards

The principle of accuracy is seen to be of particularly high importance, followed closely by the principle which considers the interests of children.

The importance of having standards for broadcasters relating to accuracy, fairness

and balance is rated strongly. However, these areas are not nearly as prominent as violence, sexual content and bad language when respondents are invited to spontaneously identify what concerns them on television.

Accuracy, balance and fairness

While these three standards are seen as very important in all factual formats on both television and radio, the public indicates that accuracy is of paramount importance. This is particularly the case for television news broadcasts.

There is slightly more leeway given to radio talkback in relation to these standards, but the majority still believes it is important even for radio talkback to adhere to the principles of accuracy, fairness and balance.

Good taste and decency – language

There has been a slight 'softening' of attitudes overall.

The words the public finds unacceptable in broadcasting in 2005 are largely the same as those found unacceptable five years ago. Broadcast words that are unacceptable to the majority of New Zealanders are set out in Table 6.7 on page 97.

The majority indicates that they find the same words unacceptable in any context.

Good taste and decency – sex and nudity

As with the 2000 research, the strongest determinant of whether a scene is acceptable or not relates to the time of broadcast (before or after 8.30pm). Secondary determinants are the level of explicitness and the importance of the scene to the story.

Discussion

When the results of this survey are considered in their entirety, and comparisons made where possible with 2000, the sense obtained is that, while society may have become more liberal over time, there is possibly more concern now than in the past about protecting children. This view is based on the following results.

- Some people spontaneously mention concerns about what children are exposed to on television when this concern has not been so prominent in previous surveys.
- Even though the great majority indicate that it is largely parents' responsibility to control what their children watch on television, most people also see it as critical that there are standards for broadcasting that consider the interests of children.
- The three sex and nudity scenarios that respondents find slightly less acceptable than in 2000 are arguably those that might be seen by children (early evening news, drama and movies shown before 8.30pm).

If concern has indeed increased, this is also likely to have been contributed to by the high-profile prosecutions for child abuse, paedophilia and possession of child pornography seen in recent times.

Questionnaire design

The questionnaire was designed to provide appropriate background and context where relevant to help respondents express their views and ensure correct interpretation of responses.

At the beginning of the interview respondents were informed as follows.

> This survey is about the standard of broadcasting in New Zealand. By standard we mean what you find acceptable on television and radio. We don't mean whether you think there are too many ads or not enough dramas. We want to know what you personally think is acceptable. Remember, there are no right or wrong answers.
>
> We are only talking about broadcasting that is free to the viewer or listener, such as TV1, 2 or 3 or Prime TV, and not broadcasting you pay for like Sky or Saturn.

This introduction was also summarised on a showcard and left in view of respondents to remind them of this context during the interview.

The methodological details of the research design are set out in Appendix F. The questionnaire is reproduced in Appendix G.

Respondent profile

The main purpose of establishing respondents' media-use behaviour and preferences was to provide context for interpreting the findings relating to standards. There is a demographic profile of respondents in Appendix E.

Technology in the household

Just fewer than four in ten (37%) of respondents reported that they have pay-TV. This is comparable with the Nielsen Media research (National Readership Survey, January – December 2004), where 36% reported they have pay-TV.

Around two-thirds (66%) of respondents indicated they have Internet access in their household. Again, this is consistent with Nielsen Media research (Netwatch, Quarter 1, 2005), where 64% reported Internet access in households.

Television viewing

Respondents were asked what kinds of television programmes they watched regularly.

As shown in Table 6.1, respondents said that the news is their most popular type of programming, followed by documentaries. Around half of respondents said they are regular watchers of comedy/sitcoms, current affairs, sports and/or movies. They said that their least popular genres are reality-TV and lifestyle and cultural programmes.

While not directly comparable due to changes in the wording of the question, in the 2000 study, respondents said they watched most often documentaries (53%), current affairs (51%), comedy (50%), sport (49%), drama (43%) and news (41%).

Table 6.1: Television viewing (2005)

	% watch regularly
News	80
Documentaries	64
Comedy or sitcoms	54
Current Affairs	54
Sports	53
Movies	52
Drama	43
Lifestyle & Culture	35
Reality TV & TV based on real life events, where a lot of the content is spontaneous	27
Other	7
None	3

As reflected by the younger focus-group members reported in Chapter 1 of this publication, younger people tend to be lower consumers of factual programming. Those who are 18 to 24 years of age say they are less likely to regularly watch:

- the news (57% c.f. 80% of the total population)
- documentaries (30% c.f. 64% of the total population)
- current affairs (20% c.f. 54% to the total population).

Māori say they are less likely than New Zealand Europeans to watch the news regularly (69% and 82% respectively state they are regular news watchers). Interestingly, a Māori woman, during focus-group discussions reported in Chapter 1, said that Māori in New Zealand:

> ... feel very aggrieved in terms of the media because all they present is the sensational, bad stuff. There's a whole raft of really great stuff going on but nobody even knows about it .... This influences us as a nation; it influences the way we vote, the way we respond. *Female, 60s, Christchurch*

All respondents were asked how many hours (on average) per week they personally watched television. Around half of the respondents said they watched up to 15 hours on average per week. About one quarter said they are heavy consumers of television per week, watching more than 21 hours on average.

Table 6.2: Hours watched (TV)

	%
None	3
Up to 15 hours	51
15–21 hours	23
More than 21 hours	23
Don't know	-

Radio listening

Respondents were asked what kinds of radio stations they listen to regularly.

As shown in Table 6.3, commercial music stations are the most popular, with two thirds (65%) saying they listen to music stations regularly. Nearly one quarter (24%) say they regularly listen to talkback radio, and 19% say they regularly listen to the National Programme.

Table 6.3: Radio listening

Radio stations	% listen to regularly
Music stations (e.g. More FM, Classic Hits, The Rock)	65
Talkback radio (e.g. Radio Pacific, Newstalk ZB)	24
National Radio	19
Concert FM	9
Other	13
None	7
Don't know	0

Older people are more likely than younger people to say they regularly listen to the National Programme and talkback radio.

- 7% of those aged 18 to 44 years regularly listen to the National Programme c.f. 34% of those 45 years and over
- 20% of those between 18 and 54 years old regularly listen to talkback radio c.f. 35% of those 55 years plus.

Regular National Radio listeners are more likely to be New Zealand European (23%) than Māori (5%).

All respondents were asked how many hours (on average) per week they listen to the radio. Around one third (32%) said they are relatively light listeners, averaging up to four hours per week. On the other hand, just under four in ten (37%) said they are heavy consumers of the radio, listening for more than ten hours per week (Table 6.4).

Table 6.4: Hours listened (radio)

	%
None	6
Up to 4 hours	32
4–10 hours	23
More than 10 hours	37
Don't know	1

Broadcasting standards overall

This section reports the findings from areas of questioning relating to broadcasting standards overall. It covers those issues that respondents raise spontaneously when asked to identify what, if anything, concerns them about what they see or hear on TV or hear on radio, and how important respondents feel it is for broadcasters to have standards in each of a number of the areas where standards currently exist.

Spontaneous television concerns

Spontaneous expression of concerns is an area of questioning that has been included in previous surveys.

As with previous years, violence continues to be the main concern about television mentioned spontaneously (35% in 2005, 31% in 2000, and 43% in 1993). Next most frequently mentioned are sexual content/sex and bad language in television programmes. The main concerns are listed in Table 6.5.

While the survey questions are not strictly comparable and caution should be exercised, there are indications that the level of spontaneous concern with sexual content/sex and bad language on television has increased since 2000. In particular, while 28% expressed concern about sexual content/sex in 2005 and 11% expressed concern about nudity, in 2000 the corresponding figure for sex/nudity combined was 20%. While 28% expressed concern with bad language in 2005, in 2000 this figure was 15%.

Respondents in 2005 spontaneously expressed concern about what children are exposed to on television. There is no comparison available from 2000. A specific free-to-air television standard to take account of the interests of child viewers came into effect in 2002, introducing a new 'children's interests' standard with nine guidelines. In 2000 survey respondents spontaneous concerns were grouped using the standards in the codes as they were then.

Three in ten people (32%) did not express any concerns with television programming. Those less likely to express any concerns were respondents aged under 25 years (67% expressed no concerns) and Māori (56% expressed no concerns).

Only around 5–6% of respondents spontaneously mentioned concerns relating to the fairness, accuracy and/or balance standards.

Women were more likely than men to express concern about violence (44% c.f. 24%), sexual content (36% c.f. 19%) and bad language (33% c.f. 22%). The older the age-group, the greater the proportion expressing concern about bad language (8% amongst those aged 18–24 years, increasing to 50% amongst those aged 65 years and over). Not surprisingly, those responsible for younger children were also more likely than those with no child responsibilities to spontaneously express concern about violence, sexual content, nudity and bad language on television. For example, the comparative results for those responsible for school-age children or younger, versus those in group flatting situations were as follows: violence (38% c.f. 12%), sexual content (31% c.f. 8%), nudity 12% c.f. 0%), bad language (27% c.f. 12%).

Spontaneous radio concerns[18]

Table 6.6 shows that in comparison to television programming, New Zealanders have fewer concerns about radio programming, with over two thirds (68%) stating that nothing concerned them about what they hear on the radio.

Of the concerns raised, bad language was the most commonly mentioned, followed by sexual content/sex. These and other concerns are listed in Table 6.6. Again, only a very small proportion of respondents (3–4%) spontaneously mentioned that they had concerns with balance, fairness and/or accuracy on radio.

The level of concern expressed with radio is consistent across demographic groups.

Table 6.5: TV concerns (2005)

	%
Violence	35
Sexual content/sex	28
Bad language	28
Unacceptable moral standards	16
What children are exposed to	14
Nudity	10
Lack of respect for people or organisations	7
Racism	7
Reality TV	7
Not respecting people's privacy	7
Tabloid, sensationalist or sleazy journalism	6
Lack of balance	6
Lack of accuracy	5
Lack of fairness and justness in dealing with people or organisations	5
Sexism	5
Unprofessional journalism	4
Programme promos	3
Stereotyping	2
Not enough NZ content	2
Other	8
Nothing concerns me	32

Table 6.6: Radio concerns (2005)

	%
Bad language	16
Sexual content/sex	7
Unacceptable moral standards	6
What children are exposed to	5
Racism	4
Song lyrics	4
Unprofessional journalism	4
Lack of respect for people or organisations	4
Violence	4
Lack of balance	4
Not respecting people's privacy	3
Lack of accuracy	3
Lack of fairness and justness in dealing with people or organisations	3
Sexism	2
Stereotyping	1
Not enough NZ content	1
Programme promos	1
Tabloid, sleazy or sensationalist journalism	1
Other	3
Nothing concerns me	68

Importance of broadcasting standards

A new question in this 2005 survey asked respondents to rate how important they felt it was that free-to-air broadcasters had standards for broadcasting in each of a number of the areas where standards currently exist.

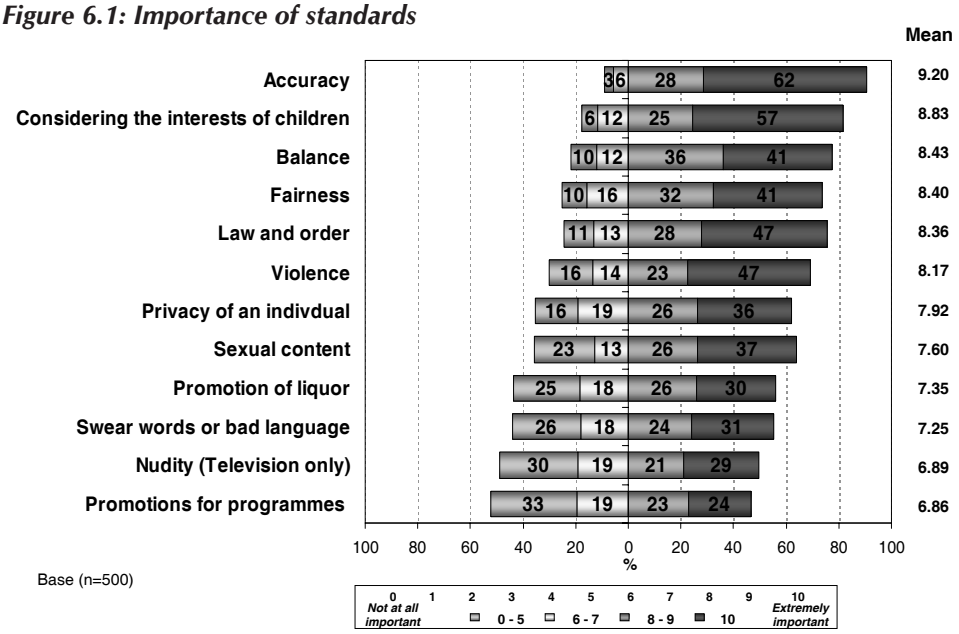
The purpose of this question was to ascertain whether the public see standards as being important in all these areas, and to identify the areas that people see as relatively more important.

Respondents were asked:

> I am now going to read some of the things that there are broadcasting guidelines on. I would like you to rate how important you personally feel it is that broadcasters have standards for each of these areas. Again, just a reminder there are no right or wrong answers, we really just want you to state your honest opinion. Using this scale of 0 to 10, where 0 means not at all important and 10 means extremely important, how important do you feel that there are standards set for our free-to-air broadcasters in relation to ....

The following figure illustrates the responses given. The figure ranks the areas according to the proportion of respondents who rated each at least 8 out of 10 in terms of how important they perceived it to be that standards were set in this area.

Figure 6.1: Importance of standards



This survey confirms that the majority of the public considers it important to have standards in each of the areas indicated.

Accuracy achieved the highest ranking, with 6 in 10 (62%) giving this a rating of 10 out of 10 (extremely important) and a further 28% rating it as 8–9 out of 10. Considering the interests of children was rated the next most important, followed by balance and fairness.

It is interesting to note that while accuracy, fairness and balance, when prompted, are ranked as relatively more important areas for standards than violence, sexual content and bad language, the latter are more likely to be raised spontaneously about TV.

