

**BROADCASTING STANDARDS AUTHORITY**

# ANNUAL REPORT

**2014** TE MANA WHANONGA KAIPĀHO  
TE PŪRONGO Ā-TAU 2014



# VISION

**FAIRNESS AND FREEDOM IN BROADCASTING.**

# PURPOSE

**OUR PURPOSE IS TO OVERSEE NEW ZEALAND'S BROADCASTING STANDARDS REGIME SO THAT IT IS FAIR TO ALL NEW ZEALANDERS, BY BALANCING BROADCASTERS' RIGHT TO FREEDOM OF EXPRESSION WITH THEIR OBLIGATION TO AVOID HARM TO INDIVIDUALS AND SOCIETY.**

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# MEMBERS



## PETER RADICH – CHAIR

Peter is a partner in Radich Law and has been a solicitor of the High Court since 1969. He was Chair of the New Zealand Law Practitioners Disciplinary Tribunal until it was disbanded in January 2009.

He also serves as Milk Commissioner for the Fonterra Dairy Group, is District Solicitor to the Marlborough District Council and is a member of the Law Practitioners and Conveyancers Disciplinary Tribunal.

Peter was appointed an Officer of the New Zealand Order of Merit in the New Year Honours List 2012 for his services to the law.

Peter took up the position of Chair of the BSA in January 2010. He was reappointed for a further term in December 2012.

## MARY ANNE SHANAHAN

Mary Anne obtained an LLB from Auckland University in 1980, and later a Bachelor of Arts (1989) and a Diploma of Business (Finance) (1995). She has practised law in New Lynn, West Auckland for 34 years and was appointed a Notary Public in 1993.

She is currently a director of Auckland District Law Society Inc and previously served on the Auckland Law Society Disciplinary Committee which dealt with complaints about legal professional and ethical standards.

Mary Anne has also been involved in a number of community groups over the years. She joined the BSA in June 2009 and was reappointed for a further term in May 2012.



## LEIGH PEARSON

Leigh is a self-employed government relations and communications advisor. She is a former journalist with TVNZ, Radio NZ and Radio Deutsche Welle.

She was Manager of Trade Policy Liaison at the Ministry of Foreign Affairs and Trade and has contracted to a range of government agencies and businesses.

Leigh is also a former Chair of the Parliamentary Press Gallery. She joined the BSA in January 2010 and was reappointed for a further term in December 2012.

## TE RAU MAWHITU (TE RAU) KUPENGA

Te Rau has a legal background, having worked previously as a Crown Prosecutor as well as holding senior solicitor positions at the Office of the Māori Trustee and in a commercial law firm in Wellington.

He has worked as a television presenter, including a stint as a regular panellist on a lifestyle television show, and over the last two years has helped to produce television shows.

Te Rau is Ngāti Porou and is very involved in iwi and whānau development.

Te Rau joined the BSA in December 2010. He was reappointed for a further term in November 2013.

# **PART ONE**

## **INTRODUCTION**

# CHAIR'S INTRODUCTION

**Tēnā koutou e te hunga e whai paanga ki ngā mahi papaoho, ki a koutou hoki e pānui ana i ēnei kōrero, kā nui te mihi ki a koutou, ki a tātau.**

**Some people think that we, the Broadcasting Standards Authority, should set standards in broadcasting. They think that we should hold lines or push lines back to places where they think the lines ought to be. The ever-present question is where those lines lie. We know that they move, sometimes outwards and sometimes inwards.**

Most of us have seen marked shifts in matters of taste and decency. Language which not long ago would have been unacceptable in our homes and places of work is now commonplace and seen by many as being harmless. Our means and methods of communication are living, rich and vibrant. New growths are accepted within our communities and should be, except where harm is demonstrable.

The standards – or rules – which apply in broadcasting are found in four small collections. These cover free-to-air television, pay television, radio and election programmes. These standards are being reviewed and improved. We believe our changing values, media environment and the changing nature of storytelling need to be reflected in these rules.

One standard is about balance. If a broadcast is about a 'controversial issue of public importance' there is a requirement for balance. This rule was developed in journalism and then radio in times when there were few media voices. It was last reaffirmed in our law in 1989. Now we are in a very different media environment. Information and different viewpoints are more readily available. There is greater emphasis on our freedom of expression and perhaps broadcasters should have a greater freedom to proclaim an unbalanced view. These are difficult issues which we think deserve to be discussed as our standards are reviewed.

In times past, concepts of privacy were perhaps not well understood and certainly, the pressures on privacy were not as great. Now, as the privacy of us all is becoming eroded there are legitimate concerns about the adequacy of protections. This may well be an area where current values are moving towards a tightening of constraints.

Our views on all these issues are open. As we review our rules we will welcome public participation and the debates that will follow.

In the 2011 General Election it became clear that the provisions of the Broadcasting Act 1989 which dealt with what were called *election programmes* were problematic. A curious situation arose where the Electoral Commission which has responsibilities under the Act, and this Authority which has concurrent responsibilities under the Act, reached clearly different conclusions as to the acceptability of a broadcast. We were not able to resolve our differences of opinion but we were able to agree that the legislation is not satisfactory and needs to be addressed. Parliament will, we expect, in time be faced with the very challenging task of deciding what limits there should be on political broadcasts and broadcasts about or involving politicians.

In this past year we have shifted premises and now occupy a building in common with the New Zealand Film Commission and NZ On Air with whom we have common interests and good shared working relationships. We have also developed and implemented a new system for the handling and recording of broadcasting complaints.

We continue to believe that our objective should be to reduce complaints by ensuring that broadcasters understand and respect the standards and by giving out information to the public so that frivolous and petty claims are not made.

Our CEO and small team work efficiently and harmoniously. They give the members of this Authority support of the highest quality. In this coming year the terms of three of the four members of this Authority come to an end. There are some things – like the review of the Codes – which we would like to see finished before we go.

Na reira kia ora ano tatau katoa.



Peter Radich  
**Chair**

# WHAT WE DO

The media is part of the everyday lives of New Zealanders. Today we access the media not only through the traditional platforms of radio and television but on computers and smart devices – allowing us to access the media at all times and in all places. It informs us, entertains us, stimulates us and sometimes even annoys us

Broadcasters have agreed to standards for radio and television. We monitor these standards on behalf of New Zealanders in a number of ways – by making decisions on complaints, by overseeing and enhancing the regulation system, and by providing information about the system and its decisions.

# WHO WE ARE

The Broadcasting Standards Authority (BSA) is a quasi-judicial tribunal established by the Broadcasting Act 1989 ('the Act'). Our functions are set out in the Act. We are funded by the government and through broadcaster levies to provide the public with a free and independent complaints service. In most cases, viewers and listeners who wish to make a formal complaint about content that has been broadcast

must first complain to the broadcaster concerned. If the complainant is dissatisfied with the result they have the right to refer the matter to us. BSA decisions can be appealed to the High Court.

We are an independent Crown entity which means, among other things, that the government cannot direct or seek to influence us in our work.



# STRATEGIC CONTEXT OF OUR WORK THIS YEAR

**The single constant in the media industry is change. The media-consuming public has embraced the changing nature of the media environment. This is reflected in changing patterns of consumption, the rapid adoption of new modes of digital delivery and the provision of broadcast services in a range of languages, reflecting the country's increasingly diverse population.**

These changes have rendered aspects of the BSA's governing 1989 legislation out of date. We operate with an outmoded definition of 'broadcasting' that creates increasing difficulties around the scope of our jurisdiction. Determining the appropriate shape of any future legislation is not straightforward in this evolving media environment and there is no immediate impetus for overarching legislative change. Yet, the age of the Act is increasingly problematic. For example, the definition of 'election programme' in the Act has lent itself to different interpretations by the BSA and the Electoral Commission – both from principled positions. In some situations political satire is being held by the Electoral Commission to be an 'election programme' and therefore prohibited at all times. This raises questions about the application of freedom of expression, artistic 'political' expression – and the dissemination/broadcast of such expression.

The board and senior management of the BSA have remained stable. This has allowed them to deliver on the BSA's strategic direction. The staff has been able to embed earlier improvements and initiate new ones, including the development of a complaints management system that is fit for purpose.

We have continued to operate in a tight fiscal environment and have been mindful of government's expectations that we continue to review our services with a view to finding more innovative and cost-effective ways of delivering services. Moving with NZ On Air, to premises already housing the New Zealand Film Commission, has cemented our existing shared service arrangements with NZ On Air and will provide further opportunities to maximise sector-wide efficiency and effectiveness.

This year was our third year working with a revised 'outcome framework' (or strategic framework) which better reflects the outcomes we seek and the impact we wish to have: how we contribute to and influence those goals in the medium term; how we measure them; and how our services and activities relate to the outcomes/impacts. Working through the amendments to the Crown Entities Act 2004 and drafting our Statement of Intent for 2014–2018 has shown that the strategy remains sound, and fits within the new expectations. Our strategic framework is summarised in the chart below.

# STRATEGIC FRAMEWORK

<b>SECTOR VISION:</b>	<b>New Zealanders' distinctive culture enriches our lives</b>
<b>BSA VISION &amp; PURPOSE</b>	<p><b>↑</b></p> <p><b>OUR VISION IS FOR FAIRNESS AND FREEDOM IN BROADCASTING</b></p> <p><b>↑</b></p> <p>Our purpose is to oversee New Zealand's broadcasting standards regime so that it is fair to all New Zealanders by balancing the broadcasters' right to freedom of expression with their obligation to avoid harm</p>
<b>OVERARCHING OUTCOME/GOAL</b>	<p><b>↑</b></p> <p><b>What we intend to achieve:</b></p> <p>New Zealanders have increased confidence that the broadcasting standards regime fairly balances the broadcasters' right to freedom of expression with their obligation to avoid harm</p>
<b>IMPACTS OVER TIME</b>	<p><b>↑</b></p> <p><b>How we contribute and influence:</b></p> <ul style="list-style-type: none"> <li>• A reduction in unjustified complaints from members of the public</li> <li>• Increased compliance with standards by broadcasters</li> </ul>
<b>MEASURE OUR IMPACT</b>	<p><b>↑</b></p> <p><b>How we know we are succeeding:</b></p> <ul style="list-style-type: none"> <li>• A reduction in the number of upheld and not upheld complaints</li> <li>• No proportionate increase in the number of BSA decisions overturned by the High Court on appeal</li> <li>• Improved public awareness of the existence of the broadcasting standards system</li> </ul>
<b>ACTIVITIES &amp; SERVICES</b>	<p><b>↑</b></p> <p><b>How we deliver:</b></p> <div style="display: flex; justify-content: space-between; align-items: flex-start; padding: 10px;"> <div style="border: 1px solid black; padding: 10px; width: 30%;"> <p><b>OVERSIGHT AND DEVELOPMENT OF THE BROADCASTING STANDARDS SYSTEM</b></p> <p>We oversee the broadcasting standards regime, work with broadcasters and others to set clear broadcasting standards, and work to improve the complaint handling system at all levels by addressing systemic issues, reviewing codes, issuing practice notes, and undertaking research</p> </div> <div style="border: 1px solid black; padding: 10px; width: 30%;"> <p><b>COMPLAINTS DETERMINATION</b></p> <p>We receive complaints about breaches of the Codes of Broadcasting Practice and issue robust, soundly reasoned, timely decisions that reflect the boundaries between freedom of expression and harm</p> </div> <div style="border: 1px solid black; padding: 10px; width: 30%;"> <p><b>INFORMATION AND COMMUNICATION</b></p> <p>We provide clear, user-friendly information about the broadcasting standards system and our decisions</p> </div> </div>

# THIS ANNUAL REPORT

**The type of work we do and the services we provide have remained similar over the years. In 2011/12 we revised our Outcome Framework to better reflect the outcomes we seek and the impact we wish to have.**

This helped us shift our focus to ensure we are delivering in a way that will add the most value. As this is the third year of this outcome framework (now called our 'strategic framework' as a result of the changes to the Crown Entities Act 2004), we have been able to use consistent reporting measures, both in terms of impact measures (which form part of our overall performance story) and our agreed targets, budgets and performance measures.

# **PART TWO**

**WHAT WE HAVE  
ACHIEVED THIS YEAR**

# OVERALL PERFORMANCE STORY

## HIGHLIGHTS

This year has had a number of highlights. We

- made further improvements to our revised website resulting in it being ranked 1st out of 108 websites assessed by e-Gov Watch
- continued to improve our complaints processes, including consolidating an internal triage system, holding our first hearing for a complex matter, and empowering the legal team to provide more direct advice to the board
- implemented a new complaints management system, which for the first time enables us to record enquiries as well as complaints and will dramatically improve the efficiency of our reporting
- had discussions with the Electoral Commission and obtained legal opinions in an attempt to resolve the lack of clarity around the interpretation of 'election programme' – legislative change is probably the way to resolve our different, but principled, positions
- held, with the Electoral Commission and the Advertising Standards Authority, a very well attended seminar for broadcasters on their responsibilities in the build-up to the election
- received high ratings for the various components of BSA service in our regular 'complainants' survey, with the average rating for good/very good written correspondence being 80%, for telephone contact 94%, and for professionalism 100%
- undertook focus group litmus testing of our decisions relating to the discrimination and denigration standard, which showed that most participants could follow and accept the BSA's rationale for its decisions
- surveyed broadcasters who had had a complaint referred to us – 88% rated the processes and the working relationships with the BSA highly
- completed an external review of our privacy decisions, which noted, amongst other things, that they were all correctly decided in terms of privacy law
- had no completed appeals against our decisions – two appeals were lodged and at the year's end it is uncertain whether one will proceed
- completed our biannual audit of broadcasters' publicity notices and found most broadcasters complied with the mandatory requirements. Those that did not were followed up to ensure compliance
- published the 2013 survey of the public's tolerance of swear words
- had regular meetings with working group broadcasters and had ongoing consultations with them on draft text for the current code reviews
- continued to share services with NZ On Air which delivers our financial services robustly and effectively
- moved to the building housing the New Zealand Film Commission, co-locating three agencies in the cultural sector.

## OUTCOME WE ARE WORKING TOWARDS

Our overarching goal is for New Zealanders to have increased confidence that the broadcasting standards regime fairly balances the broadcasters' right to freedom of expression with their obligation to avoid harm.

The BSA contributes to and influences this goal by having an impact over time in two ways:

- reducing unjustified complaints
- increasing broadcaster compliance.

Our key activity is complaints determination. This does not occur in a vacuum. We provide two other critical services and activities to support and enhance broadcasting content regulation: oversight and development of the broadcasting standards system; and the provision of information about the system and our decisions. All three parts interrelate, build on and strengthen the system as a whole.

The 2013–2016 Statement of Intent reflects these three outputs:

- Complaints determination
- Oversight and development of the broadcasting standards system
- Information and communication

## ARE WE HAVING AN IMPACT?

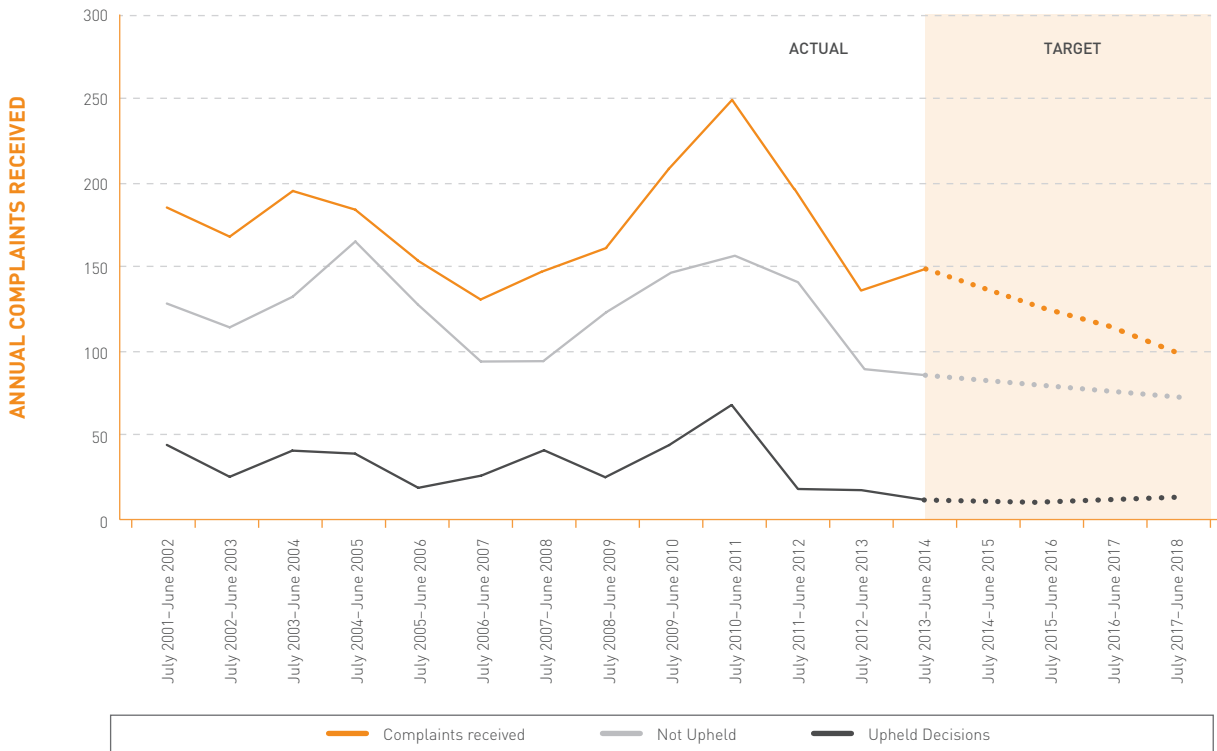
We have identified three key measures to determine our impact over time through our three interrelated activities and services. Many factors influence the medium-term outcomes, a number of which are outside our control. We cannot achieve these outcomes alone – it will take the involvement and focus of all our stakeholders, which includes broadcasters and the public. These outcomes are also subject to changes in the broadcasting environment generally.

