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Case Number: 2448 BRONWYN HAYWARD and others AGAINST THE NEW ZEALAND HERALD

Council Meeting JUNE 2015

PART 1

1. Lisa Finlay, Bronwyn Hayward, Leanne Hermosilla, Josh Hetherington, Rob Stowell, Jasmine Taylor, Giovanni Tiso, Daniel Webster and Julia Woodhall have complained that an article published by the New Zealand Herald on April 23, 2015 was in breach of several of the Press Council principles. All the nine complainants have complained of a breach of Principle 9 (subterfuge) with related breaches of Principles 2 (privacy) and 8 (confidentiality), and most of them have also complained of a breach of Principle 1 (accuracy, fairness and balance). This determination addresses those complaints, although it addresses Principle 1 only in respect of the interaction between the New Zealand Herald and Amanda Bailey and not in respect of the content of the article.

2. In addition, there are complaints of breaches of principles 4 (comment and fact), 7 (discrimination and diversity), 10 (conflicts of interest) and 11 (photographs and graphics). These complaints are the subject of a separate determination, as are the remaining complaints about a breach of Principle 1.

3. The Press Council upholds the complaints in general although it finds the complaints about a breach of Principle 8 to be based on a misunderstanding of the effect of that principle and largely based on the evidence that has led the Council to uphold the other complaints.

4. The Press Council is concerned with promoting media freedom and maintaining the press in accordance with the highest professional standards. In its view, the NZ Herald has fallen sadly short of those standards in this case.

Background

5. On April 23, 2015 the NZ Herald published, both in print and online, an article about Amanda Bailey and the controversy over her reaction to the Prime Minister, John Key, when he persistently pulled her ponytail at the café where she worked as a waitress.

6. The article was based on an interview made by conference call the previous day by a NZ Herald columnist, Rachel Glucina, with Ms Bailey and her employers. It included photographs of Ms Bailey and her employers, taken by a NZ Herald photographer shortly after the interview. It followed on from an anonymous posting by Ms Bailey on The Daily

Blog, a public blog site operated by Martyn Bradbury.

7. Ms Glucina was already acquainted with the café owners, Ms Bailey's employers, and had contacted them earlier the same day to arrange the interview.

8. During the afternoon or early evening of the day of the interview, there was contact between one or both of the café owners and the NZ Herald over an apparent misunderstanding about the basis on which the article was to be published. There was no direct contact between Ms Bailey and the NZ Herald.

9. The Daily Blog owner contacted the NZ Herald late on April 22 to confirm that any permission from Ms Bailey was withdrawn. NZ Herald advised his call came after the paper had begun printing. Ms Bailey subsequently made a further post on The Daily Blog, saying that she had discovered that she had had been misled about the nature of the NZ Herald interview and withdrawing any permission she may have given for publication.

10. At the time of the contact from the blog owner, the article had already gone to the printers and it was subsequently published unaltered. However a statement from the editor of the NZ Herald, Shayne Currie, was added early on April 23 to the online version of the article and subsequently altered several times.

The Complaints

11. All complainants expressed concern that Ms Glucina may have used subterfuge in dealing with Ms Bailey and her employers both in setting up the interview and in subsequent dealings with them. They say any consent by Ms Bailey to publication was given under a misapprehension caused by the subterfuge and was in any event later withdrawn. Because of the number and the similarity of the complaints, only an outline description of each is given below. To the extent that the complaints relate to Press Council principles other than 1 (in part), 2, 8 and 9, there is more detail in the determination addressing those principles.

Lisa Finlay's complaint

12. Ms Finlay refers to a breach of Ms Bailey's right of consent, right to privacy and the possibility that the interview was obtained by fraudulent misrepresentation. She says

- Ms Glucina is known to have a close working relationship with John Key and to use her column to support him.
- In the second Daily Blog post Ms Bailey said she was not made aware that Ms Glucina was a NZ Herald journalist but was given to understand that she was a public relations consultant.
- even if consent to publication was given, it was likely to have been given under pressure.
- Ms Glucina has admitted to subterfuge in the past, in obtaining a story about Mick Jagger.

