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**David McKenna, Secretary,
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Dear David McKenna

RTE have a duty to respect the principles of fairness and impartiality with regard to its news and current affairs programmes, especially in the run-up to an election or referendum. RTE must ensure that the criterion used for apportioning coverage to political parties and candidates is fair, impartial and non-arbitrary. In my opinion RTE Six One News 21/5/2014 breached these broadcasting obligations.

RTE Six One News report, in my opinion, aired what was in effect an uncontested interview with only one Dublin European Parliament candidate, the Green Party candidate Eamon Ryan. No other Dublin European Parliament candidate featured prominently in this news item. While most of the parties themselves were mentioned in this report their individual candidates in the Dublin constituency were not. Apart from the exclusion of Brid Smith of the PBPA which had two TDs elected to the Dáil in the last general election, report failed to mention independent candidate Nessa Childers MEP was also excluded despite recent opinion polls showing that she is polling at a level that puts her in with a realistic chance of winning a seat.

The manner in which the interview with the Green Party candidate was presented and conducted allowed this candidate an opportunity to promote his own candidature and send a positive message to voters without any opportunity for those competing against him to have a similar opportunity.

What is also of concern is the fact that the purpose of the interview with the selected candidate from a news perspective is unclear. It seems to simply provide an opportunity for one particular candidate, selected by

RTE on criteria that is most unclear, to send a message to viewers and voters that he and his party has a realistic chance of success.

RTE has an obligation to operate in a transparent and impartial manner. I would be grateful if RTE could explain why the Six One News provided this opportunity to just one particular candidate and the criteria used to reach such a decision. I would also like to know, with regard to this editorial decision; did RTE give consideration to its duty to ensure balance in this news report and what measure if any it took to ensure that balance could be guaranteed without providing a similar opportunity to the other candidates in that constituency?

Why RTE did not provide any other candidate was given a similar opportunity. Why was sitting MEP, Nessa Childers was excluded from the report?

This editorial decision by RTE cannot in my opinion be justified on the grounds that RTE was providing an opportunity for the leader of a small party as leader of that party and not as a candidate to have an opportunity to express views on his party's potential.

To give an uncontested interview to the Green Party candidate for Dublin without reference to the other candidates running in that constituency cannot be justified on the grounds that this candidate is the leader of a political party. In fact the interview made no attempt to explain why Mr. Ryan was being interviewed. He was included immediately after a similar interview with a genuinely neutral political commentator, Senator Shane Ross and this may give the impression that Mr. Ryan was somehow in a similar neutral position.

In my opinion, to ensure that RTE does not give unfair extra airtime to some candidates at the expense of the others contesting the same election RTE should adopt a more considered approach. In other words, in a situation where a candidate happens also to be a leader of a political party but is not himself/herself an elected representative, RTE should take care to ensure that this position is not exploited to the detriment of fair and balanced election coverage and should perhaps seek to interview an alternative representative from that party, for example that party's deputy leader.

However, with regard to the current issue of the Six One New report, this is not simply a question of RTE's decision to interview party leaders.

Because as already stated above, RTE did not make any attempt to interview any other small party leaders. RTE must have reasonably foreseen that providing an uncontested interview to just one specific candidate less than two days from polling would benefit that candidate at the expense of other candidates.

It is quite unacceptable for RTE to fail to include candidates with a realistic chance of success in its Six One News report so close to polling day. This news report was one of the final RTE broadcasts that RTE will air on the election prior to the vote and its failure to include candidates while disproportionately highlighting others in the same constituency is a grave failure on the part of the State broadcaster with regard to the rights of the candidates concerned and to the rights of the voters.

I would like to point out to RTE that, Section 39(1) of the 2009 Broadcasting Act states:

"Every broadcaster shall ensure that:

a) all news broadcast by the broadcaster is reported and presented in an objective and impartial manner and without any expression of the broadcaster's own views;

b) the broadcast treatment of current affairs, including matters which are either of public controversy or the subject of current public debate, is fair to all interests concerned and that the broadcast matter is presented in an objective and impartial manner and without any expression of his or her own views, except that it should prove impracticable in relation to a single broadcast to apply this paragraph, two or more related broadcasts may be considered as a whole, if the broadcasts are transmitted within a reasonable period of each other.

Furthermore, pursuant to section 114 (2) (b) of the 2009 Act, the objects of RTE are, inter alia to uphold the democratic values enshrined in the Constitution.

The Guidelines in Respect of Coverage of Local and European Elections states that: *Broadcasters that cover elections must ensure fairness, objectivity and impartiality in the exposure given to candidates and or political parties fielding candidates in an election.* It is respectfully

submitted that RTE has failed to do so with regard to its Six One News Report for the above stated reasons.

Yours sincerely,

Bronwen Maher
Direction of Elections for Nessa Childers MEP