

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 133/93

Dated the 29th day of October 1993

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

ASSOCIATE MINISTER OF HEALTH,
HON MAURICE WILLIAMSON

Broadcaster
TELEVISION NEW ZEALAND
LIMITED

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

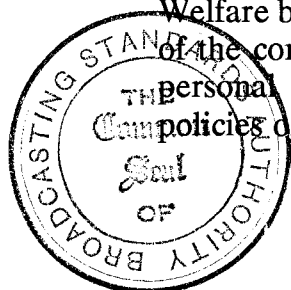
DECISION

Introduction

The effects of the government's social and economic policies on people in the Mangere electorate were discussed in an item on *Frontline* broadcast on TV1 on 27 June 1993 between 6.30 - 7.30pm.

The Associate Minister of Health, Hon Maurice Williamson, whose comments were included in the programme, complained to Television New Zealand Ltd, the broadcaster, that the programme breached the broadcasting standard requiring balance and impartiality. Commenting that his remarks had been heavily edited to include only three short excerpts, Mr Williamson noted that other speakers who clearly identified themselves as anti-government were given a much longer time to air their views. Further, he alleged that the programme contained a number of factual inaccuracies, was biased in its choice of interviewees and malicious in insinuating that the government intended its policies to cause hardship and distress.

While it upheld the complaint that a factual statement about the size of the Social Welfare building in Mangere was inaccurate, TVNZ declined to uphold any other aspect of the complaint. It explained that the perspectives of the interviewees revealed their personal stories and were relevant to the discussion about the overall effects of the policies of government. It rejected Mr Williamson's allegation that it was misleading to



suggest that the "trickle down" theory was espoused by the government, emphasising that the popular understanding of that term was different from that of economic theorists. TVNZ also rejected Mr Williamson's accusation that *Frontline* had been malicious in implying that the government intended its economic policies to cause hardship.

Dissatisfied with TVNZ's response, Mr Williamson referred the complaint to the Broadcasting Standards Authority under s.8(1)(a) of the Broadcasting Act 1989.

Decision

The members of the Authority have viewed the item complained about and read the correspondence (summarised in the Appendix). Although requested by Mr Williamson to have an oral hearing, in view of the quantity and comprehensiveness of the material received, the Authority has followed its usual practice and determined the complaint on the written submissions of the parties.

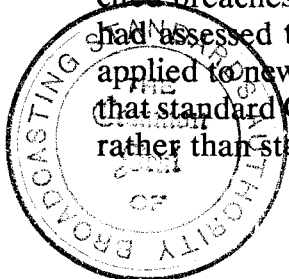
An item on *Frontline* broadcast on TV1 on 27 June 1993 between 6.30 - 7.30pm examined the electorate of Mangere and the effects of the government's social policies on the residents of what was described as the poorest electorate in the country. It included interviews with community workers, residents of Mangere, its MP, the former National Party candidate, and Mr Williamson (MP for Pakuranga and a Cabinet Minister) as the government representative.

In his formal complaint to TVNZ, Mr Williamson alleged that several broadcasting standards were breached in the programme, including the requirement to present significant points of view when controversial issues are discussed, to be accurate, impartial and objective in presentation of news and current affairs and to present all significant sides of controversial public issues in as fair a way as possible.

Referring to the transcript of the programme, Mr Williamson enumerated a number of factual inaccuracies, claimed that the use of leading questions showed bias against the government, alleged that misleading information was given about the government's position on "trickle down" economic theory, and argued that the item was blatantly biased in its choice of interviewees and malicious in stating that the government intended its policies to cause hardship.

The crux of his complaint, however, was that the interview he gave *Frontline*, in which he was asked to react to each of the case studies used to illustrate the effects of government policies, was so heavily edited that important comments he had made to explain the government's position were omitted.

Responding to these allegations, TVNZ advised Mr Williamson that although he had cited breaches of s.4(1)(d) of the Broadcasting Act 1989 and standards G14 and G20, it had assessed the complaint under standards G1 and G6. It pointed out that G14 only applied to news and that other programmes were covered by standard G1. It also noted that standard G6 better encapsulated Mr Williamson's concern about the lack of balance, rather than standard G20 and that s.4(1)(d) was on this occasion subsumed by standard



G6.

It then proceeded to analyse the complaint.

