

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 27/92
Dated the 4th day of June 1992

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

CHARLES NOBLE
of Wanganui

Broadcaster
RADIO NEW ZEALAND LIMITED

I.W. Gallaway Chairperson
J.R. Morris
R.A. Barraclough
L.M. Dawson

DECISION

Introduction

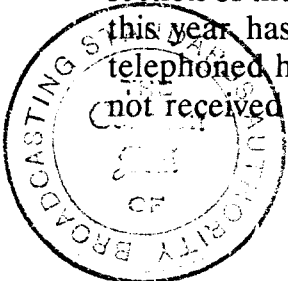
Mr Pik Botha, the South African Minister of Foreign Affairs, was interviewed by Ms Kim Hill on Radio New Zealand Limited's *Morning Report* on 10 October 1991. *Morning Report* is broadcast on National Radio between 7.00am and 9.00am, Monday to Friday.

Mr Noble complained to RNZ that Ms Hill failed to maintain the broadcasting standard requiring the observance of good taste as the interview involved excessively vigorous questioning and was offensive.

As RNZ declined to uphold the complaint, Mr Noble referred it to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.

Decision

The members of the Authority have read the correspondence relating to this complaint (which is summarised in the Appendix), especially that which is summarised in the final section of the Appendix entitled Further Correspondence. It is noted that the Authority this year has written to Mr Noble on 29 January, 19 February, 2 and 23 April and telephoned him on 9 March seeking further information. However, the Authority has not received a reply to any of its requests. In addition, on 2 April Mr Noble was sent



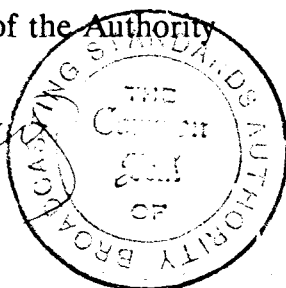
a copy of the Authority's decision on another complaint (Decision No: 10/92) about the same broadcast which, in part, covered the same grounds.

As Mr Noble has not responded to its requests for information, the Authority has decided, as Mr Noble was advised the Authority might do, to exercise its powers under s.11(b) of the Broadcasting Act 1989 and decline to determine the complaint.

For the reasons set forth above, under s.11(b) of the Broadcasting Act 1989 the Authority has decided in all the circumstances to decline to determine the complaint.

Signed for and on behalf of the Authority


Iain Gallaway
Chairperson



4 June 1992

Appendix

Mr Noble's Formal Complaint to Radio New Zealand Limited

In a letter dated 25 October 1991 Mr Noble complained to Radio New Zealand Limited about Ms Kim Hill's interview of the South African Foreign Affairs Minister (Mr Pik Botha) on *Morning Report* on 10 October 1991. He said the exchange had initially been a good example of a probing interview with a controversial visiting senior politician but, whereas Mr Botha had "kept his cool", Ms Hill exhibited an apparent "loss of control". As a result, he added, the final few minutes of the interview failed to maintain standards consistent with the observance of good taste.

While sympathetic to interviewers when questioning obfuscating politicians, he considered that Ms Hill's interview of Mr Botha involved excessively vigorous questioning and was offensive. He believed a written apology to Mr Botha from Ms Hill was appropriate.

RNZ's Response to the Formal Complaint

RNZ advised Mr Noble of its Complaints Committee's decision in a letter dated 29 November 1991. It noted that RNZ had received four formal complaints about the interview and, as they were based on similar grounds, one decision encompassed them all. The complaints had been examined under s.4(1)(a) of the Broadcasting Act 1989 and standards 1.1(a), 1.1(e), 1.1(h), 1.1(i) and 5.2(b) of the Radio Code of Broadcasting Practice.

RNZ said that its Complaints Committee found no evidence of factual inaccuracy and, although some of the questions were forthright and challenging, they did not go beyond the bounds of courtesy and good taste. Further, Mr Botha had been given every opportunity to answer the questions and he had not responded to the final question as he had indicated in the studio that he refused to participate further in the interview. RNZ concluded that no standards had been breached.

Mr Noble's Complaint to the Broadcasting Standards Authority

As he was dissatisfied with RNZ's response, in a letter dated 16 December 1991 Mr Noble referred his complaint to the Broadcasting Standards Authority. In his referral, Mr Noble maintained his complaint that the interview breached the good taste and decency standard and he recorded his preference to present his complaint in person to the Authority.

Further Correspondence

Following receipt of the referral, on 29 January 1992 the Authority sent Mr Noble its Complaint Referral Form which is required for its records. On 19 February, a further Form was sent to Mr Noble along with a request for its prompt completion and return. As the Form was not returned, Mr Noble was telephoned on 9 March and he

advised that he would complete and return the Form straight away.

On 2 April, as the completed Form was not returned, the Authority sent Mr Noble a copy of its decision (No: 10/92) on another complaint about the same broadcast and advised him that if he wanted the Authority to proceed with his complaint, then a completed Complaint Referral Form was required. As no response was received, in a letter dated 22 April the Authority told Mr Noble that unless a response was received to its 2 April letter by 4 May, the Authority might decide to decline to determine the complaint. It did not receive a reply to that letter.