13. Commenting on editor-in-chief Tim Murphy's initial response to her complaint, Ms Finlay says there has been insufficient explanation of the "initial confusion" about the status of the proposed article or of the nature of the "public statements" that the parties apparently agreed to make. She notes that Mr Murphy did not respond to the question of Ms Glucina's history of subterfuge, that Ms Glucina's current "Linked-in" profile states that she is director of a PR company, and that events of 22 April after the interview demonstrate that there was no clear consent from Ms Bailey to the publication of the article in the NZ Herald. On the contrary, if Shayne Currie had contacted Ms Bailey direct, she would have revoked any

consent, as it appears she had already done to her employers.

14. In her further comments, Ms Finlay again makes the point that while the café owners were Ms Bailey's employers and had arranged the interview, they were not entitled to act as her representatives.

Bronwyn Hayward's complaint

15. The main thrust of Ms Hayward's complaint is about conflict of interest (Principle 10) and is covered in a separate determination. However she also expresses concern about the conditions under which the interview was conducted and queries the conditions under which Ms Glucina obtained access to Ms Bailey.

Leanne Hermosilla's complaint

16. Ms Hermosilla asked for an investigation of claims that Ms Glucina misrepresented herself to Ms Bailey in order to obtain her identity and image for publication and that once Ms Bailey became aware of the deception she withdrew her consent to any publication.

17. She also expresses concern that the "five edits with misleading amendments to the time-stamp information" of the editorial statement made by Mr Currie amounts to manipulation of the story. She is of the view that the final wording of the statement makes it very likely that Ms Bailey's version of events is the truth.

Rob Stowell's complaint

18. Mr Stowell complains primarily about the conduct of the interview. He submits that there was at least a misunderstanding about the nature of the proposed publication but that the NZ Herald made no attempt to clear it up with the principal interviewee, Ms Bailey. It then published the story after she had withdrawn her consent and both Ms Glucina and Mr Currie made public comments that her account was inaccurate and untrue.

19. In summary Mr Stowell says the NZ Herald:

- Failed to act transparently and in good faith in the conduct of the interview
- Failed to make any real attempt to correct matters
- Published the article after consent had been withdrawn
- Invaded Ms Bailey's privacy by publishing her name
- Engaged in political spin on behalf of the Prime Minister
- Impugned Ms Bailey's integrity in subsequent public comments.

Jasmine Taylor's complaint

20. Ms Taylor complains generally of breaches of Principles 8 and 9 and specifically of the NZ Herald's responsibility for Ms Bailey's lack of awareness that Ms Glucina was a NZ Herald reporter and for giving her the impression that her remarks were to be used for a general press release. She complains also that the NZ Herald proceeded with publication after Ms Bailey's consent had been withdrawn. Ms Bailey was neither well informed nor consenting.

Giovanni Tiso's complaint

21. Mr Tiso complains that the interview was obtained by subterfuge. Ms Glucina had not presented herself as a NZ Herald reporter. The newspaper was aware that Ms Glucina had not fulfilled her basic obligations to the principal interviewee, Ms Bailey but made no

attempt to contact her. There was no reason to disbelieve Ms Bailey's account of events, but good reason to disbelieve Ms Glucina, given her history of subterfuge.

22. Mr Tiso says the explanation given by Tim Murphy is not compatible with the editorial statement made by Shayne Currie and he remains unsatisfied that the NZ Herald did enough to ensure they had Ms Bailey's consent to publication.

Daniel Webster's complaint

23. Mr Webster complains that Ms Glucina obtained material from Ms Bailey by the false pretence of being a PR consultant for her employer. When Ms Bailey became aware of the deception she withdrew her consent to publication, but the NZ Herald still went ahead with publication. There is also a question of conflict of interest.

Julia Woodhall's complaint

24. Ms Woodhall's main focus is a complaint of unfair and unbalanced reporting (covered in the accompanying determination), but she also asserts that Ms Glucina used subterfuge to obtain consent to the interview.

Josh Hetherington's complaint

25. Mr Hetherington requests an investigation of concerns that Ms Glucina may have obtained information by fraudulent misrepresentation and that Ms Bailey was not aware that there was to be publication of the interview and photographs in a NZ Herald article. In addition to a complaint of conflict of interest, he notes the numerous changes to Shayne Currie's editorial statement, and in particular the deletion of the original assertion that Ms Glucina had not misrepresented herself or misled anybody.

The NZ Herald response

26. The Editor-in-Chief Herald titles, Tim Murphy, issued a general response to the complaints relating to Press Council principles 2, 8 and 9. He said it resulted from the Herald's own inquiry and was based on interviews with the writer, photographer and editor concerned, a consideration of email and text messages with the café owners, information from a third party who was with Ms Glucina during the interview and consideration of the two blog posts along with a letter from Ms Bailey's representative.

