

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 41/92  
Dated the 8th day of July 1992

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

P.G. CURRAN  
of Levin

Broadcaster  
TELEVISION NEW ZEALAND  
LIMITED

I.W. Gallaway Chairperson  
J.R. Morris  
R.A. Barraclough  
L.M. Dawson

DECISION

Introduction

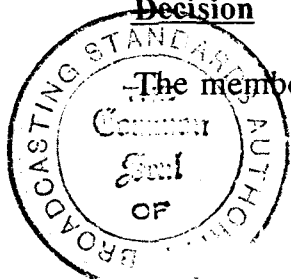
Terrorism in Northern Ireland and the activities of the IRA were the subjects of an item on *One Network News* at 6.00pm on 24 December 1991 broadcast by Television New Zealand Ltd. The item reported the declaration of a three day truce by the IRA in London and dealt with the home-coming from hospital in Northern Ireland of a baby who had been wounded by an IRA terrorist bullet some weeks earlier. It also described the previous weekend as one of the most violent in Ulster's history.

Referring to newspaper accounts which covered the actions of both Protestant and Catholic terrorists, Mr Curran complained to TVNZ that the item was unbalanced as it reported the activities of only one side to the conflict.

TVNZ declined to uphold the complaint and, as he was dissatisfied with that decision, Mr Curran referred it to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.

Decision

The members of the Authority have viewed the item complained about and have read



the correspondence (summarised in the Appendix). Mr Curran requested that the Authority hold a formal hearing in which he could present his views orally. The Authority can determine its own procedure under s.10 of the Act and, as it has received comprehensive submissions, it has decided to adopt its usual practice and to determine this complaint without a formal hearing.

In 1991 Mr Curran complained to the Authority about two items broadcast by TVNZ which dealt with aspects of the conflict in Northern Ireland. In Decision No: 47/91, dated 4 October 1991, the Authority declined to uphold both aspects of the complaint. That referral by Mr Curran, as with the one currently under consideration, included a number of general complaints about TVNZ's coverage of events in Northern Ireland in addition to the complaints about the specific items. In its decision on that occasion the Authority commented on some of the broader aspects of Mr Curran's concerns. As some of the comments made on that occasion continue to apply, the Authority repeats them at the conclusion of this decision.

Mr Curran complained specifically on this occasion about the balance of an item on TV1's *One Network News* at 6.00pm on 24 December 1991. The item reported the declaration of a three day truce by the IRA in London, the home-coming of a baby in Northern Ireland who had earlier been wounded by an IRA terrorist bullet and it concluded by describing the previous weekend as one of the most violent in Ulster's history. Mr Curran said that the item implied that Republican (IRA), or Catholic, terrorists only would have been involved while other sources showed that Loyalist, or Protestant, terrorists would have been responsible for some of the violence during that weekend.

He said that the programme breached standard 6 of the Television Code of Broadcasting Practice which requires broadcasters :

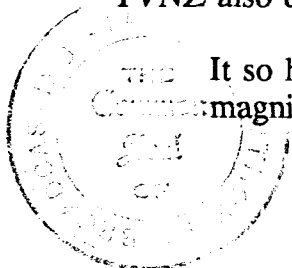
- 6 To show balance, impartiality and fairness in dealing with political matters, current affairs and all questions of a controversial nature.

When he referred his complaint to the Authority, Mr Curran argued that the item also breached standards 7, 12 and 15 of the Code. The Authority accepts TVNZ's submission that, as those standards were not mentioned in the initial complaint, it should not assess the item against them.

TVNZ denied that the item breached standard 6. In regard to the comment about the violent weekend it recorded that TVNZ had not used other than its standard sources, nor apparently had it sought other information, as the incident came into the category of "routine violence" in Northern Ireland. Moreover, it continued by stating that TVNZ was not the only source of news information in New Zealand but it complemented visually that which was carried elsewhere.