Standard G1

Mr Williamson enumerated several examples of inaccurate reporting which he alleged were in breach of standard G1. Standard G1 requires broadcasters:

G1 To be accurate and truthful on points of fact.

i) Benefits to under 18 year-olds

Mr Williamson complained that the reporter's claim that people under 18 were not entitled to benefits was incorrect. He pointed out that they were entitled to an independent youth benefit, a job search allowance and a training benefit.

TVNZ responded that the statement was made in good faith, not by the reporter but by one of the interviewees. It reasoned that it was not inaccurate since it reflected the fact that the significant benefits (DPB and unemployment) were not available until the age of 18. It denied that the reference to under 18 year-olds showed bias against the government, noting that the introduction to the item established that the problems in Mangere were a result of several years of economic adjustment, specifically noting that they began under the previous government. It declined to uphold the complaint.

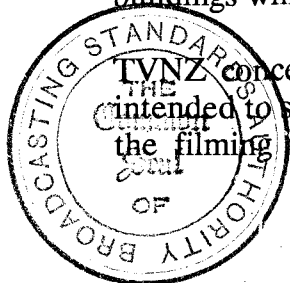
The Authority agreed with TVNZ's view that responsibility for any problems being experienced by the residents of Mangere was not laid wholly at the National government's door. The introduction to the item referred to "nearly 10 years of the sort of economics that Ruth Richardson has been promoting". It was inclined to the view that, in popular parlance, the term "benefits" implies welfare payments such as unemployment and the DPB. The training allowances and other benefits available to persons under 18 are available only if certain criteria are met. The Authority accepted that the Maori warden's generalisation conveyed the information that jobless young people were no longer routinely entitled to full benefits and that in her view, there was no opportunity in Mangere for them to become fully contributing members of society.

The Authority declined to uphold this aspect of the complaint.

ii) The Social Welfare building is the largest in Mangere

Mr Williamson complained that it was inaccurate to suggest that the Social Welfare building was the largest in the electorate since there were many factories and other buildings which were bigger.

TVNZ conceded that the statement was inaccurate, explaining that the reporter had intended to say that the Social Welfare building was the largest in the town centre where the filming was being done. TVNZ upheld the complaint that the statement was



inaccurate.

The Authority accepted TVNZ's explanation, observing that the error was not a major one and that the point was made to emphasise the fact that the work of the Social Welfare Department was a major activity in the electorate.

iii) A woman with five dependants received \$171 per week from the DPB

The report that a woman with five dependants living off the DPB had an in-the-hand income of \$171 per week, Mr Williamson claimed, was inaccurate. He maintained that she was eligible for \$337.56 per week plus other state support. He criticised *Frontline* for not checking the facts with Social Welfare.

TVNZ acknowledged that the description of the woman's financial position was not as clear as it could be but denied that it was inaccurate and in breach of the code. It claimed that the reporter had used the term "in the hand" to indicate that, after house payments, she had to feed and provide for herself and five dependants from that amount.

The Authority was of the view that the information given misrepresented the woman's true financial position. An "in the hand" income is generally interpreted as money available for spending and it was misleading to state that her income was \$171 when that was the amount left after house payments had been deducted. The way the information was presented, viewers could easily have assumed that she was obliged to feed, clothe and house six people on that amount and that that was all the state would provide.

The Authority upheld the complaint that because the information given was inaccurate, standard G1 was breached.

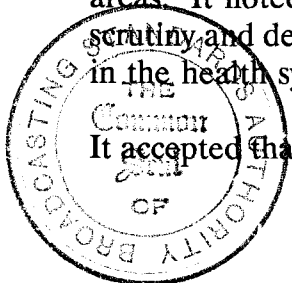
iv) Cancer patient withdrawn from surgery

Mr Williamson accused TVNZ of presenting as true facts the recollection of the cancer patient who was withdrawn from surgery at the last moment because of staff and resource shortages. He advised that neither Greenlane nor Auckland hospitals, where the man had been a patient, was approached to verify the facts as stated and to comment on the reasons for the delay.

In TVNZ's view, there had been no need to verify the man's statements as the reporter had been in possession of his medical file. It maintained that the reporter's remarks were accurate and that the patient's comments were his honest recollection of events.

The Authority accepted that the case study technique was an effective means to personalise the impact of government policies and that the programme was trying to make the point that many people were faced with hardship in economically depressed areas. It noted that funding of the health system had been the subject of much public scrutiny and debate and believed that most people were aware of waiting lists and delays in the health system.

It accepted that a discussion of the health reforms was relevant because although delays



and difficulty of access were not solely the domain of Mangere, they were additional reasons why the people of Mangere were feeling disillusioned.

The Authority did not believe there was a need to verify the accuracy of the patient's remarks, since the issue was not whether he recollected the events accurately, but that problems in the health system were affecting people like him in Mangere. Having learned that TVNZ was in possession of the patient's file, the Authority accepted that the facts as presented were accurate and did not consider that it was necessary for the Minister to have responded directly to challenge the accuracy of the patient's story.

The Authority declined to uphold the complaint that this segment of the programme breached the requirement for accuracy.

However, the Authority believed that given the importance of health issues in the recent past and currently, the government's viewpoint on problems in the health system would have been helpful. It will consider this point below under standard G6 (balance).

v) The imposition of the 26-week stand-down

Mr Williamson complained that no attempt was made to verify the claims made by a man who had left his job, that he was ineligible for state assistance. He maintained that the man would have been entitled to Family Support and could have been exempt from the stand-down if he chose to join an alternative employment programme.

TVNZ responded by noting that it was clear that the man was the author of his own misfortune since he had left his job voluntarily without determining first what the consequences would be. It advised Mr Williamson that the man was not entitled to Family Support since he had no family, and that Mr Williamson's comments on stand-down exemptions were not included because they were not relevant to this case.

In the Authority's estimation, this was a self-contained story which highlighted the circumstances of one person and the effects upon him of the 26-week stand-down. It noted that the facts were verified by Rt Hon David Lange, MP for Mangere, whose assistance was sought by the man when he discovered the impact of his decision to leave his job. It did not believe that any further clarification was needed.

The Authority declined to uphold this aspect of the complaint.

Standard G6

Citing aspects of the programme which were misleading, biased and unbalanced, Mr Williamson claimed that standards G14 and G20 were breached. As noted above, this aspect of the complaint has been considered under standard G6, which requires
broadcasters:

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



In addition to the numbered points listed below, Mr Williamson complained that in his interview he had responded to specific allegations made by people interviewed on the programme, but that not all of the points he made were presented in the final broadcast. In particular, he noted, in response to the story about the cancer patient he had emphasised that long hospital waiting lists were considered by the government to be the very reason why health reform was necessary. Pointing out that they had occurred long before National came to power, he had stated that waiting lists and waiting times were untenable and that the government was going to do something about it.

Responding in general terms to this argument, TVNZ reported that it had considered Mr Williamson's submission that significant viewpoints had been omitted from the programme but concluded that the statements he made which were not broadcast were not strictly essential in the context of the specific cases outlined.

In the Authority's view, the story about the cancer patient appeared incomplete because it did not attempt to clarify the problems the man encountered in the health system. While of the view that not every scenario had to be balanced by a political comment, the Authority believed that in this case a contribution from Mr Williamson was warranted. The Authority considered that those statements of Mr Williamson's which were included (which covered general economic themes) served as an adequate balance on most points raised by the programme, but that there was an absence of comment to balance the criticisms which were made about health issues.

Overall, it concluded that the item about the cancer patient lacked balance and upheld the complaint that this item was in breach of standard G6.

The Authority then turned to the other matters raised.

i) Bias against the government

Citing an example from the programme, Mr Williamson complained that the reporter used leading questions which suggested the answer in a way which was biased against the government.

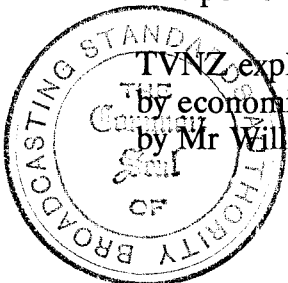
TVNZ responded that it was contrary to its News and Current Affairs policy to use leading questions and that this incident had been drawn to the reporter's attention.

The Authority considered that this matter had been adequately addressed by TVNZ.

ii) Misleading to suggest that government subscribes to the "trickle down" theory

Mr Williamson made the accusation that it was misleading to suggest that "trickle down" was an economic theory subscribed to by the government and that although he had made that point clearly in his taped interview, his comment was not broadcast.

TVNZ explained that there was a difference between the trickle down theory espoused by economists and the popular understanding of the term. It quoted a statement made by Mr Williamson in the interview to the effect that once the country began to recover,



an area like Mangere would also benefit, although more slowly. In TVNZ's view, this comment appeared to encapsulate the popular understanding of the term.