The measures we have chosen are themselves open to different interpretations, particularly our quantitative measures. For example, a reduction in complaints could mean less awareness of the process, less confidence in our decisions or that there is less consumption of traditional broadcasting. Alternatively, it could mean that the system is working effectively and only threshold and challenging decisions are reaching us, which is the goal we are aiming for.

Notwithstanding their potential ambiguities, we think, taken together, that the following three measures provide a good indication of whether the broadcasting standards system is working as efficiently and effectively as it should.

## MEASURE 1 – A REDUCTION IN THE NUMBER OF COMPLAINTS BOTH UPHELD AND NOT UPHELD, WITH A CONSEQUENTIAL DECLINE IN OVERALL COMPLAINT NUMBERS

FIG.1 BSA SYSTEM PERFORMANCE INDICATORS\*



\*Due to small classification changes, comparatives have been restated to preserve relativity.

When the system is working well we have said:

- the number of **upheld** complaints declines over time which implies broadcasters breach the codes less often
- the number of **not upheld** complaints declines which implies that members of the public better identify breaches and make better quality complaints
- the **total** number of complaints declines reflecting effective broadcaster complaints processes and improvements in the above two indicators. This in turn means lower BSA costs.

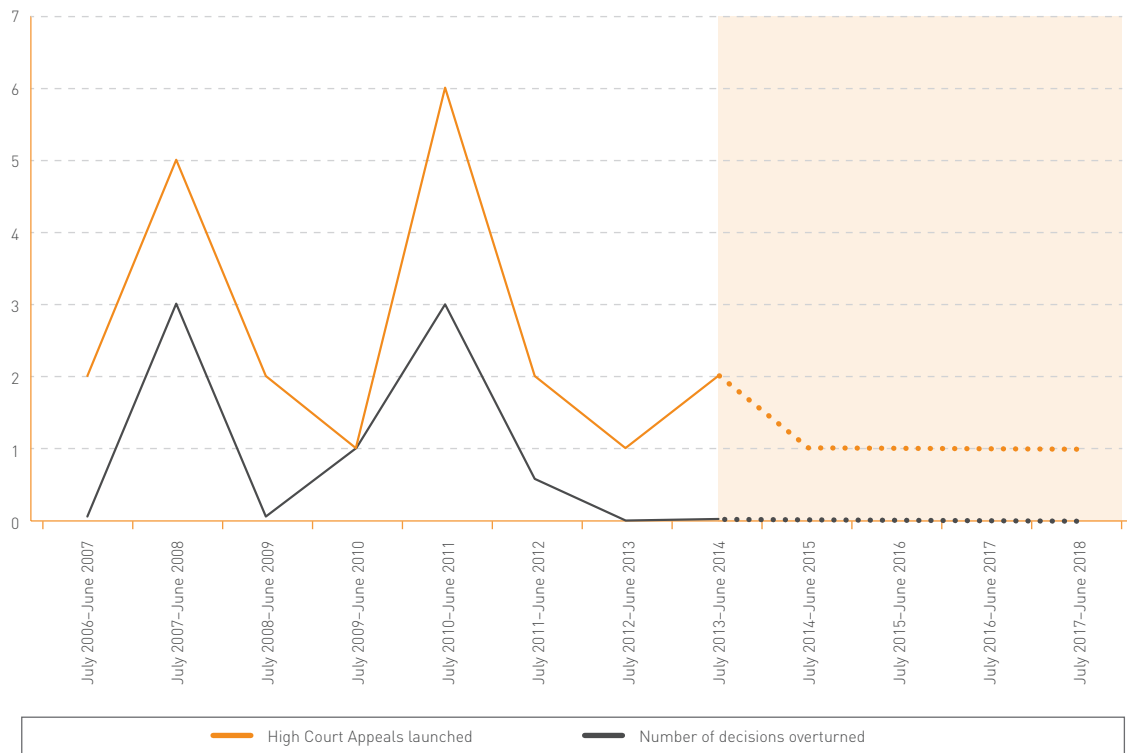
Figure 1 shows a slight increase in complaint numbers. Yet overall complaint numbers remain relatively low which we see as a positive reflection of the system’s effectiveness and functionality. In a well-functioning system we would expect to see a decline as:

- the public manage their (and their children’s) viewing within the standards regime and therefore make fewer complaints and/or fewer trivial ones
- the complaints system (including the broadcasters’ own systems) allows easier disposal of frivolous, routine or vexatious complaints
- broadcasters understand their obligations and/or resolve complaints effectively so that fewer come to the BSA – and those that do come are increasingly at the challenging and important boundaries of freedom of expression and the avoidance of harm.

Further, the number of upheld and not upheld decisions remains low. We received an influx of complaints towards the end of the financial year which were not fully through the decision process at the year’s end. This explains why the numbers of upheld and not upheld decisions do not correspond with the rise in complaint numbers.

## MEASURE 2 – NO PROPORTIONATE INCREASE IN THE NUMBER OF BSA DECISIONS OVERTURNED BY THE HIGH COURT

FIG.2 HIGH COURT APPEALS



The BSA's decisions can be and sometimes are appealed. This is a key part of the process as it is important for parties to have recourse to the courts. Valuable jurisprudence is generated through the appeal process.

The number of decisions overturned by the High Court has always been low. This year two appeals were launched, neither of which has been heard. However, it is far from certain that both will result in a hearing.

We will continue to monitor appeals to, and decisions overturned by, the High Court. Any real increase in overturned decisions, particularly if they go to matters of process, would be a concern and indicate that our decision-making process may need improvement. If they go to substance, they may indicate that the BSA is not in tune with community standards as assessed by the High Court. For that reason, High Court decisions are an important overall indicator of how the broadcasting standards system balances the broadcasters' right to freedom of expression with their obligation to avoid harm.

PART TWO: WHAT WE HAVE ACHIEVED THIS YEAR



## MEASURE 3 – PUBLIC AWARENESS THAT INDIVIDUALS CAN MAKE A FORMAL COMPLAINT ABOUT TELEVISION AND RADIO CONTENT IS INCREASED TO, AND MAINTAINED AT, OVER 90%

In our 2012–2015 Statement of Intent we clarified the scope by which we will survey public awareness. The survey against the benchmark will be done every two years and measure the percentage of New Zealanders aware of the BSA, aware that they can make a formal complaint, and able to identify a course of action which would lead them to finding out about the correct process for making a formal complaint.

The value of measuring public awareness of these elements is that it demonstrates that New Zealanders know they have rights in this area.

Any significant decline in awareness would signal that we may need to take steps to raise awareness.

A survey completed in 2013 showed awareness levels remain very high although there has been a small drop in awareness. The survey showed:

- 85% of New Zealanders are aware that they can make a formal complaint about television and radio content (compared to the 89% benchmark of 2010)
- 92% of New Zealanders could take a course of action which would lead them to finding out about the correct process for making a formal complaint (compared to the 96% benchmark of 2010)
- 85% of New Zealanders are aware of the BSA (compared to the 95% benchmark of 2010).

We believe that basic awareness of the broadcasting standards system is kept high through the requirement that broadcasters broadcast publicity notices about the complaints system. We also raise awareness through strategic media releases of decisions and the publication of a regular newsletter.

Our target remains that at least 90% of New Zealanders are aware that they can complain about broadcasting, can find out how to make a formal complaint, and know about the BSA. We also monitor a breakdown of these figures by age, region, ethnicity and gender. We note that comparatively lower awareness levels (compared to the overall results) are recorded amongst those of Pacific Island ethnicity (40%) and Asian ethnicity (49%), which is an area we will continue to monitor in particular.

The next survey will take place in 2015.

# COMPLAINTS DETERMINATION

## OVERVIEW

This year the BSA received 149 complaints and issued 99 decisions. The total number of complaints received for 2013/14 is relatively consistent with the total received in the previous year (138 in 2012/13). However, complaints do appear to be creeping up, with a 66% increase in the number of complaints received in the second half of this financial year, from the first half (93 complaints compared with 56 received in the period July–December 2013). It is difficult to pinpoint the reason(s) for this, but a partial explanation is that we have received multiple complaints about specific programmes. It is too early to tell if overall complaint numbers are trending upwards.

Meanwhile, a steady number of complaints raise complex issues. These require more thought and very careful consideration – and our workload remains constant.

This year only around 12% of complaints were upheld (12 out of 99 decisions, compared with 18 out of 111 last year, or 16%). Consistent with last year, these were mostly in relation to news, current affairs and factual programming. The programmes most complained about were also from this genre.

Our small complaints team has continued to consolidate and embed improvements which we began in 2011/12. These have assisted with streamlining the process overall, and ensuring that we spend more time on the complex and challenging complaints and less on the trivial and routine ones. We continue to triage our complaints, enabling a focus on complex and difficult complaints; to simplify the format of our decisions to make them more accessible and user-friendly; and to incorporate a more considered and thorough freedom of expression analysis into our decisions. The introduction of comprehensive recommendations by the complaints team to the Authority on complaints has also streamlined processes.

We also held the BSA's first-ever oral hearing on a particularly complex complaint (complaints are usually determined on the papers only). The complaint relates to five separate broadcasts and raises a complicated matrix of issues. The hearing, attended by the complainant, the broadcaster and their representatives, enabled the Authority to distil the issues and focus their determination on key aspects of the complaint. The decision will be released in 2014/15.

The thorough information and guidance offered on the BSA website about what the BSA does, and on its complaints procedures, help users to understand the process and make

effective complaints through the correct avenues. We have also released guidance sheets, 'Tips for Complainants' and 'Choosing a Standard', which enable complainants to make concise, focused complaints, choosing the standards that are most relevant to their concerns.

## COMPLAINTS SUMMARY

	2013/14	2012/13	2011/12	2010/11	2009/10
<b>Complaints received</b>	<b>149</b>	136	195	250	210
<b>Decisions issued</b>	<b>99</b>	111	162	236	193
<b>Upheld (all or in part)</b>	<b>12</b>	18	17	69	45
<b>Not upheld</b>	<b>74</b>	86	132	146	148
<b>Interlocutory/Jurisdictional matters</b>	-	2	4	2	0
<b>Declined to determine</b>	<b>13</b>	5	9	12	7
<b>Orders</b>	<b>6</b>	5	7	20	25
<b>Practice notes</b>	-	1	1	2	2
<b>Decisions issued within 20 working days</b>	<b>75%</b>	99%	99%	100%	100%

### NOTES about this chart

'Complaints received' reflects the number of complaints referred to the BSA within the year. Because of the timeframes under the Broadcasting Act, and the time the BSA takes to make a determination and issue a decision, this figure differs from that of 'Decisions issued'.

In addition, multiple complaints about the same programme, or multiple programmes complained about by one complainant, are listed separately as A, B and C etc and counted separately under 'Complaints received', but they are still treated as one decision with the same decision number. This also helps to explain why fewer decisions are issued than complaints received.

The figures for the categories 'Upheld', 'Not upheld', 'Interlocutory/Jurisdictional matters' and 'Declined to determine' relate to the decisions issued, rather than to individual complaints that may make up one decision. (Interlocutory decisions consider whether the BSA can accept the complaint.)

The decrease this year in the percentage of decisions issued within 20 working days (down from 99% to 75%) was principally due to the July 2013 earthquakes near Wellington, which affected timeframes, and also to planned delays due to anticipated key staff absence. Moreover, of the 25 decisions issued outside of the 20-day timeframe, 20 were issued within 23 days.

Details of each complaint making up the decisions issued are provided in Appendix 2 of this report.

## DECISIONS SUMMARY

	2013/14	2012/13	2011/12	2010/11	2009/10
<b>Decisions issued</b>	<b>99</b>	111	162	236	193
Television programmes	<b>73 (74%)</b>	78 (70%)	134 (83%)	197 (83%)	170 (88%)
Radio broadcasts	<b>26 (26%)</b>	33 (30%)	28 (17%)	39 (17%)	23 (12%)
<b>Upheld (all or in part)</b>	<b>12 (12%)</b>	18 (16%)	17 (11%)	69 (29%)	45 (23%)
Television programmes	<b>8 (67%)</b>	12 (67%)	16 (94%)	60 (87%)	42 (93%)
Radio broadcasts	<b>4 (33%)</b>	6 (33%)	1 (6%)	9 (13%)	3 (7%)

## DECISIONS OF NOTE

### Seven Sharp complaints

In 2013 *Seven Sharp* introduced viewers to a new type of current affairs and entertainment programme. Though it screens in a traditional news and current affairs slot, the programme departs from the orthodox model in that it applies comedy and entertainment techniques to serious issues.

From the programme's inception in early 2013, up until the end of this financial year, we received a total of 24 complaints about it. It was the second most complained about programme in 2013/14, with 14 complaints received (*ONE News* was complained about 21 times). The only broadcast from the show that had complaints upheld against it (from five separate people), was one in which comedian presenter Jesse Mulligan did a satirical piece making fun of Conservative Party leader Colin Craig. This decision is summarised below.

The *Seven Sharp* format is increasingly common on New Zealand television, and raises questions about the application of broadcasting standards which only apply to 'news and current affairs', such as the balance and accuracy standards. In a split decision considering whether an item about climate change predictions was unbalanced, the majority looked at the requirement for balance within the present-day context, recognising the proliferation of broadcast media and the wide range of information now available to audiences, from which balance can be achieved. The majority's decision not to uphold the complaint represented an evolution of the balance standard. The majority and minority views are summarised below.

### Craig and 4 Others and Television New Zealand Ltd (2013-034)

In two items broadcast a week apart on *Seven Sharp*, the presenters made comments about the leader of the Conservative Party, Colin Craig, relating to his opposition to the Marriage (Definition) Amendment Bill. The Authority did not uphold the complaints relating to the first broadcast, as it was balanced and was not unfair to Colin Craig. However, the second broadcast, which was a satirical piece titled 'How to make fun of Colin Craig', went too far and amounted to a personal attack on Colin Craig, which was unfair. The Authority ordered the broadcast of a statement including an apology to Colin Craig, and \$1,500 costs to the Crown. This decision received considerable media attention. *Upheld: Fairness; Not Upheld: Good Taste and Decency, Law and Order, Privacy, Controversial Issues, Accuracy, Discrimination and Denigration, Responsible Programming, Violence; Orders: Broadcast statement, \$1,500 costs to Crown.*

### McMillan and Television New Zealand Ltd (2013-025)

Another *Seven Sharp* item reported the predictions of a climate scientist about the impacts of climate change on New Zealand by the year 2100, and included the opinion of a climate change health expert about the health risks associated with the predicted changes. The complainant argued that the item was misleading and unbalanced because the claims were presented as 'fact' and 'inevitable' rather than as 'extreme projections'. A majority of the Authority was satisfied that the item did not breach the balance standard, finding that the nature of the programme and the topic meant that viewers would have interpreted

the predictions with some scepticism and would be aware of different positions in the debate about climate change. The minority felt, however, that the broadcaster made no effort to present significant alternative points of view in an item which discussed a highly controversial issue. The BSA unanimously declined to uphold complaints alleging breaches of the accuracy and responsible programming standards. *Not Upheld: Accuracy, Responsible Programming; Not Upheld (by Majority): Controversial Issues.*

## Privacy and fairness

Challenging issues and grey areas continue to crop up in relation to the privacy and fairness standards. The key issues include whether programme participants' informed consent is required and what the conditions of that consent should be; what constitutes informed participation; what makes an individual 'identifiable' for the purposes of the privacy standard; what constitutes a 'private fact' and whether false information can be private; the use of hidden cameras; what constitutes a fair and reasonable opportunity to comment; and what matters carry legitimate public interest. Examples of decisions dealing with some of these issues are *TJ*, *Dr Z* and *Hill* (summarised below).

### TJ and Television New Zealand Ltd (2013-092)

The opening title sequence of an episode of *Neighbours at War* showed a brief image of the complainant looking at the camera and giving the finger. The Authority upheld the complaint that this breached the complainant's privacy. The footage of his private property had been filmed more than eight years earlier, and the complainant had made it clear he wanted no involvement in the programme. Despite repeated objections, his image continued to appear in the opening titles of series four of the programme. *Upheld: Privacy; Order: Section 13(1)(d) – \$1,000 compensation to the complainant for breach of privacy.*

### Dr Z and Television New Zealand Ltd (2012-074)

A *Close Up* item focused on a New Zealand doctor who was offering an experimental stem cell treatment to people with multiple sclerosis. Hidden camera footage was obtained by a patient, and parts of it were broadcast in the story. The Authority upheld the complaint from the doctor that he was treated unfairly and his privacy was breached. The doctor was not given a fair opportunity to comment for the programme, his privacy was invaded through the use of a hidden camera, and, as the raw footage from the consultation was unavailable, the broadcaster could not demonstrate that the level of public interest in the footage outweighed the breach of privacy. *Upheld: Fairness, Privacy; Not Upheld: Controversial Issues; Order: Section 16(1) – \$5,500 legal costs to the complainant.*

### Hill and Radio One (2013-074)

Hosts and a guest on the Otago student radio station, Radio One 91FM, made comments about a well-known

Dunedin resident, including that he had been in a psychiatric hospital, and that his parents locked him up as a child because he was slow and an embarrassment to them. The Authority upheld the complaint that this breached the man's privacy. The information disclosed had the quality of private information whether or not it was true. It was sensitive in nature and attracted a reasonable expectation of privacy. The broadcaster accepted that the comments were unacceptable and in poor taste, so the Authority did not make any order, but it encouraged Radio One to take remedial steps as it saw fit. *Upheld: Privacy; No Order.*

## Other decisions of interest

The Authority considered and ruled on two challenging complaints about Māori Television's *Native Affairs* programme. One attracted a lot of media attention, as it was brought by Te Kōhanga Reo National Trust Board in relation to a story about the trust's own affairs titled 'A Question of Trust'. The other related to a development site in Devonport where kōiwi (bones of Māori ancestors) had been discovered. The two decisions are summarised below; neither complaint was upheld.

