

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 79/93
Dated the 1st day of July 1993

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

DISABLED PERSONS ASSEMBLY
(NEW ZEALAND) INC.
(AUCKLAND CENTRAL REGION)
of Waiwera

Broadcaster
TELEVISION NEW ZEALAND
LIMITED

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

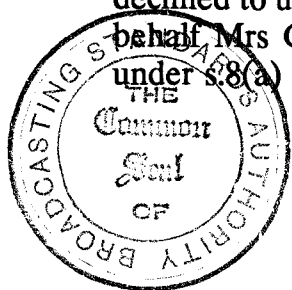
DECISION

Introduction

The situation of two American women who abandoned their children was examined in an item on TV1's *Frontline* broadcast by Television New Zealand Ltd at 6.30pm on Sunday 21 February 1993.

The Secretary of the Auckland Central Region of the Disabled Persons Assembly (New Zealand) Inc., Mrs Barbara Gudgion, complained to TVNZ that the item, first, was unbalanced by not referring to the role of fathers and, secondly, denigrated women by suggesting that they abandoned children.

Maintaining that the programme examined the situation from the perspective of each of the women involved and that the fathers' role was irrelevant to their situations, TVNZ declined to uphold the complaint. Dissatisfied with TVNZ's decision, on the Assembly's behalf Mrs Gudgion referred the complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.



Decision

The members of the Authority have viewed the programme 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.

Mrs Barbara Gudgion as secretary of the Auckland Central Region of the Disabled Persons Assembly (New Zealand) Inc. complained to TVNZ about an item on *Frontline* which dealt with the issue of abandoned children. After the presenter's introduction which referred briefly to two recent cases of child abandonment in New Zealand, two distinct segments from the United States were broadcast. One showed the search for the mother of an abandoned baby and the other showed a situation where five young children were left at home for long periods with minimal food while the mother sought assistance from various agencies.

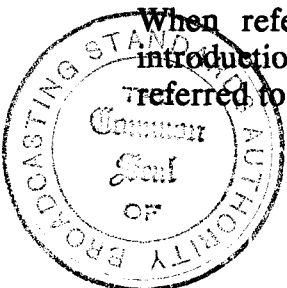
Mrs Gudgion complained first that the item was unbalanced as it did not refer to the role of the father in either case. Secondly, by suggesting children had been abandoned by their mothers, she maintained that the item denigrated women.

TVNZ assessed the complaint under standards G6 and G13 of the Television Code of Broadcasting Practice which require broadcasters:

- G6 To show balance, impartiality and fairness in dealing with political matters, current affairs and all questions of a controversial nature.
- G13 To avoid portraying people in a way which is likely to encourage denigration of or discrimination against any section of the community on account of sex, race, age, disability, occupation status, sexual orientation or the holding of any religious, cultural or political belief. This requirement is not intended to prevent the broadcast of material which is:
 - i) factual, or
 - ii) the expression of genuinely-held opinion in a news or current affairs programme, or
 - iii) in the legitimate context of a humorous, satirical or dramatic work.

Describing the item as involving poignant stories about two women and arguing that the issue was not "parentless children", TVNZ described the role of the father in each case as being not particularly relevant to the theme of the item. Moreover, both women had been treated with sympathy and dignity and, TVNZ maintained, the item had not denigrated women.

When referring the complaint to the Authority, Mrs Gudgion pointed out the introduction had included some relevant New Zealand material but, again, had not referred to the fathers' role. In reply, TVNZ argued that the introduction was designed



to explain the relevance of the item to New Zealand viewers and it had not examined "parenting" or "parentless children".


Dealing first with the balance aspect of the complaint focussing on the two women featured, the Authority decided that the item had examined the desperate situation in which some women find themselves. It agreed with TVNZ that the material had been presented poignantly. It also agreed with Mrs Gudgion to the extent that some comment about the role and whereabouts of each father could have been useful. However, it decided that that material was not essential or necessary to the item. Consequently, it did not believe that the standard G6 requirement for balance had been breached by that aspect of the broadcast.

