

**Complaint:** OMSA14/003  
**Complainant:** Ms Ngaro  
**Media:** The Radio Network  
**Content:** Flava Radio Facebook Page  
**Date of Ruling:** 12 March 2014  
**Outcome:** No Grounds to Proceed

**Complainant, Ms Ngaro said:**

Breached Standards:

The photo and caption are derogatory towards Pacific Island people.

Remedy:

An apology on the website and the removal of the photo and caption.

**The Chairman requested preliminary comment from the Radio Network on the matters raised in the complaints prior to making a determination about whether there was an arguable breach of the Code.**

**The Radio Network said in part:** This was part of station-generated content on the Flava Facebook Page as part of its social media channel with listeners ...

**Chairman's Ruling:**

The Chairman viewed a copy of the content, the complaint and the preliminary comment from The Radio Network.

The Chairman noted the Second Schedule of the OMSA Constitution sets out the jurisdiction of the Complaints Committee which covers news and current affairs content; published online; by any of OMSA's members.

The Chairman confirmed that the content which was the subject of the complaint had been published online, on a Facebook page for the radio station programme "Full Phat Breakfast on Flava" from Flava, part of The Radio Network, an OMSA member.

However, the Chairman considered the content was not news and current affairs for the purposes of the OMSA complaints process. The Chairman then noted the post from Flava had prompted negative and positive comments from Facebook members. Further, the Chairman noted the post was in keeping with a common thread of the radio station which catered to the Polynesian community.

The Chairman ruled however that the content complained of was outside the jurisdiction of the Complaints Committee as it was not news and current affairs, and therefore the complaint had no grounds to proceed.

**Chairman’s Ruling: No Grounds to Proceed**

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**Full Phat Breakfast on Flava**  
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