The Authority considered that the programme made clear what it meant when it used the term "trickle down". There may be arguments over the precise meaning of the term. However, in this case it seemed the philosophy described was not an inaccurate summary of the government's position and appeared to be confirmed by Mr Williamson in his broadcast comments. The Authority did not believe the programme misled viewers.

It declined to uphold that aspect of the complaint.

iii) The item was biased in its choice of interviewees

Mr Williamson alleged that the choice of interviewees showed that the programme was biased against the government. In his opinion, an effort should have been made to seek out the current National Party candidate for comment, and an approach should have been made to businesses in the electorate which have prospered under the National Government.

Recounting the events which led to the interview with the disaffected former National candidate (whose views were critical of the government), TVNZ pointed out that it had been referred to him by the local National Party office. Its efforts to locate the local candidate for the National Party were unsuccessful, for the very good reason that there was not one. It then approached Mr Williamson, whose cabinet position meant that he could provide a broad policy overview. In its view, Mr Williamson's comments provided the necessary balance to the remarks of the various residents interviewed and there had been no need to approach business leaders for additional comment.

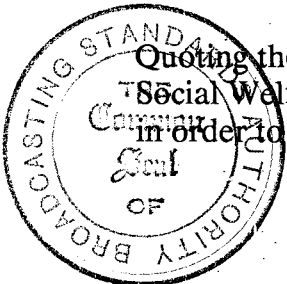
The Authority noted that the introduction stated clearly that the economic and social problems experienced in Mangere were of many years' duration and that the present government was not ascribed full responsibility for the economic ills of Mangere. Mr Williamson was given the opportunity to explain that his government's policies recognised the hardship that was being experienced in some regions and that attempts were being made to redress that.

The Authority regarded Mr Williamson's contribution to the programme as significant. It noted that he was a forceful, articulate speaker who clearly stated the government's position. It acknowledged Mr Williamson's dissatisfaction that some of his comments had been omitted from the programme (dealt with above) but was unable to conclude that the programme was biased in its choice of interviewees.

It declined to uphold this aspect of complaint.

iv) The item maliciously implied National wanted to cause hardship

Quoting the reporter's paraphrasing of comments made by the Ministers of Finance and Social Welfare which indicated that the government intended to make difficult decisions in order to effect an improvement in the economy, Mr Williamson said that the reporter



was trying to imply that the government delighted in causing hardship.

TVNZ expressed its surprise that Mr Williamson considered its comments to be malicious, pointing out that it understood that the government had warned that the economic policies necessary to pull New Zealand out of recession would inevitably cause some pain. It believed the footage of Ms Richardson delivering her "mother of all budgets" accurately reflected her being pleased, not for the hardship which would ensue, but for the fact that the policy move would result in long-term benefit to the whole country.

The Authority observed that Mr Williamson himself had conceded that people in economically depressed areas such as Mangere were suffering pain. He acknowledged that it was hard for those at the bottom to survive and expressed empathy and understanding for those who were struggling. He pointed out that the fact remained that without economic growth, there was no money to fund social programmes and that it was not fair to future generations to fund them out of deficit spending. The Authority considered that Mr Williamson accurately conveyed the thrust of the government's policy by acknowledging that the government recognised that many would suffer hardship as a result of its policies. However it did not agree that the impression was given by the reporter that the government intended its economic policies to cause hardship and distress and had a malicious intent.

It declined to uphold the complaint that the item was not impartial.

Section 4(1)(d)

Section 4(1)(d) of the Broadcasting Act 1989 reads:

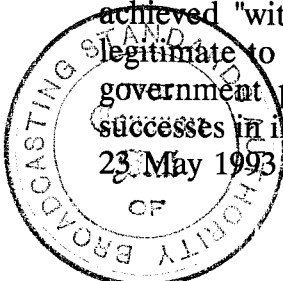
4(1) Every broadcaster is responsible for maintaining in its programmes and their presentation, standards which are consistent with -

...

(d) The principle that when controversial issues of public importance are discussed, reasonable efforts are made, or reasonable opportunities are given, to present significant points of view either in the same programme or in other programmes within the period of current interest.

Although the essence of the paragraph has been covered in the discussion under standard G6, it was specifically referred to by Mr Williamson in his formal complaint and was considered by TVNZ in its response.

