

Yeah, well you've got plenty of support; you've got mine.

HOST:

. . . Oh, . . . got us some lovely letters . . .

CALLER:

I'll bet you have.

HOST:

. . . very thinking ones, deep thinking ones too, I'll tell you . . .

CALLER:

Yes, I find it rather remarkable that people can get sort of, so picky and you know, pin-pricking and going on like that, because somebody is saying something that is actually true. And, really, we are in a democracy.

HOST:

Look, don't be fooled by it. I'll tell you what it is. It's one bloke called Dick Cuthbert. Remember that name, Dick Cuthbert.

CALLER:

Yeah, I'll remember it.

HOST:

He is . . . the thing, um, what is it?—The treasurer of HART.

CALLER:

Yeah.

HOST:

He monitors this programme all the time.

CALLER:

Yes.

HOST:

Any, any single thing that he can get out of it, he fires across to the Race Relations, right?

CALLER

Yeah.

HOST:

They have to investigate complaints. He's had 8 in there. Him, himself, right? Now, he is mainly, his biggest problem, is me . . . giving you the other side of what's happening in South Africa. That's his problem, and he admitted it, and the Tribunal brought that down in their decision yesterday which I read. It is not so much, it is it is my attitude to South Africa that is getting up this guy's nose, and that HART people and the CARE, 'cause they've got all the other media in their pockets, and they're like bloody puppets, aren't they? They run around and report all these little things that they do, you know, and they front page them and all the rest of it. But by jeez, they haven't got me mate.

CALLER:

Don't let them.

HOST:

Well, they won't.

CALLER:

O.K.

HOST:

Bloody wankers, the lot of them. O.K.

CALLER:

Thanks Tim.

HOST:

Now, for fabulous savings on fresh seafood, mate. . ."

[These extracts from the broadcasts do not contain all the words complained about.]

*The Complaint to the Broadcasting Complaints Committee*

Another letter also dated the 4th day of April 1988 was sent to the Broadcasting Complaints Committee by Mr Kelly on behalf

of Mr Cuthbert seeking redress for the alleged unfair treatment and infringement of privacy. This letter expanded on these complaints and quoted Mr Bickerstaff's comments published in Auckland newspapers to the effect that he was being targeted from "one man within CARE" and that that man was signing complaints to the Race Relations Office about him.

The complaint is dealt with later in this decision.

*Radio Pacific's Response to Mr Kelly*

Radio Pacific wrote to Mr Kelly personally on the 13th day of April 1988. The managing director, D. S. R. Lowe, stated that he was aware of the radio standards and rules which required Radio Pacific to observe standards of good taste and decency, bearing in mind currently accepted norms and the context. He said:

"Mr Bickerstaff feels that he has been selected as a target by you and some of your colleagues for a number of years and following the Broadcasting Tribunal's decision, which was made public late last month, he found himself responding to numerous on-air inquiries. Because Radio Pacific is a talkback station, such a situation was inevitable. He responded bluntly and using the style of broadcasting which listeners to his programme are accustomed to. Those who find Mr Bickerstaff's down to earth language offensive probably stopped listening to his programme a long time ago. He has adopted that style for more than a decade.

"Regarding your reference to the possible truth or accuracy of his reference to the CARE/South African motive regarding the Tribunal's findings, I note that you had not read the Tribunal's ruling when you wrote to me. You will by now have read it and appreciate that reference is made to Mr Bickerstaff's attitudes to the South African question in the decision.

"At the commencement of your letter you say that you are writing in your private capacity and not as secretary of CARE. Further on you say that you are giving me formal notice that you are authorised by R. J. A. Cuthbert to make a complaint on his behalf to the Broadcasting Complaints Committee concerning the unfair treatment and unwarranted infringement of privacy accorded him by Mr Bickerstaff when he named Mr Cuthbert on air as the person chiefly responsible for the campaign against him. To the best of my knowledge Mr Bickerstaff stated a fact and Mr Cuthbert's stance in regard to this host is publicly known.

"As you state at the conclusion of your letter that you propose to raise these matters with the relevant authorities in the strongest terms, it is probably best that I respond in greater detail before those authorities.

"Following the Tribunal decision which referred to Mr Bickerstaff and other matters regarding you, your colleagues and also the Race Relations Conciliator's Office, I have had discussions with Mr Bickerstaff and all the Radio Pacific hosts. They are mindful of their obligations and matters covered by the Tribunal decision have been further stressed. I tell you this in response to your last paragraph.

"All your comments are noted. I have given Mr Bickerstaff a copy of your letter and my reply.

"Finally, because I believe there would be considerable merit in you and Mr Bickerstaff discussing the contents of your letter and other issues that you might wish to raise with him regarding allegations of racism, I invite you to take part in a 2-hour 6–8 p.m. talkback session one evening . . .".

The invitation was also extended to Mr Kelly as secretary of CARE or to Mr Cuthbert as his nominee or to any representative of CARE.

Mr Lowe ended his letter: