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Media Release | For immediate release
20 January 2012

Director's Voice provide Checks and Balances

A healthy democracy needs a free and open broadcasting environment.

The recent moves by NZ On Air (NZOA) to question the timing of the broadcast of *Inside Child Poverty* and then to seek to legal advice on controlling the scheduling of programmes "likely to be an election issue" is counter to their politically neutral position.

The Electoral Commission has stated that *Inside Child Poverty: Special Report* has not breached the Electoral Act 1993 or Broadcasting Act 1989.

"In the Commission's view, the programme was not election related for the purposes of sections 221A of the Electoral Act, given the fact that it is issues based and does not feature or comment on political parties or candidates contesting the 2011 election or the election itself. In any case, section 221A does not "restrict the publication of any news or comments relating to an election in a ... television broadcast made by a broadcaster within the meaning of section 2 of the Broadcasting Act 1989" (refer section 221A(4)). TV3 is the broadcaster in this instance and the programme is a documentary that would clearly fall within the term 'comment'" – The Electoral Commission

Under the current system any programmes scheduled during an election period are subject to both the scrutiny of the Broadcasting Standards Authority and the Electoral Commission. These organisations provide a sufficient check on the content of any programme. To load NZOA up with a complicated political brief will only create tension between the funding body, programme makers and broadcasters.

The SDGNZ supports the continued use of the current channels to assess the legality and impartiality of programmes rather than NZOA taking on this role.

The role of NZOA Board Member Stephen McElrea, who is also John Key's Electorate Chairman and the National Party's Northern Region Deputy Chairman, is now under scrutiny. Mr McElrea first raised concerns over the screening of the documentary as reported by Tom Frewan.



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"Was NZOA aware that this doco was to be scheduled four days before the election?" he [Stephen McElrea] queried on Thursday 17 November 2011 to NZOA Board Chairman, Neil Walter, and Chief Executive, Jane Wrightson.

"While we understand that NZOA board members are often political appointments, our members are very concerned that a board member such as Mr Stephen McElrea would seek to use his position to influence programming when this is clearly not his role," says Janette Howe (Acting Executive Director, Screen Directors Guild of New Zealand).

"Some SDGNZ members believe that Mr McElrea should resign now that he has shown such a lack of judgement over this issue and many have expressed to me concerns about their projects going forward for funding before the NZ on Air board."

"Programme makers are worried that their proposals will now be assessed in terms of a perceived political influence rather than simply on the merit of the project," states Howe.

ENDS

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