### Te Kōhanga Reo National Trust Board and Māori Television Service (2013-071)

A special investigation on *Native Affairs* reported the concerns of some members of Kōhanga Reo about the governance and management of Te Kōhanga Reo National Trust. The report focused on allegations that the trust board had too much power and not enough accountability, and on its alleged mismanagement of public funds. The Authority did not uphold the complaint from the trust board that the story was inaccurate, unfair and unbalanced. The story had very high public interest and was a legitimate investigation of the financial activities of the trust and its subsidiary, Te Pātaka Ōhanga. The story was largely framed as being from the perspective of the interviewees, and the trust was given a fair and reasonable opportunity to respond to the claims made. *Not Upheld: Accuracy, Controversial Issues, Fairness.*

### Redback Develop Ltd and Māori Television Service (2013-070)

An item on *Native Affairs*, entitled 'Bones of Contention', reported on the discovery of kōiwi (human remains) at a development site in Devonport, and apparent tensions between iwi and the owner and developer of the site, Redback Develop Ltd. The Authority did not uphold the complaint from Redback that the item contained inaccurate information about the development and the discovery of kōiwi. The broadcaster treated Redback fairly and made reasonable efforts to put forward Redback's position, by inviting onto the programme the individual who it had been told was the appropriate person to comment. *Not Upheld: Accuracy, Fairness, Controversial Issues.*

## HIGH COURT APPEALS

Two appeals against our decisions were lodged at the High Court in the second half of this financial year. Both appeals were lodged by the complainant, and at the time of writing it is not certain that one of them will proceed.

### Levertoff and Television New Zealand Ltd (2013-066)

A *Fair Go* item reported on the New Zealand Industrial Fuel Duty Agency (NZIFDA), a business set up to obtain refunds, on behalf of eligible customers, for excise duty placed on off-road fuel usage in some instances. A former employee of NZIFDA criticised the business and the person who ran it. The Authority did not uphold the complaint from the person who ran the business, Mr Levertoff, that the item was inaccurate and misleading and used 'loaded' language to suggest wrongdoing. The item was clearly framed from the perspective of the former employee, her comments were clearly her personal opinion, the complainant was given a reasonable opportunity to respond, and his response was included fairly in the programme.

### McDonald and Television New Zealand Ltd (2014-004)

The complainant alleged that four programmes broadcast by TVNZ breached the accuracy standard. These included references to the 'top prize' on *Lotto Big Wednesday*, a 'no junk mail' sign in a *Seven Sharp* item, references to the area affected by a snowstorm in the United States, and news items about Fonterra. The Authority declined to determine all four complaints on the basis they were frivolous, trivial and vexatious. Viewers would not have been misled, and Mr McDonald continues to refer similar complaints to the Authority despite its previous decisions.

If the appeals go ahead they will be heard in the High Court in early 2015

## TIMELINESS

We aim to release decisions to the parties to a complaint within 20 working days of the last board meeting at which the complaint was considered. This year, a number of decisions were not able to be released within that timeframe (25% compared with 1% in 2012/13). Most of these were just outside the timeframe target. Ten had planned delays (of 3 days) due to the absence of key legal staff. Ten were delayed one day because of the July earthquakes. Four were delayed due to the complexity of drafting, and one was delayed pending decisions from the Ombudsman and the Privacy Commissioner.

## COMPLAINTS MANAGEMENT SYSTEM (COMPASS)

A new system was deployed in the second half of the financial year and is operating well. All staff are using it and for the first time we are able to properly record enquiries as well as complaints. Compass will provide useful data on the range of work we do. We can keep track of complaints

in 'real time'. Email reminders and customised reporting are increasing efficiency and ensuring the accuracy of our data.

## COMPLAINANTS' SURVEY

We survey our complainants to ensure our services meet their expectations. 39% of people agreed or strongly agreed overall that the BSA handled their part of the process well – similar to results for the last three years, respectively 50% in 2012/13, 42% in 2011/12 and 33% in 2010/11. Our experience is that the overall finding is often inconsistent with the high assessments for the various components of the BSA service: the average rating this year for written correspondence was 80% (compared with 73% in 2012/13), and for telephone contact 94% (compared with 85% in 2012/13). 100% of complainants noted the professionalism of BSA staff (compared with 90% in 2012/13). We understand that the discrepancy (between complainants' views of the overall BSA process, as opposed to their views of the individual components of the BSA's process) is driven by disappointment with the outcome as our percentage of upheld complaints remains proportionately low.

## EXTERNAL REVIEW OF OUR PRIVACY DECISIONS

Katrine Evans, Assistant Commissioner at the Office of the Privacy Commissioner, in her personal capacity undertook a review of a selection of our privacy decisions. The report concluded that the BSA has one of the most developed bodies of privacy law in New Zealand, dealing with privacy queries routinely, and is expert in the field. It noted the BSA's jurisprudence is 'deservedly influential' in other areas of privacy law and practice and said 'its decisions should be referred to more often than they are'. The report noted the reviewed decisions were all correctly decided in terms of substantive privacy law, that the Authority was consistent in its approach, and that the decisions were clearly written and easy to follow. It also made recommendations for the Authority to consider – a couple of areas where the analysis could be slightly clearer and a suggested change to how the Authority approaches compensation for breaches of privacy.

## LITMUS TESTING

Focus group meetings were held in March 2014 to gauge the public's attitudes to the discrimination and denigration standard and to determine whether they could understand (and accept) the rationale for the BSA's decisions. We tested five decisions with members of the public of different ethnicity, age, sexual identity and gender. Prior to seeing a summary of the BSA's reasoning initial reaction to each clip was often at odds with the BSA's decision. However, once the participants had seen summaries outlining the BSA's rationale, and better understood the legal and other guidelines the BSA follows, the majority of them agreed with, or at least accepted, the BSA's decisions. Reactions and views of those who belonged to a section of the community more likely to be the subject of discrimination or denigration, or who were close to someone who was, did not differ markedly from those of other people not in these categories.

# OVERSIGHT OF THE BROADCASTING STANDARDS SYSTEM

**Notwithstanding the ongoing reality that the regulatory system is dated and could be under further review at any stage, business continues. We continue to adapt our processes, information and systems, within the boundaries of legislative constraints, to best meet the needs of New Zealanders and underpin any future regulatory system.**

The BSA is effectively an appeal body. Broadcasters deal with complaints in the first instance. This means that the content regulation system depends on their complaints processes working effectively and efficiently to minimise referrals of complaints to us.

Our role is to support broadcasters in this area, provide them with information and improve processes between us. Strong relationships with broadcasters are crucial to performing well. This year we continued to have regular contact with representatives of the broadcasters to facilitate these relationships, work on the code reviews, undertake systems improvements, and discuss other items of common interest.

## CODE REVIEWS

Our broadcasting standards system is underpinned by the four Codes of Practice – Free-to-Air Television, Pay Television, Radio and Election Programmes. All these codes are due for review. We have commenced the process of updating and modernising these codes into a user-friendly principles-based format that allows for the range of delivery platforms. We have begun working on a draft text in consultation with the broadcasters and will continue this work, including wider public consultation, as a priority in 2014/15. Modernising the codes should assist the public, the broadcasters and the BSA itself pending any future regulatory change.

## PUBLICITY AUDIT

We completed our biannual audit of broadcasters' publicity notices. Broadcasters are required by the Act to publicise complaints procedures. We audited 77 broadcasters, up from 55 broadcasters who responded to our last audit in 2013. Most broadcasters are compliant with the mandatory requirements to let people know – at varied times at least once a day – that they can complain. 51 complied with the mandatory requirements though we made some suggestions where notices could be improved – for example, including the broadcaster's contact details, the BSA's contact details, or information about the 20 working day timeframe for lodging a complaint. 12 broadcasters were asked to provide more information so we could properly determine their compliance. A further 12 were asked to make changes to their notice or the timing of its broadcast. At the time of writing this report, a total of 72 have demonstrated they are fully compliant with their obligations, with 5 broadcasters yet to confirm compliance or make the requested changes.

## BROADCASTERS' SATISFACTION SURVEY

An online survey was carried out to determine the level of satisfaction broadcasters have with the complaints process. All broadcasters subject to a complaint to the BSA in the preceding year were given the opportunity to complete the survey. Eight out of ten did so. The results of the survey suggest that broadcasters rate the BSA processes and working relationships highly, with 88% of broadcasters surveyed rating the BSA as 'good' or 'very good' on a five-point scale.

# INFORMATION AND COMMUNICATION

**Effective communication and information on broadcasting standards processes and issues help New Zealanders understand their broadcasting environment. A well-informed and media-literate public is better able to control their engagement with all forms of broadcasting content within the standards. It is particularly important that, when people come to us, we provide clear and accessible information about the standards system and how to make a quality complaint at the right level.**

As our website is our key interface with the public we decided in 2012 that it was vital that it was accessible and user-friendly, that the content was clear and accurate and that decisions were easily searchable. As it did not meet all those requirements we decided to invest in its review and upgrade in 2012. We engaged e-Gov Watch to undertake a best practice assessment of our website against criteria such as accessibility, usability, information delivery, and e-services delivery. Our site ranked 3rd out of 108 sites assessed in 2012/13. Further revisions this year pushed it to 1st in the rankings. Shane Middlemiss, Director of e-Gov Watch Ltd, noted: 'The bsa.govt.nz site is easy to search and use, has content well-orientated to its users, is clean and clear. The animated branching process graphics for stepping people through making a complaint are a model for making government processes understandable.'

Broadcaster and complainants' surveys rate our website well. More than 78% of all complainants' surveyed (and 88% of broadcasters surveyed) rate all aspects of the website (its ease of use, its value as a resource and its clarity of content) as 'good' or 'very good' on a five-point scale.

# OPERATIONS

## OVERVIEW

This has been a stable year for management and for our board. That has enabled us to make further improvements to our systems and processes, including the design and implementation of the new complaints management system. The arrangements we have for sharing financial services, reception duties, and offices with NZ On Air have continued to work extremely well. These arrangements were consolidated through our move into new premises which also house another agency in the cultural sector, the New Zealand Film Commission.

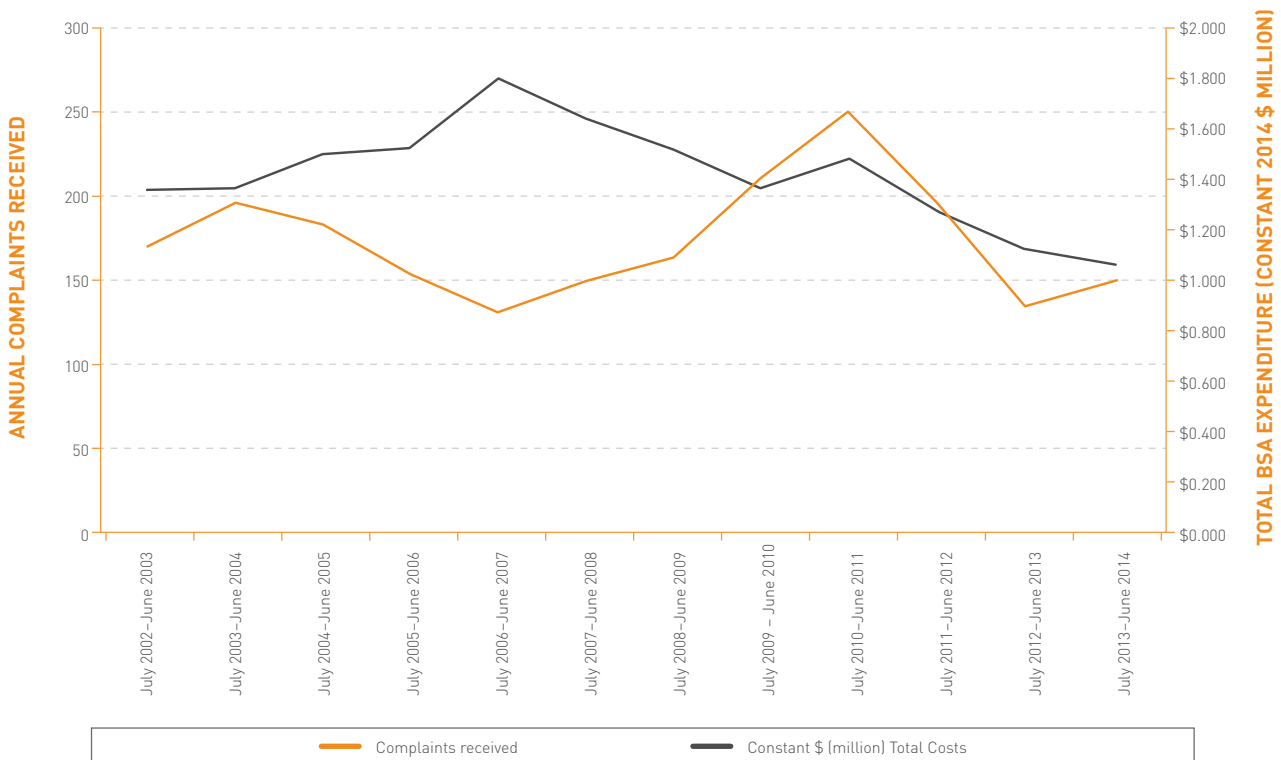
The graph below shows a continued reduction in costs. This represents continued efficiencies. Because our responsibilities are wider than just determining complaints,

a drop in complaints will never directly correlate with a drop in costs, but neither should it as we deal with fewer, but more challenging complaints. In the current tight fiscal environment, and given the expectations of the public sector, we will continue to focus on reducing costs and increasing efficiency while carrying out our statutory duties.

We continue to hold relatively high reserves compared to our budget. This has arisen for a number of reasons – refocused priorities, staff restructuring and variable levies. We are actively monitoring this and returned \$203,000 of reserves to the Crown in this financial year. We expect to return a similar amount in 2014/15.

PART TWO: WHAT WE HAVE ACHIEVED THIS YEAR

FIG.3 OVERALL PERFORMANCE AND COST ANALYSIS





## ORGANISATIONAL CAPABILITY

The Crown Entities Act 2004 requires us to report on good employer policies and also on organisational capability. Each year we set ourselves goals to enhance our capability and provide us with ongoing targets to meet. While these do not form part of our Statement of Service Performance, we

report against them in the Annual Report. Progress against these goals is found in the following tables which set out:

- the criteria for our good employer policies
- our capability objectives, targets and measures.

No issues of concern have occurred during the year.

## BEING A GOOD EMPLOYER

HUMAN RIGHTS COMMISSION GOOD EMPLOYER ELEMENT	BSA POLICY AND PROCEDURE	POSSIBLE ISSUES	ACTIONS (IF ANY)
Leadership, accountability and culture	Staff are involved in decision making relevant to their areas. Staff encouraged to devise and manage own solutions	None	Feedback is given to staff in regular meetings
Recruitment, selection and induction	All permanent staff vacancies are advertised. Focus is on the best range of skills for each position	Retention of staff and diversity in small specialised organisations can be an issue	We employed a legal intern through the year
Employment development, promotion and exit	Annual appraisal reviews and professional development undertaken	None	Completed
Flexibility and work design	Flexible work practices encouraged – focus is on work/life balance	None	Discussed with individuals
Remuneration, recognition and conditions	Equitable gender-neutral remuneration	None	No action required
Harassment and bullying prevention	Zero tolerance policy	None	No action required
Safe and healthy environment	Proactive health and safety approach	None	Policies regularly reviewed

## CAPABILITY OBJECTIVES

CAPABILITY OBJECTIVES	MEASURES	ACTUAL
1. Opportunities for agency collaboration and shared services in the cultural sector are explored and developed where appropriate	<ul style="list-style-type: none"> <li>Continue to share facilities and one front-of-house staff member</li> <li>Receive back-office financial services and associated professional advice from NZ On Air</li> </ul>	<ul style="list-style-type: none"> <li>Continued with additional shared facilities on move to new premises that also house New Zealand Film Commission, combining three cultural sector agencies under one roof</li> <li>Continued to receive financial services and advice from NZ On Air</li> </ul>
2. Staff employment policies focus on retention and development of skilled, knowledgeable, adaptable, efficient team players with the tools, information and training necessary to perform to a high level	<ul style="list-style-type: none"> <li>Each staff member has an annual assessment of individual training needs and professional development plan</li> <li>Board members undertake an annual self-assessment around their exercise of their quasi-judicial powers and governance</li> </ul>	<ul style="list-style-type: none"> <li>Achieved</li> <li>Achieved</li> </ul>
3. Our infrastructure is fit for purpose	<ul style="list-style-type: none"> <li>Our 2004 complaints data management system is reviewed and improved to better reflect the current working environment</li> <li>We move from paper-based board papers to an electronic system</li> </ul>	<ul style="list-style-type: none"> <li>Achieved – new complaints management system (Compass) implemented</li> <li>Achieved</li> </ul>
4. Our office environment and equipment are safe and well maintained	<ul style="list-style-type: none"> <li>Safety hazards reported are attended to promptly and significant hazards are attended to immediately</li> <li>Our building is at an acceptable earthquake risk level</li> <li>Zero tolerance of harassment, bullying and discrimination</li> </ul>	<ul style="list-style-type: none"> <li>Achieved</li> <li>Achieved</li> <li>Achieved</li> </ul>
5. Equal employment opportunity principles are incorporated in staff selection and management, to achieve as diverse a workforce as possible within the limits of our small size	<ul style="list-style-type: none"> <li>EEO principles are included in all relevant documents and practices</li> </ul>	<ul style="list-style-type: none"> <li>Achieved</li> </ul>

# **PART THREE**

## **ACCOUNTABILITY STATEMENTS**

# STATEMENT OF RESPONSIBILITY

FOR THE YEAR ENDED 30 JUNE 2014

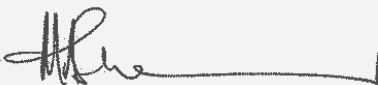
Pursuant to the Crown Entities Act 2004, the board accepts responsibility for:

- The preparation of the Financial Statements and the Statement of Service Performance and for the judgements used therein.
- The establishment and maintenance of a system of internal control designed to provide reasonable assurance as to the integrity and reliability of financial and non-financial reporting.

