

Hearing: Auckland, 7 December 1987.

Counsel: Mr Barry Hudson for the Broadcasting Corporation of New Zealand.

Appearance: Messrs Steven Bradley and Murray Gittos for the Auckland Combined Unions Information Service.

Witness: Mr R. C. Carlyon of Television New Zealand.

Decision

This complaint arose from a news item broadcast on Television One of the Broadcasting Corporation of New Zealand ("the Corporation") on 6 May 1985. The complainant was the Auckland Combined Unions Information Service, an unincorporated group which was sponsored by the Auckland Trades Council and the Combined State Unions ("the CSU"). The Auckland Trades Council was a part of the organisation of the Federation of Labour ("the FoL"). Messrs Steven Bradley and Murray Gittos presented the complaint on behalf of the complainant.

The programme

The news item, broadcast in the 6.30 p.m. bulletin, was a preview of the FoL annual conference due to start in Wellington the following day. It is necessary to describe it in some detail. A script of it is also appended to this decision, along with the complainant's criticisms of it. The lead-in to the item described the conference as one of the most crucial in many years. It referred to the FoL's "stormy" relationship with the Government and said that the FoL also had problems of its own.

In the item proper, the reporter predicted that this could be the last people would see of the FoL. He quoted unnamed "prominent unionists" as saying that the FoL had become largely irrelevant to the day-to-day life of unions. He said that two affiliates had "dropped out" the previous year and that the Engineers' Union was threatening to leave unless the FoL's performance improved.

The item next focused on the then FoL President, Jim Knox. It said that his poor public image and "shooting from the lip" style embarrassed unionists—particularly when a few weeks earlier he had advocated a general wage order which was not FoL policy. It said that he had kept a low profile since then, only to be "upstaged" by another unionist, Rob Campbell. It suggested that Mr Campbell had, in effect, become the voice of trade unionists, much to Mr Knox's annoyance.

The reporter went on to preview certain issues which would arise at the conference. He predicted that Rex Jones of the Engineers' Union, described as "a close colleague of Mr Campbell's", would be voted onto the executive and that he was "expected to tip the odds in favour of the so-called modernists". He ended by saying that the delegates' dilemma was how hard they could attack a government they helped to elect only ten months previously and whether, by playing things down, they would get "further offside" with the workers they represented.

The initial complaint

On behalf of the complainant, Mr Bradley wrote promptly to the Chairman of the Corporation, Heugh Rennie, on 8 May 1985. His objection in that letter was to a reference in the item to the then President of the FoL as "FoL boss, Jim Knox". In a compilation of earlier correspondence with Radio New Zealand and Television New Zealand on the same point, he quoted another letter to the News Editor of Radio New Zealand in Auckland, dated 3 December 1984, in which the complainant had submitted that there is an essential difference between a "boss" and a union official:

"A 'boss' pays people to work for him or her and tells them what duties to carry out and how to carry them out. An elected or appointed union official, on the other hand, carries out union policy as decided from time to time by the members and, if paid, is paid by the members. Use of

the word 'boss', as in 'union boss', when applied to union leaders, is a smear tactic and prejudicial to their personal and official reputations.

"The policy of this service in these instances is always to lay an official complaint so that we don't always find ourselves in a situation where the only person called 'boss' is a union leader and the only person never called a 'boss' is the boss. When referring to Jim Knox specifically, perhaps you could instruct your sub-editor to use the word 'President' as he is officially President of the Federation of Labour."

The compilation of correspondence also included a response from the then Director-General of Television New Zealand, Allan Martin, to the same complaint:

"The Editor of News has now been able to look into the principle you raise. It is his opinion that use of the word 'boss' in the context originally complained of is not outside standard news practice of colloquial use of the English language where colloquial use is appropriate. The expressions 'boss', 'head', 'top man', 'chief' do appear in television voice commentary occasionally in relation not only to union leaders, but also in reference to sportsmen, businessmen, politicians etc. To that extent, he is *reluctant to dictate a policy* [Mr Martin's emphasis] to his editorial staff.

"However, it is accepted that any person has a right to indicate his dissatisfaction with a particular description, and to ask for a more formal identification. As Mr Knox apparently finds the term offensive, we have drawn your request to the attention of reporters and editors to consider when writing scripts."

This appears to have disposed of that point. The Corporation substantially accepted the complainant's position and it was not raised as a serious issue before the Tribunal.

Further complaint

On 17 June 1985, Mr Bradley again wrote to the Corporation, complaining across a broader front about the same item:

"It is our interpretation that the item was an amalgam of rumour, hearsay and exaggeration dressed up as news; if it was designed to be comment only, then we take grave exception to the comments and severely question the credentials of the commentator. Our detailed critique is enclosed.

"May we suggest that for the future, if television news intends to again preview the national conference of an organisation representing 152 unions with 450 000 affiliated members, concerned with a wide variety of economic, political and social issues, that only senior journalists with wide experience of unions be assigned to the task."

With the letter was a typed transcript of the item, with the complainant's critical comment in the right hand column, beside the appropriate part of the script. This is the document which is appended to the decision.

The Corporation's response

The Board of the Corporation considered the complaint on 31 July 1985. It declined to uphold it. Peter Mainwaring, the corporation's acting Secretary, conveyed this to the complainant in a letter dated 7 August 1985. He said, in part:

"The Board in considering the complaint noted that there had been a departure from normal procedures in that sources of information contained in the item were not stated, though it was acknowledged that, because of the wide range of sources, such attribution would make the item unduly long and unwieldy. However it was satisfied that all aspects covered in the item could be justified and supported and that the only prediction made—that relating to the election of the Federation of Labour