

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 2/93

Dated the 21st day of January 1993

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

ROGER HELM  
of Christchurch

Broadcaster  
TELEVISION NEW ZEALAND  
LIMITED

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

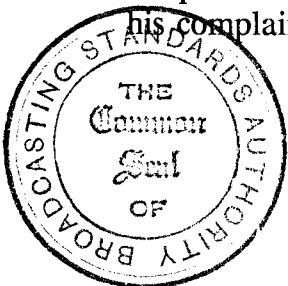
DECISION

Introduction

The forthcoming elections in the Australian State of Victoria were featured in an item on *One Network News* broadcast between 6.00 - 6.30pm on 6 August 1992. The State Government's election campaign included advertisements which were critical of some New Zealand government policies and, in the news item, the reporter questioned the State Premier about their impact.

Mr Helm complained to Television New Zealand Ltd, as the broadcaster, that the reporter equated the criticism of the New Zealand government contained in the advertisements with criticism of New Zealand. Accordingly, the item breached the broadcasting standards requiring truth, accuracy and balance.

Arguing that whereas the advertisements were seen by the Victorian public as anti-New Zealand, some aspects of the complaint indicated that the complainant misunderstood the role of the news broadcaster as a messenger, not the message, and TVNZ declined to uphold the complaint. Dissatisfied with the broadcaster's response, Mr Helm referred his complaint to the 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.

Mr Helm complained to TVNZ about an item on *One Network News* on 6 August 1992 in which, he claimed, a reporter "repeatedly equated criticism" of the New Zealand government with criticism of the country at large. The item dealt with the election campaign in the State of Victoria where the governing Labour party had broadcast election advertisements which were critical of some aspects of life in New Zealand. By equating the criticisms of government policy with criticisms of New Zealand, Mr Helm alleged, the item was factually incorrect, it reflected a bias in favour of the policies of the New Zealand government and it implied that criticism of the New Zealand government was unacceptable and the critics were "borderline criminals".

TVNZ considered the complaint under standards 1, 4, 6 and 12 of the Television Code of Broadcasting Practice. The first three require broadcasters:

1. To be truthful and accurate on points of fact.
4. To deal justly and fairly with any person taking part or referred to in any programme.
6. To show balance, impartiality and fairness in dealing with political matters, current affairs and all questions of a controversial nature.

Standard 12 reads:

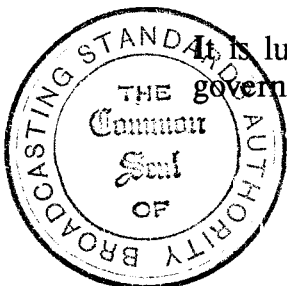
12. News must be presented accurately, objectively and impartially.

The political advertisements referred to during the item, TVNZ maintained, were not "anti-New Zealand" and the item had included a comment from the Victorian Premier to that effect. It also argued that Mr Helm, when he alleged that TVNZ expressed the view that criticism of the government was unacceptable, was confusing the message with the messenger. When declining to uphold the complaint, it wrote:

Certainly we reported Mr Bolger as suggesting that those who appeared in the items were less than patriotic - but those were the views of Mr Bolger, not the views of Television New Zealand.

When he referred his complaint to the Authority, Mr Helm maintained that the news item was biased and he expressed the belief that TVNZ was influenced or coerced by the New Zealand government. That allegation was contested by TVNZ which noted:

It is ludicrous for Mr Helm to reply that the Company is in cahoots with the government.



In his final comment to the Authority, Mr Helm withdrew his complaint about the item's accuracy under standard 1 although he persisted with the other aspects of the complaint under standards 4, 6 and 12.

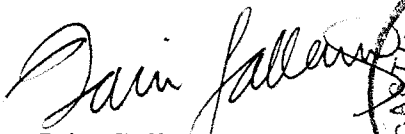
As will be apparent from the above summary, although Mr Helm's complaint raised a variety of issues, they all emanated from his principal concern about the news item's approach to the election advertisements. Mr Helm maintained that the advertisements, which took an anti-New Zealand government policy line, were reported as anti-New Zealand advertisements.

When viewing the item complained about, the Authority noted that, by way of introduction, the presenter referred to a "kiwi knocking election campaign" and commented on the "anti-kiwi campaign". These comments provided considerable substance to Mr Helm's complaint. However, the item then showed the State Premier addressing a meeting at which she talked about policies rather than people. Any possible confusion was completely eradicated when the reporter asked the Premier about the advertisements. The item depicted the reporter being told cogently that the campaign was not against New Zealand but that it was against conservative policies.