In the opinion of the board, the Financial Statements and Statement of Service Performance for the year ended 30 June 2014 fairly reflect the financial position and operations of the BSA.



**Peter Radich**  
*Chair*  
30 October 2014



**Mary Anne Shanahan**  
*Member*  
30 October 2014

# STATEMENT OF SERVICE PERFORMANCE

FOR THE YEAR ENDED 30 JUNE 2014

The statements in this section provide the detailed results of our outputs against targets, budgets and performance measures for the year ended 30 June 2014 as set out in our Statement of Intent for the period 2013–2016.

	SOI INCOME \$	ACTUAL INCOME \$	SOI EXPEND \$	ACTUAL EXPEND \$
Complaints determination	922,350	994,736	860,209	698,638
Oversight of broadcasting standards system	212,850	210,120	198,051	147,575
Information and communication	283,800	309,829	257,740	217,604
<b>TOTAL</b>	<b>1,419,000</b>	<b>1,514,685</b>	<b>1,316,000</b>	<b>1,063,817</b>

## OUTCOMES AND IMPACTS

As described in our Outcome Framework, the three outputs articulated in the chart above work in a virtuous circle and all contribute to the overarching outcome that New Zealanders have increased confidence that the broadcasting standards regime fairly and properly balances broadcasters' right to freedom of expression with their obligation to avoid harm.

The specific outcome areas are:

- reduction of unjustified complaints from members of the public
- increased compliance with standards by broadcasters.

We have identified 3 key measures to determine whether we have an impact and these are recorded and evaluated in Part Two of this Annual Report.

# SUMMARY OF OUTPUT COSTS

COMPLAINTS DETERMINATION	ACTUAL	BUDGET
Personnel	405,526	460,384
Direct Operating	62,630	100,000
Overhead	230,482	299,825
<b>% OF TOTAL BUDGET</b>	<b>698,638</b>	<b>860,209</b>
	<b>65.7%</b>	<b>65%</b>

## OVERSIGHT AND DEVELOPMENT OF BROADCASTING STANDARDS SYSTEM

Personnel	71,639	73,301
Direct Operating	41,536	80,000
Overhead	34,400	44,750
<b>% OF TOTAL BUDGET</b>	<b>147,575</b>	<b>198,051</b>
	<b>13.8%</b>	<b>15%</b>

## INFORMATION AND COMMUNICATION

Personnel	85,762	134,815
Direct Operating	52,722	20,000
Overhead	79,120	102,925
<b>% OF TOTAL BUDGET</b>	<b>217,604</b>	<b>257,740</b>
	<b>20.5%</b>	<b>20%</b>

# OUTPUT: COMPLAINTS DETERMINATION

## DESCRIPTION

Complaints determination is our core activity. It is supported by and linked to the other two activities we deliver and each is an integral part of the broadcasting standards system.

We receive complaints about breaches of the Codes of Broadcasting Practice and issue robust, soundly reasoned, timely decisions that reflect the boundaries between freedom of expression and harm. Decisions are made by the Authority with legal and administrative support provided by the staff. Decisions can be appealed to the High Court.

We issue decisions for all complaints that come to us and record and measure the timeliness and quality of our decisions and processes. This year we assessed the quality of our decisions. We sought external assessment of our privacy decisions, and litmus tested our decisions relating to the discrimination and denigration standard with members of the public to gauge how our decisions correspond to the diverse views of the community. We also assessed the quality of our processes by surveying complainants.

COST	ACTUAL 2013/14	BUDGET 2013/14	2012/13	2011/12
Total cost	698,638	860,209	790,621	836,065
% of total cost	65.7%	65%	71%	69.22%

KEY DELIVERABLES	PERFORMANCE MEASURES	TARGET 2013/14	ACTUAL 2013/14	2012/13	2011/12
<b>Quantity</b>					
Receive complaints	Formal complaints received and processed	175	149 The numbers are below our target. This is a positive result as our SOI notes that fewer complaints suggest the system is working more effectively	136	195
Issue decisions	Issue decisions for all complaints that are within our jurisdiction in accordance with the Broadcasting Act 1989	100%	100%	100%	100%
Commission research by way of a survey of complainants who have been through the broadcasting standards regime to assess their satisfaction with the processes and system	Commission biannual summaries of the research into complainants' satisfaction with the complaints processes and system	2 reports provided by survey company to BSA are analysed and appropriate improvements made	Achieved – 2 reports have been provided by survey company to BSA; the results are being analysed and improvements made where appropriate	2 reports produced	1 report produced for period 1 July 2010–28 February 2011
Commission independently facilitated focus groups to litmus test decisions and further our understanding of current community attitudes on standards, and to test the understanding of decisions	Litmus test decisions as to approach to a standard and decision presentation, with groups of mixed ethnicity, age and gender	Litmus test 5 decisions	Achieved – focus groups litmus tested 5 decisions on the discrimination and denigration standard. Research was published on our website in May 2014	Litmus tested 5 decisions on children's interests standard. Research was published on our website in June 2013	Litmus tested 5 decisions on good taste and decency
<b>Timeliness</b>					
Acknowledgement of complaints in a timely manner	Complaints acknowledged in writing within 3 working days	100%	97% – 2 complaints took 4 days to action, and 2 required follow-up with broadcasters before being accepted	99.3% (1 complaint acknowledged outside period – due to staff absence)	98.5%



KEY DELIVERABLES		PERFORMANCE MEASURES		TARGET 2013/14	ACTUAL 2013/14	2012/13	2011/12
Decisions issued in timely manner	Decisions issued within 20 working days of the board meeting at which final decision is made	98%	75% (74 out of 99 decisions) – 10 decisions delayed 1 day due to 21 July earthquake; 1 decision delayed at complainant's request pending Ombudsman and Privacy Commission decisions; 4 decisions delayed due to complexity in drafting of decisions; 10 decisions had planned delay of 3 days due to absence of key legal staff	99.1% (1 out of 111 decisions was complex and required 37 days to finalise)	99%		
<b>Quality</b>							
Decisions soundly reasoned	External assessment conducted to assess whether BSA reasoning, processes and/or interpretation of a standard is appropriate and reasonable	An external review of the way BSA interprets a standard or an aspect of the process by which BSA determines complaints shows that the reasoning, process and/or interpretation is appropriate and reasonable	Achieved. An external review of 11 BSA privacy decisions was conducted in May and completed at the end of June. The report noted the reviewed decisions were all correctly decided in terms of substantive privacy law, that the Authority was consistent in its approach, and that the decisions were clearly written and easy to follow. The report also contained useful suggestions and recommendations which the Authority will review and consider	Achieved. An external review of 10 challenging BSA decisions was conducted and published on the BSA website in June 2013. The Authority was commended on its well-written, accessible and thorough decisions. The review also included useful suggestions and recommendations which the Authority will review and consider implementing	An external review of the way BSA incorporates freedom of expression into its decisions was completed by Steven Price of Victoria University. The review found the BSA does a very good job and the 'proportionality' reasoning (that around freedom of expression) is getting better and better		
Decisions appealed in the High Court are analysed to enable improvements to BSAs reasoning and process	Decisions appealed in the High Court are analysed to enable improvements to BSAs reasoning and process	Direction or advice provided by the High Court from all appeals is analysed and applied in subsequent decisions as appropriate, as evidenced by reference to appeals in at least 10 decisions	2 appeals lodged – none heard High Court decisions referenced in 3 BSA decisions. Target of 10 references no longer appropriate given fewer appeal judgments (none issued since early 2012), existing judgments not directly relevant to most complaints considered in period, and fewer decisions	No appeals. High Court 8 BSA decisions [new measure in 2012/13]	2 appeals. One upheld in part and the other withdrawn		
BSA decisions reflect community standards and are understood by members of the public	Independently facilitated focus groups (litmus testing) show that decisions are understood by members of the public	70% or more rank decisions as acceptable, good or very good on 5-point scale in terms of how well the reasoning is understood by public and supports the outcomes	Achieved. An average of 89% of the participants ranked the decisions as acceptable, good or very good on a 5-point scale (an average of 68% ranked this selection of decisions as good or very good) in terms of how well the reasoning is understood by the public and supports the outcomes	Achieved. 79% of participants ranked the decisions as acceptable, good or very good on a 5-point scale. 53% ranked the decisions as good or very good [new measure in 2012/13]	Achieved. Litmus testing of the good taste and decency standard in relation to 5 BSA decisions was completed and published on the BSA website in June 2012		

PART THREE: ACCOUNTABILITY STATEMENTS

KEY DELIVERABLES	PERFORMANCE MEASURES	TARGET 2013/14	ACTUAL 2013/14	2012/13	2011/12
Decisions reference findings from research into community standards and/or litmus testing	Decisions reference findings from research into community standards and/or litmus testing	A selection of 10 varied decisions show references to research of community standards and/or litmus testing	References to research/litmus testing included in 2 decisions – fewer decisions and different subject matter of complaints have contributed to a low number of references	References included in 5 decisions. This was a new measure. With the reduced number of decisions this year and fewer on standards such as good taste and decency, this target (20) was not achievable or appropriate [new measure 2012/13]	
High-quality service provided to complainants	Complainants rate BSA processes overall as good or very good in the biannual reports on complainants' satisfaction	45% or more of complainants rank BSA service overall as good or very good on a 5-point scale	39% of complainants who responded to the survey ranked BSA service overall as good or very good on a 5-point scale. These results do not correspond with the high ratings for each separate aspect of BSA service (see below), appearing instead to reflect dissatisfaction with the outcome of their complaints rather than the service	Achieved. 50% of complainants agreed or strongly agreed BSA handled their part of the process well on a 5-point scale	43% (target 30%)
Complainants rate individual aspects of their interaction with BSA positively	Complainants rate individual aspects of their interaction with BSA positively	70% or more of complainants rate each of the following aspects of interaction with BSA as good or very good: written correspondence, telephone contact, and professionalism of BSA staff	An average of 80% of complainants surveyed agreed or strongly agreed with positive statements about written correspondence, an average of 94% with positive statements regarding telephone contact, and 100% agreed with positive statements about BSA's professionalism	Achieved. 75% or more of complainants surveyed agreed or strongly agreed with 4 out of 5 positive statements about written correspondence (with 67% agreeing or strongly agreeing with the fifth statement, more than 85% with positive statements regarding telephone contact, and more than 90% regarding BSA's professionalism) [new measure 2012/13]	

# OUTPUT: OVERSIGHT AND DEVELOPMENT OF THE BROADCASTING STANDARDS SYSTEM

## DESCRIPTION

We oversee the broadcasting standards regime, work with broadcasters and others to set clear broadcasting standards, and work to improve the complaint handling system at all levels by addressing systemic issues, reviewing codes, issuing practice notes, and undertaking research.

Research on topics relevant to broadcasting standards provides information about community attitudes and behaviour. It also provides analysis of the application or development of standards. This research assists the Authority and broadcasters when making decisions. Research will also be undertaken to inform any potential future regulatory system.

Codes of Broadcasting Practice underpin the complaints system. The codes are all due for review and modernisation. In conjunction with the broadcasters we are reviewing all codes. Our goal is to develop a user-friendly principles-based codebook that allows for the range of different platforms and includes the different codes.

COST	ACTUAL 2013/14	BUDGET 2013/14	2012/13	2011/12
Total cost	147,575	198,051	141,717	118,495
% of total cost	13.8%	15%	13%	9.81%

KEY DELIVERABLES	PERFORMANCE MEASURES	TARGET 2013/14	ACTUAL 2013/14	2012/13	2011/12
	<b>Quantity and Timeliness</b>				
Coordinate and facilitate a working group of broadcaster representatives to monitor and improve complaints handling systems, consult with, and agree areas of cooperation	Meetings held regularly	3 meetings before 30 June 2014	At least 3 face-to-face meetings with each of the major broadcasters or with groups of their representatives took place in the year supporting ongoing open telephone communication on mutual issues	3 meetings [new measure 2012/13]	
Issue practice notes on standards issues or process matters	Practice notes consulted on with broadcasters and issued	Guidance on 2 standards, issues or process matters issued	Guidance on standards issues and process matters is being incorporated into the code reviews rather than issued piecemeal	1 practice note completed and published in June 2013 on BSA's power to decline to determine trivial and vexatious complaints. Broadcasters consulted. Only 1 practice note was completed as we are focusing on including draft guidance on standards issues and process matters in our revised codes	1 practice note issued
Continue process to modernise and review Pay, Radio, and Free-to-Air Codes	Review and modernise codes in conjunctions with broadcasters	Process of consultation underway on form of modernised code/s	Achieved. Process of consultation with broadcasters underway on form of modernised code/s	Achieved. First draft prototype prepared for discussion. Subsequently, in consultation with broadcasters, we have revised approach to code reviews. We will review each of the codes with the view to modernising them, making them principles-based, and including them in a 'code handbook'	Not applicable

KEY DELIVERABLES		PERFORMANCE MEASURES	TARGET 2013/14	ACTUAL 2013/14	2012/13	2011/12
Commission research that analyses or examines the relevant application of a standard, an aspect of broadcasting, and/or informs any future regulatory system	Commission and publish research of this nature	At least 1 piece of such research is complete and published by June 2014	We have undertaken an examination and commissioned legal analysis of the application of the Bill of Rights to the definition of 'election programme' and have received 2 opinions on the issue. Publication was delayed pending the election	Not achieved. This research was put on hold pending government response to Law Commission report and the need for any research to be relevant and valuable in the context	Research on talkback radio published in July 2011 Research on reality television published in September 2011	
Following audit of broadcaster publicity of the complaints process notify any not complying and provide information and/or assistance where necessary	Non-compliant broadcasters notified and relevant information provided to them	Audit completed and 100% of non-compliant broadcasters notified within a month of the completed audit	Achieved. Audit completed and 100% of non-compliant broadcasters notified within a month of completed audit	100% compliance achieved after completing follow-up from 2011/12 audit	Audit completed by 30 May 2012	
<b>Quality</b>						
Survey broadcasters to assess satisfaction with the quality of the BSA processes, services and working relationships	Broadcasters rate BSA processes and working relationships as good or better and identify any issues	80% or more of broadcasters surveyed rank BSA processes and working relationships as good or very good on a 5-point scale	Achieved. 88% of broadcasters surveyed rank BSA processes and working relationships as good or very good on a 5-point scale	Achieved. 89% of broadcasters surveyed ranked BSA processes and working relationships as good or very good on a 5-point scale [new measure 2012/13]		
	Any issues identified considered by board, and appropriate changes made and recorded or placed on the agenda of the broadcaster/BSA working group	100% of issues discussed with broadcasters and resolved to satisfaction of both broadcasters and BSA	Reports have been analysed and raised no issues not already under consideration or outside BSA control	Achieved. Analysis of issues demonstrates that 2 issues raised were discussed with broadcasters and resolved to satisfaction of both broadcasters and BSA [new measure 2012/13]		
Research on standards or regulatory system is assessed as thorough, and of value to discussion and debate on standards and/or any future regulatory system	Research adds value for policy makers, broadcasters, and BSA in developing and assessing standards and aspects of any future regulatory scheme	Feedback is received (and recorded) from at least 3 key stakeholders that the research is valuable	Feedback from the opinions/analysis of 'electoral programme' will be sought once election over	Not achieved. This research was put on hold pending government response to Law Commission report and the need for any research to be relevant and valuable in the context [new measure 2012/13]		

# OUTPUT: INFORMATION AND COMMUNICATION

## DESCRIPTION

We provide clear, user-friendly information about the broadcasting standards system and our decisions. Effective information on broadcasting standards processes and issues helps New Zealanders understand their media environments. An informed and media-literate public is better able to control their engagement with all forms of broadcasting content within the standards.

It is particularly important that, when people come to us, we provide clear and accessible information about the standards system and how to make a quality complaint at the right level. Our website is our key interface with the public. We have reviewed and upgraded it to ensure it is accessible and user-friendly, that the content is clear and accurate, and decisions are easily searchable.

We also raise awareness of the broadcasting standards system through strategic media releases of decisions, and the publication of a regular newsletter.

COST		ACTUAL 2013/14	BUDGET 2013/14	2012/13	2011/12
Total cost		217,604	257,740	174,673	253,271
% of total cost		20.5%	20%	16%	20.97%

KEY DELIVERABLES		PERFORMANCE MEASURES		TARGET 2013/14	ACTUAL 2013/14	2012/13	2011/12
<b>Quantity and Timeliness</b>							
Website is easy to use with clear content and high accessibility	e-government website assessment shows website is easy to use, clear in content and has high accessibility	e-government website assessment analysed and where appropriate improvements implemented	Achieved. Initial e-government assessment gave website an All of Government rank of 3rd of all websites surveyed. After analysis and improvements it was reassessed as 1st out of 108 sites assessed	New website launched 1 November 2012	Not applicable		
Website is increasingly main vehicle for accessing BSA resources and information	Increase of unique hits to website	Benchmark monitored and any increase recorded	Consideration of website statistics showed the measure of 'unique hits' was not an appropriate measure to determine this deliverable [measure changed in 2014/15 SPE]	Baseline from launch available but rather than focus on gain in unique hits (which is out of our control) we focused on quality of website with an e-government assessment. Our site ranked 3rd out of 108 sites assessed on criteria such as accessibility, usability, information delivery and e-services delivery	Not applicable		
Decisions published on BSA website	Decisions published on website within 10 working days of sign off by Chair	100%	100%	100%	100%		100%
Production of newsletter to keep stakeholders informed	Newsletters published	9	9	10	8		
Strategic media releases	Decisions of high public interest or particular educational interest communicated by way of a media release	Releases for at least 15 decisions issued before 30 June 2014	12. The reduced number of decisions issued this year resulted in a lower number of decisions suitable for profiling in a media release. Decisions of note also included a number of privacy decisions which are unsuitable for further publicity	15 [new measure 2012/13]			
<b>Quality</b>							
Surveys of complainants and broadcasters indicate high satisfaction with the usability, value and clarity of the website	Complainants and/or broadcasters (as part of any other service surveys) rate BSA website as good or very good on a 5-point scale	At least 70% of those surveyed rate the BSA website as good or very good on a 5-point scale	85% of complainants surveyed rated the value, ease of use and clarity of the website as good or very good on a 5-point scale 88% of broadcasters surveyed rated the value, ease of use and clarity of the website as good or very good on a 5-point scale	Between 67% and 75% of complainants surveyed said the content of the website was clear, the website is easy to use, and it is a valuable resource Between 75% and 87% of broadcasters surveyed said the content of the website was clear, the website is easy to use, and it is a valuable resource [new measure 2012/13]			

# FINANCIAL STATEMENTS





# STATEMENT OF COMPREHENSIVE INCOME

FOR THE YEAR ENDED 30 JUNE 2014

	Note	2014 ACTUAL \$	2014 BUDGET \$	2013 ACTUAL \$
<b>Revenue</b>				
Revenue from Crown		609,000	609,000	609,000
Broadcasting levy		842,108	780,000	843,936
Interest income		63,577	30,000	57,839
Other revenue		-	-	14,180
<b>Total Revenue</b>		<b>1,514,685</b>	<b>1,419,000</b>	<b>1,524,955</b>
<b>Less Expenditure</b>				
Personnel costs	3	592,654	690,500	558,708
Other expenses	4	410,117	563,500	516,948
Depreciation and amortisation	18 & 19	61,046	62,000	31,355
<b>Total Expenditure</b>		<b>1,063,817</b>	<b>1,316,000</b>	<b>1,107,011</b>
<b>Net Surplus</b>		<b>450,868</b>	<b>103,000</b>	<b>417,944</b>
<b>TOTAL COMPREHENSIVE INCOME</b>		<b>450,868</b>	<b>103,000</b>	<b>417,944</b>

Explanations of major variances against budgets are provided in Note 17.

The accompanying notes form part of these financial statements.

# STATEMENT OF CHANGES IN EQUITY

FOR THE YEAR ENDED 30 JUNE 2014

	2014 ACTUAL \$	2014 BUDGET \$	2013 ACTUAL \$
Public equity as at 1 July	1,307,789	1,263,845	889,845
Return of equity to the Crown	(203,000)	-	-
Total Comprehensive Income	450,868	103,000	417,944
<b>PUBLIC EQUITY AS AT 30 JUNE 2014</b>	<b>1,555,657</b>	<b>1,366,845</b>	<b>1,307,789</b>

*Explanations of major variances against budgets are provided in Note 17.*

*The accompanying notes form part of these financial statements.*

# STATEMENT OF FINANCIAL POSITION

AS AT 30 JUNE 2014

	Note	2014 ACTUAL \$	2014 BUDGET \$	2013 ACTUAL \$
<b>Current Assets</b>				
Cash and cash equivalents	5	1,058,325	28,403	132,704
Investments	6	400,000	1,230,000	1,262,788
Debtors and other receivables	7	8,241	1,800	12,373
Prepayments		2,861	5,000	5,220
Net GST		11,506	18,000	17,598
		1,480,933	1,283,203	1,430,683
<b>Less Current Liabilities</b>				
Creditors and other payables	8	71,062	120,000	127,664
Employee entitlements	9	51,016	50,000	40,222
		122,078	170,000	167,886
<b>Working Capital</b>		<b>1,358,855</b>	<b>1,113,203</b>	<b>1,262,797</b>
<b>Non-Current Assets</b>				
Property, plant and equipment	18	174,345	232,000	42,207
Intangible assets	19	22,457	21,642	2,785
		196,802	253,642	44,992
<b>Net Assets</b>		<b>1,555,657</b>	<b>1,366,845</b>	<b>1,307,789</b>
<b>REPRESENTED BY PUBLIC EQUITY</b>		<b>1,555,657</b>	<b>1,366,845</b>	<b>1,307,789</b>

Explanations of major variances against budgets are provided in Note 17.

The accompanying notes form part of these financial statements.

# STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED 30 JUNE 2014

	Note	2014 ACTUAL \$	2014 BUDGET \$	2013 ACTUAL \$
<b>Cash Flows from Operating Activities</b>				
Revenue from Crown		609,000	609,000	609,000
Broadcasting levy		839,840	758,300	843,936
Interest received		69,977	40,000	48,499
Other income		-	-	14,180
GST (net)		6,092	-	4,396
Payments to employees & members		(581,860)	(690,500)	(560,034)
Payments to suppliers & other operating expenses		(457,503)	(544,397)	(477,483)
<b>Net Cash Flow from Operating Activities</b>	10	<b>485,546</b>	<b>172,403</b>	<b>482,494</b>
<b>Cash Flows from Investing Activities</b>				
Purchase of property, plant and equipment		(196,623)	(95,000)	(6,651)
Purchase of intangible assets		(23,090)	(5,000)	(1,871)
Decrease/(increase) in investments		862,788	(90,000)	(412,788)
<b>Net Cash Flow from Investing Activities</b>		<b>643,075</b>	<b>(190,000)</b>	<b>(421,310)</b>
<b>Cash Flows from Funding Activities</b>				
Return of equity to the Crown		(203,000)	-	-
<b>Net Cash Flow from Funding Activities</b>		<b>(203,000)</b>	<b>-</b>	<b>-</b>
<b>Net increase/(decrease) in cash held</b>		<b>925,621</b>	<b>(17,597)</b>	<b>61,184</b>
Opening cash brought forward		132,704	46,000	71,520
<b>BALANCE CARRIED FORWARD</b>	5	<b>1,058,325</b>	<b>28,403</b>	<b>132,704</b>

Explanations of major variances against budget are provided in Note 17.

The accompanying notes form part of these financial statements.

# NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2014

## 1. Statement of Accounting Policies

### Reporting entity

The Broadcasting Standards Authority (BSA) is a Crown Entity as defined by the Crown Entities Act 2004 and is domiciled in New Zealand. As such, the BSA's ultimate parent is the New Zealand Crown.

The BSA's primary objective is to provide public services to the New Zealand public, as opposed to that of making a financial return. Accordingly, the BSA has designated itself as a public benefit entity for the purposes of New Zealand Equivalents to International Financial Reporting Standards ("NZ IFRS").

The financial statements for the BSA are for the year ended 30 June 2014, and were approved by the board on 30 October 2014.

### Basis of preparation

#### Statement of Compliance

The financial statements for the BSA have been prepared in accordance with the Crown Entities Act 2004, which includes the requirement to comply with New Zealand generally accepted accounting practice ("NZ GAAP").

These financial statements have been prepared in accordance with NZ GAAP as appropriate for public benefit entities and they comply with NZ IFRS.

#### Measurement base

The financial statements have been prepared on an historical cost basis.

#### Functional and presentation currency

The financial statements are presented in New Zealand dollars and are rounded to the nearest dollar (\$). The functional currency of the BSA is New Zealand dollars (NZ\$).

#### Changes in accounting policies

There have been no changes in accounting policies during the financial year.

The Minister of Commerce has approved a new Accounting Standards Framework (incorporating a Tier Strategy) developed by the External Reporting Board (XRB). Under this Accounting Standards Framework, BSA is classified as a Tier 3 reporting entity. As such, it will be

able to apply certain concessions applying to Tier 3 entities under the Public Benefit Entity Accounting Standards (PAS). These standards have been developed by the XRB based on current international Public Sector Accounting Standards. The effective date for the new standards for public sector entities will be for reporting periods beginning on or after 1 July 2014. This means the BSA expects a transition to the new standards in preparing its 30 June 2015 financial statements.

Due to the change in the Accounting Standards Framework for public benefit entities, it is expected that all new NZ IFRS and amendments to existing NZ IFRS will not be applicable to public benefit entities. Therefore, the XRB has effectively frozen the financial reporting requirements for public benefit entities up until the new Accounting Standard Framework is effective. Accordingly, no disclosure has been made about new or amended NZ IFRS that exclude public benefit entities from their scope.

### Significant accounting policies

The accounting policies set out below have been applied consistently to all periods presented in these financial statements.

#### Revenue

Revenue is measured at the fair value of consideration received or receivable.

#### Revenue from the Crown

Revenue from the Crown is recognised as revenue when earned and is reported in the financial period to which it relates.

#### Broadcasting levy

The broadcasting levy is recognised upon receipt of the payment from the broadcaster.

#### Interest

Interest income is recognised as it accrues on bank account balances, on-call bank deposits and investments.

#### Other income

Other income is recognised at the time the services are rendered.

## Leases

### Operating leases

Leases that do not transfer substantially all the risks and rewards incidental to ownership of an asset to the BSA are classified as operating leases. Lease payments under an operating lease are recognised as an expense on a straight line basis over the term of the lease in the Statement of Comprehensive Income.

### Cash and cash equivalents

Cash and cash equivalents held by the BSA include bank balances, on-call bank deposits and short-term deposits with original maturities of three months or less.

### Debtors and other receivables

Debtors and other receivables are measured at fair value less any provision for impairment.

Impairment of a receivable is established when there is objective evidence that the BSA will not be able to collect amounts due according to the original terms of the receivable. Significant financial difficulties of the debtor, probability that the debtor will enter into bankruptcy, and default in payment are all considered indicators that the debtor is impaired. Any impairment losses are recognised in the Statement of Comprehensive Income.

### Investments in bank deposits

Investments in bank deposits are measured at fair value plus transaction costs.

For bank deposits, impairment is established when there is objective evidence that the BSA will not be able to collect amounts due according to the original terms of the deposit. Significant financial difficulties of the bank, probability that the bank will enter into bankruptcy, and default in payment are all considered indicators that the deposit is impaired.

### Property, plant and equipment

Property, plant and equipment asset classes consist of office equipment, furniture and fittings, leasehold improvements, photocopier, computer equipment and artworks.

Property, plant and equipment are shown at cost or valuation, less any accumulated depreciation and impairment losses.

### Additions

The cost of an item of property, plant and equipment is recognised as an asset only when it is probable that future economic benefits or service potential associated with the item will flow to the BSA and the cost of the item can be measured reliably.

Where an asset is acquired at no cost, or for a nominal cost, it is recognised at fair value when control over the asset is obtained.

### Disposals

Gains and losses on disposals are determined by comparing the proceeds with the carrying amount of the assets. Gains and losses on disposals are included in the Statement of Comprehensive Income.

### Subsequent costs

Costs incurred subsequent to initial acquisition are capitalised only when it is probable that future economic benefits or service potential associated with the item will flow to the BSA and the cost of the item can be measured reliably.

The costs of day-to-day servicing of property, plant and equipment are recognised in the Statement of Comprehensive Income as they are incurred.

### Depreciation

Depreciation is provided on a straight line basis on all fixed assets at a rate which will write off the cost (or valuation) of the assets to their estimated residual value over their useful lives.

The useful lives and associated depreciation rates of major classes of assets have been estimated as follows:

Office equipment	5 years	20% straight line
Furniture and fittings	5 years	20% straight line
Leasehold improvements	5 years	20% straight line
Photocopier	3 years	33% straight line
Computer equipment	3 years	33% straight line

Leasehold improvements are depreciated over the unexpired period of the lease or the estimated remaining useful lives of the improvements, whichever is the shorter.

Artworks are fully depreciated in the year of purchase.

### Intangible assets

#### Software acquisition

Computer software licenses are capitalised on the basis of the costs incurred to acquire and use the specific software.

Costs that are directly associated with the development of software for internal use by the BSA are recognised as an intangible asset. Direct costs include the software development, employee costs and an appropriate portion of relevant overheads. Staff training costs are recognised as an expense when incurred. Costs associated with maintaining computer software are recognised as an expense when incurred. Costs associated with the development and maintenance of BSA's website are recognised as an expense when incurred.

#### Amortisation

The carrying value of an intangible asset with a finite life is amortised on a straight line basis over its useful life. Amortisation begins when the asset is available for use and ceases at the date the asset is either fully amortised or no longer used. The amortisation charge for each period is recognised in the Statement of Comprehensive Income.

The useful lives and associated amortisation rates of major classes of intangible assets have been estimated as follow:

Computer software	3 years	33% straight line
Copyright	3 years	33% straight line

## Impairment of property, plant and equipment and intangible assets

Property, plant and equipment and intangible assets that have a finite life are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use. The total impairment loss is recognised in the Statement of Comprehensive Income, as is any subsequent reversal of an impairment loss.

Value in use is depreciated replacement cost for an asset where the future economic benefits or service potential of an asset are not primarily dependent on the asset's ability to generate net cash inflows and where the BSA would, if deprived of the asset, replace its remaining future economic benefits or service potential.

## Creditors and other payables

Creditors and other payables are reflected at their face value.

## Employee entitlements

Provision is made in respect of the BSA's liability for annual leave that is expected to be settled within 12 months of the reporting date. Annual leave is measured at nominal values on an actual entitlement basis at current rates of pay.

These include salaries and wages accrued up to balance date and annual leave earned but not yet taken at balance date. A liability and an expense is recognised for bonuses where there is a contractual obligation or where there is a past practice that has created a constructive obligation. No liability is recognised for sick leave.

## Superannuation scheme

### *Defined contribution scheme*

Obligations for contributions to KiwiSaver are accounted for as defined contribution superannuation schemes and are recognised as an expense in the Statement of Comprehensive Income as incurred.

## Goods and services tax (GST)

All items in the financial statements are exclusive of GST, with the exception of debtors and creditors, which are stated inclusive of GST.

The net amount of GST recoverable from, or payable to, the Inland Revenue Department (IRD) is included as part of receivables or payables in the Statement of Financial Position. The net GST paid to, or received from the IRD, including the GST relating to investing and financing activities, is classified as an operating cash flow in the Statement of Cash Flows.

Commitments and contingencies are disclosed exclusive of GST.

## Income tax

The BSA is a public authority and consequently is exempt from the payment of income tax. Accordingly, no provision has been made for income tax.

## Budget figures

The budget figures are derived from the Statement of Intent as approved by the board at the beginning of the financial year. The budget figures have been prepared in accordance with NZ GAAP, using accounting policies that are consistent with those adopted by the board in preparing these financial statements.

## Cost allocation

The BSA has determined the cost of outputs in the Statement of Service Performance using the cost allocation system outlined below.

Direct costs are those costs directly attributed to an output. Indirect costs are those costs that cannot be identified in an economically feasible manner with a specific output.

Direct costs are charged directly to outputs. Indirect costs are charged to outputs based on estimates of related activity or usage information.

There have been no changes to the cost allocation methodology since the date of the last audited financial statements.

## Use of judgements, estimates and assumptions

In preparing these financial statements the BSA has made estimates and assumptions about the future. These estimates and assumptions may differ from subsequent actual results. Estimates and assumptions are regularly evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances and, in particular, when estimating the useful life and residual value of property, plant and equipment.

