

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 9/93

Dated the 15th day of February 1993

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

KERRY SHARP
of Palmerston North

Broadcaster
TV3 NETWORK SERVICES
LIMITED

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

DECISION

Introduction

An item about a pro-life "Life Chain" which involved 45,000 participants throughout the country was broadcast on 3 *National News* on Sunday 18 October 1992. It reported the support for and some opposition to the "Life Chain".

Mr Sharp complained to TV3 Network Services Ltd, as the broadcaster, that the item was unbalanced, inaccurate and unfair in that the pro-life spokesperson was given only token attention. Rather than report the reasons for and the significant support for the "Life Chain", the item had given equal coverage to a pro-choice demonstrator who had vandalised some pro-life placards.

Pointing out that, in addition to the interview with the pro-life spokesperson, the reporter had given information which explained the motives of the pro-life group and that numerous pro-life placards had been seen, TV3 declined to uphold the complaint. Dissatisfied with that decision, Mr Sharp 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 to which the complaint relates and have read the correspondence (summarised in the Appendix). As is its practice, the Authority has determined the complaint without a formal hearing.

Mr Sharp complained about an item on 3 *National News* on 18 October 1992 which reported the occurrence of a pro-life "Life Chain" involving 45,000 people throughout New Zealand. The item breached standards 6, 12, 15 and 16 of the Television Code of Broadcasting Practice, he continued, as it was unbalanced, inaccurate and unfair. The pro-life spokesperson had been given too little attention while one pro-choice demonstrator who vandalised some "Life Chain" signs had been given too much.

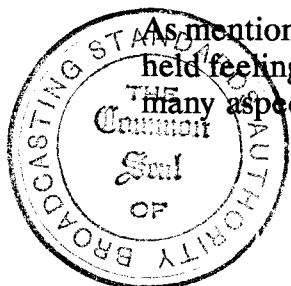
Assessing the complaint under the standards nominated by Mr Sharp, TV3 declined to uphold the complaint. It pointed out that only one person, a pro-life advocate, had been interviewed, that the reporter's commentary gave the reason for the "Life Chain" and that both pro-life and pro-choice voices had been heard during the confrontation. Moreover, the item carried numerous pictures of pro-life placards. TV3 suggested that Mr Sharp's apparent pro-life beliefs might well have led him to assume that there could be, contrary to the broadcaster's perspective, only one theme to the item. Furthermore, it asked whether the pro-choice demonstrator's actions with a can of spray paint advanced or detracted from her cause.

The standards under which Mr Sharp laid his complaint refer to balance, accuracy, objectivity, fairness and impartiality. Because the requirements in the standards overlap and because their essence is captured within the broad requirements of standard 6 of the Television Code, the Authority has decided that all the aspects of the complaint are subsumed under that standard. It requires broadcasters:

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

The Authority noted that the news item referred to a large demonstration by pro-life advocates throughout New Zealand. Although it was related to the highly controversial issue of abortion, it was not an item about abortion as such. In examining the item, the Authority noted that the reason for the demonstration was explained as was the extensive support it received. As abortion is a controversial topic which generates strongly-held and rigid views, the Authority considered that TV3 by reporting the fact that the pro-life advocates were opposed in some places, had tried to deal with the issue with balance. In responding to the question TV3 asked of Mr Sharp about the pro-choice demonstrators' actions during the confrontation, the Authority decided that the pro-life advocates had used reason and conviction to advance their case positively while the pro-choice activist had seemed both enraged and unreasoned in attempting to put her case by destroying some pro-life placards.

As mentioned above, the abortion debate provokes deeply entrenched views and strongly held feelings and broadcasters can be expected to be challenged in their coverage of the many aspects of the issue. Consequently, broadcasters are aware of the importance of

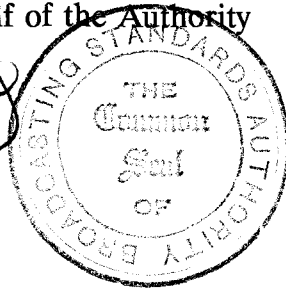


abiding by the standards - especially that of balance - when dealing with any aspect of the abortion issue. After studying the item broadcast on *3 National News* on 18 October and the details advanced in Mr Sharp's complaint, the Authority concluded that TV3's broadcast complied with the requirements of standard 6. Overall, the item was balanced, impartial and fair.

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



15 February 1993

Appendix

Mr Sharp's Complaint to TV3 Network Services Limited

In a letter dated 20 October 1992, Mr Sharp complained to TV3 Network Services Ltd about an item on 3 *National News* broadcast on 18 October at 6.00pm.

The item had dealt with a "Life Chain" organised by the pro-life movement in which 45,000 people throughout New Zealand had protested about the number of abortions occurring in the country.

Mr Sharp said that the item breached standards 6, 12, 15 and 16 of the Television Code of Broadcasting Practice as it was unbalanced, inaccurate and unfair, and as its presentation promoted a distortion of the events which had occurred. It had breached the standards, he continued, as only token attention had been given to the pro-life spokesperson while considerable time had been given to one pro-choice person who had vandalised some pro-life placards. He accused TV3's editors of being biased in favour of the pro-choice perspective.

TV3's Response to the Formal Complaint

TV3 advised Mr Sharp of its Complaints Committee's decision in a letter dated 27 November 1992.

It pointed out that the pro-life spokesperson was the only person interviewed, that the comments from both pro-life activists and the pro-choice demonstrator were broadcast, that the item had to refer to both sides of the abortion debate in the interests of balance and that, in addition to the interview with the pro-life person, the reporter had stated:

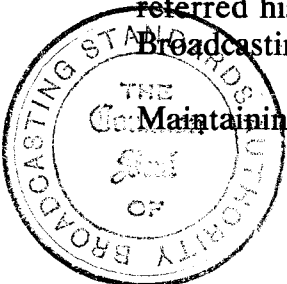
Life-Chain organisers say the 11 1/2 thousand babies aborted last year were 11 1/2 thousand too many, they hope campaigns like this one will sway public opinion. The Life-Chain involved people in some 70 towns making it the largest anti-abortion demonstration in New Zealand history

Noting further that numerous placards in support of the pro-life position were seen during the broadcast, TV3 declined to uphold the complaint.

Mr Sharp's Complaint to the Broadcasting Standards Authority

Dissatisfied with TV3's response, in a letter dated 1 December 1992 Mr Sharp referred his complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.

Maintaining that the item was inaccurate, unbalanced and biased, Mr Sharp



questioned why TV3 did not report the motivation, thinking and planning behind the "Life Chain". He pointed out:

"Life Chain" was primarily a peaceful, prayerful communication of the truth that "Abortion kills children" and that "Jesus forgives and heals." It was not, and was not designed to be, a confrontation with the pro-abortion or pro-choice advocates. "Life Chain" participants were given clear written instructions concerning their conduct. They were specifically instructed not to get into arguments with pro-abortion or pro-choice advocates.

Referring to the very small number of pro-choice demonstrators in Palmerston North in comparison with the large number of pro-life demonstrators, he argued that the portrayal of the event as a confrontation, especially the incident TV3 focused on, was inaccurate, unbalanced and a distortion of what actually occurred.

TV3's Response to the Authority

When asked, in a letter dated 7 January 1993 TV3 said that it did not wish to comment on Mr Sharp's referral of his complaint to the Authority.

