

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 47/91

Dated the 4th day of October 1991

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

P.G. CURRAN

of Levin

Broadcaster

TELEVISION NEW ZEALAND  
LIMITED

I.W. Gallaway Chairperson

J.B. Fish

J.L. Hardie

J.R. Morris

DECISION

Introduction

Sir Bob Geldorf was interviewed on TV1's *Holmes* programme on 3 April 1991 on a number of topics including the release of the Birmingham Six who were wrongly convicted for an IRA massacre in 1974. Geldorf described the IRA as murderers. The *Foreign Correspondent* programme on 11 April, broadcast by Television New Zealand Ltd on TV1, included an interview with Shane O'Doherty. He was once a bomber for the IRA but, in the interview, dismissed violence as a solution to the problems in Ulster.

Mr Curran complained to TVNZ Ltd that both programmes did not show balance. Mr Holmes, he said, had interrupted Geldorf to prevent him from condemning the Protestant Loyalists and the *Foreign Correspondent* item had not condemned the Protestant Loyalists who were now responsible for most of the murders in Northern Ireland.

TVNZ referred to the total item in each case and maintained that standard 6 of the Television Code of Broadcasting Practice which requires balance had not been breached. As he was dissatisfied with TVNZ's decision, Mr Curran referred his complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.



## Decision

The members of the Authority have studied the correspondence (summarised in the Appendix) and have viewed the two items to which the complaint relates.

Mr Curran is obviously well-informed about Irish issues and he has corresponded regularly for some years with TVNZ about what he considers its inadequate coverage of those issues. As an example of Mr Curran's interest, he supplied the Authority with a copy of the Royal Ulster Constabulary's Chief Constable's 1990 Annual Report and drew its attention to the tables in the Report which indicated that both the Loyalist and Republican groups were responsible for assaults and shootings in Northern Ireland.

Mr Curran's complaint related to an interview with Sir Bob Geldorf by Mr Holmes on the *Holmes*' programme on 3 April and to an item on *Foreign Correspondent* on 11 April which included an interview with a former IRA terrorist who was now opposed to violence. Mr Curran claimed that both items breached standard 6 of the Television Code of Broadcasting Practice which requires broadcasters:

- 6 To show balance, impartiality and fairness in dealing with political matters, current affairs and all questions of a controversial nature.

In regard to the *Holmes*' interview, Mr Curran complained that Holmes "pulled the plug" when Geldorf referred to loyalist terrorism. TVNZ denied that allegation and said that Paul Holmes, in his usual fashion, was seen to be bustling along as time was running short. The Authority accepted TVNZ's explanation but at the same time it understood Mr Curran's grievance. After rapidly moving from questions about terrorism to questions about Mrs Thatcher, the interview continued for about another minute during which a number of other points were raised. In view of Holmes' apparently distracted manner during the later part of the interview, the Authority suspected that technical reasons explained the interview's uneven pace. Nevertheless, the Authority did not agree with Mr Curran that Holmes interrupted Geldorf merely because he expressed an opinion about Loyalist terrorism. Moreover, Geldorf's comment that the Loyalist terrorists were also murderers was distinctly audible despite Holmes' interruption.

Concerning the *Foreign Correspondent* item on 11 April, TVNZ said that the piece was a human interest item which presented the voice of moderation from a formerly active, and formerly imprisoned, IRA terrorist. Mr Curran questioned the item's relevance at a time of continuing sectarian violence. The item began with some visuals of violence in Northern Ireland, apparently from Bloody Sunday in 1972 when 14 unarmed Catholic civilians were killed by British troops. That introduction could well have explained to viewers some of the reasons for subsequent IRA violence. The former terrorist made the point that violence had not worked for either side. The sincerity of his opinions could also reflect favourably on the IRA and could indicate that not all IRA members held inflexible views.

After viewing both items, the Authority agreed with TVNZ that neither was unbalanced in dealing with an on-going controversial, and tragic, issue. It concluded that the item



on *Foreign Correspondent* provided a human interest perspective from a former IRA terrorist and, like the item on *Holmes* on 3 April complied with the requirements in standard 6.

**For the above reasons, the Authority declines to uphold the complaint.**

Although the Authority has not upheld Mr Curran's complaint, it understands his concern about the way Northern Irish issues are dealt with on television. It also understands TVNZ's efforts over the years to give Mr Curran what it described as "full frank and free" explanations but which Mr Curran has rejected as unsatisfactory.