Responsibility of overseeing the standard of broadcasting

Respondents were asked whether they felt an independent organisation should be responsible for overseeing the standard of broadcasting in New Zealand or whether this should be left to the broadcasters themselves.

Two thirds (66%) of respondents indicated that they felt an independent organisation should be responsible, while 27% felt that the broadcasters should be responsible themselves.

More younger respondents (aged 18–24 years) were in favour of broadcasters overseeing themselves (43%).

Same standards of broadcasting for pay-TV

Respondents were also asked whether or not they felt pay-TV broadcasters such as Sky and Saturn (which people choose to subscribe to) should have to observe the same standards as free-to-air TV broadcasters.

Seven in ten respondents felt that pay-TV broadcasters should have to observe the same standards as free-to-air broadcasters, compared with 21% who disagreed that they should.

In particular, females and those aged 65 years and over were the most likely to agree that the same standards should be adhered to (76% and 88% respectively).

There were no differences in opinion found between those who currently had pay-TV in their households and those who did not. In other words, 70% of those with pay-TV agreed that the same standards should apply.

Good taste and decency – language

This research repeated questions asked in the 2000 survey concerning swear-words, blasphemies and other expletives.

Respondents were given the following scenario.

> I would like you to imagine each word being used in a television movie, in a scene where police have chased and are arresting a criminal. The criminal is swearing at the police. The television movie is screened after 8.30pm.

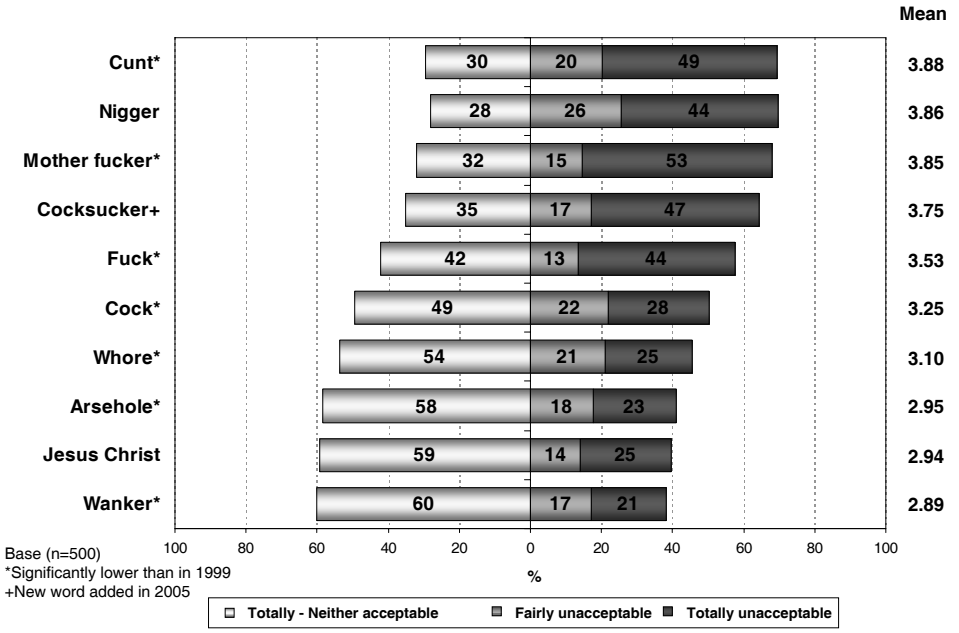
They were then shown a list of 23 words and asked to rate how acceptable or unacceptable each word would be if used in the scenario. They used a five-point scale: totally acceptable, fairly acceptable, neither acceptable nor unacceptable, fairly unacceptable and totally unacceptable.

For the 2005 survey, respondents were given a hand-held computer device which displayed each word on screen along with the acceptability scale. Respondents tapped the screen to record their answer. Theoretically, this method should have encouraged honest responses rather than 'socially-acceptable' ones.

The words respondents found most unacceptable were largely the same words in the previous surveys carried out in 2000 and 1993.

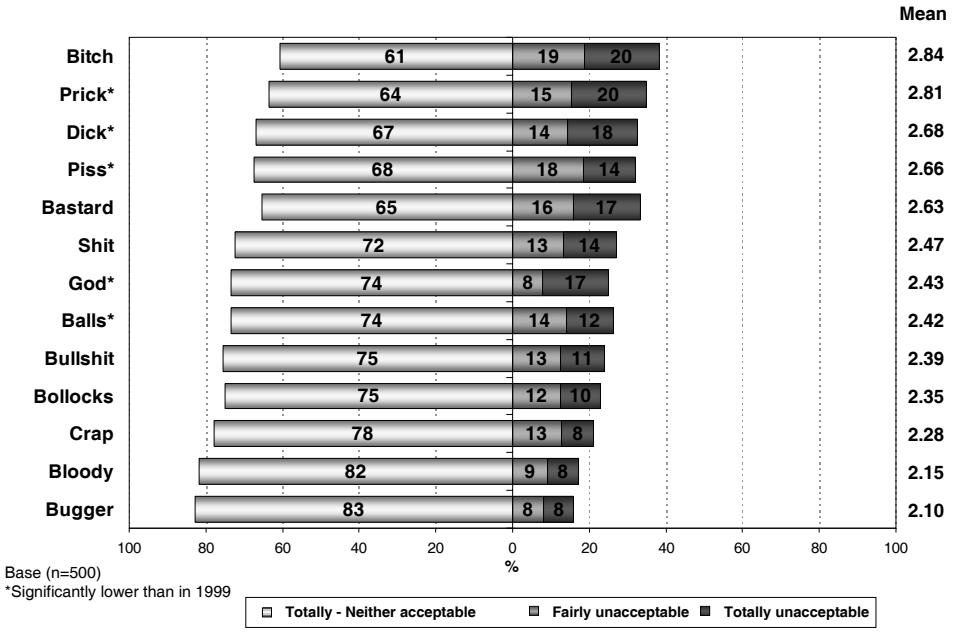
The top 10 most unacceptable words are shown in the following chart.

Figure 6.2: Ranking of unacceptability of words



The rest of the words tested are ranked as shown in the following chart.

Figure 6.3: Ranking of unacceptability of words, continued



There has been a slight 'softening' of attitudes towards some of the words since 2000. Some have decreased significantly in the level of unacceptability. These are bolded in the following table.

Table 6.7: Proportion who found each word 'fairly unacceptable' or 'totally unacceptable': comparison between 2005 and 2000

Words	2005 (%)	2000 (%)	+/– (%)
Cunt*	70	79	**–9**
Nigger	70	72	–2
Motherfucker*	68	78	**–10**
Cocksucker	64	na	na
Fuck*	58	70	**–12**
Cock*	50	58	**–8**
Whore*	46	55	**–9**
Arsehole*	41	49	**–8**
Jesus Christ	40	41	–1
Bitch	38	42	–4
Wanker*	38	48	**–10**
Prick*	35	43	**–8**
Bastard	33	36	–3
Dick*	33	40	**–7**
Piss*	32	38	**–6**
Balls*	27	33	**–6**
Shit	27	31	–4
God*	25	34	**–9**
Bullshit	24	28	–4
Bollocks	23	20	3
Crap	21	23	–2
Bloody	17	17	n/c
Bugger	16	16	n/c

*Significantly lower in unacceptability (totally or fairly) compared with 2000
na: new word introduced in 2005

As in 2000, males were more accepting of 'offensive' words than females. For example, for the three words that were considered most unacceptable overall, the comparative figures for the proportion of males and females who found these words fairly or totally unacceptable were as follows: cunt (males 57%, females 81%), nigger (males 60%, females 79%), motherfucker (males 54%, females 81%). A similar trend was identified amongst age groups, as again, older people found the words more unacceptable, for example: cunt (18–24 years 54%, 65 years and over 87%), nigger (18–24 years 62%, 65 years and over 75%), motherfucker (18–24 years 58%, 65 years and over 91%).

Māori and Pacific respondents generally appear to find the words more unacceptable than NZ European respondents, for example: cunt (Māori 75%, Pacific 68%, NZ European 69%), nigger (Māori 75%, Pacific 75%, NZ European 68%), motherfucker (Māori 76%, Pacific 75%, NZ European 63%).

Respondents were invited to write down any other words they would personally find unacceptable if used in broadcasts. Only 12 took this opportunity. The only word written by more than one was 'slut', identified by two respondents as being personally unacceptable.

Acceptability of words in different scenarios

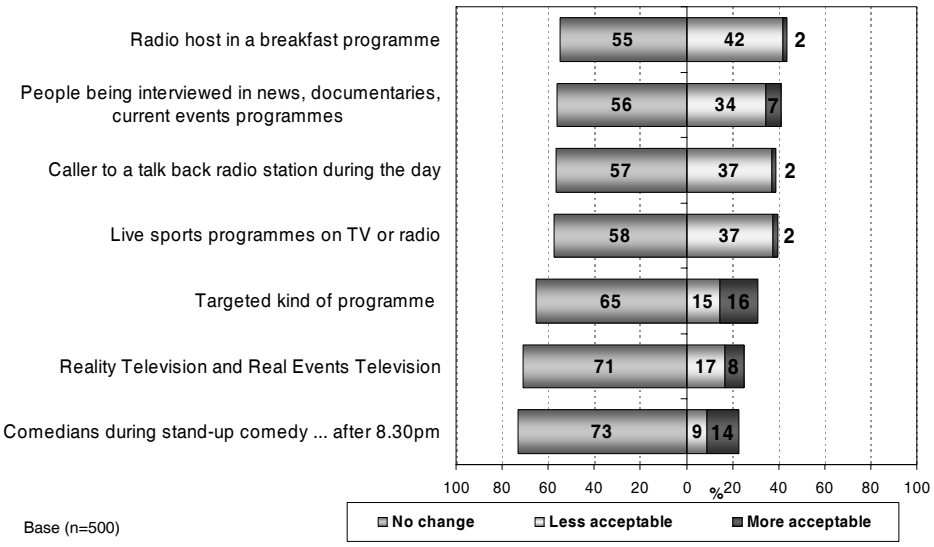
Reaction to the words, as presented in the previous section, was to one scenario, a television movie. Potentially, reaction to words could vary depending on the context in which they are used.

While it was not possible in this interview to ask respondents to react to every word in each of a range of different scenarios, two additional questions were included to obtain an indication of the extent to which stated attitudes may vary depending on context.

First, respondents were asked whether or not their responses would have varied under seven different scenarios. If respondents indicated that they would have varied, then they were asked whether the words would have been more or less acceptable.

As the following chart illustrates, there is some variation depending on context. Variation ranged from 44% of respondents indicating their responses would have been different if they were considering language used by a radio host on a breakfast programme, to 23% indicating their responses would have been different in relation to a stand-up comedian broadcast after 8.30pm.

Figure 6.4: Acceptance of swear words in various scenarios



Under most scenarios listed above, respondents indicated that they would find the words less acceptable. The only scenario where the balance of opinion was towards acceptability was stand-up comedy broadcast after 8.30pm (14% indicated they would be more accepting of the words in this context c.f. 8% less accepting).

Older respondents (65 years and over) are the least likely to feel that the various scenarios would affect how acceptable they found the words. For example, in the scenario 'used by a radio host in a breakfast programme' only 22% of those aged 65 years and over felt this scenario would affect how acceptable they found the words, compared with 55% for those aged 18–24 years.

Good taste and decency – sex and nudity

To measure New Zealanders' attitudes towards the portrayal of sex and nudity in television and radio programming, respondents were asked to rate various scenarios on a five-point acceptability scale.

The twelve scenarios used were identical to those used in 2000, and were carefully designed to obtain reactions to scenarios that vary by time of broadcast (before or after the watershed of 8.30pm), whether or not the portrayal was gratuitous or important to the story, and the degree of explicitness.

Similar to the 2000 research, it would appear the strongest determinant of whether a scene is acceptable or not relates to the time of the broadcast. Broadly, sex and nudity on television programming is more likely to be deemed unacceptable if it is screened before the 8.30pm watershed.

The following three findings illustrate this point.

- 26% find a television movie unacceptable which depicts a man and woman having sexual intercourse with the top halves of their naked bodies showing in a scene that is important to the story and where the movie is screened after 8.30pm. This same scenario is deemed unacceptable by 73% if shown before 8.30pm.
- This same scenario shown after 8.30pm, where the portrayal of sex and nudity is gratuitous, is deemed unacceptable by 38%, compared with the 26% who find it unacceptable when it is important to the story.
- 73% find an important scene unacceptable in a television movie which depicts a man and woman having sexual intercourse, with the top halves of their naked bodies on view, shown before 8.30pm. However, unacceptability reduces to 50% where the man and woman are under covers.

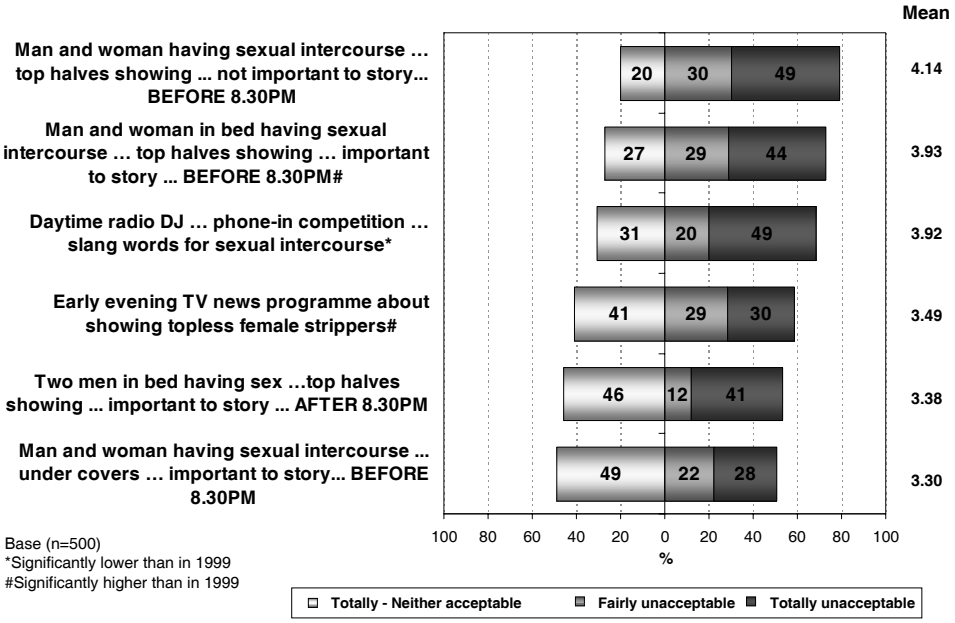
As indicated in Figure 6.5, also considered unacceptable by the majority of respondents is a daytime radio DJ inviting callers to think of as many slang words as they can which describe the act of sexual intercourse. Over two thirds of respondents (69%) found this scenario unacceptable.

