

along the boundary of Upper Hutt City to a point on the said boundary due south of the commencing point; thence by a right line to the commencing point; and starting at a point on the western side of Totara Park Road at its intersection with the northern side of Upper Hutt Bypass (River Road); thence by a right line to the western end of Tulsa Grove; thence north-easterly, generally, to the southern end of Bridge Road; thence along the north-western side of Bridge Road to its intersection with Akatarawa Road; thence along the north-western side of Akatarawa Road to a point 140 metres measured northerly, generally, along Akatarawa Road from Gillespies Road; thence by a right line to a point on the northern side of the No. 2 State Highway (Pokeno - Wellington via Gisborne) 400 metres measured north-easterly, generally, along the said highway from Plateau Road, thence south-westerly, generally, along the northern side of No. 2 State Highway (Pokeno - Wellington via Gisborne) to its junction with the north-western side of Upper Hutt Bypass (River Road); thence along the northern side of Upper Hutt Bypass (River Road) to the commencing point.

SECOND SCHEDULE

SITUATED within Upper Hutt City:

No. 2 State Highway (Pokeno - Wellington via Gisborne): from a point 50 metres measured south-westerly, generally, along the said highway from Henry Street to a point 480 metres measured north-easterly, generally, along the said highway from Akatarawa Road.

Signed at Wellington this 7th day of April 1987.

C. M. CLISSOLD, Chief Traffic Engineer.

†*New Zealand Gazette*, No. 74, dated 11 September 1975, page 2023.

(M.O.T. 29/2/Upper Hutt City)

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Approval of Motor Cycle Safety Helmets in Terms of the Traffic Regulations 1976

PURSUANT to subclause (1) of regulation 88 of the Traffic Regulations 1976 motorcycle safety helmets of the make and type described in the Schedule hereto are hereby approved for the purposes of regulation 31 of the said regulation.

SCHEDULE

SAFETY helmets manufactured by Shoei Kako Co. Ltd., Japan, bearing the model designation RF-105V and bearing the certification mark of the Standards Association of Australia AS 1698.

PURSUANT to powers delegated to me by the Secretary for Transport by an instrument of delegation dated the 28th day of March 1985.

Dated at Wellington this 7th day of April 1987.

G. LIVERSAGE, Assistant Chief Automotive Engineer.

(M.O.T. 17/6/1)

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Decision No. Dec No. 7/87
COM 14/86

Before the Broadcasting Tribunal

IN the matter of the Broadcasting Act 1976, and in the matter of a complaint by CATHERINE FREY for the PALESTINE HUMAN RIGHTS CAMPAIGN.

WARRANT HOLDER: Broadcasting Corporation of New Zealand (Television New Zealand).

Chairman: B. H. Slane.

Member: Robert Boyd-Bell.

Co-opted Members: Brian W. Stephenson and Hiwi Tauroa.

Dated the 30th day of March 1987.

DECISION

THIS complaint arose from the broadcast of an extended item concerning the Israeli Air Force in *Eyewitness News* on Television Two on Monday, 18 August 1986.

The Programme:

The item at the heart of this complaint was a thirteen minute long report from the American CBS News *60 Minutes* current affairs programme. In the report CBS correspondent Morley Safer presented a profile of the Israeli Air Force, with particular emphasis on its recruitment policies, equipment, tactics and morale.

The feature had been prepared within constraints imposed by Israeli military authorities, but was of the nature of an "inside look" at the Israeli Air Force. Substantially the same programme had been broadcast some 4 months earlier by TVNZ as a segment of the *Foreign Correspondent* programme on Saturday, 5 April 1986. There were some differences in both the presentation and content of the programme between the two occasions on which it was broadcast.

The Complaint:

The Palestine Human Rights Campaign lodged a formal complaint with the BCNZ dated 26 August regarding the *Eyewitness News* broadcast of 18 August, complaining particularly about the introduction to the item and the use there of the term "the great protector" to describe the Israeli Air Force. The complainant disputed the accuracy of introductory information that the Israeli Air Force had just attacked Lebanon for the first time in almost a year, and also alleged lack of balance.

The Corporation's Response:

The Board of the BCNZ considered this complaint among others at its meeting of 4 November. In its response of 14 November, the BCNZ explained that the item originated from a satellite feed of the CBS *60 Minutes* programme and presented an American viewpoint.

Defending the use of the term "the great protector", the Corporation asserted that the description was used by Israel to define its defence forces and was in general usage. The letter continued:

"The Board considered that various nations have coined their own expressions for their fighting forces over the centuries. While acknowledging that a nation is entitled to that opinion, it is also considered that the media is entitled to report that opinion."

The Corporation, considering the objectives of accuracy and impartiality had not been infringed, did not uphold the complaint.

Reference to the Tribunal:

On behalf of the Palestine Human Rights Campaign, Ms Catherine Frey referred the complaint to the Tribunal of 26 November, alleging that the BCNZ had not examined the complaint thoroughly and that its reply was based on a claim which was not factual. She said neither the item nor the TVNZ visual and verbal introduction were accurate, impartial or objective. Ms Frey said it was factually wrong to claim in August that the Israeli Air Force had attacked Lebanon for the first time in almost a year. She disputed that the term "the great protector" was in general usage, noted that no evidence to that effect had been produced, and said TVNZ was not "impartial, accurate or objective" in adopting that description.

Ms Frey also drew attention to the fact that the programme had been broadcast twice by TVNZ in April and August of 1986 and had not been balanced by any other programme in that period.

The Corporation Submission:

In his submission to the Tribunal dated 24 December the Secretary of the Corporation, Mr I. H. McLean, described the item as "a mini-documentary on the Israeli Air Force" and submitted that a question of objectivity or impartiality did not arise.

He said the complainant had rather selectively joined a headline statement to the substantive introduction and that TVNZ did not gratuitously label the Israeli Air Force as "the great protector". Mr McLean said the item was self-contained and any recalling of earlier events in the Middle East was not relevant.

Mr McLean said the Corporation was unable to give a categorical response as to how many bombings there has been, that there was dispute over the status of attacks within the seven-mile security zone on the Israeli-Lebanon border, and that world media had difficulty obtaining comment from the Lebanese side as not only journalists but diplomats also had withdrawn from the area.

Mr McLean told the Tribunal there had been a volume of complaints lodged by the complainant, much of the substance had been answered over a long period but "the great protector" aspects was new and treated as such.

The Corporation informed the Tribunal that a videotape copy of the *Eyewitness News* in question was no longer available but a copy of the earlier broadcast in *Foreign Correspondent* was provided.

Ms Frey's Response:

Ms Frey responded on 19 January 1987, noting first that it was unsatisfactory that a videotape of the programme had not been held by TVNZ pending the outcome of the complaint. She reiterated her earlier complaint, adding her contention that Programme Rules 1.1 (g) and 5.1 (b) did apply in these circumstances. She said several good documentaries on the Middle East had been produced but not purchased or shown by TVNZ, that the BBC appeared able to obtain information from wider sources in the Middle East and the BCNZ should consult more widely. Ms Frey said the Palestine Human Rights Campaign lodged a number of formal complaints because TVNZ was not accurate, objective or impartial with regard to the Middle East.