27. Mr Murphy agrees Ms Glucina approached the café owners seeking an interview with them and their staff member, but denies any misrepresentation or subterfuge.

28. He says:

- Ms Glucina does not work in PR nor does she have any PR clients.
- She told them the best way to deal with media interest was to speak out, through her and sought an exclusive interview, telling them this would "front-foot" the gathering media demands.
- The café owners already had a PR firm and would not have engaged another. They already knew Ms Glucina works for the Herald.
- If Ms Bailey was told Ms Glucina worked for a PR company, she was not told that by Ms Glucina.
- All parties agreed they wanted to make public comments and agreed to photographs. There was mention of the Herald, of a story being written for the Herald and a photo being taken for the Herald. Ms Glucina says she told the parties that it could take some time for the photographer to arrive as he had to come from the Herald office in the city.

- There may have been initial confusion with the café owners as to how widely the public statements were to be distributed, but this was cleared up with them during the afternoon.
- The photographer states that the photographs were posed voluntarily and willingly, and clearly for public issue. There was no photograph of Ms Bailey alone or without her consent. When asked if he was a freelancer, he replied that he was on staff for the NZ Herald and that one of the café owners confirmed he knew the photographs were for the Herald. He did not say his work was for a PR business, and did not know Ms Glucina had conducted the telephone interview or that she had once operated a PR firm.
- Shayne Currie spoke to the café owners in the early evening and while they said they had thought the article was for all media, they “were comfortable with the fact that they would appear in the paper the following day.” They were and remained the Herald’s intermediary with Ms Bailey, and were supplied with their (and her) quotes so that all could see what would be published the following day. All quotes were correct and in context.
- At no stage before publication was any consent to publication withdrawn. Ms Bailey requested (through one of the café owners) that the piece not appear in Ms Glucina’s “gossip column”. An assurance was given that it would not, as it was a news story. The blog owner called many hours later when the paper was already being printed.
- Throughout the gathering and preparation for the story, there was no reason to believe that Ms Bailey continued to expect her identity to remain secret.
- In general, the NZ Herald acted in good faith and in accordance with its obligations under the Press Council principles. There was no intention to appear insensitive to Ms Bailey’s situation.

Discussion

29. The determination of this complaint has been difficult because of the incomplete information before the Press Council. Several complainants did not initially complain of breaches of the Press Council principles, but expressed concern that there could have been breaches (based largely on Ms Bailey’s statements in the second Daily Blog post) and asked for an investigation. There has been some investigation by the NZ Herald, but the Press Council does not have powers of investigation and must determine complaints on the information supplied to it by the media and complainants, supplemented by any relevant information that may be in the public domain. In this case, it has not had any information directly from Ms Bailey or her employers but has had to rely on the published material along with submissions from the complainants and the NZ Herald.

30. There are a few facts which appear to be clear:

- Ms Bailey had made her story public through The Daily Blog without revealing her identity. It is reasonable to assume that at that stage she wished to remain anonymous and that at all times she had concerns about being identified.
- there was no direct contact between Ms Glucina and Ms Bailey before or after the interview. It appears that all contact was through Ms Bailey’s employers. Nor was there any direct contact between Ms Bailey and any representative of the NZ Herald between the conclusion of the interview and the publication of the article.
- there was at the very least some initial confusion over the basis on which Ms Glucina approached Ms Bailey and her employers. While NZ Herald has stated that she is a Herald

reporter, does not work in PR and has no PR clients, her Linked-in profile refers to her as director of a PR company and specifies PR work as one of its functions. Linked-in is generally regarded as a platform for the advertising of services.

- It seems very likely that Ms Bailey's employers, who were already acquainted with Ms Glucina, knew of her PR skills and were comfortable with the idea that she would help produce a media statement that would help counter any possible damage to the reputation of their business. There seems to have been no clear distinction between the journalistic and the PR aspects of the proposed article.
- There was also confusion over the nature of the article Ms Glucina proposed to write. Both Ms Bailey, and her employers, understood that she would prepare a general statement that would be released to all media. Certainly in relaying the content of his conversation with the café owners, Mr Currie acknowledges that they "said they had thought their and the waitress' words would be issued to all media".