The most acceptable scenarios are the portrayal of nudity for a medical programme (14% unacceptable), and the portrayal of a heterosexual couple kissing passionately after 8.30pm in a scene that is important to the story (14% unacceptable).

In general, males find the scenarios more acceptable than females. For example, in the scenario "man and woman having sex … top halves showing … not important to the story … after 8:30pm" some 71% of males found this acceptable c.f. 54% of females. Older respondents (65 years and over) are the least likely to find the scenarios acceptable. For example, in the scenario "man and woman having sex … top halves showing … not important to the story … after 8:30pm" some 77% of 18–24-year-olds found this acceptable c.f. 34% of those aged 65 years and over.

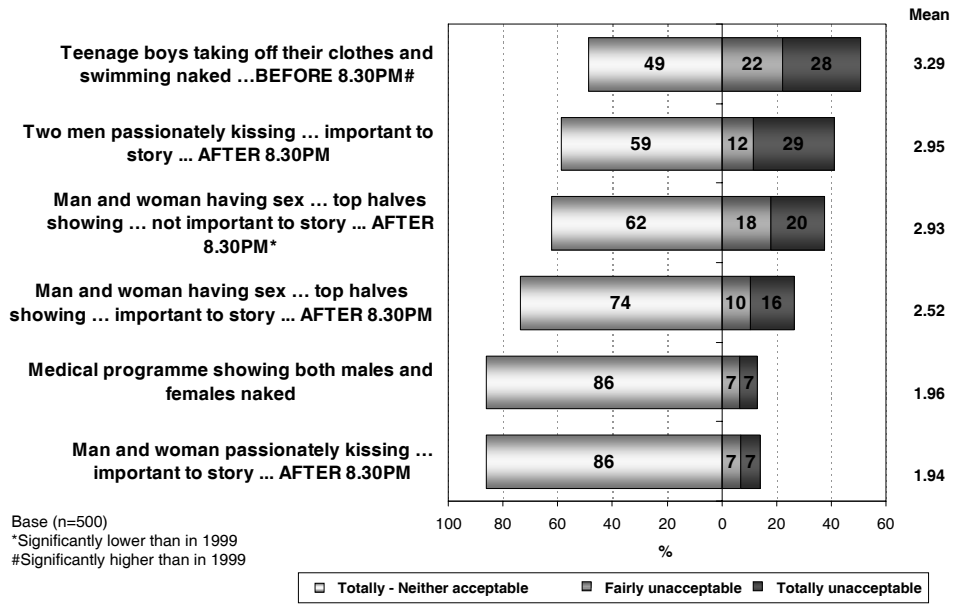
Those who have responsibility for children hold similar views to those who do not, except for the scenario involving teenage boys taking their clothes off and swimming naked. Those responsible for children find this scenario less acceptable.

Figure 6.5: Acceptability of sex and nudity scenarios



Base (n=500)
*Significantly lower than in 1999
#Significantly higher than in 1999

Figure 6.6: Acceptability of sex and nudity scenarios, continued



Base (n=500)
*Significantly lower than in 1999
#Significantly higher than in 1999

Compared with 2000, two scenarios saw a decrease in the level of unacceptability amongst the general public.

- A scene in a television movie showing a man and woman in bed having sexual intercourse. You can see the top halves of their naked bodies. You feel the scene is not really important to the story. The programme is shown after 8.30pm (47% unacceptable in 2000, 38% in 2005).

- A DJ on a daytime radio show holds a phone-in competition asking callers to think of as many slang words as they can which describe the act of sexual intercourse (75% unacceptable in 2000, 69% in 2005).

Three scenarios saw a slight increase in the level of unacceptability.

- A scene in a television movie showing a man and woman in bed having sexual intercourse. You can see the top halves of their naked bodies. You feel the scene is important to the story. The programme is shown before 8.30pm (67% unacceptable in 2000, 73% in 2005).
- A scene in a television drama showing teenage boys taking off their clothes and swimming naked. The programme is shown before 8.30pm (44% unacceptable in 2000, 50% unacceptable in 2005).
- An item in a television news programme about corruption in the sex industry includes night-club scenes showing topless female strippers performing. The item is on the early evening news (53% unacceptable in 2000, 59% in 2005).

There has been no change in the level of acceptability or unacceptability of homosexual sex. As was the case in 2000, a higher proportion find the portrayal of homosexual sex more unacceptable than the portrayal of heterosexual sex.

Summary of good taste and decency findings

In the analysis of the good taste and decency aspects of this survey, there are some trends evident when comparing different demographic groups.

Gender

Males generally have more liberal attitudes than females to aspects governed by guidelines for good taste and decency. This is true in relation to acceptability of language/swearwords and to the portrayal of sex/nudity.

Females are more likely than males to express spontaneous concerns about violence and sexual content on television.

Age

There is clearly a relationship between age and the extent to which various aspects are believed to be acceptable in broadcasts.

Older respondents are more conservative in their views about language and the portrayal of sex and nudity. Those aged 65 years and over are the most likely to believe swear-words are unacceptable no matter what the context or scenario was. Furthermore, they are the least accepting of the sex/nudity scenarios.

In contrast, those aged under 25 are more likely to be accepting of swear-words. They are also considerably less likely to identify spontaneous concerns about broadcasting and are generally more accepting of sex and nudity in the scenarios presented.

Ethnicity

There is an indication that Māori and Pacific people are slightly less accepting of bad language/swear-words than New Zealand Europeans. While not directly comparable due to differences in sample sizes, the BSA's research *Attitudes Towards Good Taste*

and Decency in Broadcasting Among Māori (2001) concluded that Māori had ranked the list of swear-words in more or less the same way as the general population in the *Changing Mediascapes* survey (p. 7). Compared with the general population, high levels of unacceptability were found to almost all of the words when they were put to Pacific people.[19]

Responsibility for Children

Those with responsibility for children hold similar views on how acceptable various sex/nudity scenarios are to those without responsibility for children. The only scenario where there is a difference is the one involving teenage boys taking off their clothes and swimming naked. Those with responsibility for children find this particular scenario less acceptable.

Furthermore, those with responsibility for children express more concerns spontaneously about violence, sexual content, nudity and bad language shown on television than those without responsibility for children.

Region

Respondents living in the Auckland/Northland regions are slightly less accepting of language/swear-words compared with those living in other parts of New Zealand. People in this region also have more concerns (spontaneously) about what is shown on television.

Parental and broadcaster responsibility

All respondents were asked who they felt should be mostly responsible for what children watched on TV. As in the 2000 survey, the great majority of respondents consider that parents or caregivers should largely be responsible for what their children watch on television.

Table 6.8: Who should be responsible for what children watch on television?

Persons responsible	2005 (%)	2000 (%)
Parents/caregivers	90	92
TV Broadcasters	7	6
Children	0.3	0.4
Other*	3	1
Don't know	0.3	1

*Includes parents and broadcasters jointly

There were only very minor differences found amongst different demographic groups.

Free-to-air television classifications

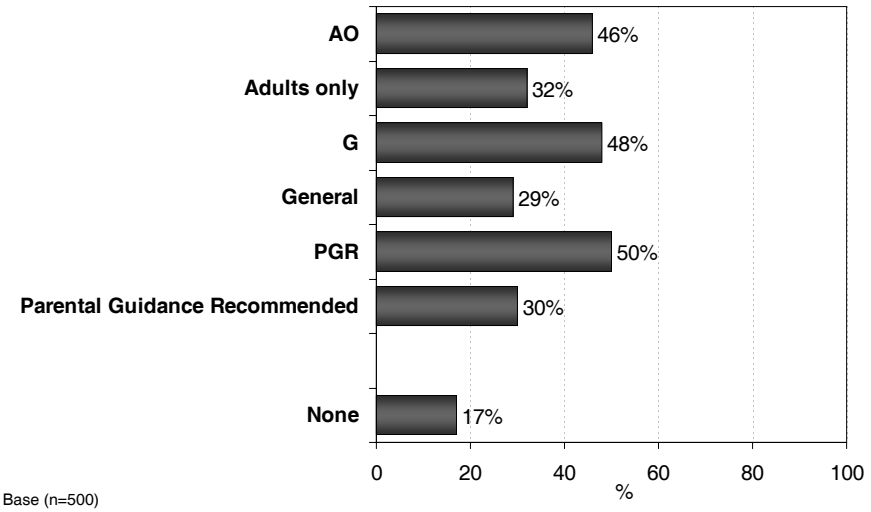
Respondents' awareness of the classification system and use of classifications was surveyed.

Without prompting, respondents were asked whether or not they could name any classification symbols or phrases that are used to give advice on television programme

content. The majority (83%) could name some classification symbol or phrase.

Around half were able to give the correct classification symbol(s) of AO, G and/or PGR. A slightly lower proportion (around one third) was able to name the correct classification phrase(s) of Adults Only, General or Parental Guidance Recommended. This is shown in the following chart.

Figure 6.7: Unprompted recall of classification symbols or phrases



These results are comparable to the 2000 results where 49% could recall (without prompting) AO, 53% could recall PGR and 47% could recall G.

Other classifications mentioned were movie classifications such as R18, R13, R16, Mature Audiences, etc. This suggests some confusion between free-to-air television classifications and other warnings or symbols used by cinemas and pay-TV broadcasters.

Those who have responsibility for children aged 14 years or younger were more likely to be able to recall the classification symbols or phrases. Older respondents (those aged 55 years and over) were the least likely to be able to recall any classification symbols or phrases.

When further prompted, the majority of respondents were able to correctly indicate what each of the classification symbols meant. This is shown in the chart below. The unprompted recall figure indicates the proportion able to correctly name a classification and indicate what it meant without being prompted. The prompted recall figure indicates the proportion who did not mention a particular classification spontaneously but who, when asked if they had heard of, for example, 'AO', were able to correctly define its meaning.

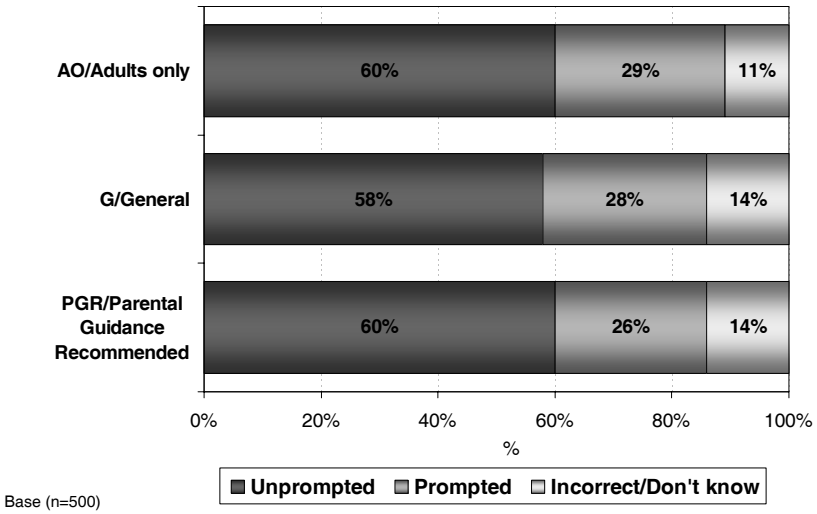
Those between 18–34 were the most likely to know the AO classification compared with the other age groups (98%). However, those aged between 18 and 24 were the least likely to be able to correctly define the G classification (79%). Māori respondents were also less likely to correctly identify the G classification (67%).

Older respondents (those aged 55 years and over) were the least likely to correctly define the PGR classification (71%). Not surprisingly, those respondents who report they do not watch television on a regular basis were the least likely to be able to recall

or give the correct meaning of the three classifications.

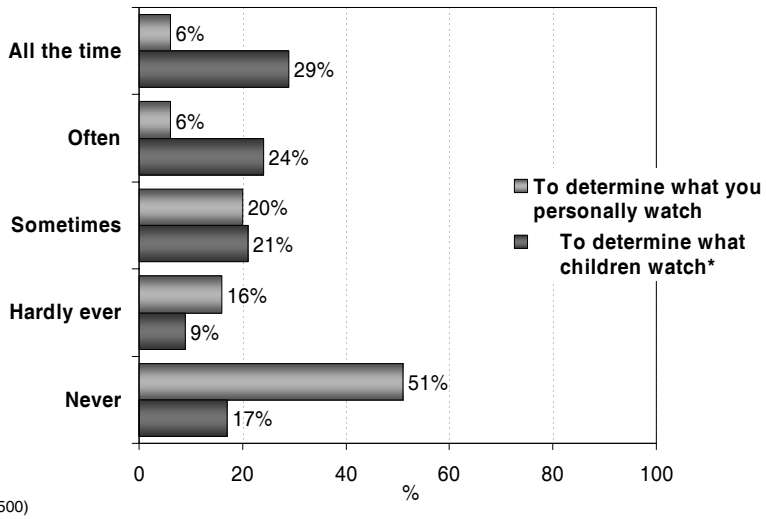
Respondents were asked how often they use classifications to determine what they personally watch on television, and what their children should watch. Two thirds rarely or never use them to guide their own viewing choices. However, half of the parents and caregivers regularly use classifications to determine what their children watch.

Figure 6.8: Total recall of classification symbols or phrases



Base (n=500)

Figure 6.9: Usage of classifications



Base (n=500)
*Those responsible for children 14 years and under (n=205)

A higher proportion of females who had responsibility for young children always used classifications to determine what their children watch, 34% compared with male counterparts – 24%.

