

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 93/92

Dated the 7th day of December 1992

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

MARILYN PRYOR and
PETER CORRIGAN
of Wellington

Broadcaster
TELEVISION NEW ZEALAND
LIMITED

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

DECISION

Introduction

The consequences of the Roman Catholic Church's doctrine on birth control for the residents of the overcrowded slums of Mexico City was one of the issues examined on *Foreign Correspondent* broadcast on TV1 between 9.30pm and 10.00 pm on 21 May 1992.

Ms Pryor complained to Television New Zealand Ltd that the item was in breach of the broadcasting standards because it contained inaccuracies and bias. Mr Corrigan's separate complaint focused on the item's lack of balance and its dismissive attitude towards natural birth control. He stated that the programme distorted Mexico City's population problem in order to attack the Catholic Church.

In declining to uphold the complaint, TVNZ contended that the item was a balanced view of the conditions in Mexico City and that the statements made were backed up by facts and interviews. It believed that it was a valid line of enquiry to ask what role the Church's doctrine on birth control played in the burgeoning population of that City. As both of the complainants were dissatisfied with TVNZ's decision, they referred their complaints jointly 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). As is its practice, the Authority has determined the complaint without a formal hearing.

An item on *Foreign Correspondent* which was broadcast on TV1 on 21 May 1992 focused on the living conditions of some of the three million residents of a slum area on the outskirts of Mexico City. It examined the effects of overpopulation which led to overcrowding, poor health, low life expectancy and irreversible damage to an environment already under threat in Mexico City. The people shown in the item were depicted as hard-working, loving, caring, family-oriented people who were caught up in an environmental and social milieu which was inexorably leading them to early death.

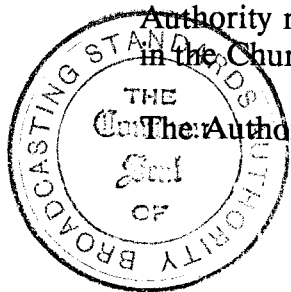
Ms Marilyn Pryor and Mr Peter Corrigan complained separately to TVNZ that the item was unbalanced because it clearly but unfairly ascribed the blame for the conditions in Mexico City on the teachings of the Catholic Church, and specifically on the Church's stance on birth control. TVNZ declined to uphold either complaint, claiming that it was legitimate to examine the role of the dominant Church's doctrine on birth control in the context of the high rate of population growth in Mexico City. Ms Pryor and Mr Corrigan referred their complaints jointly to the Authority, challenging the programme's accuracy, and its lack of balance and impartiality.

TVNZ's Complaints Committee considered the item against standards 1, 6 and 7 of the Television Code of Broadcasting Practice which the complainants said were breached by the item and declined to uphold the complaint. These standards require broadcasters:

- 1 To be truthful and accurate on points of fact.
- 6 To show balance, impartiality and fairness in dealing with political matters, current affairs and all questions of a controversial nature.
- 7 To avoid the use of any deceptive broadcasting practice which takes advantage of the confidence viewers have in the integrity of broadcasting.

Dealing first with standard 1, the Authority observed that the programme was confined to the context of a slum area of Mexico City and that the people who were interviewed were people who lived there and who struggled with the day-to-day problems of surviving. The fact was that those people were living in abject poverty and, although they did their best to keep themselves and their dwellings clean, they were always at risk of illness and disease because of the pressures of overpopulation and poverty. The Authority observed that the intention of the documentary was to highlight the problems these people faced, rather than to attack the Church. However, it did have some sympathy for the complainant's allegation on this point. In agreement with TVNZ, the Authority noted that at no time did the programme convey the message that a change in the Church's teaching on artificial birth control was the only solution for Mexico City.

The Authority accepted the programme's observation that natural family planning "does



not work" in the experience of the slum dwellers of Mexico City depicted in the documentary. The complainants provided a great deal of information which showed that it is a well-regarded, effective means of birth control in certain groups which have been taught the method. However, from the literature provided, the Authority noted that the method requires a conscientious commitment by both partners and, to quote the publication *Catholics and Family Planning*, "high motivation, proper instruction, [and] adequate supervision in the initial stages" from a trained health worker to be successful.