31. On the basis of these facts, the Press Council cannot rule out the possibility of a genuine misunderstanding in the first instance about the nature of Ms Glucina's approach and of the article she proposed to write. However once the interview was taking place, the onus was on Ms Glucina as a professional media person to make the position completely clear to all parties, particularly to Ms Bailey, with whom she had had no previous contact, who was in a vulnerable position, and whose interests could well have been in conflict with those of the café owners.

32. Even if Ms Bailey's employers were aware that she proposed to write an article exclusively for the NZ Herald (and it seems likely they were not) Ms Glucina could not delegate to them her obligation to be sure that she had Ms Bailey's fully informed consent to the proposed publication, especially in view of the earlier anonymous publication. On the contrary, her obligation was all the greater because she had not been privy to the conversations between Ms Bailey and her employers in setting up the interview.

33. By the time the interview had been concluded, all parties should have been quite clear about the nature of the article that was to be written. They certainly had concerns about the likely content, resulting in a departure from usual journalistic practice in the agreement to submit quotes to them for checking for accuracy. There is an element of subterfuge in Ms Glucina's failure to ensure that they all knew she proposed to write an exclusive article for the NZ Herald.

34. While Ms Bailey was apparently willing to allow her employers to arrange the interview, there is no evidence that she either agreed or accepted that they should represent her in all dealings with Ms Glucina, the NZ Herald, or the media generally. It is significant that the only time she took the initiative and made an approach to the NZ Herald, it was through Mr Bradbury and not through her employers.

35. It is irrelevant that the photographer was introduced, or introduced himself as a NZ Herald photographer – in the light of the confusion about Ms Glucina's status it was quite likely that the parties assumed that, as they probably believed to be the case with Ms Glucina, he did work for the NZ Herald but not exclusively. It is accepted that he said he worked for the NZ Herald as a staff photographer, but to a person unfamiliar with media practice, this would not rule out the possibility that he did other work as well.

36. It seems that by early evening Mr Currie had spoken to the café owners (or one of them) and had explained the situation. However he did not speak to Ms Bailey, nor is there any evidence that he attempted to obtain contact details for her. Once again, clarification of the basis on which the story was to be published was not a task that could be delegated, or at least not without direct authority from Ms Bailey. While the Press Council does not consider Ms Glucina's history as a journalist to be particularly relevant to this case, it was known to the NZ Herald and should have resulted in special care to ensure that the highest ethical standards were maintained.

37. Finally, at some point in the late evening, the owner of The Daily Blog contacted the NZ Herald on behalf of Ms Bailey and seems to have made it plain that Ms Bailey did not want the story published and that she withdrew any consent she might have given. It may have been too late to stop publication of the print story, but may not have been too late to add an appropriate comment and certainly not too late for the online version.

38. The Press Council does not see any great significance in the various alterations to Mr Currie's statement published with the online version of the story except that it may reflect the spread of confusion beyond the parties to the interview. It does, however, note that the changes give the impression of a shift of emphasis away from assertion of Ms Glucina's professional integrity.

Decision

39. The Press Council upholds the complaints. It finds there were elements of subterfuge in the NZ Herald's dealings with Ms Bailey along with a failure to act fairly towards her, but more importantly it notes that it is not exclusively concerned with determining whether there has been a breach of specific principles. It may consider other ethical grounds for complaint, especially in the context of its objective of maintaining the press in accordance with the highest professional standards. In this case, it is of the view that the NZ Herald has generally fallen far short of those standards in its handling of a sensitive issue and its failure to respect the interests of a vulnerable person.

40. For the sake of completeness, it should be said that the Press Council does not find that there was a sufficient public interest in Ms Bailey's story to justify the use of subterfuge, or to override any right to privacy.

PART 2

1. Lisa Finlay, Bronwyn Hayward, Leanne Hermosilla, Josh Hetherington, Rob Stowell, Jasmine Taylor, Giovanni Tiso, Daniel Webster and Julia Woodhall have complained that an article published by the New Zealand Herald on April 23, 2015 was in breach of several of the Press Council principles. All the nine complainants have complained of a breach of Principle 9 (subterfuge) with related breaches of Principles 2 (privacy) and 8 (confidentiality). These complaints are addressed in a separate determination. See Part 1.

2. In addition, there are complaints of breaches of Principles 1 (accuracy, fairness and balance), 4 (comment and fact), 7 (discrimination and diversity), 10 (conflicts of interest) and 11 (photographs and graphics). These complaints are the subject of this determination.

