

Media Release

10 May 2016

BSA finds *Story*'s opening night item on Auckland real estate agent unfair

The Broadcasting Standards Authority has upheld a complaint from an Auckland real estate agent that an item on the opening night of TV3's *Story* was unfair to her.

The item was introduced: 'Some real estate agents are helping investors and traders... get the houses first [before auction]'. An actor approached different real estate agencies and asked agents to sell him properties for investment prior to auction and at a lower price, which the presenter claimed would be in breach of the industry code. Amy Wildman, one of the agents approached (and who asserted she was a trainee sales assistant at the time), was filmed with a hidden camera apparently agreeing to sell a property prior to auction.

The Authority acknowledged that the public interest in issues regarding the Auckland property market is generally high, and that if improper practices were indeed being engaged in by Auckland real estate agents, there would be public interest in investigating this.

However, the Authority did not consider that this particular item was presented in a way that served the public interest. It said, 'The allegations cast against Ms Wildman, who was named numerous times throughout the story, obviously had the potential to be damaging to her and necessitated a meaningful response from her, in order that she had an opportunity to defend herself'. The Authority found that Ms Wildman's position was not presented fairly and that broadcasting the hidden footage of her was not justified in the public interest.

Ms Wildman had provided a statement to *Story* the day after the broadcast, which contained what the Authority considered were key points:

- that Ms Wildman was working as a trainee sales assistant at the time of the hidden camera recording;

- that Ms Wildman believed the statements used in the broadcast were taken out of context, and that the full transcript of the conversation between her and the actor painted a different picture than that presented in the broadcast; and
- that Ms Wildman ‘strongly refute[d]’ that she was potentially in breach of the industry code of conduct or intended to act in a way that was not in the best interests of the vendor.

The Authority said that it would not have been ‘unreasonably onerous’ for the broadcaster to present at least these points in Ms Wildman’s defence in a follow-up broadcast.

The Authority did not uphold aspects of the complaint that the item was also in breach of Ms Wildman’s privacy and inaccurate.

As a remedy to the breach of the fairness standard, the Authority ordered MediaWorks, the broadcaster responsible for TV3, to publish a statement online that notes that the *Story* item breached the fairness standard and to reimburse Ms Wildman for a portion of her legal costs.

ENDS

For more information contact Nicole Hickman on 027 313 0179.

FURTHER INFORMATION

The full decision is available at <http://bsa.govt.nz/decisions/latest>.

ABOUT THE BROADCASTING STANDARDS AUTHORITY

The Broadcasting Standards Authority is an independent body that oversees the broadcasting standards regime in New Zealand. We do this by determining complaints that broadcasts have breached standards, by doing research and also by providing information about broadcasting standards.

The Authority members who determined this complaint were Peter Radich (Chair), Leigh Pearson, Te Rau Kupenga and Paula Rose.

For more information see our website: www.bsa.govt.nz.