## 2. Revenue from Crown

The BSA has been provided with funding from the Crown for the specific purposes set out in the Broadcasting Act 1989 and the scope of the relevant Crown appropriations. Apart from these restrictions, there are no unfulfilled conditions or contingencies attached to government funding. (2013: nil)

## 3. Personnel costs

	2014 ACTUAL \$	2013 ACTUAL \$
Staff salaries and board remuneration	578,304	550,035
KiwiSaver employer contributions	14,350	8,673
<b>TOTAL PERSONNEL COSTS</b>	<b>592,654</b>	<b>558,708</b>

## 4. Other expenses

	2014 ACTUAL \$	2013 ACTUAL \$
Audit of financial statements	20,350	19,734
Consultancy	83,934	109,070
Research	51,013	75,000
Travel, accommodation & training	24,966	29,378
Rent	53,840	92,039
Office expenses	176,014	191,727
<b>TOTAL OTHER EXPENSES</b>	<b>410,117</b>	<b>516,948</b>

## 5. Cash and cash equivalents

	2014 ACTUAL \$	2013 ACTUAL \$
<b>Cash on hand</b>		
Petty cash	200	200
<b>Banks</b>		
Current accounts	6,094	54,001
Call accounts	302,031	78,503
Term deposits with maturities 1–3 months	750,000	-
<b>TOTAL CASH AND CASH EQUIVALENTS</b>	<b>1,058,325</b>	<b>132,704</b>



## 6. Investments

	2014 ACTUAL \$	2013 ACTUAL \$
Term deposits with maturities of 4–6 months	400,000	1,262,788
<b>TOTAL INVESTMENTS</b>	<b>400,000</b>	<b>1,262,788</b>
Weighted average effective interest rate	<b>4.00%</b>	<b>4.02%</b>

## 7. Debtors and other receivables

	2014 ACTUAL \$	2013 ACTUAL \$
Trade receivables	2,268	-
Accrued interest	5,973	12,373
<b>TOTAL DEBTORS AND OTHER RECEIVABLES</b>	<b>8,241</b>	<b>12,373</b>

The carrying value of receivables approximates their fair value.

## 8. Creditors and other payables

	2014 ACTUAL \$	2013 ACTUAL \$
Creditors	52,956	78,664
Accrued expenses	18,106	49,000
<b>TOTAL CREDITORS AND OTHER PAYABLES</b>	<b>71,062</b>	<b>127,664</b>

Creditors and other payables are non-interest bearing and are normally settled on 30 day term; therefore, the carrying value of creditors and other payables approximates their fair value.

## 9. Employee entitlements

	2014 ACTUAL \$	2013 ACTUAL \$
<b>Current employee entitlements are represented by:</b>		
Accrued salaries and wages	13,333	10,087
Annual leave	21,319	14,121
Salary 'at risk'	16,364	16,014
<b>TOTAL EMPLOYEE ENTITLEMENTS</b>	<b>51,016</b>	<b>40,222</b>

## 10. Reconciliation of the net operating surplus/(deficit) with net cash flow from operating activities

	2014 ACTUAL \$	2013 ACTUAL \$
Reported (deficit)/surplus for the year	450,868	417,944
<b>Add non-cash items:</b>		
Depreciation, amortisation & other	67,903	31,355
Total non-cash items	67,903	31,355
<b>Add movements in other working capital items:</b>		
Decrease/(increase) in debtors and other receivables	4,132	(9,177)
(Decrease)/increase in creditors and other payables	(56,602)	41,661
Increase/(decrease) in employee entitlements	10,794	(1,326)
Decrease/(increase) in net GST	6,092	4,396
Decrease/(increase) in prepayments	2,359	(2,359)
Net movement in working capital items	(33,225)	33,195
<b>NET CASH FLOW FROM OPERATING ACTIVITIES</b>	<b>485,546</b>	<b>482,494</b>

## 11. Commitments

	2014 ACTUAL \$	2013 ACTUAL \$
<b>Operating lease</b>		
Not later than one year	35,970	-
Later than one year and not later than two years	35,970	-
Later than two years and not later than five years	107,910	-
<b>TOTAL NON-CANCELLABLE OPERATING LEASE</b>	<b>179,850</b>	<b>-</b>

The operating lease is for the rental of premises on level 2, 119 Ghuznee Street, occupied from 26 July 2013. As at 30 June 2013 a formal lease had not been completed for the new premises and the lease for the previous premises had been concluded. The premises lease commitment reflects a 30% share of the lease agreement jointly signed with NZ On Air. The balance of 70% is reflected in the NZ On Air financial statements.

## 12. Contingent assets and liabilities

### Contingent assets

As at 30 June 2014 the BSA had no contingent assets. (2013: Nil)

### Contingent liabilities

As at 30 June 2014, the BSA had no contingent liabilities. (2013: Nil)

## 13. Related party transactions & key management personnel

All related party transactions have been entered into on an arms-length basis.

### Significant transactions with government-related entities

The BSA has received funding from the Crown of \$609,000 (2013: \$609,000) to provide services to the public for the year ended 30 June 2014.

### Collectively, but not individually, significant transactions with government-related entities

In accordance with the Broadcasting Act 1989 the BSA collects annual levies from broadcasters in New Zealand. During the year ended 30 June 2014 the BSA received total levies from Television New Zealand and Radio New Zealand of \$178,231. (2013: \$184,693)

In conducting its activities, the BSA is required to pay various taxes, and levies (such as GST, PAYE and ACC levies) to the Crown and entities related to the Crown. The payment of these taxes and levies, other than income tax, is based on the standard terms and conditions that apply to all tax and levy payers. The BSA is exempt from paying income tax.

The BSA also purchases goods and services from entities controlled, significantly influenced or jointly controlled by the Crown. Purchases from these government-related entities for the year ended 30 June 2014 totalled \$42,788 (2013: \$41,402). These purchases included the purchase of financial services from NZ On Air, air travel from Air New Zealand, and postal services from New Zealand Post.

### Key management personnel compensation

	2014 ACTUAL \$	2013 ACTUAL \$
Salaries and other short-term benefits	257,126	267,508
<b>TOTAL KEY MANAGEMENT PERSONNEL COMPENSATION</b>	<b>257,126</b>	<b>267,508</b>

Key management personnel include all board members and the Chief Executive. The BSA had no related party transactions. (2013: Nil)

### Board member remuneration

The total value of remuneration paid or payable to each board member during the year was:

	2014 ACTUAL \$	2013 ACTUAL \$
P Radich (Chair)	32,741	46,461
M Shanahan	21,161	19,256
L Pearson	18,548	24,095
T Kupenga	19,971	20,922
<b>TOTAL BOARD MEMBER REMUNERATION</b>	<b>92,421</b>	<b>110,734</b>

### Employee remuneration

	2014 ACTUAL \$	2013 ACTUAL \$
Total remuneration paid or payable		
150,000–159,999	-	1
160,000–169,999	1	-

There was no employee remuneration between 100,000 and 149,999.

## 14. Events after balance date

There were no significant events after balance date.

## 15. Financial assets and liabilities

The BSA is party to financial instrument arrangements as part of its everyday operations. These financial instruments include cash and cash equivalents, debtors and other receivables, creditors and other payables and investments which are classed as loans and receivables. Their book value is approximately their fair value.

	2014 ACTUAL \$	2013 ACTUAL \$
<b>Loans and receivables</b>		
Cash and cash equivalents	1,058,325	132,704
Debtors and other receivables	8,241	12,373
Investments – term deposits greater than 3 months	400,000	1,262,788
<b>TOTAL LOANS AND RECEIVABLES</b>	<b>1,466,566</b>	<b>1,407,865</b>
	2014 ACTUAL \$	2013 ACTUAL \$
<b>Financial liabilities at fair value</b>		
Creditors and other payables	71,062	127,664
<b>TOTAL FINANCIAL LIABILITIES AT FAIR VALUE</b>	<b>71,062</b>	<b>127,664</b>

## 16. Financial instruments risks

The BSA's activities expose it to a variety of financial instrument risks. These include market risk, credit risk, and liquidity risk. The BSA has a series of policies to manage the risks associated with financial instruments and seeks to minimise exposure from financial instruments. These policies do not allow any transactions that are speculative in nature to be entered into.

### Market risk

The interest rates on the BSA investments and cash holdings are disclosed in note 6.

### Fair value interest rate risk

Fair value interest rate risk is the risk that the value of a financial instrument will fluctuate due to changes in market interest rates. The BSA's exposure to fair value interest rate risk is limited to bank deposits which are held at fixed rates of interest.

### Cash flow interest rate risk

Cash flow interest rate risk is the risk that the cash flows from a financial instrument will fluctuate because of changes in market interest rates. Investments issued at variable interest rates would expose the BSA to cash flow interest rate risk. The BSA has no variable interest rate investments.

### Sensitivity analysis

At 30 June 2014, had interest rates on BSA's term deposits been 50 basis points higher or lower, with all other variables held constant, the surplus would have been \$6,983 higher/lower. (2013: \$5,616)

### Currency risk

Currency risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate due to changes in foreign exchange rates. The BSA makes occasional, low

value payments in foreign currencies that are converted to New Zealand dollars at the spot rate on the day of payment. The BSA has no foreign currency creditors at 30 June 2014. (2013: nil)

### Price risk

Price risk is the risk that the value of a financial instrument will fluctuate as a result of changes in market prices. The BSA does not invest in equity financial instruments and hence has no exposure to price risk.

### Credit risk

Credit risk is the risk that a third party will default on its obligations to the BSA, causing it to incur a loss. Due to the timing of BSA's cash inflows and outflows it invests surplus cash with registered banks. The BSA's treasury policy limits the amount of credit exposure to any one institution.

The maximum credit exposure for each class of financial instrument is represented by the total carrying value of cash and cash equivalents (note 5), investments (note 6) and accounts receivable (note 7). There is no collateral held against these financial instruments.

The BSA has no significant exposure to concentrations of credit risk as it has a small number of debtors and it only invests with registered banks with specified Standard and Poor's or Moody's credit ratings.

The BSA's bank deposits and short-term investments are spread across two institutions.

### Liquidity risk

Liquidity risk is the risk that the BSA will encounter difficulty raising funds to meet its commitments as they fall due. The BSA expects to receive 2014/15 Crown funding in equal instalments on the first working day of each quarter from

July 2014 to June 2015. In addition, at 30 June 2014 the BSA holds call and term deposits that will mature within the 2014/15 financial year totalling \$1.45m.

## 17. Explanations for significant variations against budget

Explanations for significant variations from the BSA's budgeted figures in the Statement of Intent are as follows:

### Statement of Financial Performance

#### Income

Broadcasting levies of \$842,108 were received against a budget of \$780,000 due to increased broadcasting revenues and collection of arrears.

#### Expenditure

Variances in expenditure were primarily due to general efficiencies and the positive effect of a reduced number of complaints. Personnel expenditure was less than budgeted due to the effects of the reduced complaint numbers and one full-time staff position budgeted for remaining unfilled during the year.

### Statement of Changes in Equity

#### Return of equity to the Crown

Increased reserves from prior years allowed for a return of equity to the Crown.

### Statement of Financial Position

#### Cash and cash investments

The increase in cash and cash investments compared with budget arises through the increased surplus allowing increased investments.

## 18. Property, plant and equipment

Movements for each class of property, plant and equipment are as follows:

	Artworks \$	Computer equipment \$	Furniture & fittings \$	Leasehold improvements \$	Photo- copier \$	Office equipment \$	Totals \$
<b>Cost or valuation</b>							
Balance at 1 July 2012	9,082	49,808	64,800	160,752	20,399	15,870	320,711
Additions	-	6,261	-	-	-	390	6,651
Disposals	-	-	-	(160,752)	-	-	(160,752)
Balance at 30 June 2013	9,082	56,069	64,800	-	20,399	16,260	166,610
<b>Accumulated depreciation</b>							
Balance at 1 July 2012	9,082	8,019	56,425	157,904	16,891	8,207	256,528
Depreciation expense	-	16,841	3,055	2,848	3,508	2,375	28,627
Eliminate on disposal/ reclassification	-	-	-	(160,752)	-	-	(160,752)
Balance at 30 June 2013	9,082	24,860	59,480	-	20,399	10,582	124,403
<b>CARRYING AMOUNT AT 30 JUNE 2013</b>	-	<b>31,209</b>	<b>5,320</b>	-	-	<b>5,678</b>	<b>42,207</b>
<b>Cost or valuation</b>							
Balance at 1 July 2013	9,082	56,069	64,800	-	20,399	16,260	166,610
Additions	-	38,886	27,639	124,755	-	5,343	196,623
Disposals	-	(5,449)	(38,511)	-	-	(9,931)	(53,890)
Balance at 30 June 2014	9,082	89,506	53,928	124,755	20,399	11,672	309,343
<b>Accumulated depreciation</b>							
Balance at 1 July 2013	-	24,860	59,480	-	20,399	10,582	124,403
Depreciation expense	-	25,470	6,300	24,108	-	1,750	57,628
Eliminate on disposal/ reclassification	-	(4,906)	(35,297)	-	-	(6,830)	(47,033)
Balance at 30 June 2014	9,082	45,424	30,483	24,108	20,399	5,502	134,998
<b>CARRYING AMOUNT AT 30 JUNE 2014</b>	-	<b>44,082</b>	<b>23,445</b>	<b>100,647</b>	-	<b>6,170</b>	<b>174,345</b>

## 19. Intangible assets

Movements for each class of intangible asset are as follows:

	<b>Acquired software \$</b>
<b>Cost of valuation</b>	
Balance at 1 July 2012	34,099
Additions	1,871
Disposals	-
Balance at 30 June 2013	35,970
<b>Accumulated amortisation</b>	
Balance at 1 July 2012	30,457
Amortisation expense	2,728
Disposals	-
Balance at 30 June 2013	33,185
<b>CARRYING AMOUNT AT 30 JUNE 2013</b>	<b>2,785</b>
<b>Cost of valuation</b>	
Balance at 1 July 2013	35,970
Additions	23,090
Disposals	-
Balance at 30 June 2014	59,060
<b>Accumulated amortisation</b>	
Balance at 1 July 2013	33,185
Amortisation expense	3,418
Disposals	-
Balance at 30 June 2014	36,603
<b>CARRYING AMOUNT AT 30 JUNE 2014</b>	<b>22,457</b>

# INDEPENDENT AUDITOR'S REPORT

AUDIT NEW ZEALAND  
Mana Arotake Aotearoa

## To the readers of the Broadcasting Standards Authority's financial statements and non-financial performance information for the year ended 30 June 2014

The Auditor-General is the auditor of the Broadcasting Standards Authority (the Authority). The Auditor-General has appointed me, Clare Helm, using the staff and resources of Audit New Zealand, to carry out the audit of the financial statements and non-financial performance information of the Authority on her behalf.

We have audited:

- the financial statements of the Authority on pages 39 to 52, that comprise the statement of financial position as at 30 June 2014, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date and notes to the financial statements that include accounting policies and other explanatory information; and
- the non-financial performance information of the Authority that comprises the statement of service performance on pages 27 to 37 and the outcomes and impacts on pages 11 to 15.

### Opinion

In our opinion:

- the financial statements of the Authority on pages 39 to 52:
  - comply with generally accepted accounting practice in New Zealand; and
  - fairly reflect the Authority's:
    - financial position as at 30 June 2014; and
    - financial performance and cash flows for the year ended on that date.
- the non-financial performance information of the Authority on pages 27 to 37 and 11 to 15:
  - complies with generally accepted accounting practice in New Zealand; and
  - fairly reflects the Authority's service performance and outcomes and impacts for the year ended 30 June 2014, including for each class of outputs:
    - its service performance compared with forecasts in the statement of forecast service performance at the start of the financial year; and
    - its actual revenue and output expenses compared with the forecasts in the statement of forecast service performance at the start of the financial year.

Our audit was completed on 30 October 2014. This is the date at which our opinion is expressed.

The basis of our opinion is explained below. In addition, we outline the responsibilities of the Board and our responsibilities, and we explain our independence.

### Basis of opinion

We carried out our audit in accordance with the Auditor-General's Auditing Standards, which incorporate the International Standards on Auditing (New Zealand). Those standards require that we comply with ethical requirements and plan and carry out our audit to obtain reasonable assurance about whether the financial statements and non-financial performance information are free from material misstatement. Material misstatements are differences or omissions of amounts and disclosures that, in our judgement, are likely to influence readers' overall understanding of the financial statements and non-financial performance information. If we had found material misstatements that were not corrected, we would have referred to them in our opinion. An audit involves carrying out procedures to obtain audit evidence about the amounts and disclosures in the financial statements and non-financial performance information. The procedures selected depend on our judgement, including our assessment of risks of material misstatement of the financial statements and non-financial performance information, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the preparation of the Authority's financial statements and non-financial

performance information that fairly reflect the matters to which they relate. We consider internal control in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.

An audit also involves evaluating:

- the appropriateness of accounting policies used and whether they have been consistently applied;
- the reasonableness of the significant accounting estimates and judgements made by the Board;
- the appropriateness of the reported non-financial performance information within the Authority's framework for reporting performance;
- the adequacy of all disclosures in the financial statements and non-financial performance information; and
- the overall presentation of the financial statements and non-financial performance information.

We did not examine every transaction, nor do we guarantee complete accuracy of the financial statements and non-financial performance information. Also we did not evaluate the security and controls over the electronic publication of the financial statements and non-financial performance information.

We have obtained all the information and explanations we have required and we believe we have obtained sufficient and appropriate audit evidence to provide a basis for our audit opinion.

### Responsibilities of the Board

The Board is responsible for preparing financial statements and non-financial performance information that:

- comply with generally accepted accounting practice in New Zealand;
- fairly reflect the Authority's financial position, financial performance and cash flows; and
- fairly reflect its service performance, outcomes and impacts.

The Board is also responsible for such internal control as is determined necessary to enable the preparation of financial statements and non-financial performance information that are free from material misstatement, whether due to fraud or error. The Board is also responsible for the publication of the financial statements and non-financial performance information, whether in printed or electronic form.