3. The Press Council upholds a complaint about a breach of principle 10 but does not uphold

the remaining complaints.

Background

4. On April 23, 2015 the NZ Herald published, both in print and online, an article about Amanda Bailey and the controversy over her reaction to the Prime Minister, John Key, when he persistently pulled her ponytail at the café where she worked as a waitress.

5. The article was based on an interview made by conference call the previous day by a NZ Herald columnist, Rachel Glucina, with Ms Bailey and her employers. It included photographs of Ms Bailey and her employers, taken by a NZ Herald photographer shortly after the interview. It followed on from an anonymous posting by Ms Bailey on The Daily Blog, a public blog site operated by Martyn Bradbury.

6. Ms Glucina is purported to have a friendship with Mr Key. In particular an article in the Waikato Independent published on July 22, 2014 refers to that friendship and says that Ms Glucina uses her column in the NZ Herald to give support to Mr Key and to “scorn some of National’s enemies”.

7. Ms Glucina was already acquainted with the café owners, Ms Bailey’s employers, and had contacted them earlier the same day to arrange the interview. The café is one of a number of establishments run by the Hip Group, a company managed by Ms Glucina’s brother.

8. During the afternoon or early evening of the day of the interview, there was contact between one or both of the café owners and the NZ Herald over an apparent misunderstanding about the basis on which the article was to be published. There was no direct contact between Ms Bailey and the NZ Herald.

9. The Daily Blog owner contacted the NZ Herald late on April 22 to confirm that any permission from Ms Bailey was withdrawn. NZ Herald advised his call came after the paper had begun printing. Ms Bailey subsequently made a further post on The Daily Blog, saying that she had discovered that she had had been misled about the nature of the NZ Herald interview and withdrawing any permission she may have given for publication.

10. At the time of the contact from the blog owner, the article had already gone to the printers and it was subsequently published unaltered. However a statement from the editor of the NZ Herald, Shayne Currie, was added early on April 23 to the online version of the article and subsequently altered several times.

The complaints

Lisa Finlay’s complaint

11. Ms Finlay’s complaint is largely of breaches of principles 2, 8 and 9, but she also has concerns about Principle 1 (accuracy, fairness and balance) and 10 (conflicts of interests). She says that Ms Glucina’s personal friendship with John Key and reputation for attacking opponents of the National Party should have precluded her from writing the article. She also cites Ms Glucina’s personal connection to the story through her brother as creating a potential conflict of interest.

Bronwyn Hayward’s complaint

12. Ms Hayward says she is concerned that the NZ Herald omitted to disclose to readers Ms Glucina's interest in the case, given that her brother works for the Hip Group. It is irrelevant that Ms Glucina may have known the café owners independently of her brother.

Leanne Hermosilla's complaint

13. Ms Hermosilla directs her complaint mainly at questions of subterfuge, privacy and confidentiality, but she also has concerns about conflict of interest. She says that it is likely that Ms Glucina identified the café in question through her personal connections with the Prime Minister and the business and used these to manipulate the situation.

Rob Stowell's complaint

14. Mr Stowell raises a question of bias, saying that the NZ Herald has engaged in political spin on behalf of the Prime Minister. He says it is known that Ms Glucina is not politically impartial. He asserts that the article does not include favourable comments made about Ms Bailey by the café owners but implies that she acted out of a desire to damage the Prime Minister and bypassed appropriate channels to do so. Essentially the article is PR in favour of the Prime Minister and sets out to maintain his image while undermining the credibility and motivation of his opponents.

Giovanni Tiso's complaint

15. Mr Tiso asks the Press Council to consider a breach of the conflict of interest rules, given Ms Glucina's role as a public relations consultant and her brother's interests in the Hip Group. He says he does not think the editors have shown sufficient judgement or given the public sufficient reassurances "that other interests weren't being pursued other than those of its readers and the public".

Daniel Webster's complaint

16. Mr Webster says that the close relationship between Ms Glucina and the Hip Group, through her brother, as well as her relationship with Mr Key suggest a conflict of interest of the highest order.

Josh Hetherington's complaint

17. Mr Hetherington comments on Ms Glucina's brother's involvement with the Hip Group. He says "One would think that the NZ Herald would pursue the sensible option of using another journalist in an instance as potentially inflammatory as this. Surely Ms Glucina's role as interviewer in this instance must be considered a conflict of interest at the very least?"

