

organisations actively involved in the area of sex education as it is administered in this country.

"Of these, neither Ms Shaw nor Dr Durham make any reference to contraception. Ms Clinton refers merely to statistics showing ignorance of contraception, in those coming to her clinic. Ms Skinner speaks as one on the 'receiving end' of a situation which results in unplanned pregnancies and their attendant consequences. Ms Durden speaks as an expert in family planning education. Her concern, as she clearly states, is that the present situation 'disadvantages under 16-year olds' in limiting the information to which they may have access about sex education.

"To suggest, as you do, that these speakers are protagonists in a "5 v. 2" situation in which they advocate access to and information about contraceptives to girls under 16 in our view cannot be substantiated.

"Of the other 3 speakers, Dr Sparrow and Mrs Pryor were chosen as members of lobby groups with strong views about sex education and section 3 of the Contraception, Sterilisation and Abortion Act. Father O'Neill was chosen as a representative of the Roman Catholic Church which holds views on a moral basis about sex education and contraception by what it calls 'artificial means'. As the Roman Catholic Church has a wide membership, it was felt important that the church should have the opportunity to re-state its views.

"Significant points of view are in our opinion represented in this programme. You make other suggestions for speakers and no doubt people with views differing from yours would make still more. We can only point out that in a 30-minute programme we cannot cover all possible participants and can only seek to ensure that significant points of view are represented. This we believe was done in a fair and balanced way."

#### *Complaint 2*

The complainant said the programme stated that out of 373 pregnancies, there were 208 abortions. Because abortion was mentioned, why was Mrs Clinton (of "Parkview Abortion Clinic") not asked the question: — "How many of the 29 girls under 16 quoted as counselled at Parkview went ahead with an abortion?" This omission was bias.

"We would emphasise that this programme was not about abortion. The question of how many girls went ahead with an abortion was irrelevant and would have diverted attention from the question under discussion."

#### *Complaint 3*

Dr Sparrow's assertion in the programme that "there is no evidence to prove information on contraception increases pregnancies" should have been challenged.

"Dr Sparrow's statement 'I don't think there's any evidence for this ...' (i.e. the view that giving information about contraception increases sexual activity) is in fact challenged in the programme. Marilyn Pryor whose statements precede Dr Sparrow's says, 'giving contraceptive advice doesn't work ... one of the things that does seem to happen with these programmes is what goes down is the age of consent'."

#### *Complaint 4*

Another of Dr Sparrow's assertions about the risk of pregnancy to the teenage mother and the risk to her child, should also have been challenged and questioned. A doctor from Doctors for Life could have put another point of view.

"The additional risks to pregnant mothers under 16 and their children are well documented by the medical profession and those in helping agencies. Your assertion that 'Dr Sparrow does do abortions' is not germane to this discussion. We repeat this programme is not about abortion."

#### *Complaint 5*

Broadcast of the final remark (by Ms Skinner) was an editorial bias on RNZ's part.

The final remarks by Ms Skinner, who we remind you is a midwife at Wellington Hospital's Adolescent Unit, are those of a person who is actively involved in caring for pregnant teenagers. Her expression of concern for her young patients is we think an entirely appropriate comment to finish the programme.

"Your comment that the programme was intended as some kind of expression of disrespect for mothers on Mother's Day we reject entirely.

"We have given careful consideration to the allegations contained in your letter. As you are no doubt aware, a claim of editorial bias is a very serious one. In this case it concerns 2 senior journalists, the editor of current affairs and the programme producer both of whom have wide experience and enjoy considerable respect as professional broadcasters.

"We can find no evidence for your allegations. On the contrary, we believe the programme concerned presented the issues in a fair, rational and balanced way in an area that only too often leads to emotional and combative expressions of opinion."

On 7 June 1988, in acknowledging the above reply from Radio New Zealand's Manager, National Radio, Mr Clarke wrote a long letter of formal complaint.

This consisted of the covering letter, page 2 "subject matter", pages 3, 4 and 5 elucidating Complaint 1, pages 6 and 7 elucidating Complaint 2, page 8 elucidating Complaint 3, page 9 elucidating Complaint 4, pages 10 and 11 elucidating Complaint 5, page 12 and 13 referring to the claim of editorial bias and in respect of all 5 complaints, and a further page 14 relating to the final parts of and other matters in the manager's letter.

On 10 June 1988 the Manager, National Radio acknowledged receipt of the letter, said he had nothing to add to his reply of 23 May and stated that Mr Clarke would recall that formal complaints were to be made with the Secretary of the Corporation. The Manager, National Radio said that, if Mr Clarke would like him to forward the correspondence to the secretary, to let him know.

On 15 June 1988 Mr Clarke replied to the Manager, National Radio and also sent a letter to the Secretary of the BCNZ with all the previous material mentioned and 2 pages of additional material.

The letter to the Secretary of the BCNZ of 15 June was in fact the formal complaint.

The secretary acknowledged receipt of the complaint and on 25 June Mr Clarke wrote to him asking, when the Board met on 26 July and dealt with his complaint, whether he would be allowed to be present and also the general public.

On 5 July 1988 the secretary replied to Mr Clarke saying that the Board meetings were confidential and that only in exceptional cases when necessary were outside parties asked to attend a preliminary executive examination of the complaint. The secretary said that Mr Clarke had presented a very detailed case in support of his formal complaint (amounting to 22 pages in all) and "there would not appear to be a requirement that you should attend on this occasion".

In August, following a further letter from Mr Clarke, the Acting Secretary of the Corporation advised that preparation of material for consideration by the Board was incomplete at the time of their July meeting and would be considered on 30 August. In September Mr Clarke wrote asking what the Board's decision was.

#### *Broadcasting Corporation's Response to the Complaint*

On 26 September 1988, the Secretary of the Corporation wrote to the complainant saying that the Board of the