

Expenditure—

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|---------------------------------------|-----------|
| Claims and losses | 4,598,466 |
| Rebates to policy holders | 1,327,933 |
| Re-insurance premiums | 1,358,912 |
| Other expenses and payments | 3,192,740 |

FARMERS MUTUAL INSURANCE GROUP—CONSOLIDATED

| | |
|--|------------|
| Assets | 15,950,022 |
| Liabilities | 12,256,192 |
| Premium income | 17,179,378 |
| Net profit after tax and rebates | 428,466 |
| Value of premium notes guarantee | 653,740 |

Dated at Wellington this 17th day of January 1983.

S. J. CALLAHAN, Secretary for Justice.

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Private Schools Conditional Integration Act 1975

PURSUANT to section 10 of the Private Schools Conditional Integration Act 1975, notice is given that a supplementary integration agreement has been signed between the Minister of Education and the Proprietor of the following school.

St Peter Chanel School, Vardon Road, Te Rapa.

The said supplementary integration agreement came into effect on 4 December 1982. Copies of the supplementary integration agreement are available for inspection without charge by any member of the public at the Department of Education, Head Office, Government Buildings, Lambton Quay, Wellington and at regional offices.

Dated at Wellington this 17th day of January 1983.

J. S. JOLLIFF, for Director-General of Education.

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Decision No. 29/82.
Com. 21/82, 23/82.*Before the Broadcasting Tribunal*

In the matter of the Broadcasting Act 1976, and in the matter of complaints by (a) Ruth Anne Charters of Wellington, (2) Judith Anne Rankin of Wellington:

WARRANT HOLDER—Broadcasting Corporation of New Zealand (2ZM):

B. H. Slane, Chairman; Lionel R. Seats, Member; Susuan Boyd-Bell, and Shirley Easter, Co-opted Members.

DECISION

BOTH complaints concerned the 2ZM *Streetwalker Promotion*. The station broadcast invitations to people wishing to win money to approach a woman in the streets of Wellington between 7 a.m. and 6 p.m., Monday to Friday after picking out the clues from the radio station as to her whereabouts and identity to ask her whether she was the 2ZM streetwalker. The broadcast material made it clear that the term 'streetwalker' was not coincidentally chosen as was evidenced from the use of double entendre in the broadcast scripts. Shortly after the promotion started Radio New Zealand directed that it be taken off the air. This was done before the stage where formal complaints had been made.

Both complainants lodged formal complaints to the secretary of the Corporation and in each case the complaint was considered against the sections of the Act relating to standards of good taste and decency, the maintenance of law and order, and the privacy of the individual. The complaints were also examined against Radio Programme Rules concerning taste and decency, the effects any programme may have on children and standards of advertisements.

The Corporation acknowledged that an error of judgment had been made by Radio New Zealand in handling the promotion in the manner it did. It was a Wellington version of a promotion that had been run successfully elsewhere in New Zealand without complaint, as well as overseas, and offensive connotations were not foreseen.

In the circumstances the complaint was upheld in respect of section 24 (1) (c) of the Act and Programme Rule 1.1 (b) referring to standards of good taste and decency, Programme Rule 1.1 (c) referring to the effects of programmes on children, and Advertising Rule 1.3 (referring to propriety and goods taste). The Corporation said it had issued instructions to ensure no repetition of the promotion.

At the same time the Director-General of Radio New Zealand wrote to the complainants pointing out that the campaign was cancelled before the ground swell against the promotion reached the point where formal complaints were received.

"I can assure you that the 2ZM manager's surprise at public reaction was genuine. No offence had been registered in, for instance, Auckland when the promotion was run in a very similar guise and experience has not led Radio New Zealand to assume that attitudes

in different New Zealand population centres are so dramatically dissimilar."

"The complaints that arose from this 2ZM promotion have, nevertheless, provided a salutary lesson for Radio New Zealand and staff on stations around the country have been made aware of the dangers in any promotional idea that could in any way be interpreted as a breach of human rights or denigrating of any section of the community."

Ms Charters' complaint can be summarised—

1. Where the complaint was upheld the Corporation failed to specify its interpretation of the relevant grounds.
2. Where the complaint was not upheld it was ignored and no proper consideration was given to the grounds for the complaint or the evidence in support of it.
3. Having upheld the complaint on some grounds the Corporation failed to take any substantive steps to redress the balance or to ensure that similar breaches would not occur.

She considered that the decision should have provided interpretation of the grounds, it should have upheld the complaint on the grounds of breach of privacy and sufficient steps should have been taken to ensure that denigration of the personhood of women or encouragement of the uninvited invasion of their privacy should not occur.

Ms Rankin complained that no significant penalty was imposed to prevent further advertising of this nature being carried out by any BCNZ radio station.

She considered the complaint should have been upheld on the following grounds:

- (a) Maintenance of law and order. (It promoted conduct which could readily amount to offensive behaviour and an angry reaction by a woman could result in a breach of the peace.
- (b) Privacy. The right of Wellington women who were not the 2ZM streetwalker to go about in public without risking uninvited intrusions. Women who were approached were made involuntary participants in a commercial campaign.
- (c) The effect the broadcast may have on children.

She considered that the Corporation should have required 2ZM from its advertising budget to donate \$1,000 to every rape crisis centre and battered women's refuge in the greater Wellington listening region and appropriate steps be taken to ensure no future promotions for BCNZ services or their advertisers involved the stereotyping or denigration of women or an invasion of their rights of privacy, consent and individuality.

The Tribunal referred the complaints to the Corporation for comment and gave the complainants an opportunity to make further submissions after seeing the Corporation's response.

The Tribunal decided that it was not necessary to have an oral hearing of the matters raised, as they had been fully and capably argued by the complainants in some considerable detail.

The Tribunal considered the matter under the following headings:

Privacy—The Corporation did not uphold the complaint on the grounds of privacy. It was complained that the Corporation did not specifically state this in its reply. It would have been better if it had made that specific statement but it is clear from the letter that the complaint was not upheld on that ground.

The obligation of the Corporation in the Broadcasting Act was set out in section 24 which stated:

The Corporation shall be responsible for maintaining, in its programmes and their presentation, standards which will be generally acceptable in the community, and in particular it shall have regard to—

- (c) the observance of standards of good taste and decency;
- (f) the maintenance of law and order;
- (g) the privacy of the individual.

The Radio Standards and Rules 1.1 stated:

In the preparation and presentation of programmes broadcasters are required:

- (b) to take into consideration currently accepted norms of decency and taste in language and behaviour, bearing in mind the context in which any language or behaviour occurs;
- (c) to be mindful of the effect any programme may have on children during their generally accepted listening periods.

The complainants consider that the programmes broadcast resulted in a breach of the community standards regarding privacy and in particular the right of women not to be denigrated.

In applying the provisions of the Act, we must have regard to what we perceive to be community standards and not express our own personal views on what we might think is an appropriate standard of behaviour. It is clear that the elements relating to the denigration of women are properly dealt with under the provisions for good taste and decency.

As a number of occasions occur when people are stopped in the street by those doing surveys or even promotions which require