

included a cassette recording of the programme which we have listened to.

In essence, Radio New Zealand's submission to us repeated what the Manager, National Radio said at the outset in his letter to the complainant.

Radio New Zealand Limited, like the BCNZ before it, found some difficulty in relating the 2 additional pages, submitted to the Corporation by Mr Clarke, to the substance of the complaint. Radio New Zealand was unable to support Mr Clarke's overall inference of editorial bias.

"However, in those 2 pages, he also refers to an alleged inaccuracy in a quotation from the Standing Committee of the Board of Health on Child Care submission to the Royal Commission on Social Policy (confusion between the words 'available' and 'unavailable' . . .). This quotation was taken by the producer direct from a photocopy of the complete submission, provided to him by the Royal Commission itself. Reference to the Standing Committee's submission confirms that the material in question was quoted accurately, word for word, from section 9 of that submission under a sub-heading Contraception, page 6. A photocopy of the relevant page of that Standing Committee's Royal Commission submission is attached . . ." [Mr Clarke subsequently accepted this.]

" 'There is an inconsistency in that a teenager may become pregnant, undergo a termination of pregnancy or bear a child and be responsible for raising that child, yet be denied by law information about contraception and have contraceptives legally unavailable to them . . . ' "

The Complainant's Comment on Radio New Zealand's Submission

Radio New Zealand's submission was sent to the complainant for his comment in accordance with the Tribunal's usual procedure.

On 7 February 1989 he wrote to the Tribunal about Radio New Zealand's submissions enclosing copies of some of his previous letters.

Regarding Complaint 3, he accepted Radio New Zealand's explanation and therefore withdrew this complaint. (The explanation was that Dr Sparrow's view was balanced by Ms Pryor's in the programme.) He also accepted Radio New Zealand's explanation of the quote from the submission to the Royal Commission.

He said that Radio New Zealand persisted in saying that neither Ms Shaw nor Dr Durham referred to contraception and quoted a section of the programme which he said showed that they did.

Referring to the "5 versus 2 situation", he said that he amended that in his letter of 7 June to a "6 versus 2 situation—which makes it even worse for Radio New Zealand".

The complainant said that Radio New Zealand's submission that significant points of view had been presented had been rebutted in his letters of 7 and 15 June.

He had material that challenged the view that teenagers are at a physical disadvantage in child-bearing.

He analysed parts of the programme to show that Radio New Zealand's submission was in a certain aspect evasive.

The complainant commented in detail on other aspects of Radio New Zealand's submission in his 5-page letter to the Tribunal and thought his complaint substantiated.

Decision

The Tribunal has decided that a hearing is not called for on this complaint as the matter has been fully documented. Generally this complaint falls into the category where the complainant feels that every point of view in respect of a controversial topic and its implications should be not only put but also fully aired in a programme.

As we have pointed out before, neither is legally required nor practically possible.

We have also listened carefully to a tape recording of the programme. We have concluded it was a well-balanced programme where significant points of view were aired and so the statutory and programme rules requirements were met.

As to the specific complaints we rule:

Complaint 1

We do not accept that 5 speakers were clearly in favour of girls under 16 being given access to contraceptives and information about their use. They did not say so in the programme. In this respect we accept the manager's initial response to the complainant where the manager described what was actually said by whom. Balance was given by what Ms Pryor and Father O'Neill said but it should be understood that all 8 speakers said different things and had different emphases in what they did say.

For instance, Mr Clarke said that 1 programme participant referred to contraception. But in support of that, he quoted her as saying that they hoped to get a task force, "that will look at ways of preventing the adverse outcomes of adolescent sexuality, there's particularly sexually transmitted diseases and pregnancy".

Complaint 2

The programme was not about abortion, as Radio New Zealand repeatedly said to the complainant. Indeed, we would comment that the complainant makes far more of it than the programme did. The question he posed did not need to be asked.

Complaint 3 was withdrawn by complainant.

Complaint 4

The risk of pregnancy to the teenage mother and her child was mentioned. The Manager, National Radio wrote to the complainant that the additional risks were well documented by the medical profession and helping agencies.

It was one aspect but as such did not need to be countered by any different view.

Complaint 5

Ms Skinner's final remarks to the effect that a lot more needed to be done than just the repeal of the section (she said "the Act" but probably meant the section given the context) though freely available information about contraception would be a start; and that she would very much like to have been able to have talked to her young patients a year before she saw them in which case they might not have been in the situation they were in—none of this demonstrated bias on Radio New Zealand's part in our view.

We decline to uphold any of the complaints.

Mr Clarke was quick to allege bias. That is a serious allegation. It seemed to be based more on his interpretation of the position of individuals on the issues which concerned the complainant than the programme itself.

We find not the slightest basis for the allegations: no programme on such an issue can be without imperfections. But we found no breach of standards at all.

The programme examined the 3 major questions outlined in the Manager, National Radio's letter of 23 May 1988 in a way that indicated integrity and concern on the part of those who took part. This was appropriate for a programme of this nature.

We have set out the complaint and the correspondence not fully but at some length. It demonstrates the cost to the broadcaster of the pedantic and repetitive approach taken by the complainant. He added letter upon letter. If he complains again he should limit his words and realise that the broadcasting body is not obliged to enter into lengthy correspondence with him.