TVNZ noted that the Broadcasting Act 1989 implicitly recognises that balance is often achieved "within the period of current interest" and argued that in this case it was legitimate to focus on the plight of the people of Mangere and the negative impact of government policies, since other positive news stories have focused on commercial successes in industry and farming, such as in the "Recovery" programme on *Frontline* on



The Authority considered that it was justifiable to present the story from the angle of the disaffected in Mangere provided that point of view was balanced at the time by some opposing views. However, this did not mean that every single opinion had to be balanced by a political response. The Authority noted that s.4(1)(d) of the Act specifically provides that such balance does not have to be achieved within the programme, so long as it is "within the period of current interest". In the Authority's view, the programme had to be seen within the context of the country's ongoing political and economic circumstances and in light of other broadcasts which have focused on economic successes and point to positive indicators for the economy.

Accordingly, it declined to uphold the complaint that the item was in breach of section 4(1)(d) of the Broadcasting Act 1989.

In conclusion, the Authority made the observation that its role as prescribed in the Broadcasting Act 1989 is to determine complaints on material which is broadcast. If, as a result of omissions, the final broadcast material was inaccurate or unbalanced or breached the standards in some other way, then the Authority would so rule. There was no requirement for it to review the material which was taped but not broadcast, as suggested by Mr Williamson.

For the reasons set forth above, the Authority upholds the complaint that part of the broadcast by Television New Zealand Ltd of an item on *Frontline* on 27 June 1993 breached standard G1 of the Television Code of Broadcasting Practice in that it gave inaccurate information about the financial circumstances of one of the people featured, and breached standard G6 because it was unbalanced with respect to an item about the health system.

The Authority unanimously declines to uphold any other aspect of the complaint.

Having upheld a complaint, the Authority may impose an order under s.13(1) of the Broadcasting Act 1989. It does not intend to do so on this occasion because it believes that in the period of current interest, which includes these weeks leading up to the general elections, there will be intense exposure to and claim and counterclaim about the issues raised, and viewers will form their own opinions about current economic, political and social circumstances without further reference to this single programme confined to Mangere and broadcast four months ago.

Signed for and on behalf of the Authority

Iain Gallaway

Iain Gallaway
Chairperson

29 October 1993



Appendix

Mr Williamson's Complaint to Television New Zealand Limited

In a letter dated 1 July 1993, Mr Maurice Williamson (the Associate Minister of Health) complained to Television New Zealand Ltd about an item on Mangere broadcast on TV1 in *Frontline* on 27 June 1993 at 6.30pm.

The item dealt with the effects of the government's social and economic policies on the Mangere electorate and included interviews with several residents of the area, with a former National Party candidate and with Mr Williamson.

Mr Williamson claimed that significant points which he made in the taped interview were not included in the final broadcast. In particular, the programme omitted comments he made about the government's view on the "trickle down" theory, why the current health reforms were needed and the government's policy to target assistance to people in lower socio-economic electorates such as Mangere.

Mr Williamson also alleged that the programme contained factual errors which had a bias against the government, citing as examples the claim that 18 year olds were not entitled to benefits, that the Social Welfare building was the biggest in Mangere, the fact that a woman with 5 dependants claimed she only had \$171 per week in-the-hand, that a cancer patient's surgery was cancelled at the last minute and that a person who had left his job because his employer refused to honour his promise to increase his pay was now having difficulty coping with the 26 week stand-down period. In addition, Mr Williamson alleged that the reporter used leading questions which suggested the answer in a way biased against the government, that the item was misleading in suggesting that "trickle down" was a theory subscribed to by the government, that the item was blatantly biased in its choice of interviewees and was malicious in insinuating that the government intended its economic policies to cause hardship and distress.

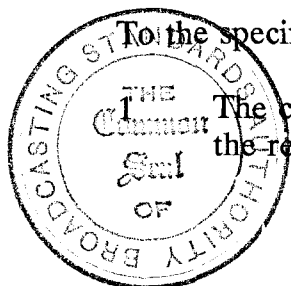
Mr Williamson appended a transcript of the programme.

TVNZ's Response to the Formal Complaint

TVNZ advised the Associate Minister of its Complaints Committee's decision in a letter dated 21 July 1993 when it reported that the complaint had been assessed under standards G1 and G6 of the Television Code of Broadcasting Practice and under s.4(1)(d) of the Broadcasting Act 1989. These standards require broadcasters to be truthful and accurate on points of fact and to show balance, impartiality and fairness when dealing with political matters and questions of a controversial nature.