The NZ Herald response

18. Tim Murphy, Editor-in-chief, responded initially to complainants that the association between Rachel Glucina's brother and the Hip Group played no direct part in the interview and did not influence the content of the article. Ms Glucina knew the café owners independently of their association with her brother. He did not address questions of bias, or of the possibility of a conflict of interest arising out of Ms Glucina's relationship with the Prime Minister, or of any other possible breaches of the Press Council principles. Nor did he address any of these questions in his generic response to the Press Council after notification of the complaints.

Discussion

Conflict of interest

19. These complaints have identified two potential conflicts of interest on the part of Ms Glucina – her friendship with the Prime Minister and her relationship to her brother, who has an interest in the Hip Group.

20. Principle 10 makes it clear that publications must be independent and free of obligations to their news sources. They should avoid situations that might compromise such independence. As appropriate, authors of published items should declare any links to the subjects of the items.

21. In this context, it seems clear that Ms Glucina's reported friendship with the Prime Minister did not give rise to a conflict of interest. There is no question of any compromise of her independence or that of the NZ Herald. In addition, the relationship was already in the public domain – Ms Bailey testifies that as soon as she learnt Ms Glucina's surname and began to search online, she found material on her friendship with Mr Key.

22. There is more substance to the argument that Ms Glucina and/or the NZ Herald should have declared her relationship with her brother, manager of the Hip Group. In its general handling of this affair, the NZ Herald seems to have ignored the fact that Ms Bailey and her employers (and ultimately the whole Hip Group as owners of the group of establishments) were likely to have had differing and conflicting interests in the context of Ms Bailey's employment. The facts of the case raised a question about the employers' fulfilment of their obligations under the employment agreement and under general employment law and the employers would naturally be anxious to establish that they had met their obligations.

23. The Press Council accepts that Ms Glucina knew the café owners independently of her brother and that she could easily have established the identity of the café without his assistance. However it remains concerned that in dealing with Ms Bailey she did not disclose a relationship that could be seen as influencing her approach to the issues. Mr Murphy may be right to say that the relationship did not influence the content of the article, but that is irrelevant. The point is that there was an absence of transparency about a potential influence.

Accuracy, fairness and balance

24. In the accompanying determination the Press Council addresses the question of fairness in the NZ Herald's dealings with Ms Bailey prior to publication of the article. The following paragraphs are concerned with fairness in the article itself.

25. There are no apparent inaccuracies in the article, nor have there been complaints of inaccuracy. There also appears to be a reasonable balance in the relative space given to Ms Bailey, her employers and Mr Key. The question raised, particularly by Mr Stowell's complaint is whether the article was fair to all parties and put forward a balanced account of the matters reported. The Press Council notes that although Ms Glucina has a reputation as a columnist, the article in question was undoubtedly a news article. It was not an expression of her opinion, and accordingly the requirement for fairness and balance applies.

26. While the Press Council has some concerns about the amount of comment that is at least implicitly critical of Ms Bailey as against the six short paragraphs setting out her views, it recognises that those views have a prominent place at the beginning of the article and that the article concludes with supportive comment from the Human Rights Commission and the National Council of Women.

27. Mr Stowell has pointed out that Ms Glucina chose to report only some of the negative remarks made by Ms Bailey's employers. However the Press Council has no way of ascertaining precisely what was said in the interview, and cannot comment on this assertion.

28. Mr Stowell is also concerned about a perception of political bias in the article, though he accepts that Ms Glucina did not "slant the story strongly". The Press Council has given careful consideration to this issue, particularly in the context of Ms Glucina's purported friendship with the Prime Minister. It has concluded that although for this reason it was unwise of the NZ Herald to accept her article for publication, there was no breach of the Press Council principles.

Other Principles

29. Complainants have mentioned principles 4, 7 and 11 in connection with their complaints. The Press Council is of the view that in these cases the complainants are largely mistaken about the application of the principles and that their concerns have been addressed in its consideration of other principles.

Decision

30. The Press Council finds a breach of principle 10 in the NZ Herald's failure to declare Ms Glucina's relationship with a party that was potentially in dispute with the person who was the main subject of the article. The remaining complaints are not upheld.

Press Council members considering the complaint were Sir John Hansen, Liz Brown, Chris Darlow, Jenny Farrell, Sandy Gill, Marie Shroff, Vernon Small, Stephen Stewart and Mark Stevens

John Roughan took no part in the consideration of this complaint.