

Co-opted Members: J. A. Kelleher and M. J. Sheehan.

Decision

Dated the 6th day of May 1988.

This complaint arose from the visit to New Zealand in April 1987 of Mr Oliver Tambo, a representative of the African National Congress (ANC), and the coverage of his visit broadcast by Television New Zealand and Radio New Zealand.

The Complaint:

Mr Frykberg lodged a formal complaint with the BCNZ on 23 April 1987 alleging biased reporting of news concerning the Republic of South Africa.

Mr Frykberg specifically complained about prime time television coverage of the visit of Mr Oliver Tambo during the preceding week which he claimed had allowed Mr Tambo to present his version of the function of the ANC.

Coverage also included an interview with the past editor of *Drum* and further coverage of Bishop Tutu, according to Mr Frykberg.

Mr Frykberg complained that no effort had been made to present the views of people who claim Oliver Tambo is a terrorist, nor was any evidence produced to show that the ANC had the level of support claimed by Mr Tambo.

He also complained that Mr Tambo was not questioned concerning the role that Mr Joe Slova plays in the ANC.

Mr Frykberg said that under the provisions of the Broadcasting Act, television and radio are obliged to see that when controversial issues of public interest are presented, at least some effort is made to present the other point of view.

The Corporation's Response:

The Corporation advised Mr Frykberg on 13 July 1987 that his complaint had been considered by the Board at its meeting on 23 June but not upheld.

The Secretary of the Corporation, Mr I. H. McLean, advised Mr Frykberg that his complaint had been considered under section 24 (1) (e) of the Broadcasting Act which requires that the Corporation have regard to:

"The principle that when controversial issues of public importance are discussed, 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:".

Mr McLean explained that the complaint had been examined in two parts as it referred to both radio and television. He also noted that, while Mr Tambo's visit to New Zealand lasted seven days, the "South African situation" was a continuing issue.

The Corporation presented Mr Frykberg with a comprehensive analysis of its television coverage during April and early May 1987 of both Mr Tambo's visits to Australia and New Zealand and also other coverage of events in South Africa.

The list provided by the Corporation included coverage of:

(a) Mr Tambo's visit to Australia, including violent demonstrations against him (5 April);

(b) South African government plans to clamp down on ANC guerrilla activity from neighbouring countries (10 April);

(c) New security regulations promulgated by the South African government banning demonstrations calling for the release of detainees (12 April);

(d) The arrival of Mr Tambo in New Zealand (12 April);

(e) A Maori welcome given to Mr Tambo (13 April);

(f) The departure of Mr Tambo from New Zealand, including reports of the government's rejection of his appeal for increased sanctions against the South African government (19 April);

(g) An ANC attack on a black police training school in South Africa which left one policeman dead and 60 injured (22 April);

(h) Regular items up to 7 May and thereafter concerning the South African election campaign fought largely on the issues of security, the ANC and black violence;

(i) Bishop Tutu's challenge to the South African government also received coverage on 14 April.

The Corporation said news items on television had for years depicted the ANC as a guerrilla organisation and the items of 10 and 12 April reinforced that.

It also said Mr Tambo had been interviewed by Mr Perigo on *Eyewitness* on 14 April in a comprehensive interview which was of a firm nature and certainly not a propaganda exercise for Mr Tambo.

The Corporation also advised that on National Radio, South African affairs including the ANC, terrorism and Mr Tambo were covered on 22 occasions on Morning Report and Midday Report during the period.

The Corporation said that South African affairs are controversial issues without any apparent end; therefore the requirement under the Act to present significant points of view during the period of current interest cannot be confined to a single week. Nor was the BCNZ able to control visits to New Zealand of newsworthy advocates with differing views, although interviewers could and did challenge those views through their questioning.

Reference to the Tribunal:

Mr Frykberg was not satisfied with the Corporation's response and on 26 August 1987 referred his formal complaint to the Tribunal.

The specific grounds for his complaint were cited as those included in his letter of 23 July 1987 to the Corporation, in which he responded to its advice that his complaint had not been upheld by the Board.

In the letter, Mr Frykberg acknowledged the time and effort which had been put into the Corporation's response to his complaint, but did not accept the conclusions as answering his complaint which he re-stated as:

"that B.C.N.Z. do not make any effort to obtain the point of view of spokespersons from the South African Government, South African press, such as the Citizen, Die Vaderland, or the Volksblad."

In further elaboration of his position, Mr Frykberg added:

"I consider that if fair coverage of events in the Republic of South Africa is to be given, it is essential that people in New Zealand hear all points of view, not just those of the Australian Broadcasting Corporation, the BBC, I.T.V., American Broadcasting Corporation or the points of views expressed by your correspondents in the Republic of South Africa, who are in the main, resident report(er)s for overseas newspapers."

and further:

"my complaint, (which) is 'why the point of view of the South African Government, South African Press or local bodies etc., is not reported in this country.'"

The Corporation's Submission:

The Corporation lodged submissions with the Tribunal on 26 February 1988 which noted that the original complaint made by Mr Frykberg essentially concerned the coverage of the visit of Mr Oliver Tambo to New Zealand. This had been the main subject of the Corporation's investigation and response although it had also attempted to cover the generalised claim of biased reporting.

In referring his complaint to the Tribunal, the Corporation submitted, Mr Frykberg had changed the grounds of his complaint to those in his letter of 23 July (set out above).

The Corporation said it appeared from Mr Frykberg's letter,