To the specific points made by the Minister, TVNZ responded:

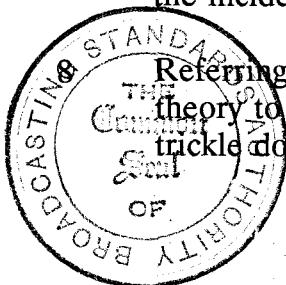
The comment that 18 year-olds were not entitled to benefits was not made by the reporter, but by the Maori warden who was being interviewed. TVNZ



noted that the warden was not inaccurate in reflecting the fact that the substantial benefits - the unemployment benefit and the DPB were not available until 18.

- 2 The claim that the Social Welfare building was the largest in the electorate. TVNZ acknowledged that this was inaccurate. It explained that the reporter clearly meant that it was the largest in the town centre and that the point was made to emphasise the number of people there dependent on welfare. It upheld this aspect of the complaint but believed the error was unintentional and did not suggest bias against the government.
- 3 A woman with 5 dependants had an income of \$171 per week in hand. TVNZ acknowledged that the description of the woman's position was not as clear as it might have been but did not believe the statement concerning her income was inaccurate. She was in the process of buying a state house and that was the amount she had left after the house payments. TVNZ expressed its puzzlement at the Minister's claim that the reporter declined to furnish him with information about the woman, recalling that he (the Minister) had decided he was not able to talk about individual cases.
- 4 A person was withdrawn from surgery moments before an operation. TVNZ denied that there were any inaccuracies in the report, explaining that the reporter had access to the patient's file and that the comments by the patient himself were his honest recollection of the events and his reaction to them.
- 5 A person who left his job was having difficulty coping with the 26 week stand down. TVNZ noted that the man was to a large extent the author of his own misfortune having left his job voluntarily. It also noted that the Minister was mistaken in believing that the man was entitled to Family Support. It explained that it did not include Mr Williamson's comments about stand-down exemptions as they were in general terms and not considered essential to the item.
- 6 Responding to the Minister's complaint that of a 30 minute interview, only 3 short excerpts were broadcast, TVNZ explained that the taped interview lasted only 7 minutes, of which 1 minute was the reporter's questions. Of the 6 minutes of the Minister's views, 1 minute and 40 seconds was used on air, which TVNZ described as being within the norm for interviews. It did not agree that significant viewpoints were omitted from the programme.
- 7 Responding to the charge that a leading question had been put to the Maori warden (Does that make you angry?), TVNZ assured the Minister that it was contrary to News and Current Affairs policy to use a leading question and that the incident had been drawn to the reporter's attention.

Referring to the charge that it was misleading to ascribe the "trickle down" theory to the government, TVNZ noted that the popular understanding of trickle down was different from the economist's meaning. It quoted Mr



Williamson's comment in his interview "when the country recovers an area like this does benefit" which, it maintained, confirmed the popular view. It therefore denied its use of the term was misleading.

- 9 Rejecting the complaint that the item was biased in its choice of interviewees, TVNZ reported that on contacting the local National Party office, the reporter was referred to Mr Archer, the previous National Party candidate, who apparently unbeknownst to the party office had left the party. TVNZ believed that his views were relevant. Then it noted that, as there was no present National Party candidate for Mangere, the next move was to approach Mr Williamson whose position as a member of cabinet meant that he could provide the broad policy overview necessary to balance the discussion. TVNZ did not accept that interviews should have been done with a representative from businesses, pointing out that balance was achieved in the interview with Mr Williamson.
- 10 TVNZ claimed the item was not an exercise in National Party bashing, pointing out that the economic policy direction had been set in motion before the present administration was elected.
- 11 Responding to the claim that *Frontline* was being malicious in insinuating that the government intended its policies to cause hardship, TVNZ wrote:

This accusation came as a surprise to the Committee, which understood that the Government has never shrunk from its warning that the economic policies necessary to pull New Zealand out of recession must cause a certain amount of pain.

TVNZ defended its statement that the Minister of Finance had been delighted with her budget in 1991, explaining:

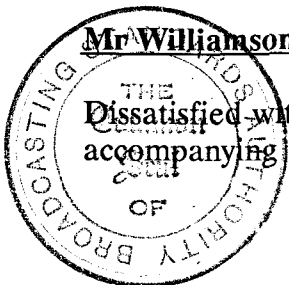
there was no reason why Ms Richardson should not accurately be described as being pleased with a policy move which she was confident would in time benefit the country.