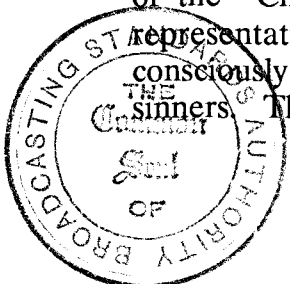
The Authority accepted that the population problem in Mexico City was a newsworthy subject. From the broadcast of the interviews with people who lived there, there appeared to be a moral dilemma among those who would like to limit the size of their families but were constrained from using artificial means of birth control by the teachings of the Church to which they were devoted. The Authority acknowledged that no information was given in the programme on the method of natural family planning described in the literature provided by Ms Pryor and Mr Corrigan. In its view, it was not clear from the broadcast whether that natural method had been tried in Mexico City or whether it was the old "rhythm method" which had been used and found to be unsuccessful. It decided that it was likely to be the latter, as one of the women interviewed when referring to natural birth control called it the calendar method and said that for her, it did not work.

Having assessed the programme against the requirements of standard 1, the Authority decided that even though it did not present the views of those who find natural birth control effective, it did not breach the requirement for truthfulness and accuracy. The programme was limited to the experiences of those residents of Mexico City portrayed.

With regard to standard 6, the Authority observed that the Catholic Church was not ascribed the full responsibility for the dilemma of overpopulation, for although it was stated in the introduction that the Church's policy on birth control "contributes in no small measure" to the high birth rate, the item acknowledged that immigration was a factor also.

The Authority had some sympathy with the complainants' argument that the item perpetuated a stereotypical point of view about the teachings of the Catholic Church and high birth rates. It noted that the demographic data provided by the complainants, which showed the low population growth rate in some predominantly Catholic countries, supported their view. However, the Authority felt that this information was not entirely relevant to the complaint as the programme was focused on Mexico City.

When considering the item's balance, the Authority considered that the broadcast of the comments of the priest in the slums of Mexico City were helpful because he had overall knowledge of the moral dilemma people faced when their desire to limit their family size appeared to conflict with the teachings of the church. However, it noted that the presentation of his views did not provide balance because they were different from those of the Church. The item also included a brief interview with Bishop Mejia, a representative from the Vatican, who stated unequivocally that people who did not conscientiously and freely put into practice the teachings of the Church on birth control were sinners. The interview, although cursory, sufficiently advanced the Church's views to



meet the requirement of standard 6 with respect to balance.

Finally, the Authority considered the complaint under standard 7. It rejected the complainants' argument that viewers could be so misled by the programme's view of the facts that a "deceptive programming practice" had been employed. The Authority noted that advocacy journalism is a well-established journalistic technique and its use on this occasion was legitimate. The fact that a programme is highly respected is not a sufficient ground for asserting that information given on it will not be critically evaluated by the viewer or listener. In the Authority's view, this standard refers to a "contrived" technique or approach which deceives viewers. The Authority could find no evidence of the use of any contrived technique in this programme which took advantage of the confidence viewers have in the integrity of broadcasting.

The scope of the documentary was limited to the experience of the slum dwellers of Mexico City. It presented life in the slums as it was found, albeit through the eyes of a Western documentary maker. It gave a visual contrast between the slums of Mexico City where three million people lived and the opulence of the Vatican where the Church's doctrine is promulgated. It challenged the role of the Church in the population growth and reported the fact that, for the people interviewed, natural family planning did not work. The Authority is of the view that it was not an inaccurate or unbalanced portrayal of the conditions found.

For the reasons set forth above, the Authority declines to uphold the complaint.

Signed for and on behalf of the Authority


Iain Gallaway
Chairperson



7 December 1992

Appendix

Ms Marilyn Pryor's and Mr Peter Corrigan's Complaint to Television New Zealand Ltd

In separate letters Ms Pryor and Mr Corrigan complained to Television New Zealand Ltd about an item on Mexico City broadcast on TV1 on Thursday 21 May 1992 on *Foreign Correspondent* between 9.30 pm and 10.00 pm. Ms Pryor's letter was dated 25 May and alleged that the item breached standards 1 and 7 of the Television Code of Broadcasting Practice. The item, she stated, was biased almost to the point of being propaganda.