The Board's responsibilities arise from the Crown Entities Act 2004.

### Responsibilities of the Auditor

We are responsible for expressing an independent opinion on the financial statements and non-financial performance information and reporting that opinion to you based on our audit. Our responsibility arises from section 15 of the Public Audit Act 2001 and the Crown Entities Act 2004.

### Independence

When carrying out the audit, we followed the independence requirements of the Auditor-General, which incorporate the independence requirements of the External Reporting Board.

Other than the audit, we have no relationship with or interests in the Authority.



Clare Helm  
Audit New Zealand  
On behalf of the Auditor-General  
Wellington, New Zealand

# **PART FOUR**

## **APPENDICES**



# APPENDIX 1: DECISION STATISTICS

## COMPLAINTS RECEIVED AND DECISIONS ISSUED

Year	Complaints Received	Decisions Issued	DETERMINATION				Appealed to High Court	ORDERS						
			Upheld	Upholds as % of total	Not Upheld	Declined to Determine*		Other**	Broadcast Statement	Costs to Crown	Legal Costs	Compensation for Breach of Privacy	Other	
July 2013 - June 2014	149	99	12	12.1%	74	13	-	2	2	1	1			
July 2012 - June 2013	136	111	18	16.2%	86	5	2	1	1	1	2			1 Complaint directed back to broadcaster to consider
July 2011 - June 2012	195	162	17	10.4%	131	10	4	-	1	3	1			-
July 2010 - June 2011	250	236	69	29.2%	146	13	8	5	6	8	2			-
July 2009 - June 2010	210	193	45	23.3%	141	7	-	4	11	7	-			-
July 2008 - June 2009	162	151	25	16.6%	124	2	-	-	4	3	1			-
July 2007 - June 2008	148	139	41	29.5%	94	2	2	4	13	8	2			1 Refrain from broadcasting
July 2006 - June 2007	131	125	27	21.6%	94	3	1	2	10	9	6			-
July 2005 - June 2006	153	156	19	12.2%	127	10	-	-	6	5	4			-
July 2004 - June 2005	184	214	40	18.7%	166	7	1	1	11	4	6			1 Publication of apology in newspapers
July 2003 - June 2004	196	187	42	22.5%	133	5	7	3	10	1	2			2 Publication in newspaper/ Referred back to broadcaster to review its policies
July 2002 - June 2003	169	160	26	16.3%	116	8	10	1	7	2	-			-
July 2001 - June 2002	186	180	44	24.4%	128	8	-	4	12	8	3			1 Broadcast of apology
July 2000 - June 2001	197	189	41	21.7%	135	13	-	1	13	6	2			1 Letter of apology
July 1999 - June 2000	206	239	71	29.7%	152	16	-	-	12	13	2			1 Refrain from advertising
July 1998 - June 1999	204	184	33	17.9%	132	9	10	1	4	8	4			-
July 1997 - June 1998	174	176	39	22.2%	122	12	3	2	2	10	7			1 Broadcast of apology

July 1996 – June 1997	206	199	40	20.1%	147	10	2	-	5	8	1	2 Broadcasts of apology
July 1995 – June 1996	179	171	50	29.2%	110	10	1	1	11	-	4	4 Broadcasts of apology
July 1994 – June 1995	162	139	48	34.5%	84	4	3	-	7	1	-	2 Broadcasts of apology
July 1993 – June 1994	168	151	53	35.1%	92	6	-	-	6	-	2	1 Broadcast of apology
July 1992 – June 1993	159	144	43	29.9%	97	3	1	-	3	1	2	-
July 1991 – June 1992	106	76	25	32.9%	46	4	1	-	3	-	1	-
July 1990 – June 1991	52	45	19	42.2%	25	-	1	-	7	1	-	2 Broadcasts of apology/ Refrain from advertising
July 1989 – June 1990	43	14	6	42.9%	6	2	-	-	-	-	1	-

\* From 2010 'Declined to Determine' encompasses all non-jurisdiction-related 'declined' findings, including that complaints were frivolous, vexatious or trivial or that in any event the complaint ought not to be determined by the BSA.

\*\* From 2010 'Other' relates solely to findings of jurisdiction or no jurisdiction that may have been previously treated as 'Declined to Determine'.

## DECISIONS BY PROGRAMME GENRE

The table below reflects decisions released categorised by programme genre. With the increased convergence of programme content, categorisation has become more difficult. Some programmes do not fit easily in one category, and parts within a programme may fit within different categories – for example, a magazine-style show may contain a factual discussion. For the purposes of this table, programmes have been categorised based on the primary grounds for complaint – so the previous example would be categorised as ‘factual’.

### CATEGORIES:

**News/Current Affairs** = programmes dedicated to news and current affairs, eg, *ONE News, 3 News, Seven Sharp, 60 Minutes, Campbell Live, Radio NZ News, Native Affairs*

**Factual Programmes** = programmes which are non-fiction, contain factual information, and which could be considered in relation to the accuracy and balance standards, eg, *Police Ten 7, Target, Fair Go, MasterChef, Neighbours at War*

**Fictional Programmes** = dramas, sitcoms, cartoon comedies. May include dramatic versions of factual events, eg, *The Carrie Diaries, Go Girls, Home and Away, Shortland Street, Futurama*

**Radio/Talkback** = radio shows or talkback programmes which involve regular phone calls from listeners, eg, *Talkback with Sean Plunket, Willie and JT Show, Classic Hits Breakfast*

**Other** = programmes which do not fit the other categories, including songs/music videos, stand-up comedy, eg, *7 Days, What Now, Jeremy Kyle*

Figures in brackets are from the previous year.

	TOTAL NUMBER OF DECISIONS	UPHELD	NOT UPHELD	DECLINED TO DETERMINE	NO JURISDICTION/ACCEPTED JURISDICTION
News/Current Affairs	48 (55)	5 (6)	36 (43)	7 (5)	- (1)
Factual/Reality Programmes	11 (19)	1 (5)	8 (14)	2 (-)	- (1)
Fictional Programmes	9 (9)	2 (2)	7 (8)	- (-)	- (-)
Radio/Talkback	28 (9)	4 (3)	20 (8)	4 (-)	- (-)
Other	3 (19*)	- (2)	3 (13)	- (-)	- (-)
<b>TOTAL</b>	<b>99 (111)</b>	<b>12 (18)</b>	<b>74 (86)</b>	<b>13 (5)</b>	<b>- (2)</b>

\*This figure includes other radio shows, eg, breakfast shows, which this year have been included in Radio/Talkback.

## DECISIONS BY ISSUE RAISED

Many complaints name more than one standard so totals do not match up with the total number of decisions issued. 'Action Taken' refers to complaints which were upheld in full or in part by the broadcaster, where the complainant was dissatisfied with the action taken to remedy the breach.

Figures in brackets are from the previous year.

	Good Taste and Decency	Accuracy	Programme Classification/Social Responsibility/ Responsible Programming	Fairness	Children's Interests/Children	Discrimination and Denigration	Balance/Controversial Issues – Viewpoints	Privacy	Law and Order	Violence	Liquor	Action Taken
<b>TOTAL</b>	<b>41</b> [34]	<b>42</b> [50]	<b>23</b> [25]	<b>30</b> [37]	<b>8</b> [13]	<b>29</b> [24]	<b>30</b> [25]	<b>11</b> [16]	<b>9</b> [14]	<b>4</b> [3]	<b>-</b> [-]	<b>3</b> [5]
Upheld	2 [2]	2 [3]	2 [1]	4 [7]	2 [1]	- [-]	2 [1]	3 [1]	- [-]	1 [1]	- [-]	- [-]
Not Upheld/ Other	39 [32]	40 [47]	21 [24]	26 [30]	6 [12]	29 [24]	28 [24]	8 [15]	9 [14]	3 [2]	- [-]	3 [5]

## PROGRAMMES MOST COMPLAINED ABOUT

Figures in brackets are from the previous year.

	NUMBER OF COMPLAINTS	UPHELD	NOT UPHELD/OTHER
ONE News	<b>21</b> [15]	- [1]	21 [14]
Seven Sharp	<b>14</b> [10]	1 [4]	13 [6]
Campbell Live	<b>10</b> [3]	- [-]	10 [3]
3 News	<b>7</b> [10]	1 [2]	6 [8]

## DECISIONS RELEASED – BY MEDIUM

Figures in brackets are from the previous year.

	TOTAL NUMBER OF DECISIONS	UPHELD
Television	<b>73</b> [78]	8 [12]
Radio	<b>26</b> [33]	4 [6]

## DECISIONS BY BROADCASTER

Figures in brackets are from the previous year.

	TOTAL DECISIONS	UPHELD	NOT UPHELD	DECLINED TO DETERMINE	NO JURISDICTION OR ACCEPTED JURISDICTION	ORDERS
Base FM	1 (-)	1 (-)	- (-)	- (-)	- (-)	- (-)
Cruise FM	1 (-)	1 (-)	- (-)	- (-)	- (-)	1 (-)
Māori TV	2 (-)	- (-)	2 (-)	- (-)	- (-)	- (-)
Radio One	1 (-)	1 (-)	- (-)	- (-)	- (-)	- (-)
RadioWorks	5 (8)	- (3)	5 (5)	- (-)	- (-)	- (-)
Radio NZ	15 (12)	1 (1)	10 (10)	4 (2)	- (-)	- (-)
SKY TV	1 (2)	- (1)	1 (1)	- (-)	- (-)	- (-)
The Radio Network	10 (9)	- (1)	10 (7)	- (-)	- (-)	- (-)
TVNZ	47 (52)	5 (5)	34 (42)	8 (2)	- (2)	3 (1)
TVWorks	15 (23)	3 (4)	11 (18)	1 (1)	- (-)	- (1)
World TV	1 (1)	- (1)	1 (-)	- (-)	- (-)	- (-)

# APPENDIX 2: DECISION DETAILS

## UPHELD WITH ORDER

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under	Standards Upheld	Order
2012-074	Dr Z	TVNZ	Close Up	Hidden camera footage obtained by a patient, parts of which were broadcast	Privacy, Fairness, Controversial Issues	Privacy, Fairness	\$5,500 legal costs to complainant
2012-133A	Anderson	Cruise FM	Cruise FM interview 19 October	Host made unfair comments about members of District Council, and Classic Hits staff	Good Taste and Decency, Law and Order, Accuracy, Fairness, Discrimination and Denigration	Fairness	Broadcast statement including apology, \$2,500 costs to Crown
2012-133B	Watkins	Cruise FM	Cruise FM interview 12 October	Host made unfair comments about members of District Council, and Classic Hits staff	Good Taste and Decency, Law and Order, Accuracy, Fairness, Discrimination and Denigration	Fairness	Broadcast statement including apology, \$2,500 costs to Crown
2012-133C	Watkins	Cruise FM	Cruise FM interview 19 October	Host made unfair comments about members of District Council, and Classic Hits staff	Good Taste and Decency, Law and Order, Accuracy, Fairness, Discrimination and Denigration	Fairness	Broadcast statement including apology, \$2,500 costs to Crown
2012-133D	Shattock	Cruise FM	Cruise FM interview 12 October	Host made unfair comments about members of District Council, and Classic Hits staff	Good Taste and Decency, Law and Order, Accuracy, Fairness, Discrimination and Denigration	Fairness	Broadcast statement including apology, \$2,500 costs to Crown
2012-133E	Shattock	Cruise FM	Cruise FM interview 19 October	Host made unfair comments about members of District Council, and Classic Hits staff	Good Taste and Decency, Law and Order, Accuracy, Fairness, Discrimination and Denigration	Fairness	Broadcast statement including apology, \$2,500 costs to Crown
2012-133F	Sinclair	Cruise FM	Cruise FM interview 12 October	Host made unfair comments about members of District Council, and Classic Hits staff	Good Taste and Decency, Law and Order, Accuracy, Fairness, Discrimination and Denigration	Fairness	Broadcast statement including apology, \$2,500 costs to Crown
2012-133G	Sinclair	Cruise FM	Cruise FM interview 19 October	Host made unfair comments about members of District Council, and Classic Hits staff	Good Taste and Decency, Law and Order, Accuracy, Fairness, Discrimination and Denigration	Fairness	Broadcast statement including apology, \$2,500 costs to Crown
2013-034A	Parrott	TVNZ	Seven Sharp 24 April	Satirical piece making fun of Colin Craig	Good Taste and Decency, Law and Order, Privacy, Controversial Issues, Fairness, Accuracy, Discrimination and Denigration, Responsible Programming, Violence	Fairness	Broadcast statement including apology, \$1,500 costs to Crown

<b>2013-034B</b>	Wilson	TVNZ	Seven Sharp 24 April	Satirical piece making fun of Colin Craig	Good Taste and Decency, Law and Order, Privacy, Controversial Issues, Fairness, Accuracy, Discrimination and Denigration, Responsible Programming, Violence	Fairness	Broadcast statement including apology, \$1,500 costs to Crown
<b>2013-034C</b>	Walker	TVNZ	Seven Sharp 24 April	Satirical piece making fun of Colin Craig	Good Taste and Decency, Law and Order, Privacy, Controversial Issues, Fairness, Accuracy, Discrimination and Denigration, Responsible Programming, Violence	Fairness	Broadcast statement including apology, \$1,500 costs to Crown
<b>2013-034F</b>	Frewen	TVNZ	Seven Sharp 24 April	Satirical piece making fun of Colin Craig	Good Taste and Decency, Law and Order, Privacy, Controversial Issues, Fairness, Accuracy, Discrimination and Denigration, Responsible Programming, Violence	Fairness	Broadcast statement including apology, \$1,500 costs to Crown
<b>2013-034G</b>	Craig	TVNZ	Seven Sharp 24 April	Satirical piece making fun of Colin Craig	Good Taste and Decency, Law and Order, Privacy, Controversial Issues, Fairness, Accuracy, Discrimination and Denigration, Responsible Programming, Violence	Fairness	Broadcast statement including apology, \$1,500 costs to Crown
<b>2013-092</b>	TJ	TVNZ	Neighbours at War	Complainant's image used in opening titles of reality series without consent	Privacy	Privacy	\$1,000 compensation for breach of privacy

## UPHELD WITH NO ORDER

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under	Standards Upheld
<b>2012-122A</b>	Pompallier Catholic College	TVNZ	Close Up	Item about teacher's suspension for opposing Principal's views on gay marriage	Fairness, Accuracy	Fairness, Accuracy
<b>2013-017</b>	Early Childhood Council	TVNZ	Breakfast	Interview with President of HELO about 'daycare vs childcare' allegedly unbalanced	Controversial Issues	Controversial Issues
<b>2013-031</b>	Simpson	TWWorks	Home and Away	Episode rated G contained rape storyline	Responsible Programming	Responsible Programming

2013-044	Stroud	TVWorks	Futura	Cartoon series contained sexual references and innuendo	Responsible Programming, Children's Interests	Responsible Programming, Children's Interests
2013-048	Garrett	RNZ	Nine to Noon	Discussion about 'three strikes' legislation	Controversial Issues, Accuracy, Accuracy - Action Taken, Fairness, Responsible Programming	Controversial Issues, Accuracy
2013-055	Ragoonanan	Base FM	Base Breakfast	Song at 9.25am contained coarse language	Good Taste and Decency	Good Taste and Decency
2013-074	Hill	Radio One	Radio One	Guest made comments about well-known Dunedin resident including that he had been locked up as a child and was in a psychiatric hospital	Privacy	Upheld
2013-089	Warwick	TVWorks	3 News	Item about Kenyan massacre included footage of man being shot by gunman; warning allegedly inadequate	Good Taste and Decency, Children's Interests, Violence	Good Taste and Decency, Children's Interests, Violence

## NOT UPHELD

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2012-095A	Gough	TVNZ	Fair Go 23 May	Items looked into complaints against medal conservator and dealer, Owen Gough	Fairness, Accuracy, Privacy
2012-095B	Gough	TVNZ	Fair Go 30 May	Items looked into complaints against medal conservator and dealer, Owen Gough	Fairness, Accuracy, Privacy
2012-122B	Pompallier Catholic College	TVNZ	Breakfast	Ticker regarding teacher's suspension for opposing Principal's views on gay marriage	Fairness, Accuracy
2012-133H	Shatlock	Cruise FM	Cruise FM news 26 November	Host made unfair comments about members of District Council	Good Taste and Decency, Law and Order, Accuracy, Fairness, Discrimination and Denigration
2013-002	Hutchison	TVNZ	Fair Go	Item about couple's experience with complainant's mechanic business	Fairness, Accuracy
2013-008	Bolot, Finlay & Gautier	RNZ	Checkpoint, Nine to Noon, Sunday Morning with Chris Laidlaw	Items reporting on escalation of violence in Gaza allegedly unbalanced	Controversial Issues
2013-011	YT	TVNZ	High Country Rescue	Reality series featured story of complainant's partner who died in tramping accident	Privacy, Fairness