It would appear that TVNZ pinpointed the crux of the differing approaches in its 17 June letter to the Authority. There it explained that television news programmes dealt, in effect, with headlines which were accompanied by appropriate visuals. Further, TVNZ stated that it was terrorism by the IRA which has dominated world-wide media headlines about events in Northern Ireland. Mr Curran, as a viewer of TVNZ, is the recipient of the reports sourced internationally which TVNZ has editorially accepted as relevant for New Zealand audiences. The Authority considered, in agreement with TVNZ, that the broadcasts do not reflect bias on the part of TVNZ or by its journalists. Rather, throughout the long history of violence in Northern Ireland the coverage appears to reflect internationally ingrained attitudes. However, there may come a time when, in view of the escalation of Loyalist terrorism, internationally sourced coverage is no longer sufficient.

Mr Curran, because of his close interest in Irish affairs, is aware of the amount of violence perpetrated by the different groups in Northern Ireland. However, at present the Authority does not consider TVNZ to be at fault in perpetuating the traditional and widely accepted approach which focuses on the IRA when it broadcasts items which are supplied by its international news sources. The Authority would point out, nevertheless, that New Zealand's perspective on controversial international events, whether in Ireland or, for example in the Falklands, the Middle East or Yugoslavia, does not necessarily correspond with the approach taken by the international news sources used by TVNZ. To achieve a balance in some situations, broadcasters may well have to present an alternative perspective from informed New Zealanders.

Mr Curran challenged TVNZ specifically for not showing the documentary "The Maze - Enemies Within" when first advertised in the Listener. He argued that the rescheduling indicated TVNZ's bias. He later apologised when TVNZ explained the reason why it had been necessary to reschedule the programme but, nevertheless, questioned whether TVNZ was being completely frank. The Authority accepts TVNZ's explanation without hesitation. Further, the Authority points out that, as the strife in Northern Ireland is ongoing, the rescheduling ensured that the programme was broadcast while the issues it dealt with continued to be relevant.

Signed for and on behalf of the Authority



Iain Gallaway  
Chairperson  
4 October 1991



## Appendix

### Mr Curran's Formal Complaint to Television New Zealand limited

Mr Curran has written to TVNZ Ltd on a number of occasions over the years about its coverage of events in Northern Ireland and, in a letter dated 12 April 1991, he made a formal complaint about the interview with Sir Bob Geldorf on the *Holmes* programme on 3 April and about the item broadcast on *Foreign Correspondent* on 11 April.

He stated that Geldorf, when asked about the release of the Birmingham Six, had condemned IRA terrorists. However, when he referred to "the other gang", he was interrupted by Mr Holmes who changed the topic. Dealing with only one side in the dispute, Mr Curran wrote, resulted in an unbalanced programme. He provided statistics to show that the majority of recent murders in Northern Ireland were committed by "Loyalist terrorists" but complained that this aspect of the troubles was not presented on the item.

He also complained that the item on *Foreign Correspondent* which discussed a 1973 letter bomb campaign was not topical. He continued:

In the Irish context what is clearly topical is the murderous sectarian campaign now waging in Northern Ireland by terrorists from both sides with the Protestant Loyalists for the first time being responsible for most of the shocking murders.

He wrote that both programmes, by not providing an accurate picture of the tragic events in Ulster, breached standard 6 of the Television Code of Broadcasting Practice which requires programmes to show balance, impartiality and fairness.

### TVNZ's Response to the Formal Complaint

TVNZ advised Mr Curran of its Complaints Committee's decision in a letter dated 27 May. Dealing with the alleged "blatant censorship" by Mr Holmes, TVNZ said that Geldorf's answer was clearly audible. Further:

An examination of the tape showed there was no evidence that Paul Holmes was trying to stop him being heard on this point. Instead, viewers saw Paul Holmes - in his customary fashion - bustling on to the next (and in this case completely unrelated) question. The fact that he was running out of time was illustrated by the wording of the question which began "What about a quick one on Margaret Thatcher ...".

In regard to the *Foreign Correspondent* item, the Committee concluded that Mr Curran had missed the introduction and the conclusion. It had consisted of an interview with a Mr Shane O'Doherty who had been a bomber but was "now a voice for peace in his troubled country". TVNZ pointed out that Mr O'Doherty had said violence had not worked and had dismissed it as a possible solution.

In these circumstances, TVNZ denied that either item was unbalanced and, accordingly, the standard had not been breached.



### Mr Curran's Complaint to the Broadcasting Standards Authority

As Mr Curran was dissatisfied with TVNZ's response, he referred the complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989 in a letter dated 14 June 1991.

Referring to his past correspondence with TVNZ, he said that he was not surprised that his complaint had not been upheld as TVNZ reported only the IRA campaign. He added that the interview on *Holmes* took place a few days after the murder of some Catholic teenagers by some Loyalist terrorists but Geldorf had been prevented from talking about "the then spate of Loyalist killings in Ulster". He stated:

With Geldorf, *Holmes* bit off more than he was prepared to broadcast. For *Holmes* deals only with the terrorists who call themselves Catholic when the subject of Irish terrorism is aired on that programme.

