

But a news situation is different. A spokesman for an organisation is sought and obtained. Efforts were made to seek the comments of the Chairman of the Union who was overseas and the President was interviewed locally. There was no reason to do more.

The complaint is upheld only on the point of accuracy accepted by the Corporation in Mr Jensen's complaint. It is not upheld in all other respects.

Co-opted members:

Messrs Boyd-Bell and Ell were co-opted as members of the Tribunal for the purposes of this complaint. The decision is that of the permanent members.

Dated the 13th day of December 1982.

Signed for the Tribunal:

B. H. SLANE, Chairman.

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Dec. No. 23/82
COM. 20/82

Before the Broadcasting Tribunal

IN the matter of the Broadcasting Act 1976, and in the matter of a complaint by HAROLD EARL JENSEN of Wellington

WARRANT HOLDER BROADCASTING CORPORATION OF NEW ZEALAND, Television New Zealand, and Radio New Zealand:

B. H. Slane, Chairman; Lionel R. Sceats, Member; Gordon C. Ell, Co-opted Member; Robert Boyd-Bell, Co-opted Member.

DECISION

MR Jensen was dissatisfied with the outcome of a complaint to the Broadcasting Corporation concerning television and radio news treatment of a farewell function for Mr Lindhorst, retiring Consul-general for the Republic of South Africa. The television news on Thursday evening, March 11 and Radio New Zealand news on the morning of Friday March 12 were specific broadcasts complained of.

The allegation was of incorrect statements, bias, and lack of balance. Mr Jensen said it was not a diplomatic evening, it was held for many hundreds of New Zealand friends representing the majority of New Zealand sports bodies, business people, and others.

He said that the television and radio news were only interested in "the carryings on of those louts outside the hotel; no attempt was made to talk with the several hundred guests". He said radio news made great play on the statement made by the Hart leader and background noises.

He considered it biased, sour, ill-mannered reporting.

The Corporation noted that reporters and camera crews had been debarred from entering the building and from speaking to guests, despite requests, and that it was not possible to provide coverage of events inside the hotel. The next day, Mr Lindhorst was invited to be interviewed by 2ZB live (and therefore unedited), but he declined.

The Corporation said:

Inability to provide "balancing" viewpoint cannot be used for suppression of a story, as long as "reasonable efforts are made to present significant points of view either in the same programme or in other programmes within the period of current interest", as the Broadcasting Act requires. The Corporation considered that these efforts had been made, and declined to uphold your complaint on the grounds of bias.

The Corporation did, however, find there had been an error in fact in television reporting and in 2YA local news when in both cases there were references to the function being arranged by the diplomatic community for Mr Lindhorst. As that was incorrect, the Corporation upheld that part of the complaint in respect of accuracy. The attention of staff had been drawn to the mistakes and the need for accuracy reinforced.

Mr Jensen did not accept the finding of the Corporation and referred it to the Tribunal describing it as a "fabricated fob-off on all counts". He said that no tangible proof had been produced to substantiate the statement that staff were debarred from entering the hotel and speaking to guests, and alleged that that was not the case. But he produced no evidence to support his statement. He said that reporters and camera crews had an opportunity to interview guests as there were several hundred.

The Tribunal has had the benefit of viewing the television tape. It does not consider that in the context of the news item the fact that it was not a diplomatic evening is of any importance beyond the point of accuracy on which Mr Jensen's complaint was upheld by the Corporation.

The Tribunal finds no grounds for upholding the complaint. The protest was newsworthy, the reporting, except in the respects, stated did not depart from the recognised standards of objective journalism as to accuracy and impartiality. It is not necessary that balance

be achieved in the same news programme and an attempt to interview those attending the function which would have involved putting questions to them as to why they should attend could well have been considered by a person with Mr Jensen's viewpoint as provocative and a further indication of bias.

The complaint is not upheld.

Co-opted Members:

Messrs Boyd-Bell & Ell were co-opted as members of the Tribunal for the purposes of this complaint. The decision is that of the permanent members.

Dated the 13th day of December 1982

Signed for the Tribunal:

B. H. SLANE, Chairman.

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Decision No. 22/82
BRO. 49-57/82

Before the Broadcasting Tribunal

IN the matter of the Broadcasting Act 1976; and in the matter of an application by the BROADCASTING CORPORATION OF NEW ZEALAND for amendments to television warrants to permit changes to transmission commencement and closing times during the summer period (Television New Zealand):

B. H. Slane, Chairman; Lionel R. Sceats, Member.

Hearing: Auckland 30 November 1982.

Appearance: J. Thompson for the BCNZ.

Application:

For warrants 1, 2, 3, and 4: To amend hours of transmission:

Monday-Thursday	1030-2300 hours
Friday	1030-2400 hours
Saturday	0930-2400 hours
Sunday	1100-2300 hours

Hours during which advertising permitted:

Monday-Thursday	1030-2300 hours
Saturday	1000-2400 hours

by deleting the said terms and substituting the following terms, viz:

Hours of transmission:

1. From and including Sunday 26 December 1982 until Saturday 19 February 1983 the closedown time shall be 0200 hours each day.
2. From and including Sunday 26 December 1982 until Friday 18 February 1983 transmission shall commence at 1200 hours each day.
3. On Saturday 25 December 1982 transmission shall commence at 1100 hours.
4. From and including Saturday 19 February 1983 the transmission hours specified in the warrant shall be observed.

Hours during which advertising permitted:

Throughout the amended hours of transmission on Monday to Thursday and Saturday.

The effect of the amendments if granted will be to enable Network One Television New Zealand to vary the hours of transmission during the summer holiday period.

For warrants 5, 6, 7, 8, and 9: To amend hours of transmission:

Monday-Friday	1430-2400 hours
Saturday, Sunday	1200-2400 hours

Hours during which advertising permitted:

Monday-Friday	1430-2400 hours
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by deleting the said terms and substituting the following terms, viz:

Hours of transmission:

1. From and including Sunday 26 December 1982 until Friday 18 February 1983 the closedown time shall be 2300 hours each day.
2. From and including Sunday 26 December 1982 until Friday 18 February 1983 transmission shall commence at 1430 hours each day.

Hours during which advertising permitted:

Throughout the amended hours of transmission on Monday to Friday.

The effect of the amendments if granted will be to enable Network Two Television New Zealand to vary the hours of transmission during the summer holiday period.

Further amendment applied for:

Friday 31 December 1982, 2300 hours to Saturday 1 January 1983 at 0200 hours, with advertising to be included from 0000 hours on Saturday.