Those between the ages of 25–34 responsible for young children were the most

vigilant about using classifications to determine what their children watch, 39% compared with other age groups.

Those who subscribe to pay-TV and are responsible for young children are more likely never to use classifications to determine what their children should watch compared to non-pay-TV subscribers (24% c.f. 13%).

Balance, fairness and accuracy in factual formats

This section examines responses to more detailed questions relating specifically to the balance, fairness and accuracy standards in factual formats, i.e. in news broadcasts, current affairs, documentaries and radio talkback.

As previously discussed, it is clear that these three standards are seen as very important. The purpose of these more specific questions was to examine the extent to which the public's views on the importance of these standards varied according to whether the broadcast medium was television or radio, and whether the factual format was a news broadcast, a current-affairs programme or a documentary.

Contextual information preceded questioning as follows.

> For the next questions, I want you to think about the sorts of programmes that are based more on fact – these include:
>
> - News broadcasts
> - Current-affairs programmes
> - Documentaries on television and radio
>
> The challenge for the people who make these types of programmes is to ensure they protect the public's right to know, while also making sure these programmes meet the guidelines of:
>
> - Fairness, which says that broadcasters must deal justly and fairly with people and organisations taking part or referred to in the programme.
> - Balance, which says that broadcasters must ensure main sides of the story on controversial issues are presented.
> - Accuracy, which says that broadcasters must be truthful and accurate when reporting factual items.

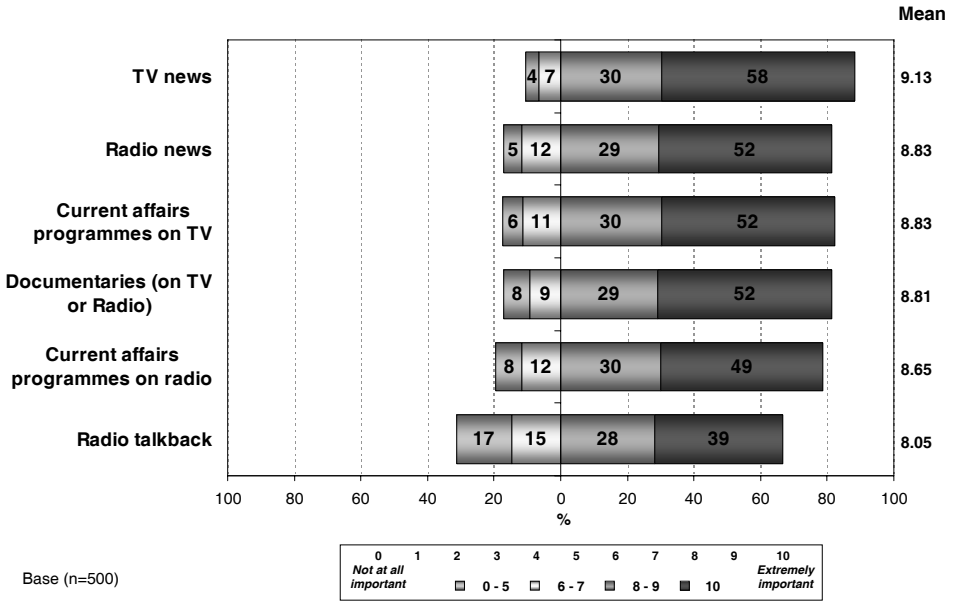
Your views on the degree to which standards should be upheld may vary depending on the type of programme. The next few questions are about this.

Importance of the balance standard

Overall, there is very little difference in public attitudes about balance in news and current affairs whether on television or radio.

People perceive the balance standard is most important for TV news (88% gave a rating of 8, 9 or 10 where 10=extremely important). Similar proportions perceived balance as important for current affairs. While balance on talkback radio was rated as relatively less important compared with the other types of broadcast, still two thirds of respondents rated the importance of balance for talkback radio as at least 8 out of 10.

Figure 6.10: Importance of balance standard



The younger audience

Younger people are more likely to consider balance important in TV news (94% under 35 years gave an importance rating of 8 to 10, c.f. 88% of the total population). Younger people are less likely to be concerned about balance in current affairs programmes on TV (68% rated 8–10 out of 10 c.f. 82% of the total population) or documentaries (69% of those under 25 years of age c.f. 82% of the total population). Similarly, younger people are less likely to be concerned about balance in current affairs programmes on radio (58% rated 8–10 out of 10 c.f. 82% of the total population), or on radio news (68% of those under 25 years). As with current-affairs programmes on the TV, younger people are less likely to be concerned about balance in current-affairs programmes on radio (58% rated 8–10 out of 10 c.f. 82% of the total population).

The older audience

Conversely, older people are more likely to consider balance very important in radio news (94% of those 65 years and older c.f. 81% of the total population). Adhering to the balance standard in current-affairs programmes on radio is more likely to be very important to older people (89% of those 65 years and older, compared with 79% of the total population).

Female vs Male

Those who consider balance very important in current-affairs programmes on TV are more likely to be female (87% c.f. 78% of males). Females are also more likely to consider balance in documentaries very important (87% c.f. 76% of males).

Talkback radio

Upholding the balance standard in talkback radio is more likely to be considered very important amongst:

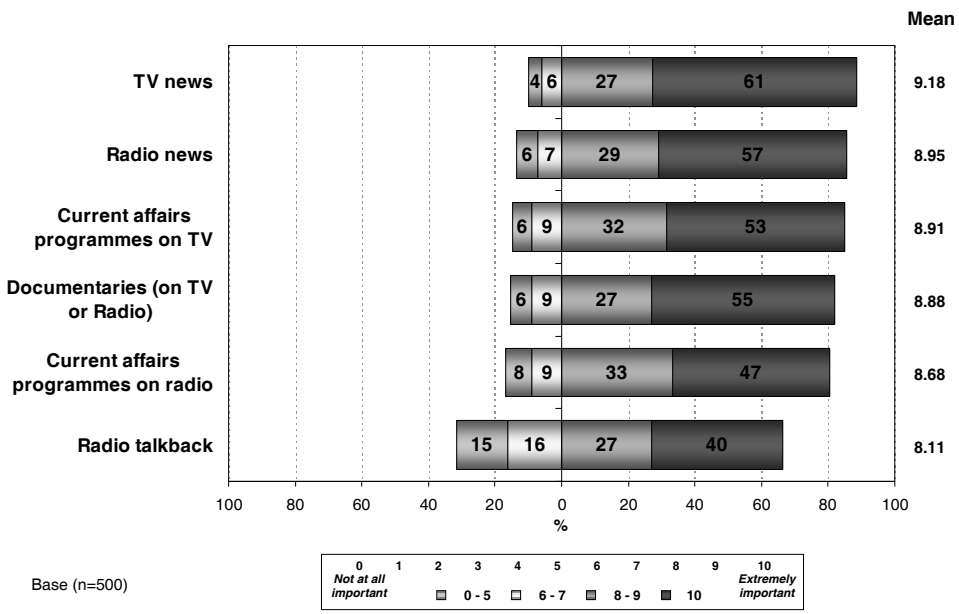
- Females (72% c.f. 61% of males)
- Those who are regular listeners to talkback radio (75%) compared with the general population (67%)

Mirroring the results for other programme types, balance in radio talkback is less important for younger people (52% c.f. 67% of the total population).

Importance of the fairness standard

Overall, a very similar response to that obtained for the balance standard was obtained in relation to the fairness standard. That is, the public considers it is very important to uphold the fairness standard across all programme types and mediums, with slightly more leeway given by some to radio talkback programmes. Those who listen regularly to National Radio tend to rate fairness as very important in radio news (90%).

Figure 6.11: Importance of fairness standard



The younger audience

Younger people are less likely to give high importance ratings for broadcasters upholding the fairness standard in documentaries (67% giving an importance rating between 8 and 10 c.f. 82% of the total population).

The older audience

Upholding the fairness standard in current affairs programmes on radio is considered very important by older age groups (88% of those 55 years plus give a rating between 8 and 10 c.f. 80% of the total population).

Upholding the fairness standard in current affairs programmes on radio is considered very important by those who regularly listen to talkback radio (90%).

Female vs male

Similarly, upholding the fairness standard in current affairs programmes on radio is considered very important by more females (87% give a rating between 8 and 10 c.f. 74% of males). When considering radio news programmes, females also tend to give stronger importance ratings (89% c.f. 83% of males).

Radio talkback

Those who are regular listeners to radio talkback are also the most likely to feel that the fairness standard is important in radio talkback (77%).

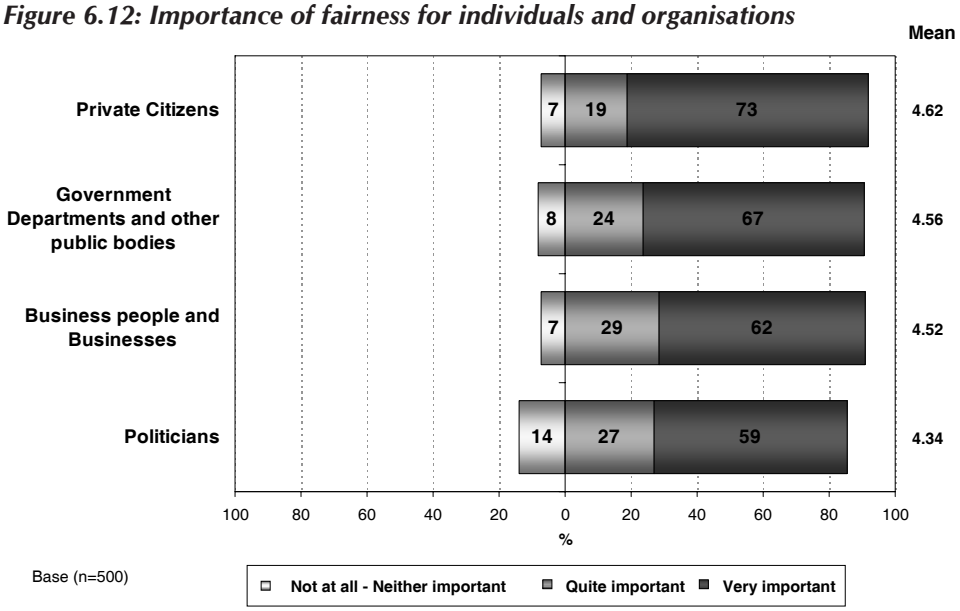
Adhering to the fairness standard in radio talkback is considered more important amongst females than males (72% of females give an importance rating of between 8 and 10 c.f. 61% of males).

Importance of the fairness standard

This research also asked if the public perceived that the standard of fair and just treatment was more or less important depending on who or what was being featured in programmes. Respondents were told:

> Some people think all individuals and organisations should be treated in exactly the same way, but other people think different standards should apply, depending on who the people or organisations are. Thinking about when they feature in news, current affairs and documentaries, how important is it that they are dealt with justly and fairly.

Figure 6.12: Importance of fairness for individuals and organisations



Respondents were asked to consider in turn:

- Government departments and other public bodies
- Politicians
- Business people and businesses
- Private citizens.

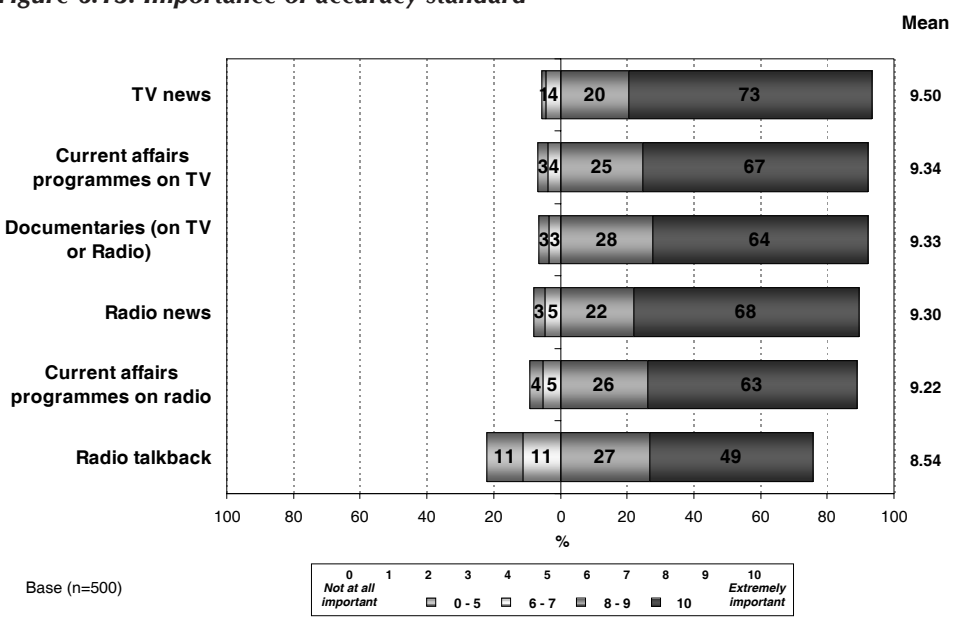
Generally, New Zealanders believe that all people and organisations should be treated fairly and justly, with slight variations in strength of conviction when different people or organisations are considered. In particular, fairness is considered very important when private citizens are involved.

On the other hand, when politicians are involved, while most still consider it very important that this standard is maintained, one in seven people do not think this standard is important at all. Those who believe that it is important for broadcasters to deal justly and fairly with politicians are more likely to be older (68% state it is very important c.f. 59% of the total population).

Importance of the accuracy standard

Confirming findings reported earlier, the public believes that accuracy in factual formats is extremely important, even relatively more important than balance and fairness. Nearly three-quarters of respondents, regardless of age, rated accuracy on TV news as extremely important (10 out of 10).

Figure 6.13: Importance of accuracy standard



Female vs male

As with the standards of balance and fairness, a slightly higher proportion of females than males rate accuracy as very important.

Talkback radio

Even for talkback radio, half of all surveyed think that accuracy is extremely important, although this is a lower proportion than for other programme types. Talkback radio listeners' ratings were generally on a par with the population as a whole.

Accuracy in talkback radio is more likely to be important for:

- Females (81% give an importance rating of between 8 and 10 c.f. 70% of males)

- Māori (87% give an importance rating of between 8 and 10 c.f. 75% of New Zealand European).