It defended the comment made by Mr Archer, the former National Party candidate, commenting that his remark was presented as genuinely-held opinion by a local representative and that it did not accept that such comment had to be balanced by a political response.

TVNZ concluded by expressing its view that the *Frontline* programme had in no way been unbalanced or unfair in its treatment of the subject.

Mr Williamson's Complaint to the Broadcasting Standards Authority

Dissatisfied with TVNZ's response, in a letter dated 4 August 1993, and accompanying Complaint Referral Form, Mr Williamson referred the complaint to



the Broadcasting Standards Authority under s.8(1)(a) of the Broadcasting Act 1989.

Maintaining that the broadcast was biased against the government, Mr Williamson wrote that he was not satisfied with TVNZ's response to the objections he raised in his original letter. He wrote:

One of the main grounds of my complaint relates to that section of the taped interview that was NOT broadcast (and therefore led to bias on the broadcast programme). From the correspondence, there appears to be conflicting versions as to the content and significance of the unused excerpts. It would be impossible to rule on this aspect of the complaint without being able to question myself and Television New Zealand as to our respective versions of what took place. I also believe that the issue of bias is not as straightforward as some other grounds for complaint, and the opportunity to hear oral submissions would enable the Authority to judge the issue with more in-depth information than it would otherwise have.

TVNZ's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 6 August and TVNZ's reply, 30 August 1993.

Addressing first, Mr Williamson's request to appear before the Authority in person, TVNZ expressed its view that there was no need for the Authority to depart from its usual practice of determining the complaint without a formal hearing.

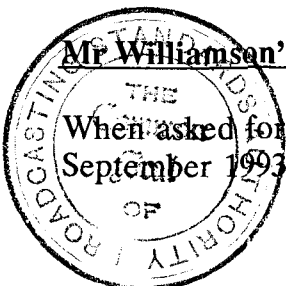
TVNZ noted that Mr Williamson had placed considerable emphasis on those parts of the interview which were not used in the final programme. It referred the Authority to section 6 of the Broadcasting Act 1989 which, it claimed, contained the clear implication that formal complaints refer to material which has been broadcast. TVNZ invited the Authority to examine the programme to determine whether it was correct in concluding that the programme was fair and balanced and free of inaccuracies (other than those which had been earlier acknowledged).

TVNZ also acknowledged that the Minister had made comment on matters which were not included in the broadcast but explained that they were not considered to be essential to the programme. It noted that his comments on economic policy and its effects on Mangere were considered relevant and were used without interruption.

In concluding, TVNZ observed that in almost every interview the interviewee might choose different extracts to include in a programme than the broadcaster. It noted that this was so in all types of journalism. It reiterated its belief that no formal hearing was required since the issues were adequately covered in the correspondence.

Mr Williamson's Final Comment to the Authority

When asked for a comment on TVNZ's response, Mr Williamson in a letter dated 22 September 1993 continued to dispute TVNZ's claims that the unused sections of the



taped interview were not essential to the programme. In his view, much of what he said was more pertinent to Mangere than the general comments on the economy.

In response to TVNZ's argument that had it included more of Mr Williamson's remarks it would have had to cut something else, he argued that it would not have been inappropriate as there was a disproportionate amount of air time given to the anti-government case.

He wrote:

I do not consider that the authority can ignore the question of the sections of unused tape. When the issue of bias has been raised as it has been here, it is relevant to consider whether there was opportunity to avoid the bias, as indeed there was in this case.

Agreeing that journalists have the right to select extracts which are broadcast, Mr Williamson nevertheless argued that that right did not override the duty to present the issues accurately. He maintained that the questions put to him and used on the programme did not accurately reflect the allegations made against the government.

Finally, Mr Williamson urged the Authority to allow an oral hearing, arguing that it would provide both parties with the necessary details regarding the context of the interview and the relevance of the omitted sections of the tape.

Further Correspondence

In a letter dated 29 September 1993, TVNZ responded to Mr Williamson's final comments, emphasising that in querying whether the issues raised required an oral hearing it was not implying that the complaint was unimportant.

TVNZ noted that it treated all complaints seriously and recognised that they were prompted by genuine concern on the part of the complainant. It merely had questioned the need for an oral hearing knowing that the Authority had effectively dealt with several hundred complaints on the basis of written submissions.

TVNZ noted that it remained of the view that there was no need for the Authority to depart from its normal practice on this occasion.

