

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 98/92

Dated the 17th day of December 1992

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

H.B.W. MEROITI

of Waikanae

Broadcaster

TELEVISION NEW ZEALAND
LIMITED

I.W. Gallaway Chairperson

J.R. Morris

R.A. Barraclough

L.M. Dawson

DECISION

Introduction

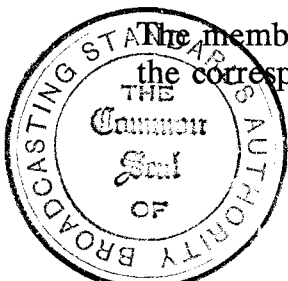
A controversial Australian theologian, Dr Barbara Tiering, was interviewed on the *Holmes* programme on 12 August 1992. Among her comments, she said that Jesus was not the son of God, that he did not perform miracles and that he was not crucified.

Mr Meroiti complained to Television New Zealand Ltd that the interview allowed Dr Tiering to spread her controversial interpretations of the Bible without significant balance.

Pointing out that the item started with a summary of the tenets of the Christian faith and that Mr Holmes had challenged Dr Tiering on a number of points, TVNZ declined to uphold the complaint. As he was dissatisfied with TVNZ's decision, Mr Meroiti referred his complaint 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 Meroiti argued that the



Authority should hold a formal hearing as, according to the principles of natural justice, a comprehensive review of scriptural evidence was required to determine the complaint. TVNZ expressed the opinion that a formal hearing was unnecessary. As the complaint raised the issue of balance when advancing controversial interpretations of the Bible, not the issue of what is the accurate interpretation, the Authority has followed its usual practice and determined the complaint without a formal hearing.

Mr Meroiti's complaint to TVNZ did not nominate any specific provisions in the Broadcasting Act or the Television Code of Broadcasting Practice which he alleged were breached when Mr Paul Holmes interviewed Dr Barbara Tiering, who was described as a radical Australian theologian. TVNZ's Complaints Committee assessed the programme under standard 6 of the Television Code of Broadcasting Practice which reads:

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

TVNZ did not contest the issue that Dr Tiering advanced controversial Biblical interpretations. It pointed out that the interview began with a summary of the Christian interpretation of the Bible and that her views were described as assertions and claims and her conclusions as startling. When asked by the Authority to comment on the complaint, TVNZ referred to the importance of free speech in an open society and added:

Further, it could be argued that the interview with Dr Tiering in itself provided balance to hundreds of years of traditional teachings by the Church - suggesting as it did that there is another way of viewing the stories of Christ and Christianity.

The Authority took this point into account when considering Mr Meroiti's argument that the principle of balance required either a theologian as the interviewer or the appearance of a theologian to respond to Dr Tiering's opinions. It decided that TVNZ's contention about the relevance of the widespread knowledge of the long-established conventional view had considerable validity. There are accepted and traditional Christian views which are well-known and which form part of most people's general knowledge. The views advanced by Dr Tiering during the interview were radically different and, in the Authority's view, were presented as radical theory rather than fact. Along with the summary of the orthodox interpretation of the Bible advanced by the interviewer, the Authority concluded that the requirement for balance and fairness contained in standard 6 of the Television Code was provided by the widespread knowledge of the traditional interpretation of the Bible.

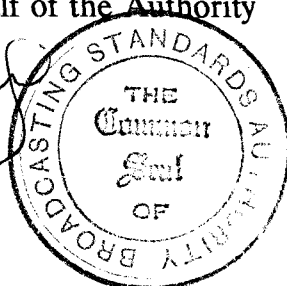
For the reasons set forth above, the Authority declines to uphold the complaint.

Signed for and on behalf of the Authority

Iain Gallaway

Iain Gallaway
Chairperson

17 December 1992



Appendix

Mr H.B.W. Meroiti's Complaint to Television New Zealand Limited

In a letter dated 17 August 1992, Mr Meroiti complained to Television New Zealand Ltd about an item on the *Holmes* programme on 12 August.

The item was an interview with Dr Barbara Tiering, an Australian theologian, and Mr Meroiti said that it had allowed her to spread her "controversial interpretations of the Gospel". Explaining that the interviewer was apparently unable to relate to those who believed devoutly in the truth of the gospel, Mr Meroiti complained that the interview lacked significant balance. In addition, he said, the interviewer had failed to recognise that the interpretations advanced abused the written word of God.

TVNZ's Response to the Formal Complaint

TVNZ advised Mr Meroiti of its Complaints Committee's decision in a letter dated 9 September 1992. It reported that the complaint had been considered under standard 6 of the Television Code of Broadcasting Practice which requires broadcasters to show balance, impartiality and fairness.

TVNZ noted that the item began with a summary of the tenets of the Christian faith and Dr Tiering's views had been described as assertions, as claims and as "startling". The interview, TVNZ continued, did not show support for Dr Tiering and she had been challenged on many points. Although Dr Tiering's views were of interest as displayed by the popularity of her book and while the interview may have hurt some devout Christians, TVNZ noted that the New Zealand Bill of Rights Act allowed freedom of religious beliefs and, it argued, an open discussion of fundamental values and beliefs made for a healthier society.

It declined to uphold the complaint.

Mr Meroiti's Complaint to the Broadcasting Standards Authority

As he was dissatisfied with TVNZ's response, in a letter dated 24 September 1992 Mr Meroiti referred his complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.

He described the views presented as insensitive and destructive of Christian faith. He asked various questions about the interviewer's religious beliefs and affiliations. He had complained, he said:

Because no religious or Christian believer was involved with the interview to present significant points of view. As though we do not matter - we are the people out in the field. The Lord Jesus Christ warned many false prophets



shall arise - IS THIS NOT SO ...

Mr Meroiti added that, despite the cost, in order to avoid confusion and to clarify his views, he would feel comfortable speaking at a formal hearing.

TVNZ's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 29 September 1992 and TVNZ's reply 12 October.

Noting that the complaint seemed to be based on the fact that a radical theologian was allowed time on television, TVNZ acknowledged that the views expressed could be "hurtful". However, TVNZ believed that society's dominant religion should be debated.

Pointing out that the interview was balanced by the introduction and the interviewer's challenging questions, TVNZ added:

Further, it could be argued that the interview with Dr Tiering in itself provided balance to hundreds of years of traditional teachings by the Church - suggesting as it did that there is another way of viewing the story of Christ and Christianity.

TVNZ stated that the questions about the interviewer's religious affiliations were irrelevant as he was a journalist. It argued that the Authority should determine the complaint without a formal hearing and concluded:

We repeat our regrets for causing pain to Mr Meroiti and to others in his situation. However we do not regret running the interview for we believe that it added a dimension to public discussion on religion - albeit a dimension already recognised by readers of the best selling book "In Search of the Holy Grail".

Mr Meroiti's Final Comment to the Authority

When asked to comment on TVNZ's reply, in a letter dated 22 October 1992 Mr Meroiti argued that the Holy Bible was recognised internationally as a source of religious authority. Dr Tiering's comments were blasphemous libel, encouraged the denigration of and discrimination against Christians and, when TVNZ had broadcast the interview without consulting interested parties, it had breached the law.

He maintained that a formal hearing was necessary to ensure, in the interests of natural justice, that scriptural evidence was given proper consideration. He signed the letter on behalf of the Gospel Defenders Charitable Trust.