Conclusion

There has been a softening of attitudes to many words, and an increase in understanding of the TV classification system, which may go along with the increased concern for what children watch, or are exposed to, on TV.

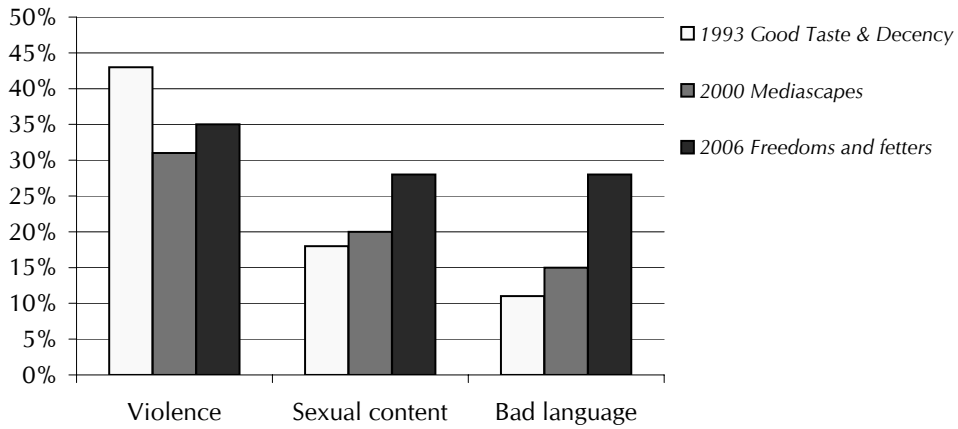
A surprising finding is that while spontaneous concerns are about violence, sex and nudity and bad language, upon consideration of the importance of other principles, respondents said that accuracy was most important, followed by considering the interests of children.

It goes without saying that accuracy is important in news and current affairs (which is why it was not explored in detail with focus groups). The main issue the BSA has with accuracy is assessing how material an inaccuracy may be to the overall truthfulness of a broadcast, and the potential for real damage. Indeed, a high level of satisfaction with fairness, balance and accuracy standards in New Zealand broadcasting could be inferred from the low level of unprompted concern about these matters.

Of greater interest is the level of concern expressed over the protection of children. This has been apparent to the BSA for some years, and one aspect was recently addressed by amendments to the Programme Classification standard in the codes of broadcasting practice. Now, only promos of the same rating or lower as their host programme can be inserted.

Higher levels of unprompted concern about language and sexual content compared with other years are also apparent as shown in this figure.

Figure 6.14: Unprompted areas of concern comparison



It is hoped that recent BSA media literacy initiatives providing web-based information on how people can address troubling programme content with children will help these concerns.[20]

Appendix A: Conducting balance and fairness focus groups

Make-up of groups

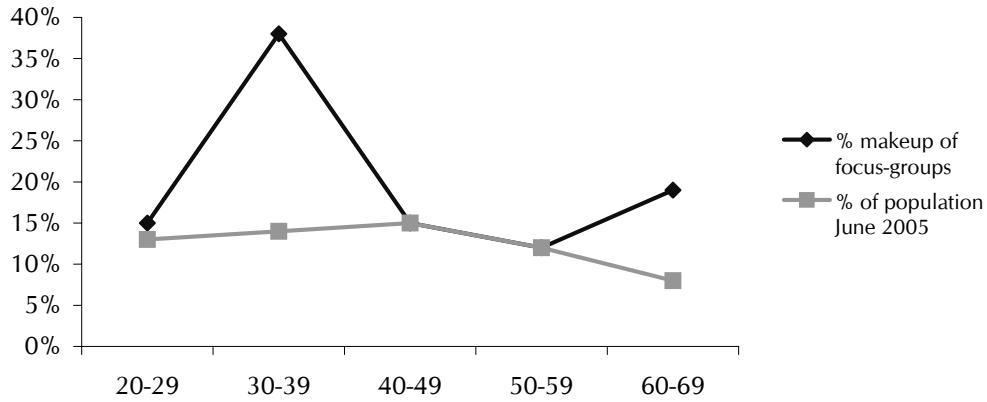
The BSA commissioned market research company ACNielsen to prepare a discussion guide and conduct four focus groups. The groups were held during March 2005 in Wellington, Palmerston North, Auckland and Christchurch and involved 26 people.

Participants were recruited to ensure representation of a balanced mix of attitudes and wide range of broadcast media use. Regular consumers of radio and television news, documentaries and current affairs were chosen to ensure that the opinion obtained was knowledgeable.

One third had pay-TV, which is in keeping with the percentage of households in New Zealand that subscribe to Sky. There was an average of two to three television sets per household. Nationally, 63% of the population live in multi-set homes.[21]

The percentage of participants by age group compared with the population is shown in Figure A.1. There was an over-representation in the 20–50 age range and a slightly higher representation in the 60–70 demographic group.

Figure A.1: Focus-group representation by age range compared with the population[22]



Balance and Fairness Focus Group Discussion Guide

Research Objectives

The research objectives can be summarised as follows:

- To explore viewers' and listeners' experiences, expectations and tolerance levels of balance and fairness in television and radio covering a range of

factual formats. These formats include news, current affairs, talk radio, and any other factual format in which controversial issues of public importance are discussed or presented

- To use as input into the questionnaire design for the following quantitative survey, and provide context and sensitivity to the quantitative results.

Introduction

Purpose: introducing topic and each other; group parameters.

Introduce:

- Self, ACNielsen and members from BSA
- Topic: we are talking with you about your expectations, attitudes, and experiences of television and radio programming. In particular, we will be focusing on factual programming, by which I mean news, current affairs or documentaries (but not reality series, history channel or wildlife documentaries). So, when I talk about factual programming this is what I am meaning.
- No right or wrong answers
- At times you may have a different opinion to someone else, and that is fine. If we start going off the topic, I may have to bring you back, so please don't think I am being rude. We just have a lot to get through tonight.
- Length: 3 hours
- Recording
- Toilets & mobiles off/on silent.
- Group introductions:
- Self, family and occupation
- Most recent factual formats such as news, current affairs and documentaries watched or listened to.

Factual formats and me

Purpose: to understand people's viewing/listening behaviour of, and attachment to, factual formats.

Thinking about what we have been calling factual programming, what sorts of programmes do you consider as factual programming? What makes a programme fall into this category?

(Referring to diaries) Looking over what you have listened to in the last week, what sorts of things were in your diaries?

Probe:

- What sorts of topics are discussed? How controversial are these topics?
- Likes about the programme – what was good/appealing?

- Concerns about the programme – what was concerning and why?

What are or have been your favourite factual format programmes? (News, current-affairs programmes, documentaries, etc.)

- What have you enjoyed about them?

When do you tend to view/listen to factual type programmes?

- Television
- Radio

(Bubble diagram)
I would like you to imagine this is you watching or listening to a factual type programme that you typically watch or listen to. You'll see on the diagram there is a thought bubble and a heart. I'd like you to think about your thoughts when watching or listening to factual programmes and write these down in the thought bubble. Then imagine your feelings when watching or listening to factual programmes and write these down in the heart.

- What are you thinking?
- How do you feel? E.g. informed, interested, up-to-date with what's happening in the world, concern …

Why do you watch or listen to factual type programmes? What is about this type of programming that you enjoy, e.g. provides a source of information, infotainment, provides conversation topics.

(Deprivation)
If factual type programmes such as news, current affairs and documentaries no longer existed, how would you feel? What would you miss? What would you do instead?

Broadcasting standards

Purpose: to explore people's expectations in relation to broadcasting standards for factual programming, and how well those standards are met.

Thinking about broadcasting standards, what are your expectations of standards in terms of factual programming?

Probe:

- All sides of the story to be fairly represented. How important is this with factual programmes? Why?
- Being fair with people involved. How important is this with factual programmes? Why?

Now we are going to show you three examples of news and current affairs items: (Provide list of items and note paper for participants to jot down notes as they view/listen)

- *One News* – Ministry of Social Development, computer glitch (video)
- *Paul Holmes Breakfast* – Tariana Turia MP (host's comments, audio)
- Radio New Zealand *Nine to Noon* – Ritalin prescription drug (interview with grandmother, audio)

How do you feel about them?

- What concerns you about them? Why?
- How well were all sides of the story represented? How much of a concern is that to you? Why?
- How fair was the broadcaster with all people involved? How much of a concern is that to you? Why?

In the broadcasting code of practice, standards are expressed as principles. We are going to examine two in particular that often relate to news and current-affairs programmes.

(Showcard – Balance)

Principle: In programmes and their presentation, broadcasters are required to maintain standards consistent with the principle that when controversial issues of public importance are discussed, reasonable efforts are made, or reasonable opportunities are given, to present significant points of view either in the same programme or within other programmes within the period of current interest.

What is a controversial topic of public importance? In what ways does this standard apply or not apply to factual programming? How important is it that "… reasonable efforts are made, etc"?

- How relevant is it for factual programming?
- Different types of factual programmes – news, current affairs, documentaries
- Different types of mediums – television & radio.

(Showcard – Fairness)

In programmes and their presentation, broadcasters are required to deal justly and fairly with any person or organisation taking part or referred to.

- How important is fairness for factual programming? Why is that?
- How is importance of fairness similar or different:
  - Across different types of factual programmes – news, current affairs, documentaries?
  - Across different types of mediums – TV & radio?
- What examples of factual programming can you remember when people/organisations weren't treated fairly?
  - Did you take any action? What did you do?

Freedom of Expression

Purpose: To determine if people are familiar with the Freedom of Expression right, and what level is appropriate for factual programming.

What does freedom of expression mean to you?

- In general?
- Within factual programming?

Example: Cheeky Darkie Case

How do you feel about this recording?

- What level of Freedom of Expression is appropriate?
  - Across different types of factual programmes – news, current affairs, documentaries?
  - Compared across different mediums (e.g. radio, television)

(Showcard: Bill of Rights – Freedom of Expression)

Freedom of expression: Everyone has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind and any form.

Is this a role of factual programming? Why/why not?

Importance of balance, fairness and freedom of expression

Purpose: To explore the importance of balance, fairness and freedom of expression across different types of factual programmes

(Card sort of a list of different factual programmes)

TV: TV News Public (TVNZ); TV News Private broadcaster (TV3 & Prime); Documentary NZ; 20/20; Sunday; Fair Go; Close Up; Foreign Correspondent; Paul Holmes

Radio: National Radio News; Morning Report; News on commercial radio stations; Nine to Noon; Paul Holmes Breakfast (John Dunne and Ken Ellis in Christchurch); First Edition with John Banks (Radio Pacific)

We have here a range of cards with various programmes from news to current affairs to documentaries. And, we also have an importance continuum based on balance *(refer back to balance showcard)*.

I'd like to work together as a group and place these cards on this continuum. Discuss reasons for placement.

(Repeat exercise for fairness and freedom of expression)

Appendix B: Talk radio practitioners – interview guide

To all interviewees:

> This study revolves primarily around the perceptions of talk radio from a variety of perspectives, including those of presenters, producers and gatekeepers. In particular, the issues of balance and fairness will be addressed. So here are a few questions that the interviewees might like to ponder prior to the interviews:

1. What do you think is the role of talk radio in New Zealand? What do you provide audiences?
2. How well do you think talk radio in New Zealand fulfils that role currently?
3. How do you view the role of the presenter?
4. How do you think the audience, in general, views the role of the presenter?
5. How do you think your audience views or perceives talk radio? Is it information? Current affairs? Entertainment? News? Or a combination? (Can you put it in percentages?)
6. How important do you think it is to them that they perceive a balanced approach by the presenters? Are there any exceptions?
7. How important do you think it is to them that they perceive that the programme is fair to all sides or stakeholders in the debate? Are their any exceptions?
8. Do you take any specific measures to address either of these issues? If so, what are they and how well do you think you are doing?
9. Where do you think talk radio will go in the future?
10. Are there any other comments you would like to make in regard this topic?

Each of these questions will be explored prior to moving to the next question. It will be good to have the presenter and the producer together for each interview.

Appendix C: Perceptual questionnaire – talk radio practitioners

Please think about the issue of *accuracy* of what is broadcast. Please rate the following broadcasts in order of how important you think the listeners or viewers think the issue of *accuracy* is for each:

	Not important at all	A little important	Quite important	Very important	Extremely important
TV News					
TV Current Affairs programme					
Documentaries on TV or Radio					
Radio News					
Current Affairs on Radio					
Radio Talkback					

Please think about the issue of *balance* of what is broadcast. Please rate the following broadcasts in order of how important you think the listeners or viewers think the issue of *balance* is for each:

	Not important at all	A little important	Quite important	Very important	Extremely important
TV News					
TV Current Affairs programme					
Documentaries on TV or Radio					
Radio News					
Current Affairs on Radio					
Radio Talkback					

Please think about the issue of *fairness* of what is broadcast. Please rate the following broadcasts in order of how important you think the listeners or viewers think the issue of *fairness* is for each:

	Not important at all	A little important	Quite important	Very important	Extremely important
TV News					
TV Current Affairs programme					
Documentaries on TV or Radio					
Radio News					
Current Affairs on Radio					
Radio Talkback					

How important do you believe listeners think it is that you treat the following *groups* fairly?

	Not important at all	A little important	Quite important	Very important	Extremely important
Public citizens					
Government departments or other public bodies					
Businesspeople and businesses					
Politicians					

Appendix D: Talk radio focus-group discussion guide

Research Objectives

The research objectives can be summarised as follows:

- Explore the potential conflicts between the need for balance and fairness against the right for freedom of expression
- To use as input into the questionnaire design for the following quantitative survey, and provide context and sensitivity to the quantitative results.

Introduction

Purpose: introducing topic and each other; group parameters.

Introduce:

- Self, ACNielsen and members from BSA
- Topic: We are talking with you about your attitudes, views and opinions of radio programming, and in particular talkback radio
- No right or wrong answers
- At times you may have different opinion to someone else, and that is fine. If we start going off the topic, I may have to bring you back, so please don't think I am being rude. We just have a lot to get through tonight
- Length: 3 hours
- Recording
- Toilets and mobiles off/on silent.