TVNZ also denied that it focused on IRA activities, stating:

It so happens that IRA "initiatives" are usually of such horrific proportions and magnitude in terms of property destruction and multiple life-taking that killings,



perpetrated by loyalists, do not provide the same world-wide attention nor the amount of coverage provided by international news sources for visual presentation.

When he referred his complaint to the Authority, Mr Curran persisted with his argument that TVNZ's coverage of events in Northern Ireland, unlike the quality newspapers, was unbalanced. The Authority would note that any violent deaths whatever the reason and wherever the location are horrific but, in this instance, it is not aware whether TVNZ's international sources advised it of the deaths of Catholics following Protestant terrorism.

The Authority decided the baby's home-coming after innovative surgery was the focus of the item to which the complaint related. It also acknowledged that the broadcast of such a story on Christmas Eve had a symbolic significance which, whilst justifying its newsworthiness, could also be taken to place undue emotional emphasis on the wanton disregard of the IRA for its victims. In the circumstances, the Authority considered that it was appropriate for the item to mention how the baby was injured and, as the item was a news feature, that it was not necessary to present the background to the conflict in which the baby had been wounded. The Authority acknowledged that TVNZ, by referring to the IRA, was using a reference which referred to a long history of sectarian violence and which might well reflect negatively on the IRA but it was the use of a term which, the Authority considered, was not unbalanced.

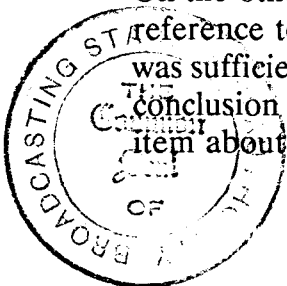
TVNZ advised the Authority that IRA actions sometimes involved many deaths and considerable property damage in contrast with the terrorist activities perpetrated by the Loyalists which, as a result, did not receive the equivalent international media coverage. However, despite the IRA's reputation for violence, TVNZ commented:

Such factors aside it is well known, certainly in New Zealand, that the sad scene in Northern Ireland is not one sided.

In the Authority's view, the second newsworthy feature of the item complained about was the reference to the IRA announcement of a three-day truce on its activities in London.

The Authority studied the references to the IRA and then to Ulster's violent weekend to see whether that part of the item achieved balance or whether a reference to Loyalist terrorism was also required. On the one hand, it could be argued that the item, by not referring to the Loyalists, put the total blame on the IRA for the baby's injuries, for the violent weekend and for sectarian violence generally. That seems to be the interpretation taken by Mr Curran and it was one which the Authority understood and which a minority of the Authority accepted. As the print media reported the Loyalist terrorism, the minority considered that TVNZ should have been aware of that information and should have referred to it in the news item.

On the other hand, however, although some concern was felt about the omission of any reference to the Loyalists, a majority of the Authority did not believe that the omission was sufficiently serious to breach standard 6. The majority of the Authority reached that conclusion by noting most importantly that the reference to the weekend was a news item about a long standing and well publicised situation (not a documentary) to which



viewers could reasonably be expected to bring their own knowledge. In addition, the reference to the weekend was brief and it was subsidiary to other points which unquestionably were not in breach of the standards.

**For the reasons set forth above, a majority of the Authority declines to uphold the complaint.**

The Authority repeats its comment in Decision No: 49/91, when it stated:

The Authority ... understands Mr Curran's concern about the way Northern Irish issues are dealt with on television. It also understands TVNZ's efforts over the years to give Mr Curran what it described as "full, frank and free" explanations but which Mr Curran has rejected as unsatisfactory.

It would appear that TVNZ pinpointed the crux of the differing approaches in its 17 June 1991 letter to the Authority. There it explained that television news programmes dealt, in effect, with headlines which were accompanied by appropriate visuals. Further TVNZ stated that it was terrorism by the IRA which has dominated world-wide media headlines about events in Northern Ireland. Mr Curran, as a viewer of TVNZ, is the recipient of the reports sourced internationally which TVNZ has editorially accepted as relevant for New Zealand audiences. The Authority considered, in agreement with TVNZ, that the broadcasts do not reflect bias on the part of TVNZ or its journalists. Rather, throughout the long history of violence in Northern Ireland the coverage appears to reflect internationally ingrained attitudes. However, there may come a time when, in view of the escalation of Loyalist terrorism, internationally sourced coverage is no longer sufficient.