2013-014	Cook	RNZ	Afternoons with Jim Mora	Panelist said, 'Somebody drown that Coroner'	Good Taste and Decency, Law and Order, Accuracy, Fairness, Discrimination and Denigration
2013-018	Grieve	TVNZ	ONE News	Waitangi Day item referred to 'the nation's founding document'	Accuracy
2013-020	Steens	TWWorks	3 News	Report on Urewera accused being granted parole	Controversial Issues, Accuracy, Fairness
2013-022	Mikkelsen	TVNZ	Seven Sharp	Item about violence against women used 'Smack My Bitch Up' instrumental	Good Taste and Decency
2013-023	Richmond	RadioWorks	Michael Laws Talkback	Host made comments about people with dementia and terminated complainant's call	Accuracy, Fairness, Discrimination and Denigration
2013-024A	Lee	TWWorks	3rd Degree	Item about Korean man ousted from local church community after participation in a mockumentary about North Korea	Privacy
2013-024B	Korean Society of Chch	TWWorks	3rd Degree	Item about Korean man ousted from local church community after participation in a mockumentary about North Korea	Fairness, Privacy, Controversial Issues
2013-024C	Lee	TWWorks	3rd Degree	Item about Korean man ousted from local church community after participation in a mockumentary about North Korea	Fairness, Controversial Issues
2013-025	McMillan	TVNZ	Seven Sharp	Item about climate change predictions allegedly unbalanced, inaccurate and breached the responsible programme standard	Controversial Issues, Accuracy, Responsible Programming
2013-026	Golden	RNZ	Nine to Noon	Political commentary about life of Tiwai Point smelter	Accuracy
2013-027	Tan	TVNZ	Sunday	Item about businessman's experience in Chinese prison	Controversial Issues, Accuracy, Fairness, Discrimination and Denigration, Good Taste and Decency, Law and Order
2013-029	Chaney	TVNZ	Shortland Street	Characters shown smoking and dropping cigarette butts	Good Taste and Decency, Law and Order
2013-032	Ouwerkerk	TRN	D'Arcy Waldegrave Drive	'Jesus' and 'God' used in relation to rugby players	Good Taste and Decency, Discrimination and Denigration, Responsible Programming
2013-033	Kavanagh	TVNZ	Seven Sharp	Alleged association of the Resurrection with Shane Jones' 'night time activities'	Good Taste and Decency, Discrimination and Denigration
2013-034D	Frewen	TVNZ	Seven Sharp 17 April	Item made comments about Colin Craig's views on Marriage Amendment Bill	Good Taste and Decency, Law and Order, Privacy, Controversial Issues, Fairness, Accuracy, Discrimination and Denigration, Responsible Programming, Violence
2013-034E	Craig	TVNZ	Seven Sharp 17 April	Item made comments about Colin Craig's views on Marriage Amendment Bill	Good Taste and Decency, Law and Order, Privacy, Controversial Issues, Fairness, Accuracy, Discrimination and Denigration, Responsible Programming, Violence
2013-035	Smith	TWWorks	3 News	Reported investigation findings regarding GCSB and discussed law changes	Accuracy
2013-037	Irwin	TVNZ	Country Calendar	Footage of possum in trap and being killed off-screen	Good Taste and Decency

2013-038	Young	TVWorks	Harry	Fictional crime drama about detective investigating robberies	Good Taste and Decency, Law and Order, Accuracy, Discrimination and Denigration, Violence
2013-039	Chapple	SKY	60 Minutes	Item about same-sex couple's experience with off-shore surrogacy	Controversial Issues
2013-040	Middleton	TVNZ	Breakfast	News items disclosed identity of deceased teenager	Privacy
2013-041	Baird	RadioWorks	Jay Jay, Mike & Dom Show	Discussed controversial tweet by host about female rappers	Discrimination and Denigration, Responsible Programming, Controversial Issues, Accuracy, Fairness
2013-043	Birkinshaw	TVNZ	Seven Sharp	Comment 'I was about as popular as a wet fart in a wedding dress'	Good Taste and Decency
2013-045	Vertigans	TVNZ	Renters	Property inspector entering tenant's property without consent	Privacy
2013-047A	Thomas	TVNZ	Q+A	Items discussing domestic violence did not acknowledge men can be the victims	Controversial Issues, Accuracy, Fairness, Discrimination and Denigration, Responsible Programming, Children's Interests
2013-047B	Thomas	TVNZ	Marae Investigates	Items discussing domestic violence did not acknowledge men can be the victims	Controversial Issues, Accuracy, Fairness, Discrimination and Denigration, Responsible Programming, Children's Interests
2013-049	Hindson	TVNZ	Promo for Go Girls	Brief shot of two men kissing	Children's Interests, Controversial Issues
2013-050	Shaw	TVWorks	The Nation	Discussed Labour's proposal to increase female caucus members	Controversial Issues, Fairness, Discrimination and Denigration
2013-051	Walker	TVNZ	Horace in Slow Motion	Cartoon pig performing bodily functions	Good Taste and Decency
2013-052	Faidley	TVNZ	ONE News	Item reported 65 police officers failed Physical Competency Test (PCT)	Accuracy, Fairness, Discrimination and Denigration, Responsible Programming
2013-053	Henderson	TVNZ	ONE News	Items referred to 'anti-gay' when meaning 'anti-gay' marriage, allegedly inaccurate	Accuracy, Discrimination and Denigration, Responsible Programming
2013-054	Malone	TVNZ	The Carrie Diaries	PGR drama contained sexual references and innuendo	Good Taste and Decency, Children's Interests
2013-056	Chilcott	TVNZ	ONE News	Item on proceedings against complainant for importing veterinary medicines for race horses	Accuracy, Fairness
2013-058	Samuel	TVNZ	ONE News	Item reported on new prenatal test for Down Syndrome. Allegedly discriminatory as did not present having a baby with Down's positively	Discrimination and Denigration, Children's Interests, Responsible Programming
2013-059	AIR Inc	TVNZ	ONE News	Item on air pollution studies included comparison between NZ and EU standards	Accuracy

2013-060	Hastie	TRN	Jase & Dave Drive Show	Hosts joked about 'sex drive-in' in Switzerland and compared it to fast food	Good Taste and Decency, Responsible Programming
2013-061	McCammon	TRN	Canterbury Mornings	Host expressed view parking wardens in Christchurch were 'scum' for issuing tickets following earthquakes	Good Taste and Decency, Responsible Programming, Discrimination and Denigration
2013-062	Right to Life NZ	TWWorks	3 News	Item about latest abortion statistics allegedly unbalanced	Controversial Issues
2013-063	Clark	TRN	Larry Williams Drive Show	Panellist referred to Labour Party leader candidate as enjoying 'being stabbed from behind'	Good Taste and Decency
2013-064	Holder	TWWorks	Predators	Science fiction movie character made reference to 'raping some fine bitches' and doing cocaine	Good Taste and Decency, Law and Order, Discrimination and Denigration
2013-066	Levertoff	TVNZ	Fair Go	Former employee made claims critical of complainant's business, NZIFDA, a fuel tax refund agent	Accuracy, Fairness
2013-067	Pryor	TVNZ	What Now	Co-presenters tried wacky cures for presenter's cat allergy, including dog licking peanut butter off his face. Allegedly trivialised seriousness of allergies	Responsible Programming
2013-068	Lawler	RNZ	RNZ Concert	Composer introduced as 'considered to be a degenerate in Germany because of his Jewish origins'	Good Taste and Decency, Discrimination and Denigration
2013-069	Wilson	TVNZ	ONE News	Footage of Miley Cyrus 'twerking' at MTV awards	Good Taste and Decency, Responsible Programming
2013-070	Redback Develop Ltd	Māori TV	Native Affairs: Bones of Contention	Reported on the discovery of kōiwi (human remains) at a development site	Accuracy, Fairness, Controversial Issues
2013-071	Te Kōhanga Reo National Trust Board	Māori TV	Native Affairs: A Question of Trust	Reported the concerns of some members of Kōhanga Reo about the governance and management of Te Kōhanga Reo National Trust	Accuracy, Fairness, Controversial Issues
2013-072	Quayle	TVNZ	Sunday	Item about PHARMAC's proposal to decline funding for drug Soliris	Controversial Issues
2013-073	Harang	TVNZ	ONE News	Footage of Miley Cyrus 'twerking' at MTV awards	Good Taste and Decency
2013-076	Hawker	TWWorks	7 Days	Comedians made comments about complainant who had been in the news for exposing brothel-goers	Good Taste and Decency, Controversial Issues, Accuracy, Fairness, Discrimination and Denigration, Responsible Programming
2013-077	Clarke	TRN	Mike Hosking Breakfast	Panellist said 'fucking' during America's Cup discussion and immediately apologised	Good Taste and Decency, Responsible Programming - Action Taken
2013-078	Shone	TVNZ	Vicious	Character said 'Jesus Christ'	Good Taste and Decency
2013-080	Alexander	TVNZ	This Town	Footage of ducks being shot and plucked for eating	Good Taste and Decency
2013-081	McQueen	TWWorks	Campbell Live	Interview with voluntary euthanasia advocate allegedly unbalanced	Controversial Issues

2013-083	Wallbank	TVNZ	Q+A	Presenter referred to Conservative Party as 'Christian conservatives'	Accuracy
2013-084A	Ee	TVNZ	ONE News	Footage of Miley Cyrus 'twerking' at MTV awards in context of Family Planning asking for sex education for younger children	Good Taste and Decency, Children's Interests, Controversial Issues
2013-084B	Bracey	TVNZ	ONE News	Footage of Miley Cyrus 'twerking' at MTV awards in context of Family Planning asking for sex education for younger children	Good Taste and Decency, Children's Interests
2013-085A	Osborne	TVNZ	Seven Sharp 7 October	Two items contained sexualised imagery and innuendo	Good Taste and Decency
2013-085B	Osborne	TVNZ	Seven Sharp 8 October	Two items contained sexualised imagery and innuendo	Good Taste and Decency
2013-087	Hawthorne	RadioWorks	George Selectah Show	Audio of YouTube parody advertisement for 'dick' sealant made fun of accents	Good Taste and Decency, Law and Order, Controversial Issues, Discrimination and Denigration, Responsible Programming
2013-088	Williamson	TRN	Mike Hosking Breakfast	Weekly interview with the Prime Minister allegedly displayed political bias	Controversial Issues, Fairness, Accuracy, Responsible Programming, Discrimination and Denigration
2013-090A	Lewis	TVNZ	ONE News 14 October	Weather reports referred to wind speeds as 'ks', 'kms', 'km/h', allegedly inaccurate	Accuracy
2013-090B	Lewis	TVNZ	ONE News 15 October	Weather reports referred to wind speeds as 'ks', 'kms', 'km/h', allegedly inaccurate	Accuracy
2013-091	Taylor	RNZ	Nine to Noon	News item stated ACT leader John Banks was facing trial over allegations of 'electoral fraud'	Accuracy
2013-093	Moore	TVNZ	Sunday	Item about police dog attack included complainant's image	Privacy
2013-095A	Family First NZ	RNZ	Saturday Morning	Interview with president of Planned Parenthood Federation of America allegedly unbalanced	Controversial Issues, Accuracy, Fairness
2013-095B	Right to Life Inc	RNZ	Saturday Morning	Interview with president of Planned Parenthood Federation of America allegedly unbalanced	Controversial Issues, Accuracy, Fairness
2014-001	Thompson	TVNZ	Seven Sharp	Comment by presenter to 'find some Australians over here and be mean to them'	Discrimination and Denigration
2014-002A	Golden	RNZ	Nine to Noon: Science with Simon Pollard	Discussion about conspiracy theories allegedly unbalanced and inaccurate	Accuracy, Controversial Issues, Fairness, Discrimination and Denigration
2014-002B	Rose	RNZ	Nine to Noon: Science with Simon Pollard	Discussion about conspiracy theories allegedly unbalanced and inaccurate	Accuracy, Controversial Issues, Fairness, Discrimination and Denigration
2014-005	Young	RNZ	News bulletin	Inadequate mention of widespread opposition to upgrade of Hagley Oval	Accuracy, Controversial Issues, Fairness

2014-006A	Johnson	TVWorks	3 News: Firstline	Comment about Colin Craig being the 'toilet paper' of conservative politics	Fairness, Accuracy, Controversial Issues, Good Taste and Decency, Discrimination and Denigration
2014-006B	Jenkinson	TVWorks	3 News: Firstline	Comment about Colin Craig being the 'toilet paper' of conservative politics	Fairness, Accuracy, Controversial Issues, Good Taste and Decency, Discrimination and Denigration
2014-010	Hashimoto	RNZ	Summer Noelle	Comments about price of whale meat and Senkaku Islands allegedly inaccurate	Accuracy
2014-011	Schwabe	RNZ	Arts on Sunday	Character in audio clip from movie said 'frigging'	Good Taste and Decency
2014-012	Tukariri	TVNZ	Jeremy Kyle	Talk show allegedly offensive and denigrated guests	Good Taste and Decency, Controversial Issues, Discrimination and Denigration, Responsible Programming, Children's Interests, Violence
2014-014	Parlane	TRN	The Two	Talkback host allegedly rude and unfair to two callers; broadcaster upheld fairness complaint in relation to one caller	Fairness - Action Taken, Fairness, Accuracy, Good Taste and Decency
2014-016	CK	World TV	Chinese Voice Radio	Talkback hosts discussed dental treatment received by complainant's daughter	Privacy
2014-018	Clark	TRN	Dave and Guy Show	Stories about dealing with unwanted visitors at the front door	Good Taste and Decency
2014-019	Williams	TRN	Jay, Flynny and Zoe Marshall show	Comments that chihuahuas look like 'ball bags' and 'a scrotum with four legs'	Good Taste and Decency
2014-021	Swinney	RadioWorks	Talkback with Sean Plunket	Host's comments about chemtrails theory	Accuracy, Discrimination and Denigration
2014-025	Field	TVNZ	ONE News	Weather presenter made derogatory comments about cruise ship tourists	Good Taste and Decency, Accuracy, Discrimination and Denigration
2014-027	Batchelor	TVWorks	3 News: Firstline	Presenter's comment allegedly offensive to owners of pit bulls	Discrimination and Denigration
2014-041A	Neal	TRN	Hauraki Breakfast Show 5 March	Comments about masturbation	Good Taste and Decency, Responsible Programming
2014-041B	Neal	TRN	Hauraki Breakfast Show 27 March	Comments about masturbation	Good Taste and Decency, Responsible Programming

**DECLINED TO DETERMINE**

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under	Reason
2013-021	Ward	TVNZ	Promo for Seven Sharp	Presenter said 'give a toss'	Good Taste and Decency	s11(a) frivolous
2013-028	Golden	RNZ	Sunday Morning with Chris Laidlaw	Brief reference to Joan Withers	Accuracy, Fairness, Responsible Programming	s11(a) trivial and vexatious
2013-079	Todd	TVNZ	ONE News	Item on accident involving truck and motorcycle referred to 'biker'. Allegedly sensationalist and gave impression of 'reckless' gang member who caused accident	Accuracy, Discrimination and Denigration	s11(a) frivolous and trivial
2013-086	Golden	RNZ	Afternoons with Jim Mora	Panel discussion about fraud in the 'Māori sector' failed to mention Felteux	Accuracy	s11(a) frivolous and vexatious
2014-004A	McDonald	TVNZ	Lotto Big Wednesday	Reference to 'top prize' allegedly misleading	Accuracy	s11(a) frivolous, trivial and vexatious
2014-004B	McDonald	TVNZ	Seven Sharp	'No junk mail' sign allegedly illegal	Accuracy	s11(a) frivolous, trivial and vexatious
2014-004C	McDonald	TVNZ	ONE News	Incorrect depth of snow reported	Accuracy	s11(a) frivolous, trivial and vexatious
2014-004D	McDonald	TVNZ	ONE News	Footage of Fonterra worker doing 'Harlem Shake' dance	Accuracy	s11(a) frivolous, trivial and vexatious
2014-008	Golden	RNZ	Outspoken	Two experts interviewed about allegations of miscarriages of justice	Accuracy, Fairness, Responsible Programming	s11(a) vexatious
2014-023	Burrows	TVNZ	ONE News	Item about domestic violence allegedly denigrated men	Controversial Issues, Discrimination and Denigration	s11(a) trivial
2014-024	Heinz	TVWorks	Campbell Live	Starting a lawn mower without rear grass flap on	Law and Order	s11(a) frivolous and trivial
2014-026	Schwabe	TVNZ	High Country Rescue	Injured man used the word 'frigging'	Good Taste and Decency	s11(a) trivial
2014-039	Procter	RNZ	Nine to Noon	Media commentator allegedly incorrectly portrayed newspaper editor	Controversial Issues	s11(a) trivial

# DIRECTORY

## MEMBERS

Peter Radich

Mary Anne Shanahan

Leigh Pearson

Te Raumawhitu (Te Rau) Kupenga

## STAFF

**Susan Freeman-Greene LLB, MBS**

Chief Executive

**Patricia Windle LLB, BA (Hons)**

Legal Manager

**Miro Booth LLB**

Legal Advisor

**Wei-Wei Ng**

Legal Intern

**Jane Hansen**

Executive Administrator

**Margaret Haughey**

Website Coordinator/Accounts (part-time)

**Trish Cross**

Receptionist/Administrator (shared with NZ On Air)

## OFFICE

Level 2  
119 Ghuznee Street  
Wellington 6011

PO Box 9213  
Wellington 6141

**T:** 04 382 9508

**F:** 04 382 9543

**Freephone:** 0800 366 996

**E:** [info@bsa.govt.nz](mailto:info@bsa.govt.nz)

**[www.bsa.govt.nz](http://www.bsa.govt.nz)**



**[WWW.BSA.GOV.T.NZ](http://WWW.BSA.GOV.T.NZ)**

LEVEL 2 | 119 GHUZNEE STREET  
PO BOX 9213  
WELLINGTON 6141 | NEW ZEALAND  
(04) 382 9508 | FREEPHONE: 0800 366 996