Group introductions:

- Self and family
- Occupation
- Talkback programmes listen to.

Talkback radio and its role

Purpose: To understand the role of talkback radio and how it has changed over time.

(Past, present, future – drawing or collage)

> Let's consider talkback radio now, and all the images and associations you have with talkback radio. I'd like you to draw/rip out from magazines any images and associations you have with talkback radio. It can be pictures, colours, and symbols, anything that represents how you feel about talkback radio.

Discuss drawings/collages:

- What is talkback radio? How would you define it?
- What programmes do you consider to be talkback radio? Why? What makes a programme fall into the category of talkback?
- What is the purpose and role of talkback radio?
- What was the image of talkback radio in the past (e.g. when you first remember talkback)? How has it changed over time?
- What do you imagine the image will be in the future? How do you see it will change?

Talkback radio and me

Purpose: to understand people's listening and participation behaviour

> When do you tend to listen to talkback radio? What types of situations?
>
> *(Referring to diaries)* Looking over what you have listened to in the last week, what sorts of things were in your diaries?

Probe:

- What sorts of topics are discussed? How controversial are these topics?
- Likes about the programme – what was good/appealing?
- Concerns about the programme – what was concerning and why? Did anything offend you? What was offensive?
- Have you been offended in the past? By what and why?

When participated in programme and gave personal view?

- Why do you participate? What do you enjoy about participating?
- Are there times when you felt like participating, but didn't? What stopped you? Did you have different views to the majority?
- For those who don't participate, why not? What stops you from phoning in and sharing your view?
- Have you ever done anything when you've been concerned or offended? What did you do? What was it about?

(Bubble diagram)

I would like you to imagine this is you listening to talkback radio at a typical time for you. You'll see on the diagram there is a thought bubble and a heart. I'd like you to think about your thoughts when listening to talkback and write these down in the thought bubble. Then imagine your feelings when listening to talkback and write these down in the heart.

- What are you thinking?
- How do you feel when listening to talkback? E.g. part of a group/ community, gets me excited – stirred up.

Why do you listen to talkback radio? What is that you like about listening to this type of programming?

- E.g. it validates my own view, source of information, entertainment, source of opinions.

(Deprivation)

If talkback no longer existed, how would you feel? What would you miss? What would you do instead?

Talkback radio broadcasting standards

Purpose: to explore people's expectations in relation to broadcasting standards for talkback radio, and how well those standards are met.

Thinking about broadcasting standards, what are your expectations of talkback radio programming?

Probe:

- All sides of the story to be fairly represented. How much does this matter with talkback?
- Being fair with people involved. How much does this matter with talkback?

I now have some examples that come from past talkback radio shows.

Example 1: (Provide sheet of paper with heading of example, so that participants can write notes if wish to)

- How do you feel about this example?
- What concerns you about this? Why?
- How well are all sides of the story represented? How much of a concern is that to you? Why?
- How fair is the broadcaster with all people involved? How much of a concern is that to you? Why?

Repeat for remaining examples:

(Showcard – Balance)

Principle: In programmes and their presentation, broadcasters are required to

maintain standards consistent with the principle that when controversial issues of public importance are discussed, reasonable efforts are made, or reasonable opportunities are given, to present significant points of view either in the same programme or within other programmes within the period of current interest.

What do you understand by this principle?
What is a controversial topic of public importance?
In what ways does this standard apply or not apply to talkback radio?
How relevant is it for talkback radio?

- Compared across different talkback programmes?
- Compared with other radio programmes?

What examples of talkback radio can you remember when this standard was not met?

- What did you do? (E.g. nothing, discussed with friend/family etc., formal complaint, etc.)

(Showcard – Fairness)

Principle: In programmes and their presentation, broadcasters are required to deal justly and fairly with any person taking part or referred to.

What do you understand by this principle? Is this a role for talkback radio – to deal with people fairly and justly? Why/why not? What level of fairness is appropriate for talkback radio?

- How is this level of fairness similar or different to:
  - Across different talkback programmes?
  - Other types of radio programmes?
- What examples of talkback radio can you remember when this standard was not met?
  - What action did you take? Did you complain? To whom?

(Showcard – Social Responsibility)

Principle: In programmes and their presentation, broadcasters are required to be socially responsible.

What do you understand by this principle?
Is this a role for talkback radio – to be socially responsible? Why/why not?
What level of social responsibility is appropriate for talkback radio?

- How is this level of social responsibility similar or different to:
  - Across different talkback programmes?
  - Other types of radio programmes?
- What examples of talkback radio can you remember when this standard was not met?
  - What action did you take? Did you complain? To whom?

Freedom of Expression

Purpose: to determine if people are familiar with the Freedom of Expression right, and what level is appropriate for talkback radio.

What does Freedom of Expression mean to you?

- In general?
- In the talkback radio forum?

(Case study: Freedom of Expression example from talkback radio)

How do you feel about this decision/recording?

- What level of Freedom of Expression is appropriate?
  - For talkback
  - Compared across different mediums (e.g. other radio, television).

(Showcard: Bill of Rights – Freedom of Expression)

Freedom of expression: Everyone has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind and any form.

What is your understanding of Freedom of Expression under the Bill of Rights? Is this a role of talkback radio? In what way?

Balance, fairness and freedom of expression

Purpose: to explore the potential conflict between balance and fairness standards and the right to freedom of expression in talkback radio

(All showcards on balance, fairness, social responsibility and freedom of expression)

Compare and contrast – discuss how these work together in the talkback radio environment.

- Which is most important to talkback radio? Why?
- Are there any conflicts in meeting these standards and rights? What are they?

Appendix E: Public attitude survey demographic summary

Demographic summary

The following table shows the demographic profile of the weighted and unweighted sample of respondents. Data is weighted to ensure the sample matches the proportions of the New Zealand population in terms of age and gender. Weighted percentages are used throughout this report.

Unless weighted, findings may be biased because some subgroups of a survey population are under- or over-represented in the respondent group. When the weights are applied correctly in data analyses, survey findings can be generalised to the entire survey population.

Table E.1: Demographic summary

	Weighted %	Unweighted %
Gender		
Male	48	39
Female	52	61
Age		
18–24	13	10
25–34	19	18
35–44	22	22
45–54	18	16
55–64	11	12
65+	17	22
Ethnicity		
NZ European	68	71
Māori	13	12
Pacific	7	5
Asian	5	4
Other	11	11
Household composition		
Living on my own	8	18
A group flatting together	8	6
A young couple with no children	5	5
A family with mainly school aged or younger children at home	38	35
A family with mainly adult children at home	18	12
An older couple with no children at home	20	21
Other	3	3

Appendix F: Public attitude survey methodology

Methodology

Interviews were conducted face-to-face between 15 May and 23 June 2005. A total of 500 interviews was achieved.

Interviews were carried out using mCAPI (mobile computer-assisted-personal interviewing). These are hand-held devices that allow the questions to appear on screen and interviewers to directly enter the responses given. Skip logic and question rotations is programmed rather than applied manually by the interviewer. This allows for improved quality control.

The eligible respondent was a member of the general public, aged 18 years and over, selected at random within a household.

Sample design

The sampling process for used 2001 Census mesh block data from Statistics New Zealand that was aggregated up to larger ACNielsen area units. It consisted of three sampling stages each of which employed statistical methods to decrease possible sources of error and bias.

Sampling methodology – stage 1: Selecting primary sampling units (ACNielsen area units)

The first stage consisted of selecting a sample of ACNielsen Area Units aggregated from 2001 Census mesh blocks. These are the standard sampling areas for face-to-face interviewing used by ACNielsen and provide area sizes large enough for all area units to be considered for selection. Since the area units have different population densities they were randomly selected so their chance of inclusion is in proportion to their size, where 'size' has been defined as the number of permanent private dwellings in the area unit. This ensured that there was no bias through low-density areas being over-represented.

Stratification of area units

The above 'proportional' sampling should, in theory, ensure that each region of the country and each urban type is represented in its correct proportions. However, it is possible to encounter deviations due to factors such as differential non-response – for example, people in rural areas often have a higher rate of participation than people in urban areas. To control for bias with respect to regions or urban types, the

following stratification method was used during this first sampling stage.

Area units were divided into numerous strata defined by their region type urban area type:

Region Types:

- Northern North Island (Split further down to key areas within this area. E.g. Auckland, Hamilton)
- Southern North Island (Split further down to key areas within this area. E.g. Palmerston North, Wellington)
- South Island (Split further down to key areas within this area, e.g. Christchurch, Dunedin).

Urban Area Types (As Defined By Stats NZ – Census 2001):

- Main Urban
- Secondary Urban
- Minor Urban
- Rural Centers/Rural.

The area unit sampling ensured that percentages of respondents in each region/urban area type combination matched Census 2001 data as closely as possible. The number of interviews in each stratum was a multiple of 6 due to the method of cluster sampling of households within area units (see Stage 2 below).

Sampling methodology – stage 2: Selecting the households

Within each area unit, a start point was randomly selected for a cluster of household interviews to be obtained along a controlled interviewer walk with call-backs. Alternatively, if the area had previously been used in another survey then the end point of the previous survey becomes the start point of the new survey. This helps to avoid surveying respondents too frequently and wearing them out.

Households were sequentially called upon along a controlled interviewer walk (or drive) out from the start point for the area unit. The interviewer went rightwards from the start point calling on every house encountered, and turned right at street corners to proceed down the same side of the road. If they came back to where they started, they crossed the road to the opposite side, and repeated the right turn. The walk was intended to produce six interviews from households in the area unit after call-backs. It was confined so that at any stage during the initial walk and during the call-back walks no more than 12 non-refusing houses, including those where interviews took place, were 'open' to contact by the interviewer.

Sampling methodology – stage 3:
Selecting the respondent within the household

Only one respondent per household was selected for the interview to avoid cluster effects that can increase the survey sampling error. Cluster effects occur when respondents have some kind of an association between them and hence a decrease

in the amount of independent information in the sample. The specific respondent was chosen randomly by selecting the person living in the household aged eighteen years and over who had the last birthday.

Coverage

Using this sampling method, the coverage was almost 100 percent. All permanent private households in New Zealand (excluding those on off-shore islands) had a known chance of being included in the sample.

After conducting a preliminary pilot with 10 respondents to ensure the effectiveness of the questionnaire, ACNielsen interviewed a total of 500 people aged eighteen years and older. Following the sample selection process described above, interviewing was nationwide from randomly selected households.

Duration

The average interview duration was 35 minutes.

Weighting

Data was weighted to ensure the sample matched the proportions of the New Zealand population in terms of age and gender.

Margins of error

The maximum margin of error for a proportion from a simple random sample of size 500 would be +/-4.4 percent at the 95 percent confidence level. The margin of error for the results from this survey will be slightly higher, estimated at +/-5.4 percent, due to design effects such as clustering in the survey.

Appendix G: Public attitude survey questionnaire

Study ID	VIEW-1	Resp. No.	
Interviewer No.		Interview Length	
No. Of Queries		Reference No.	

This survey is for a Government organization. They want to know what you think about what is played on radio and television.

There are no right or wrong answers to the questions I am going to ask you. Please tell me your honest views so that I can record your opinions accurately.

Q1 VIEWERSHIP/LISTENERSHIP

SHOWCARD A – CODE ALL MENTIONS

What kinds of TV programmes do you watch regularly?

	Code	Route
Comedy or sitcoms	01	
Current Affairs (e.g. Close Up, Paul Holmes, Campbell Live, 20/20, 60 Minutes)	02	
Documentary (e.g. Documentary New Zealand)	03	
News	04	
Lifestyle & Culture (e.g. gardening, do-it-yourself, cooking, te reo, the ballet)	05	
Sports	06	
Movies	07	
Reality TV and TV based on real events, where a lot of the content is spontaneous and not scripted (e.g. Treasure Island, Big Brother, Border Patrol)	08	
Drama	09	
Other	10	
None	11	
Don't know	12	

Q2

SHOWCARD B – CODE ALL MENTIONS
What kinds of radio stations do you listen to regularly?

	Code	Route
Concert FM	1	
Music stations (e.g. More FM, Classic Hits, The Rock)	2	
National Radio	3	
Talkback (e.g. Radio Pacific, Newstalk ZB)	4	
Other	5	
None	6	
Don't know	7	

Q3

CODE AS MANY AS APPLY
Do you have any of the following in your household?

	Code	Route
Pay-TV (e.g. Sky, Sky Digital, Saturn)	1	
Internet access	2	
None of these	3	

Q4
Read out
About how many hours per week on average
do you personally spend watching television?

	Code	Route
None	1	
up to 15 hours	2	
15–21 hours	3	
More than 21 hours	4	
Don't know *** DO NOT READ***	9	

Q5

READ
About how many hours per week on average
do you personally spend listening to the radio?

	Code	Route
None	1	
Up to 4 hours	2	
4–10 hours	3	
More than 10 hours	4	
Don't know ***DO NOT READ***	9	

The rest of this survey is about the standards of broadcasting in New Zealand.

- By standard we mean what you **find acceptable** on television and radio. We don't mean whether you think there are too many ads, or not enough dramas.
- We want to know what **you personally** think is acceptable. Remember there are no right or wrong answers.
- We are only talking about broadcasting that is free to the viewer or listener, such as TV 1, 2 and 3 and Prime TV, and not broadcasting you pay for, such as Sky or Saturn.

LEAVE SHOWCARD C WITH RESPONDENT

This survey is about:

- What's acceptable? (content, not mix of programmes)
- To you personally (don't answer for others)
- For free-to-air broadcasting (not Sky or Saturn).

Q6

DO NOT READ. PROBE TO NO. CODE ALL MENTIONS
Are there any things that you see or hear on TV that concern you at all? If so, what sorts of things concern you?

