

PRINZ ETHICS COMMITTEE DECISION 1/16

COMMITTEE MEETING: **OCTOBER 2016**

FINDING: **NOT UPHELD**

COMPLAINANT: **TURANGI-TONGARIRO RESIDENTS AND RATEPAYERS ASSOCIATION INCORPORATED**

MEMBER: **[PRINZ MEMBER 723]**

CODE PRINCIPLES: **PROFESSIONALISM, BALANCING OPENNESS AND PRIVACY**

SUMMARY

i. The Turangi-Tongariro Residents and Ratepayers Association Incorporated (the Association) complained that PRINZ member (the member), [role] and spokesperson for [Utility Company], breached the PRINZ Code of Ethics when [the member] made a statement to the media about the local community who have been publicly advocating on behalf of citizens against the pricing methodology of the [Utility Company], in which [the member] is reported to have said: "With the greatest of respect, some of them are quite elderly so time will sort this out."

ii. The PRINZ Committee does not uphold the complaint.

iii. The PRINZ Committee regrets the delay in dealing with the complaint, which was caused by the need to ensure both parties to the complaint were fully informed and had an opportunity to make comment, in accordance with the complaints procedure (http://www.prinz.org.nz/Category?Action=View&Category_id=133 at p. 9).

iv. The PRINZ Committee notes that the member is no longer working for the [Utility Company].

BACKGROUND

(This summary is based on information supplied by the complainant and published in the Herald newspaper. No information or response to the complaint was received from the member).

1. The Association represents the local community in Turangi and has been publicly advocating on behalf of citizens against the pricing methodology of the [Utility Company] for some years. Various media have been reporting on the public campaign and on 28 June 2016, the New Zealand Herald ran an article by Hannah Bartlett, about it.
2. As part of the article Hannah Bartlett interviewed and taped various people including the member as [role] and spokesperson for the [Utility Company]. The Herald quoted the member as saying: "With the greatest of respect, some of them are quite elderly so time will sort this out." The article also stated that the member later apologised and said the member didn't mean them ill-will but was frustrated the "lobby group" was fear mongering and spreading misinformation. The member was also quoted as saying [the member] would try to work with them if they consented to meet with [the member].

3. As a result of the article, TV3 covered the story later in June and public comments were made by various journalists about the above comment.

THE COMPLAINT

4. The Association states that its members were publicly humiliated by the member's comments. They believed it detracted from their argument with the company, and focused on the age of its members and the possibility of their imminent death. The Association notes that its members found the statement to be insensitive.
5. The Association suggests that as a senior manager in the company, the member may have had access to medical information of its members, supplied to the company against the possibility of disconnection of the electricity supply. The Association expresses the belief that if this was so, the statement complained about was extremely distasteful.
6. The Association expresses its belief that the member is not an appropriate person to be a member of PRINZ and makes complaint under the following clauses in the PRINZ Code of Ethics:

3. Professionalism

A member shall: ...

- v. Not engage in irrelevant or unsubstantiated personal criticism.

4. Balancing Openness and Privacy

A member shall:

- i. Promote open communication in the public interest wherever possible.
- ii. Respect the rights of others to have their say.
- iv. Safeguard the confidences and privacy rights of present, former and prospective clients and employers.

FINDINGS

7. The Committee does not uphold the complaint for the following reasons:
 - a. The principle of Professionalism as represented by standard 3v. requiring that members not engage in irrelevant or unsubstantiated personal criticism has not been breached. The standard is directed to personal criticism. Personal criticism requires that an individual be identified and the criticism is directed at that specific individual. The member's statement did not do this.
 - b. The Principle of Balancing Openness and Privacy as represented by standard 4i. requiring that members promote open communication in the public interest whenever possible has not been breached. The standard is not relevant to the member's statement. The member was not promoting open communication at the time the member made the statement. [The member] was acting as [role] responding to a question by the media, albeit in an insensitive manner. Promoting open communication in the public interest relates to the general role of Public Relations professionals in advancing the exchange of information in matters that are of importance to the public.
 - c. The Principle of Balancing Openness and Privacy as represented by standard 4ii. requiring members to respect the right of others to have their say has not been breached. The member's statement was offensive to members of the Association but it did not prevent the Association or its members from speaking or having a say and was not intended to do so.
 - d. The Principle of Balancing Openness and Privacy as represented by standard 4iv. requiring members to safeguard the confidences and privacy rights of present, former and prospective clients and employers has not been breached. Because

the statement did not identify any of the customers of the [Utility Company], no confidential or private information about any individual has been disclosed. Further, there is no evidence that the member used access to medical records of any customers of the [Utility Company] when making the statement.

COMMENT

8. The PRINZ Committee notes that the statement made by the member on behalf of the member's employer was unwise, and accepts that members of the Association were upset by it. The Committee has found that the statement was not unethical in terms of the PRINZ Code of Ethics. However, the Committee also notes that it is likely such statements will very rarely be well received by employers and members of the public. The making of such statements as a member of PRINZ requires careful and nuanced consideration of the appropriateness and value of all statements for publication. On the credit side, it was positive that the member promptly apologised and indicated the member would try and work with the Association if they consented to meet with the member.

DIRECTION

9. The Chair of the Ethics Panel directs that a statement of these findings be made available to the Association, the member, to PRINZ members generally and to the media.

PANEL

10. Panel members for this Complaint were Professor Ursula Cheer (Chair), Cedric Allan (Member of College of Fellows), and Michael Player (Member of College of Fellows).