Mr Curran, because of his close interest in Irish affairs, is aware of the amount of violence perpetrated by the different groups in Northern Ireland. However, at present the Authority does not consider TVNZ to be at fault in perpetuating the traditional and widely accepted approach which focuses on the IRA when it broadcasts items which are supplied by its international news sources. The Authority would point out, nevertheless, that New Zealand's perspective on controversial international events, whether in Ireland or, for example in the Falklands, the Middle East or Yugoslavia, does not necessarily correspond with the approach taken by the international news sources used by TVNZ. To achieve a balance in some situations, broadcasters may well have to present an alternative perspective from informed New Zealanders.

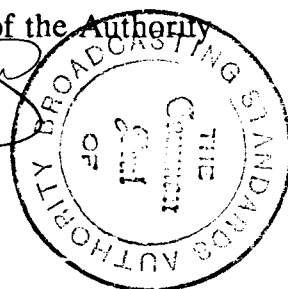
Signed for and on behalf of the Authority

*Iain Gallaway*

Iain Gallaway

Chairperson

8 July 1992



## Appendix

### Mr P.G. Curran's Complaint to Television New Zealand Limited

In a letter dated 13 January 1992, Mr Curran complained to Television New Zealand Limited about an item broadcast on *One Network News* at 6.00pm on 24 December 1991. He said that the item had dealt with the home-coming of a baby from hospital who had been wounded by an IRA terrorist bullet some weeks previously and that it had described the previous weekend as one of the most violent in Ulster's history.

Mr Curran complained that viewers would imply that only Republican (IRA), or Catholic, terrorists would have been involved in the weekend and, as that was unbalanced, the broadcast breached the standard in the Television Code of Broadcasting Practice requiring balance, impartiality and fairness.

He referred to newspaper reports which recorded that Loyalist, or Protestant, terrorists had also been responsible for some of the violence during the weekend. He also referred to previous occasions when he considered that TVNZ had ignored protestant terrorism and, in addition, included a quote from the Chief Constable in Ulster to the effect that republican and loyalist terrorists should be equally condemned.

### TVNZ's Response to the Formal Complaint

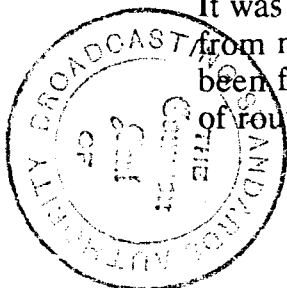
TVNZ advised Mr Curran of its Complaints Committee's decision in a letter dated 12 February 1992. The complaint had been assessed under standard 6 of the Television Code of Broadcasting Practice which requires broadcasters:

- 6 To show balance, impartiality and fairness in dealing with political matters, current affairs and all questions of a controversial nature.

Putting aside the comments and references in Mr Curran's letter which did not apply to the item complained about, TVNZ said that the item reported the IRA declaration of a Christmas truce and that this declaration was news in view of the earlier disruption in London because of the bombing campaign. Furthermore, the noting of a child's recovery from a serious injury following a terrorist incident was heartening news on Christmas eve from a troubled area. Moreover, TVNZ stated, the item about the baby's recovery was essentially non-sectarian and the comment about the violent weekend was not pointed at either side of the conflict.

TVNZ continued:

It was explained to the [Complaints] Committee that the items that you quoted from newspaper sources were not used by TVNZ for the reasons that have been frequently outlined to you over many years. They came into the category of routine violence in Northern Ireland and were indistinguishable in nature



from those reported from Ulster every month, year in and year out. The Committee felt it should be re-emphasised that because television does not have the space that newspapers have, it is not possible to attempt the score-card coverage of Northern Ireland which you appear to advocate. Also it needs to be understood that television is not the only source of news information in New Zealand and tends to complement, in a pictorial sense, what is carried by the print and radio media.