Mr Corrigan's formal complaint was dated 22 May and dealt with two related issues. First, he said, the item showed very little balance and was so biased as to be propaganda directed against the Catholic Church and its teaching. In particular he objected to the dismissive manner that natural birth control was dealt with.

His second complaint was that statements made by the reporter about the plight of Mexico's poor were unsupported by visual evidence. He believed that the population problem in Mexico City was seriously exaggerated, and that the causes and effects were distorted to attack the Church. He claimed that the objectivity of the reporter was seriously questionable.

TVNZ's Response to the Formal Complaints

TVNZ advised Ms Pryor and Mr Corrigan of its Complaints Committee's decision in separate letters dated 15 July 1992.

In response to Ms Pryor, TVNZ said that, because she did not identify the parts of the programme which were at fault, it had considerable difficulties in assessing in what way the standards had been breached. It maintained that it was a valid line of inquiry for the item to question the role of the dominant Church's doctrine on birth control in the context of the burgeoning population of Mexico City. Accordingly, it declined to uphold the complaint.

In regard to Mr Corrigan's complaint, TVNZ noted that it had been considered under standards 1, 6 and 7 of the Television Code of Broadcasting Practice. It observed that the holding of strong religious beliefs by viewers should not prevent journalists from questioning matters of dogma, especially when the consequences of the dogma had a wide impact. It noted that to any disinterested party it was simple common sense that in a country like Mexico a doctrine which forbade artificial birth control would have an impact on population growth. Furthermore, two Catholic priests interviewed on the programme confirmed that.

In response to Mr Corrigan's point that natural birth control had a high rate of success, TVNZ noted that this was more likely among educated people, and that there was a high



failure rate among people such as those in the slums of Mexico City. It wrote:

In addition the Committee was advised that Family Planning Groups in Auckland do not share your view. They say that success from the "natural" method is found largely in the well-educated, higher socio-economic groups. Poorer, less educated people have greater problems keeping up with the complex fertility cycle. One Family Planning group reported that among the higher socioeconomic groups the failure rate of the natural method can be as low as 2 per cent, but its failure rate among poorer people is as high as 60-70 percent.

TVNZ also dismissed his point that because the item showed clean, happy people and not miserable, undernourished ones, this was contradictory and suspect. TVNZ noted that it was false to assume that because people were poor they were also dirty. It concluded by stating that it was a valid line of inquiry to question the role of the Church in the increase in population and declined to uphold the complaint.

Ms Pryor's and Mr Corrigan's Complaint to the Broadcasting Standards Authority

Dissatisfied with TVNZ's decision, Ms Pryor and Mr Corrigan made a joint referral to the Broadcasting Standards Authority on 12 August 1992 under s.8(a) of the Broadcasting Act 1989. They believed that the programme breached standards 1, 6 and 7 of the Television Code of Broadcasting Practice.

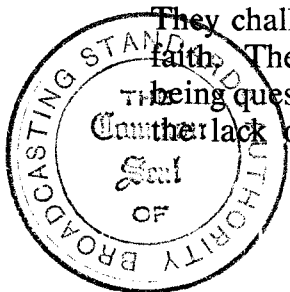
They wrote:

The programme dealt with living conditions for the inhabitants of Mexico City and pointed out that its population is continually being boosted by births and by migration from rural areas. It focused on the pollution and poverty which it said are overwhelming Mexico City and showed sections of the population living in abject squalor.

The only cause of this pollution and poverty identified by the programme was the teaching of the Catholic church in respect of artificial contraception and its thrust was that a change in that teaching was the key to solving these problems of poverty and pollution.

The programme ignored other factors contributing to Mexico's poverty and pollution and failed to acknowledge that similar problems exist in countries which are predominantly Buddhist, Hindu and Muslim. It overlooked the fact that there are countries with large or predominantly Catholic populations where population growth rates have moved towards zero and it overstated the role that artificial contraception plays in reducing the birth rate.

They challenged TVNZ's argument that they were distressed by the challenge to their faith. They asserted that they were not distressed that the teaching of the church was being questioned. What they were unhappy about was the programme's inaccuracies and the lack of balance and impartiality in addressing the subject. They said that the



programme went well beyond an inquiry into the role of the Church's teachings because it laid the blame for Mexico City's poverty on those teachings, which, they claimed, was not accurate, balanced or impartial.