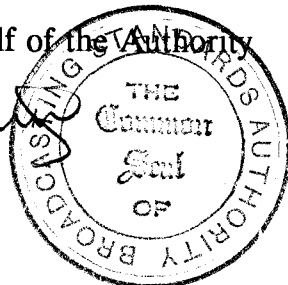
With regard to the complaint that the item encouraged the denigration of women, the Authority noted that the standard refers to women as a class. While the item questioned the responsibility of the two mothers portrayed, it did not suggest their behaviour was typical of women generally. Indeed, the item gained much of its interest from the fact that the behaviour of the two women depicted was unusual. Although it could be argued that the item adopted a stereotypical approach by assuming that parental care was a maternal responsibility, it did not encourage denigration of women and, the Authority concluded, standard G13 had not been contravened.

Mrs Gudgion also referred specifically to the item's introduction about two recent instances of child abandonment in New Zealand which, she argued, was unbalanced by not referring to the role of the fathers. In not upholding this aspect of the complaint, TVNZ explained, as noted above, that the introduction was intended to show the relevance of the item to New Zealand. It was not intended to discuss the legal liability of parents in such situations. The Authority accepted TVNZ's argument although it again acknowledged that reference to the fathers' role would have been relevant should the broad issue of abandoned children be explored. However, as that was not the item's focus, standard G6 had not been breached.

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

Signed for and on behalf of the Authority


Iain Gallaway
Chairperson



1 July 1993

Appendix

**Disabled Persons Assembly (New Zealand) Inc. (Auckland Central Region)'s
Complaint to Television New Zealand Limited**

In a letter dated 1 March 1993, the Secretary of the Auckland Central Region of the Disabled Persons Assembly (New Zealand) Inc, Mrs Barbara Gudgion, complained to Television New Zealand Ltd about an item on *Frontline* broadcast on TV1 at 6.30pm on Sunday 21 February.

Mrs Gudgion pointed out that the item about the plight of children left alone at home by their mothers had almost totally omitted any mention about the role of fathers. Accordingly, she continued, the programme had been unbalanced and, in view of the recent developments in New Zealand, was likely to encourage the denigration of women.

TVNZ's Response to the Formal Complaint

TVNZ advised the Assembly of its Complaints Committee's decision in a letter dated 6 April in which it advised that the complaint had been assessed against standards G6 and G13. The former requires broadcasters to show balance and the latter requires broadcasters to avoid encouraging denigration or discrimination of a section of the community on specified grounds.

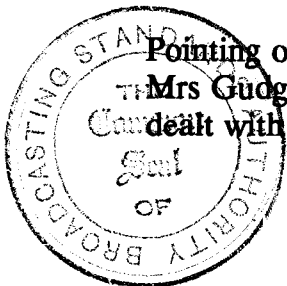
Explaining that the item examined the situation of two American women who abandoned their children and had sought to understand their reasons, TVNZ argued that it had not dealt with the broad issue of "parentless" children. It described the item as a poignant story of two women and added that the role of the father in each case was not particularly relevant. TVNZ agreed with the complainant that the fathers' role was vital when children were being discussed but it was an issue distinct from the stories depicted in the item. The portrayals on this occasion did not require a discussion about the fathers on the grounds of balance.

As both women were treated with sympathy and dignity, TVNZ said that the item had not denigrated women.

The Assembly's Complaint to the Broadcasting Standards Authority

Dissatisfied with TVNZ's decision, Mrs Gudgion referred the complaint on the Assembly's behalf to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.

Pointing out that TVNZ had considered the programme entirely as an overseas item, Mrs Gudgion said that the introduction which had referred to New Zealand had not dealt with the fathers' legal responsibility for the support and upkeep of their



children. Accordingly, the item was not balanced and, by implying that fathers had no responsibility, it denigrated women by suggesting that they were solely responsible for abandoning children.

TVNZ's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 26 April 1993 and TVNZ's response, 24 May.

TVNZ repeated the points made to the Assembly that the role of the fathers was not directly relevant to the two case studies presented on *Frontline*. Furthermore, the brief New Zealand reference in the item's introduction was included to explain the relevance of the American material - not to examine parenting or parentless families.

While accepting that the father's role was usually relevant to a story about children, TVNZ argued that it was unnecessary for every aspect of an issue to be examined each time the issue cropped up. On this occasion, its absence neither affected the programme's balance nor resulted in the denigration of women.

The Assembly's Final Comment to the Authority

When asked to comment on TVNZ's response, on the Assembly's behalf Mrs Gudgion maintained that the item had not dealt with the situation in New Zealand in a balanced way and that it denigrated women regardless of the country in which they happened to live.

