

Media Release

19 April 2018

Ministry of Education should have been given opportunity to comment, BSA finds

The Broadcasting Standards Authority has upheld aspects of a complaint made by the Ministry of Education about news items broadcast on RNZ National. The news items related to issues impacting on Salisbury School and schools in Northland. The BSA found that some of the broadcasts were unbalanced and unfair, and the Ministry should have been given an opportunity to provide comments in response.

RNZ reported on allegations that the Ministry had actively discouraged parents from enrolling children at Salisbury School, a Nelson school for girls with complex learning needs. It later broadcast a series of items about an alleged lack of funding, resources and support for Northland teachers struggling to cope with violent and disruptive children.

In reaching its decision, the Authority acknowledged the high level of public interest in the stories, as they raised allegations about whether the Ministry was working “effectively, transparently and in accordance with proper process”. The Authority noted the significant role the media plays in keeping the public informed, and holding government bodies to account.

“In complaints of this kind and in previous similar decisions, we have stressed the importance of finding the proper balance between the public interest in ensuring that news items... are fair and balanced, and the public interest in allowing free criticism of those who govern,” the Authority said.

The Authority also acknowledged that the Ministry was “a large government department, familiar and experienced in dealing with media and with resources available for this purpose. Such government entities should expect to be subject to scrutiny and have the resources to provide comment if required.”

However, the Authority found that RNZ fell short of its obligations to present significant points of view in the news items and to provide the Ministry with a fair and reasonable opportunity to comment. The broadcasts had the potential to negatively impact on the Ministry’s reputation, and reduce public trust and confidence in its services.

“[W]hile there was public interest in the items reported, there was also a high level of public interest in hearing the Ministry’s response to the allegations, and the Ministry was not given a fair or reasonable opportunity to provide this. In order to effectively hold government entities to account, listeners need to be fully informed and aware of both sides of the story,” the Authority said.

The Authority also noted that whether a comment is required in all cases is context-dependent.

“[W]hile we have found in our decision on this particular complaint that fairness required that the Ministry’s views on the issue ought to have been sought, it may not always be the case in items relating to government bodies. What is fair in each case will depend on the particular circumstances. Contextual factors, such as the nature of the items, the urgency of the situation and the issues discussed, will always be a key factor,” the Authority said.

The Authority made no order, finding publication of the decision was sufficient to give guidance to broadcasters on the application of the standards.

ENDS

For more information contact Catie Murray on 021 623 794.

FURTHER INFORMATION

The items were broadcast on 18 March, 31 March and 6 April 2017 on RNZ National. The full decision is available at <http://bsa.govt.nz/decisions/latest>. The decision was made under the Radio Code of Broadcasting Practice which is available at <http://bsa.govt.nz/standards/overview>.

ABOUT THE BROADCASTING STANDARDS AUTHORITY

The BSA is an independent Crown entity that oversees the broadcasting standards regime in New Zealand. The BSA determines complaints that broadcasts have breached standards, undertakes research and oversees the development of broadcasting standards in consultation with broadcasters.

The Authority members who made the decision are Peter Radich (Chair), Paula Rose and Wendy Palmer.

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