	Code	Route
Bad language	01	
Nudity (TV only)	02	
Sexual content / sex	03	
Unacceptable moral standards	04	
Violence	05	
Sexism	06	
Stereotyping	07	
Racism	08	
Privacy - not respecting people's privacy / Invading privacy	09	
Lack of fairness and justness dealing with people or organisation	10	
Lack of respect for people/ organisations / rudeness	11	
Lack of balance - not giving all sides of story	12	
Lack of accuracy / inaccurate reporting	13	
Not enough NZ content	14	
Alcohol advertising/sponsorship	15	
Tabloid / sleazy / sensationalism journalism	16	
Unprofessional journalism	17	
Children / What children get exposed to / Children need protecting	18	
Real TV/Reality TV	19	
Programme promos (e.g. advertisements for other programmes)	20	
Other (specify)	21	
Nothing concerns me	22	

Q7 And are there any things that you hear on radio that concern you at all? If so, what sorts of things concern you?	**Code**	**Route**
Bad language	01	
Song Lyrics	02	
Sexual content/sex	03	
Unacceptable moral standards	04	
Violence	05	
Sexism	06	
Stereotyping	07	
Racism	08	
Privacy - not respecting people's privacy / Invading privacy	09	
Lack of fairness and justness dealing with people or organisation	10	
Lack of respect for people / organisations / rudeness / DJ banter	11	
Lack of balance - not giving all sides of story	12	
Lack of accuracy / inaccurate reporting	13	
Not enough NZ content	14	
Alcohol advertising / sponsorship	15	
Tabloid / sleazy / sensationalism journalism	16	
Unprofessional journalism	17	
Children / What children get exposed to / Children need protection	18	
Programme promos (e.g. advertisements for other programmes)	19	
Other (specify)	20	
Nothing concerns me	21	

Q8 Do you personally feel that an independent organisation should be responsible for overseeing the standard of broadcasting in New Zealand or should this be left to the broadcasters themselves?	**Code**	**Route**
An independent organisation should oversee	1	
Broadcasters should do it themselves	2	
Don't know	9	

Q9 was deleted.

Q10

ROTATE STATEMENTS. SHOWCARD D. OBTAIN RATING FOR ALL SCENARIOS
Use 0 to 10 codes to match showcard and scale of 0–10 (instead of 1–11).

I am now going to read some of the things that there are broadcasting guidelines on. I would like you to rate how important you personally feel it is that broadcasters have standards for each of these areas. Again, just a reminder there are no right or wrong answers, we really just want you to state your honest opinion. SHOWCARD D. Using this scale of 0 to 10, where 0 means not at all important and 10 means extremely important, how important do you feel that there are standards set for our free-to-air broadcasters in relation to ...

	0	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**Don't know**
R1. Violence	01	02	03	04	05	06	07	08	09	10	11	12
R2. The content of promotions, that are run during the day or early evening, about programmes coming up later	01	02	03	04	05	06	07	08	09	10	11	12
R3. Sexual content	01	02	03	04	05	06	07	08	09	10	11	12
R4. Nudity (Television only)	01	02	03	04	05	06	07	08	09	10	11	12
R5. Swear words or bad language	01	02	03	04	05	06	07	08	09	10	11	12
R6. Dealing justly and fairly with any person or organisation in programmes like news and current affairs	01	02	03	04	05	06	07	08	09	10	11	12
R7. Being balanced - presenting the range of different points of view in programmes like news and current affairs	01	02	03	04	05	06	07	08	09	10	11	12
R8. Being truthful and accurate on points of fact in programmes like news and current affairs	01	02	03	04	05	06	07	08	09	10	11	12
R9. Considering the interests of children	01	02	03	04	05	06	07	08	09	10	11	12
R10. Not encouraging people to break the law	01	02	03	04	05	06	07	08	09	10	11	12
R11. Privacy of the individual	01	02	03	04	05	06	07	08	09	10	11	12
R.12 Responsible promotion of liquor	01	02	03	04	05	06	07	08	09	10	11	12

Q11

Do you agree or disagree that pay-TV Broadcasters like Sky and Saturn, which people choose to subscribe to, should have to observe the same standards as free-to-air broadcasters?

	Code	**Route**
Agree	1	
Neither	2	
Disagree	3	
Don't know	9	

Q12 SEX/NUDITY *SHOWCARD E. OBTAIN RATING FOR ALL SCENARIOS* Note: Don't rotate statements for this question I am now going to show you a series of descriptions of items from television and radio programmes. *PROMPT WITH SHOWCARD J.* I would like you to indicate how acceptable or unacceptable each item is to you personally, using this card with the scale on it.	**Totally acceptable**	**Fairly acceptable**	**Neither**	**Fairly unacceptable**	**Totally unacceptable**	**Don't know**
R1. A scene in a television movie showing a man and woman in bed having sexual intercourse. You can see the top halves of their naked bodies. You feel the scene is **not really important to the story.** The programme is shown **before 8.30pm.**	1	2	3	4	5	6
R2. A scene in a television movie showing a man and woman in bed having sexual intercourse. You can see the top halves of their naked bodies. You feel the scene is **not really important to the story.** The programme is shown **after 8.30pm.**	1	2	3	4	5	6
R3. A scene in a television movie showing a man and woman in bed having sexual intercourse. You can see the top halves of their naked bodies. You feel the scene is **important to the story.** The programme is shown **after 8.30pm.**	1	2	3	4	5	6
R4. A scene in a television movie showing a man and woman in bed having sexual intercourse. You can see the top halves of their naked bodies. You feel the scene is **important to the story.** The programme is shown **before 8.30pm.**	1	2	3	4	5	6
R5. A scene in a television movie showing a man and woman in bed having sexual intercourse. **They are under the covers.** You feel the scene is **important to the story.** The programme is shown **before 8.30pm.**	1	2	3	4	5	6
R6. A scene in a television movie showing a man and woman passionately kissing. You feel the scene is **important to the story.** The programme is shown **after 8.30pm.**	1	2	3	4	5	6
R7. A scene in a television movie showing two men passionately kissing. You feel the scene is **important to the story.** The programme is shown **after 8.30pm.**	1	2	3	4	5	6
R8. A scene in a television movie showing two men in bed having sex. You can see the top halves of their naked bodies. You feel the scene is **important to the story**. The programme is shown **after 8.30pm.**	1	2	3	4	5	6
R9. A scene in a television drama showing teenage boys taking off their clothes and swimming naked. The programme is shown **before 8.30pm.**	1	2	3	4	5	6
R10. A medical programme about the human body showing both males and females naked.	1	2	3	4	5	6
R11. An item in a television news programme about corruption in the sex industry includes night-club scenes showing topless female strippers performing. The item is on the early evening news.	1	2	3	4	5	6
R12. A DJ on a daytime radio show holds a phone-in competition asking callers to think of as many slang words as they can which describe the act of sexual intercourse.	1	2	3	4	5	6

Q13 LANGUAGE

SHOWCARD E and LANGUAGE SHOWCARD SET.
ROTATE WORDS AND OBTAIN RATING FOR ALL WORDS.
Now we are going to think about language and swear words. I will show you a number of words, which some people might find acceptable and some might find unacceptable.

I would like you to imagine each word being used in a television movie, in a scene where police have chased and are arresting a criminal. The criminal is swearing at the police. **The television movie is screened after 8.30pm.**

I would like you to rate how acceptable or unacceptable you personally feel each word is in this situation.

	Totally acceptable	Fairly acceptable	Neither	Fairly unacceptable	Totally unacceptable	Don't know
R1. Arsehole	1	2	3	4	5	6
R2. Balls	1	2	3	4	5	6
R3. Bastard	1	2	3	4	5	6
R4. Bitch	1	2	3	4	5	6
R5. Bloody	1	2	3	4	5	6
R6. Bollocks	1	2	3	4	5	6
R7. Bugger	1	2	3	4	5	6
R8. Bullshit	1	2	3	4	5	6
R9. Cock	1	2	3	4	5	6
R10. Cocksucker	1	2	3	4	5	6
R11. Crap	1	2	3	4	5	6
R12. Cunt	1	2	3	4	5	6
R13. Dick	1	2	3	4	5	6
R14. Fuck	1	2	3	4	5	6
R15. God	1	2	3	4	5	6
R16. Jesus Christ	1	2	3	4	5	6
R17. Mother fucker	1	2	3	4	5	6
R18. Nigger	1	2	3	4	5	6
R19. Piss	1	2	3	4	5	6
R20. Prick	1	2	3	4	5	6
R21. Shit	1	2	3	4	5	6
R22. Wanker	1	2	3	4	5	6
R23. Whore	1	2	3	4	5	6

Q14

If there are any words that were not on the list that you would personally find unacceptable if used in broadcasts, please write them here.

Q15

FOR EACH ONE IN Q15 THAT RESPONDENTS SAYS YES TO, ASK Q16 BEFORE MOVING ONTO NEXT ONE IN Q15. ROTATE STATEMENTS

We have just been talking about how acceptable these words are in the context of a television movie shown after 8.30pm.

Would any of your answers have been different if you had been asked to think about what language is acceptable?

	Yes	No	Don't know/ not sure
R1. For comedians to use during stand-up comedy programmes played on radio or shown on TV after 8.30pm	1	2	3
R2. When used by people being interviewed or asked to give opinions in news, documentaries and current events programmes on TV or radio	1	2	3
R3. When used as part of a live sports programme on TV or radio	1	2	3
R4. In a targeted kind of programme or channel when viewers who choose to view are likely to be aware of the type of language that may be used (for example, a music channel, student radio)	1	2	3
R5. In television programmes known as reality television and real events television where a lot of the content is spontaneous and does not follow a script, such as Treasure Island or Motorway Patrol	1	2	3
R6. When used by a radio host in a breakfast programme	1	2	3
R7. When used by a caller to a talkback radio station during the day	1	2	3

Q16

If yes to Q15, ask:
Is it more or less acceptable for ... ?

READ

	More acceptable	Less acceptable	Other	Don't know
R1. For comedians to use during stand-up comedy programmes played on radio or shown on TV after 8.30pm	1	2	3	4
R2. When used by people being interviewed or asked to give opinions in news, documentaries and current events programmes on TV or radio	1	2	3	4
R3. When used as part of a live sports programme on TV or radio	1	2	3	4
R4. In a targeted kind of programme or channel when viewers who choose to view are likely to be aware of the type of language that may be used (for example, a music channel).	1	2	3	4
R5. In television programmes known as reality television and real events television where a lot of the content is spontaneous and does not follow a script, such as *Treasure Island* or *Motorway Patrol*	1	2	3	4
R6. When used by a radio host in a breakfast programme	1	2	3	4
R7. When used by a caller to a talkback radio station during the day	1	2	3	4

BALANCE, FAIRNESS & ACCURACY IN FACTUAL FORMATS

For the next questions, I want you to think about the sorts of programmes that are based more on fact - these include:

- News broadcasts
- Current Affairs Programmes
- Documentaries

on television and radio.

The challenge for the people who make these types of programmes is to ensure they protect the public's right to know, while also making sure these programmes meet the guidelines of:

SHOWCARD F WITH GUIDELINES

- Fairness
- Balance
- Accuracy

Your views on the degree to which standards should be upheld may vary depending on the type of programme. The next few questions are about this.

Q17

Use 0 to 10 codes to match showcard and scale of 0–10 (instead of 1–11).
SHOWCARD F and SHOWCARD D. ROTATE STATEMENTS

Firstly, thinking about the standard of FAIRNESS (POINT TO SHOWCARD F. READ IF NEEDED: which says that) broadcasters must deal justly and fairly with people and organisations taking part or referred to in the programme:

SHOWCARD D

Using this scale, how important is it that this standard is upheld for :

	0	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**Don't know**
R1. TV news	01	02	03	04	05	06	07	08	09	10	11	12
R2. Radio news	01	02	03	04	05	06	07	08	09	10	11	12
R3. Current affairs programmes on TV	01	02	03	04	05	06	07	08	09	10	11	12
R4. Current affairs programmes on radio	01	02	03	04	05	06	07	08	09	10	11	12
R5. Documentaries	01	02	03	04	05	06	07	08	09	10	11	12
R6. Radio talkback	01	02	03	04	05	06	07	08	09	10	11	12

Q18

ROTATE STATEMENTS. READ RESPONSE OPTIONS. SHOWCARD I

Some people think all individuals and organisations should be treated in exactly the same way, but other people think different standards should apply, depending on who the people or organisations are. Thinking about when they feature in news, current affairs and documentaries, how important is it that they are dealt with justly and fairly? Firstly ...

	Not at all important	Not important	Neither important nor unimportant	Quite important	Very important	*** Do not read*** Not sure/none of the above
R1. Government departments and other public bodies	1	2	3	4	5	4
R2. Politicians	1	2	3	4	5	4
R3. Business people and businesses	1	2	3	4	5	4
R4. Private citizens	1	2	3	4	5	4

Q19

Use 0 to 10 codes to match showcard and scale of 0–10 (instead of 1–11). SHOWCARD D and SHOWCARD F. ROTATE STATEMENTS

Thinking now about the standard of BALANCE (POINT TO SHOWCARD F). READ IF NEEDED: which says that broadcasters must ensure main sides of the story on controversial issues are presented.

Using this scale, how important is it that this standard is upheld for :

	0	1	2	3	4	5	6	7	8	9	10	Don't know
R1. TV news	01	02	03	04	05	06	07	08	09	10	11	12
R2. Radio news	01	02	03	04	05	06	07	08	09	10	11	12
R3. Current affairs programmes on TV	01	02	03	04	05	06	07	08	09	10	11	12
R4. Current affairs programmes on radio	01	02	03	04	05	06	07	08	09	10	11	12
R5. Documentaries	01	02	03	04	05	06	07	08	09	10	11	12
R6. Radio talkback	01	02	03	04	05	06	07	08	09	10	11	12

Q20

SHOWCARD D and SHOWCARD F. ROTATE STATEMENTS

And the standard of ACCURACY (POINT TO SHOWCARD F). READ IF NEEDED: which says that broadcasters must be truthful and accurate when reporting factual items.

Using this scale, how important is it that this standard is upheld for :

	0	1	2	3	4	5	6	7	8	9	10	Don't know
R1. TV news	01	02	03	04	05	06	07	08	09	10	11	12
R2. Radio news	01	02	03	04	05	06	07	08	09	10	11	12
R3. Current affairs programmes on TV	01	02	03	04	05	06	07	08	09	10	11	12
R4. Current affairs programmes on radio	01	02	03	04	05	06	07	08	09	10	11	12
R5. Documentaries	01	02	03	04	05	06	07	08	09	10	11	12
R6. Radio talkback	01	02	03	04	05	06	07	08	09	10	11	12

Q21

Code one only. DO NOT READ.