Further, they claimed that TVNZ did not address the key issue in their complaints and it was wrong in its evaluation of natural family planning.

In support of their views, they appended several articles on contraception, abortion, and the effectiveness of natural family planning from medical journals and other sources.

TVNZ's Response to the Broadcasting Standards Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 12 August 1992 and TVNZ's response, 11 September.

TVNZ stated that it believed the item spoke for itself and was a well-researched piece of journalism confronting a vital human and environmental issue. It stated:

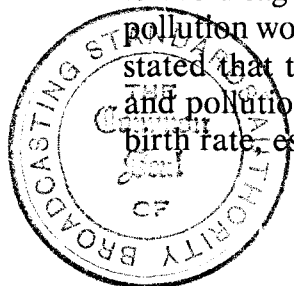
We note the views of Mrs Pryor and Mr Corrigan, who from their positions in distant New Zealand see as unjust the emphasis placed on the effects in Mexico City of the Roman Catholic doctrine on birth control. We also note the views of Father Enrique Maza, a Roman Catholic priest living and working in Mexico City who during his interview in the item specifically confirms the thrust of the programme.

Mentioning that the item had been prepared when the question of birth control had been raised by the Archbishop of Canterbury, TVNZ continued:

At no time did the item suggest that a change in the Church's doctrine was the only solution for Mexico City. But given the debate sparked by the Archbishop's remarks, it was valid for the item to examine one of the world's most heavily populated slum areas in the context of its predominant faith, that of Roman Catholicism.

TVNZ then examined the second aspect of the complaint, which related to the effectiveness of natural family planning, and noted that this was an area in which it did not agree with the complainants. It referred back to its letters dated 15 July in which it outlined the views of family planning groups in Auckland and included a quotation from *Time*. To this it added a reference to "Contraception and Holiness" by Archbishop Thomas Roberts, which among other things pointed to the success of natural family planning being largely among the better educated.

It also disagreed with the complainants' assertion that the item claimed that poverty and pollution would be resolved if the Church changed its position on contraception. TVNZ stated that the item merely implied that reducing the birth rate would reduce poverty and pollution and showed that the Church's policy mitigated against a reduction in the birth rate, especially in the very poor areas. Viewers, they contended, were left to draw



their own conclusions.

TVNZ concluded by observing that the voluminous documentation provided by the complainants had little relevance to the television item.

Ms Pryor's and Mr Corrigan's Final Comment to the Authority

When asked to comment on TVNZ's response, in a letter dated 2 October Ms Pryor and Mr Corrigan repeated their contentions that the programme:

- * Displayed a lack of balance, impartiality and fairness in addressing poverty and pollution in Mexico City;
- * Made claims that were inaccurate; and
- * Took advantage of the confidence viewers have in the integrity of *Foreign Correspondent*.

They submitted that:

[B]ecause of the narrow options presented in the programme, viewers were likely to draw the conclusion that the Church's teaching on artificial contraception is **the** single obstacle in the way of reducing Mexico City's poverty and pollution which it claimed were caused by the city's population growth. No other cause for Mexico City's poverty or pollution was mentioned in the programme. No other obstacle to resolving the City's poverty or pollution was mentioned in the programme.

They objected to the statement made in the programme that natural family planning did not work. They also challenged the basis for TVNZ's claim in support of the programme that natural birth control was ineffective among those who are not well educated and quoted the World Health Organisation and other researchers who had found that natural family planning had a high rate of effectiveness.

They concluded by summarising their claims. First, they noted that it was unfair and not impartial to state that the level of poverty in Mexico City could be attributed solely to Catholicism. They quoted figures from the United Nations Demographic yearbook which showed that of the ten countries with the highest birth rates, only one was a predominantly Catholic country, while of the ten with the lowest birth rates, five had a significant Catholic population.

Secondly, they stated that the item was clearly inaccurate in its evaluation of the effectiveness of natural family planning and took but a limited view of the Church's teaching regarding artificial contraception.

Finally, they asserted that because *Foreign Correspondent* was regarded as being both informative and reliable, it took advantage of viewer confidence by screening a programme which was so unbalanced.

Ms Pryor and Mr Corrigan appended a Roman Catholic church publication on Natural Family Planning.