He asked why *Foreign Correspondent* dealt with a reformed IRA terrorist and not with the "Loyalist terrorism in Ulster". He maintained that TVNZ's coverage of Northern Ireland was unbalanced.

In a later letter dated 22 June enclosing the Authority's Complaint Referral Form, he explained that he was born in the South of Ireland of Catholic stock and had lived in New Zealand since 1956. He said that he followed events in Northern Ireland closely and had written articles for a number of publications including *The Tablet* and the *Dominion Sunday Times*. He wrote on the Form:

The whole thrust of my complaint was that ONE NETWORK NEWS Current Affairs programmes did not, are not, presenting its captive audience, its trusting public, with a fair and reasonable backgrounding of Irish terrorism in Northern Ireland. It tells only of the terrorism, the outrages of those Irish who call themselves Republicans or Catholic.

### TVNZ's Response to the Authority

As is its practice, the Authority sought TVNZ's comments on the complaint. The letter is dated 17 June 1991 and the reply, 9 August.

TVNZ maintained that the Authority, as it had acknowledged in other decisions, was required to determine the specific complaint before it rather than dealing with the complaint as a culmination of views expressed by Mr Curran over 17 years.

TVNZ said that it had been unable to convince Mr Curran over the years that neither the company nor its journalists were motivated by bias. However, unlike radio or print journalism:

Television news programmes have always been seen as being something akin to headline operations in that only the major and significant items of the moment, especially if they have pictorial reinforcement, are capable of being carried.



Further, IRA terrorism dominated the media headlines throughout the world.

On any assessment of news values it is inevitable that IRA activities, based on past experience, will receive the bulk of whatever coverage seems to be of local significance given the distance from that troubled land. That is of course when account is taken of news imperatives dominating the New Zealand domestic scene at any time.

In regard to the specific complaints, TVNZ repeated the point that there was no deliberate attempt to curtail Sir Bob Geldorf's comments and that his comment on Irish terrorism constituted a small fraction of the total interview. The *Foreign Correspondent* item was a human interest piece and one of the few in recent times which held out some hope for peace in Ulster. TVNZ maintained that neither item breached the standard and concluded:

The company genuinely regrets that the complainant appears to harbour a belief that a conspiracy is afoot in the company's newsroom to portray the tragedy of Northern Ireland as a one-sided affair.

#### Mr Curran's Final Comment to the Authority

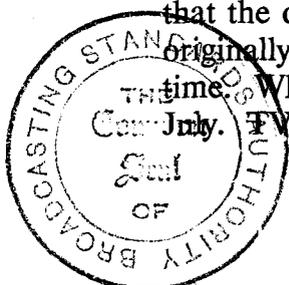
Mr Curran responded to TVNZ's comments in a letter dated 28 August. He maintained that TVNZ had "pulled the plug" on Geldorf, as it had done in early April with another BBC documentary about the inmates in the Maze prison in Northern Ireland. He argued that that documentary should have been broadcast in place of the item which was shown on *Foreign Correspondent* on 11 April. The Maze documentary was listed in the Listener for broadcast on 2 April but had been replaced by a documentary about a car manufacturer. Mr Curran suspected that the broadcast of the Maze programme on 26 July only occurred after he had brought its earlier withdrawal, which he described as censorship, to the Authority's attention. He also pointed to what he described as a change of policy on TVNZ's part in that it now reported the murder of civilians in Northern Ireland as well as authority figures.

He concluded by demanding that TVNZ fulfil the requirements of standard 6 of the Television Code in its coverage of events in Northern Ireland.

#### Further Correspondence to the Authority

Mr Curran and TVNZ have continued to correspond about TVNZ's coverage of events in Northern Ireland and some of these letters have either been addressed or copied to the Authority.

The Authority records that it was advised by TVNZ in a letter dated 5 September that the documentary, "The Maze - Enemies Within", was not shown on 2 April, as originally scheduled, as TVNZ was not contractually entitled to broadcast it at that time. When the rights were cleared on 17 April, it was rescheduled and shown on 26 July. TVNZ confirmed these points by supplying copies of correspondence between



the BBC and itself.

In response, Mr Curran stated to the Authority in a letter dated 9 September:

If that is the full and honest reason for its non-screening on that date I was clearly in error when I claimed otherwise and I apologise to TVNZ.

He also wrote:

If I was in error over "The Maze" 2 April it was an absolutely honest error perhaps influenced by our state owned television's record in the past, in the context of Irish affairs.

As well, Mr Curran registered his continuing dissatisfaction with TVNZ's approach to Irish issues.

In a later telephone call to the Authority, confirmed in a letter dated 19 September, Mr Curran asked that the decision record that he fully supported the British Government's efforts to bring peace to Northern Ireland.