It declined to uphold the complaint.

### Mr Curran's Complaint to the Broadcasting Standards Authority

As he was dissatisfied with TVNZ's decision, in a letter dated 28 February Mr Curran referred the complaint to the Authority under s.8(a) of the Broadcasting Act 1989.

Referring to the newspaper accounts which dealt with the terrorist acts committed by parties to both sides of the conflict just prior to Christmas 1991, Mr Curran described TVNZ's use of innuendo and omission as dishonest journalism. He also rejected TVNZ's explanation of the item broadcast on 24 December.

He referred to a number of items on either *One Network News* or the *Holmes* programme in October and November 1991 which, he believed, were unbalanced. He had corresponded with TVNZ about these matters and included copies of some letters for the Authority's information. He described the items as selective reporting and he contrasted TVNZ's "shameful Current Affairs programmes" with the "honest journalism" evident in the press.

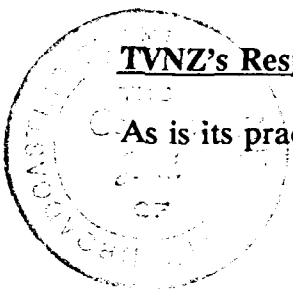
In a letter dated 16 March he asked the Authority to review his complaint to TVNZ made in November 1991 about items on *One Network News* 26 October 1991 and 4 November 1991. He was advised by the Authority that although it would take note of any relevant material, it was statutorily time-barred from reviewing the specific complaints referred to.

When completing the Authority's Complaint Referral Form, Mr Curran argued that the item on 24 December breached standards 7, 12 and 15 of the Television Code in addition to standard 6 earlier cited. He also indicated that he would welcome an invitation to a formal hearing to discuss TVNZ's coverage of events in Northern Ireland:

For it seems to me that sectarianism, perhaps racism, have more influence on the presentation of Irish news by TVNZ than professional honesty and journalistic integrity.

### TVNZ's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint.



In its reply dated 29 April, TVNZ stated that its substantive response to the complaint was presented in its letter to Mr Curran dated 12 February. It added:

- 1) The complaint was considered only under standard 6 as that was the only standard cited initially. It argued that the Authority should not now consider the complaint under the other standards now noted.
- 2) The items referred to, other than the broadcast on 24 December, were extraneous to the complaint.
- 3) The items shown were broadcast because of their intrinsic news value.
- 4) *One Network News* did not report all Irish terrorist activities or murders.
- 5) Television complemented the more detailed reports in the print and radio media.

As many of the details in Mr Curran's complaint raised general issues which were not directly related to the programme to which the complaint related, TVNZ stated that they were not relevant to the Authority's consideration. Likewise, it believed a formal hearing would be unnecessary. TVNZ concluded:

Finally the company would submit that it is fundamental to these issues that it be recognised that item selection is based on the intrinsic significance (news value) of material available at a time a news broadcast goes to air. It is assessed against all material available from home and abroad. There is no traditional or widely accepted approach as such that focuses on the IRA. It so happens that IRA "initiatives" are usually of such horrific proportions and magnitude in terms of property destruction and multiple life-taking that killings, perpetrated by Loyalists, do not provide the same world-wide attention nor the amount of coverage provided by international news sources for visual presentation. Such factors aside it is well known, certainly in New Zealand, that the sad scene in Northern Ireland is not one sided.

#### Mr Curran's Final Comment to the Authority

When asked to comment on TVNZ's response, in a letter dated 7 May 1992, Mr Curran questioned why TVNZ's reporting of events in Northern Ireland differed from that in the quality newspapers. He added that he had posed that question to TVNZ and had been told that there was less interest in the random murder of nonentities than in the killing of authority figures. Mr Curran argued that TVNZ meant that the Catholics who were killed as "soft targets" as revenge for the IRA activities were treated by TVNZ as "nonentities".

He enclosed some press clippings which, he said, substantiated his case that TVNZ's coverage of events in Northern Ireland was unbalanced.