In the Authority's opinion, that comment from the Premier of the State of Victoria provided an unequivocal perspective to the item. It removed the possibility of bias on TVNZ's part, that TVNZ was influenced or coerced by the government or that the item was not balanced, impartial or objective.

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

Signed for and on behalf of Authority

  
Iain Gallaway  
Chairperson



21 January 1993

## Appendix

### Mr Helm's Complaint to Television New Zealand Limited

In a letter dated 13 August 1992, Mr Roger Helm of Christchurch complained to Television New Zealand Ltd about an item on *One Network News* broadcast between 6.00 - 6.30pm on 6 August 1992.

The item involved a reporter questioning the Labour Premier of the State of Victoria about some advertisements the Labour Party was using during the State elections and which criticised some of the policies of the New Zealand government. Mr Helm complained that the reporter was factually wrong in describing the advertisements as criticism of New Zealand and that this attitude reflected a bias in favour of the New Zealand government. Further, the item suggested that criticism of the government's policies "was unacceptable". That tone, Mr Helm continued, was also apparent in an interview with some of the participants in the advertisements, a tone which was reflected in the comments by the Prime Minister in an interview broadcast the following day.

### TVNZ's Response to the Formal Complaint

TVNZ advised Mr Helm of its Complaints Committee's decision in a letter dated 12 October 1992. It reported that the complaint had been considered under standards 1, 4, 6 and 12 of the Television Code of Broadcasting Practice which require truth, accuracy, balance, objectivity and impartiality and that people referred to in interviews be dealt with fairly.

TVNZ stated that although the advertisements had been regarded as anti-New Zealand by the residents of Victoria, the item carried the Victorian Premier's specific denial that that was so but that they were anti-conservative policies. TVNZ denied that the item was biased stating that it had reported on the impact of the advertising campaign on trans-Tasman relationships.

Acknowledging that Mr Bolger had described the participants in the advertisements as less than patriotic, TVNZ said that the accusation that the item carried the same perspective confused the messenger with the message. Dealing with the specific requirements of the Television Code, TVNZ denied that the item had breached the standards.

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

Dissatisfied with TVNZ's response, in a letter dated 29 October Mr Helm referred his complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act

Mr Helm argued the reporter's comments about the advertisements, such as "kiwi-



bashing" and "whining New Zealanders", were inaccurate and biased and, as such, meant that the item was not impartial. He continued:

I assert that the speech gives an insight into Television New Zealand behaviour. I believe that there is government influence or coercion on Television New Zealand.

He believed that that allegation was justified when TVNZ reported the suggestion that it was improper for public servants to arrange, and for others to participate, in the advertisements. Expressing doubt that there was any proof of public servant involvement, he wrote:

I have no interest in the participants, themselves. The complaint focuses on the broadcaster's pro-government bias and an incitement against anti-government critics.

#### TVNZ's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 8 November and TVNZ's reply, 25 November 1992.

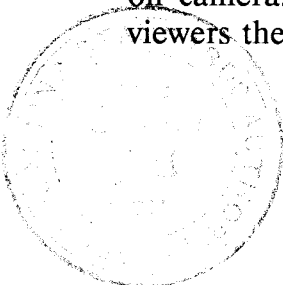
TVNZ pointed out that the item was one of a number broadcast in early August which reported a campaign carried out by the Victorian Labour Party and which was perceived in Australia as anti-New Zealand or "kiwi-bashing".

Referring to its 12 October letter to Mr Helm, TVNZ said that the item's context was important. The context of the item was a debate about the advertisements which was reported extensively in the media. The particular item complained about focused on the remarks of the Victorian Premier supporting the advertising campaign and it also reported some claims that the campaign could harm trans-Tasman relationships.

We do not accept that the language used either in the introduction or in the narration was either inaccurate or biased. The report was a straightforward account of that day's developments.

The allegation about Government influence on TVNZ was rejected "absolutely" and described as "ludicrous". Describing the story as a valid news item, TVNZ stated:

There was no bias in favour of the Government, or otherwise. This item, and the others that were broadcast on this subject, reported views and reactions. Mr Bolger's views were reported, the Victorian Premier's views were reported, and those that appeared in the Australian ads had their views reported - some of them on camera. As well, extracts from the advertisements were shown, to allow viewers the opportunity to judge for themselves.



**Mr Helm's Final Comment to the Authority**

When asked to comment on TVNZ's response, in a letter dated 4 December Mr Helm, first, withdrew the complaint under standard 1. The use of the term "kiwi bashing", he wrote, was a standard 12 issue.

Dealing with its letter paragraph by paragraph, he argued that TVNZ continued to confuse New Zealand - the country, with New Zealand - the government's policies. Describing a number of TVNZ's comments as either irrelevant or vacuous, he persisted in his view that the news item was "absolutely biased".