Who do you feel should be **mostly** responsible for what children watch on TV?

	Code	Route
Parents/caregivers	1	
TV broadcasters	2	
Children	3	
Other (specify	4	
Don't know	9	

Q22

Are you personally responsible for the care of any children aged 14 years or younger?

	Code	Route
Yes	1	
No	2	
Don't know	9	

Q23
CODE ALL MENTIONS ONLY IF EXACT CLASSIFICATION LETTERS OR PHRASES ARE GIVEN. OTHERWISE CODE VERBATIM IN OTHER.

Code All Mentions

Can you name any of the classification symbols or phrases that are used to give advice on programme content of television programmes?

PROBE ANY OTHERS

	Code	Route
AO	1	
Adults Only	2	
G	3	
General	4	
PGR	5	
Parental guidance recommended	6	
Other (specify)	7	
None	8	

Q24 was deleted

Q25
Can you tell me what this means?

	Correct	Incorrect	Don't know
R1. AO (ask if Code 2 in Q23 not mentioned)	1	2	9
R2. G (ask if Code 4 in Q23 not mentioned)	1	2	9
R3. PGR (ask if Code 6 in Q23 not mentioned)	1	2	9

Q26

READ OUT
How often do you use these classifications to determine what you personally watch on TV, would it be...

	Code	Route
Never	1	
Hardly ever	2	
Sometimes	3	
Often	4	
All the time	5	

Q27

If yes at Q22 then ask, otherwise skip over this question. READ OUT
How often do you use these classifications to determine what these children watch on TV, would it be...

	Code	Route
Never	1	
Hardly ever	2	
Sometimes	3	
Often	4	
All the time	5	

Finally, to make sure we have a good cross-section of New Zealanders, can you please tell me:

Q28

CODE GENDER

	Code	Route
Male	1	
Female	2	

Q29

CODE ONE ONLY
Which of the following best describes this household? Read...

	Code	Route
Living on my own	1	
A group flatting together	2	
A young couple with no children	3	
A family with mainly school aged or younger children at home	4	
A family with mainly adult children at home	5	
An older couple with no children at home	6	
Other (specify)	7	

Q30

CODE ONE ONLY
Which of the following age groups do you come into? Read if necessary...

	Code	Route
18 to 19 years	01	
20 to 24 years	02	
25 to 29 years	03	
30 to 34 years	04	
35 to 39 years	05	
40 to 44 years	06	
45 to 49 years	07	
50 to 54 years	08	
55 to 59 years	09	
60 to 64 years	10	
65 to 69 years	11	
70 to 74 years	12	
75 to 79 years	13	
80 years and over	14	
Refused	15	

Q31

CODE EACH MENTIONED. SHOWCARD G.
Which of the following ethnic groups do you belong to?

SHOWCARD G

	Code	Route
New Zealand European	01	
Māori	02	
Samoan	03	
Cook Island Māori	04	
Tongan	05	
Niuean	06	
Tokelauan	07	
Fijian	08	
Other Pacific Island	09	
Chinese	10	
Indian	11	
Other (not specified)	12	

Q32

CODE ONE ONLY IN COL A. SHOWCARD H.
Now a few questions about income. First, annual personal income before tax. Which of the groups does your personal income from all sources fall into? SHOWCARD H.

CHECK BACK TO Q29. IF LIVING ON THEIR OWN, CODE SAME AS FOR PERSONAL INCOME AND GO TO Q33. OTHERWISE ASK:

SHOWCARD H.CODE ONE ONLY IN COL B
And which of these groups does your combined household income fall into, including yours and your partner's or anyone else who lives with you?

SHOWCARD H	Q32a Personal income	Q32b Household income
Up to and including $10,000	01	01
Over $10,000 to $20,000	02	02
Over $20,000 to $30,000	03	03
Over $30,000 to $40,000	04	04
Over $40,000 to $50,000	05	05
Over $50,000 to $70,000.	06	06
Over $70,000 to $80,000.	07	07
Over $80,000	08	08
Don't know	09	09
Refused	10	10

Q33
How many people in the household are fifteen years of age or over?

	Code	**Route**
1	1	
2	2	
3	3	
4	4	
5	5	
6	6	
7	7	
8 or more	8	
Refused	9	

Q34 was deleted

Q35 CLOSE
That's the end of the survey. Thank you very much for your time. As I said before I'm from ACNielsen, a market research company. In case you are interested, we were carrying out this survey on behalf of the Broadcasting Standards Authority, which has been set up by the Government to encourage broadcasters in their efforts to develop and maintain standards of broadcasting. Your contribution is greatly appreciated. If you have any questions please feel free to call my supervisor.

GIVE RESPONDENT SUPERVISOR'S NAME AND PHONE NUMBER IF REQUESTED

"I certify that I have conducted this interview in accordance with the guidelines set out in the Market Research Society Code of Practice. I have thoroughly checked the questionnaire and it is complete in all respects."

Appendix H: How to make a formal complaint

If you are concerned about the content of a television or radio programme, the law entitles you to complain and ensures that your complaint will be taken seriously. Through the process of laying formal complaints, viewers and listeners play an influential part in the maintenance of broadcasting standards.

What can I complain about?

The Broadcasting Act 1989 requires broadcasters to maintain programme standards consistent with:

- the observance of good taste and decency
- the maintenance of law and order
- balance, fairness and accuracy
- the privacy of the individual
- approved codes of broadcasting practice.

The BSA has approved codes of broadcasting practice to regulate:

- the protection of children
- the portrayal of violence
- fair and accurate programming
- the promotion of liquor
- how programmes are classified
- safeguards against discrimination.

You can obtain a free copy of the Codes of Broadcasting Practice containing the programme standards from www.bsa.govt.nz, or by phoning or writing to the BSA.

You may make a formal complaint about any programme you consider breaches programme standards. A programme is anything which has been broadcast, including trailers for programmes and political advertising, but not other advertisements.

Please note that broadcasters deal with complaints about general programming matters and individual programme preferences. The BSA has no jurisdiction over these matters. The Advertising Standards Complaints Board investigates complaints about advertisements: PO Box 10 675, Wellington, e-mail asa@asa.co.nz, web www.asa.co.nz

How do I make a formal complaint?

With the exception of complaints about breaches of privacy which may be sent directly to the BSA, you must write to the broadcaster in the first instance. Address your complaint to the Chief Executive of the broadcaster concerned.

A formal complaint should:

- be in writing (include the words 'formal complaint')
- be received by the broadcaster (or the BSA in the case of privacy complaints) within 20 working days of the broadcast complained about ('working days' excludes weekends, public holidays and from Christmas Day until 15 January)
- include the name of the programme, the channel or station on which it was broadcast, and the date and time of broadcast
- state which programme standard or standards you believe have been breached
- state why you believe the programme breached the standard or standards.

When stating why you believe the programme breached a particular standard, it is helpful to use specific examples. For example, quote the language you found offensive, describe the actions you found in bad taste, or specify the comments you thought were unbalanced or unfair.

Referring a complaint to the BSA

The Act requires the broadcaster to respond to your complaint within 20 working days. If you are dissatisfied with the broadcaster's response, you may refer your complaint to the BSA for independent investigation and review. You must refer your complaint to the BSA within 20 working days following receipt of the broadcaster's response.

You may also refer your complaint to the BSA if the broadcaster does not respond to you within 20 working days. The BSA must receive unanswered complaints within 60 working days of the broadcast.

The BSA will advise the broadcaster that a complaint has been referred to it, send a copy of your correspondence to the broadcaster, and invite the broadcaster to respond. The BSA will send you a copy of the broadcaster's response. If the broadcaster has made any further comment to the BSA, you will be invited to make a final comment.

The BSA's decision

The BSA will consider your complaint at a board meeting. It will examine all the evidence, discuss your complaint, and decide whether or not to uphold it. The BSA's usual practice is to consider written statements from the complainant and the broadcaster, although it can hold a formal hearing if necessary.

The BSA's written decision will be sent to you and the broadcaster. It will then be sent to the media and subscribers, and posted on the BSA's website. When dealing

with complaints about alleged breaches of privacy, the BSA is sympathetic to requests for name suppression.

If the BSA upholds a complaint, it may:

- order the broadcaster to publish a statement, for example a correction or a summary of the decision
- order the broadcaster to pay costs of up to $5,000 to the Crown
- order the broadcaster to pay compensation of up to $5,000 to a person whose privacy has been breached.

In the most serious cases, the BSA can order a broadcaster to stop broadcasting or to refrain from advertising for up to 24 hours.

The BSA's decisions can be appealed to the High Court. If a broadcaster appeals a decision to the High Court, the complainant is named as the other party but can choose not to take part in proceedings.

The Broadcasting Standards Authority

The Authority has four members, appointed by the Governor-General on the recommendation of the Minister of Broadcasting. The Chair is a barrister and solicitor. There is a member appointed after consultation with broadcasters and another appointed after consultation with interested community groups. The BSA's address is PO Box 9213, Wellington. Phone: (04) 382 9508. Fax: (04) 382 9543. Infoline: 0800 366 996. E-mail: info@bsa.govt.nz. Website: www.bsa.govt.nz.

Broadcaster Addresses

Address formal complaints to the Chief Executive of the broadcaster concerned.

Television Broadcasters

TVNZ
PO Box 3819
Auckland
Phone: (09) 916 7000
Fax: (09) 916 6864
www.tvnz.co.nz

TV3 and C4
Private Bag 92 624
Auckland
Phone: (09) 377 9730
Fax: (09) 366 5999
www.tv3.co.nz
standardscommittee@canwest.co.nz

Māori Television
PO Box 113-017
Newmarket
Auckland
Phone: (09) 539 7000
Fax: (09) 539 7199
www.maoritelevision.com

Sky Television and Prime Television
PO Box 9059
Auckland
Phone: (09) 579 9999
Fax: (09) 579 8355
www.skytv.co.nz
www.primetv.co.nz

Radio Broadcasters

For broadcasts by National Radio and Concert FM your formal complaint should be sent to:

Radio New Zealand
PO Box 123
Wellington
Phone: (04) 474 1999
Fax: (04) 474 1459
www.radionz.co.nz

The address of a commercial radio station may be obtained from the station itself or from:

Radio Broadcasters Assn
PO Box 3762
Auckland
Phone: (09) 378 0788
Fax: (09) 378 8180
www.rba.co.nz

Endnotes

1 *Towards Precautionary Risk Management of TV Violence in New Zealand* (2004) the report to the Minister of Broadcasting of the Working Group: TV Violence Project. http://www.tv-violence.org.nz/, and Broadcasting Standards Authority (2004) *Real Media, Real People: Privacy and Informed Consent in Broadcasting*, Dunmore Press, Palmerston North.

2 The BSA has frequently sought public opinion through focus groups, often, as here, to help with the formulation of questions for national public surveys. The focus group method is a qualitative approach where participants' opinions are sought and recorded. Groups serve some or all of the following functions: to examine research questions with the help of group interaction; as a testing ground for questions to be used in survey questionnaires; and to form a part of a multi-method approach to collecting information (Liamputtong & Ezzy, 1999).

3 The results were published on the Internet as forty slides. They can be accessed on the Canadian Media Research Consortium's website www.cmrcccrm.ca. References in the summary refer to the slide number quoted.

4 See www.people-press.org

5 Reference to a controversy about practices at Te Wānanga o Aotearoa, a tertiary institution.

6 Several high-profile errors in operator handling of 111 calls had been reported in the weeks prior to the focus-group meetings.

7 Not his real name.

8 Even in the early days of radio the influence of talk was acknowledged when the New Zealand Government attempted to jam Uncle Scrim's programme in the Auckland market just prior to an election (Pauling, 1994).

9 In Radio Pacific/Trackside's first survey the station share dropped significantly in virtually all major markets. It appears that splitting the one station into two distinct products, and the introduction of another talk radio brand (Radio Live), has, at least in the short term, not proven as successful as anticipated by those involved.

10 For a complete picture of the launch and development of Newstalk ZB, read *Inside Talk Radio* by Bill Francis (2002), Darius Press: Wellington, New Zealand.

11 For those old enough and fortunate enough to recall the event, it was referred to at the Conference as News Stork 1ZB in deference to one of the rather large gold icons residing at the Orongorongo Lodge.

12 Newstalk ZB has been number one with all people 10+ in the Auckland market in every survey since 1990 bar one, when it was beaten by Mai FM in 2002.

13 Paul Holmes is broadcast on all Newstalk outlets except Christchurch where the local Breakfast team of John Dunne and Ken Ellis has been maintained.

14 Newly released share figures from the second 2005 radio survey by Research International show Newstalk ZB experienced growth nationally with all listeners 10+ despite the introduction of another talk brand (Radio Live) into the market. It maintains a healthy number-one position nationwide.

15 A Unimog is an army vehicle. In the incident discussed, three young soldiers were killed when they went off the road in one into the Kawarau River near Cromwell in early February 2005.

16 Source: Radio Broadcasters Association. Figures for listeners under ten years are not collected.

17 *Towards Precautionary Risk Management of TV Violence in New Zealand* (2004) the report to the Minister of Broadcasting of the Working Group: TV Violence Project. http://www.tv-violence.org.nz/, and Broadcasting Standards Authority (2004) *Real Media, Real People: Privacy and Informed Consent in Broadcasting*, Dunmore Press, Palmerston North.

18 Spontaneous concerns about radio were not sought in the 2000 public survey.

19 Broadcasting Standards Authority (2001) *Attitudes Towards Good Taste and Decency in Broadcasting Among Pacific Peoples* (p. 9).

20 See www.mediascape.ac.nz

21 Nielsen Media Research, National Readership Survey January to December 2004.

22 Source: www2.stats.govt.nz The Statistics NZ Website: *Estimated Resident Population of New Zealand by Sex and Selected Age Group*, at 30 June 2005 quarter. File name: alltabls.xls (sheet 3).

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