

# BROADCASTING 2007 STANDARDS ANNUAL AUTHORITY REPORT

TE MANA WHANONGA KAIPĀHO TE PŪRONGO Ā-TAU 2007

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# MEMBERS

## JOANNE MORRIS OBE, LL.M (HONS)

Joanne Morris has been chair of the BSA since October 2003, and was reappointed for a further three-year term in 2006. Formerly an academic lawyer and law commissioner, Joanne was a member of the BSA for five years from its establishment in 1989. Joanne is also a member of the Waitangi Tribunal, a position she has held for 18 years. She and her husband have two teenage children and live in Wellington.

## TAPU MISA

Tapu Misa joined the BSA in December 2002, and was reappointed for a further three-year term in 2007. Tapu has worked for the *New Zealand Herald*, *More Magazine*, *North & South*, and *Mana Māori Media*. She has also served on a number of charitable trusts, with a particular focus on educational achievement and the media portrayal of Māori and Pacific people. She currently writes a weekly column for the *New Zealand Herald*. Tapu lives in Auckland with her husband and three children.

## DIANE MUSGRAVE MA (HONS), DIP. TCHG

Diane Musgrave was appointed in August 2003 after consultation by the Minister with public interest groups. Diane was reappointed for a further two-year term in 2006. She has a special interest in the perspectives of various communities, including young people, in relation to broadcasting. Diane is a senior lecturer in Communication Studies at Auckland University of Technology, a mentor for the YWCA Future Leaders programme, a former television producer and director, and public relations executive. Diane is married, has an adult son and lives in Auckland.

## PAUL FRANCE

Paul France was appointed in December 2003 after consultation by the Minister with the broadcasting industry. Paul worked at TVNZ in news and current affairs in the 1970s and 1980s, including in the role of Northern Editor of Current Affairs. He produced the *Eye Witness News* late-night edition during the tumultuous political years of the 1980s. More recently, he was CEO of Asia Business News and CNBC Asia, and served on the Singapore Broadcasting Authority. Paul is married, has four grandchildren, and lives in the Bay of Islands.

## VISION WAWATA

Fostering fair broadcasting for New Zealanders  
Te ahunga pāhotanga pono mō Aotearoa

## MISSION KOROMAKINGA

To support fairness and freedom in broadcasting through impartial complaints determination and effective research and stakeholder engagement.

Ko te tautoko i te pono me te rangatiratanga i roto i te pāhotanga mā te whakatau tōkeke i ngā whakapae, mā te rangahau hāngai tonu, mā te taute i te hunga whai pānga.



# CHAIR'S REPORT

**THE BSA WAS ESTABLISHED IN 1989, WHICH MEANS THAT THIS YEAR MARKS OUR 18TH BIRTHDAY. AFTER THAT SPAN OF TIME, WITH A FAST-CHANGING ELECTRONIC MEDIA WORLD, THE ENVIRONMENT IN WHICH THE BSA WORKS TODAY IS VERY DIFFERENT FROM THAT WHICH EXISTED AT ITS INCEPTION.**

Over the past twelve months, we have made a point of ensuring that the work we do, and the public service we perform, remain relevant and practical. In particular, we have undertaken research to explore the future of electronic media regulation. This has given us a firm basis for building a view of how to meet the challenges posed by new media.

The more we have looked at these challenges and the future, the more we have come to believe that, while changing technology precludes a one-size-fits-all regulatory system, certain fundamental principles should underpin electronic media regulation. Among them are the principles of fairness to people portrayed, the accuracy of news, the importance of presenting a range of viewpoints on controversial issues, and the protection of children. We will be mindful of these principles as any changes to our regulatory system are debated and, ultimately, implemented.

## Complaints and Code Reviews

In line with the trend of the last few years, there has been a decrease in the number of complaints referred to the BSA from broadcasters. We are still dealing with many detailed and complex complaints, however, most notably concerning news and current affairs programmes.

The revised privacy principles that we outlined in last year's report came into effect on 1 August 2006. The main changes were to principles 1 and 3. After nearly a year in operation, the amended principles appear to be working as intended. Both principles were integral in a BSA decision that was appealed to the High Court (*Canwest TVWorks v XY*) and we were pleased that the judgment confirmed our current approach in applying the principles.

The XY case [2006-014] was one of several hidden camera complaints we received during the year. The BSA has generally held that broadcasting hidden camera footage of an individual is inherently unfair because it overrides the right of that individual to withhold comment. This has remained true in several decisions this year, notably in the XY case, KW and TVNZ [2006-087], and in *Russek and TVNZ* [2007-016].

However, in a case where an individual is filmed in a public place performing employment duties which involve interaction with members of the public, and where the footage fairly represents what has occurred, the BSA considered that broadcasting the hidden camera footage will generally not be unfair (*Young and CanWest TVWorks*, 2006-084).

As in past years, the protection of children continues to be a concern regularly raised by complainants, and the BSA has upheld several of these complaints. The BSA has met with a number of broadcasters to discuss the issue of interviewing children. We used one decision to point out that while there remains plenty of legitimate scope for interviewing children, broadcasters need to be mindful of the privacy-breaching potential of certain media intrusions and exposure, and to treat children appropriately. Legal Manager Christina Sophocleous discusses children in relation to privacy and fairness standards in more detail in her report.

The revised pay TV code took effect in August 2006. With radio broadcasters, we commenced work during the year on the review of the radio code, due to be completed by 30 June 2008. We look forward to finalising this, as well as the free-to-air television code, over the next twelve months.

## Outreach

We believe it is important to maintain dialogue with the industries we work with. This year we have spent time with representatives from a variety of industry organisations, including the Radio Broadcasters Association, the Television Broadcasters' Council and the Advertising Standards Authority.

We have also been active in meeting with broadcasters, including TVNZ, TV3, Māori Television, and The Radio Network. In October 2006 we undertook a broadcaster satisfaction survey to gain an understanding of the perceptions and experiences broadcasters have with our complaints process. Overall, the BSA's performance in managing the process was viewed positively. A key piece of feedback was that there is concern with the open-ended nature of the parties' written submission process. We formulated a proposal to address that concern and included it in a broader discussion paper on the BSA's complaints process that was open for comment during August and September this year. We intend to implement any appropriate changes.

We value the constructive relationships we have with broadcasters and their representatives, and are grateful to those individuals with whom we have worked closely over the past twelve months.

Our most innovative outreach effort this year has been the formation of our Community Advisory Panel, or CAP. The CAP is made up of 10 people chosen from over 160 applicants of different ages, ethnicities, occupations, and from different parts of New Zealand. There are representatives from the Māori, Samoan, Pākehā, Indian, and Chinese communities. The CAP provides a tangible, informed link to its members' various communities, facilitating improved dialogue between the BSA and those communities. Though not involved in the complaints decision-making process, CAP members' views of various issues faced by the BSA are actively sought and considered.

The group first gathered together in September 2006 and has now met three times. CAP has created a community-focused workplan that the BSA is implementing, with a top priority being to promote awareness about the classification and timeband systems among sections of the community, especially caregivers of children. To this end, we are rolling out a targeted awareness campaign about the classification system and the AO 8.30pm watershed. I extend a special thank you to the CAP members for their contribution to our work, and to BSA member Diane Musgrave who chairs the CAP meetings.

## Research

We are proud of our research programme. Research ensures that we continue to have accurate portraits of the broader environment and the public for whom we work. This year our research has concentrated on two key areas: the future of electronic media regulation, and the use of electronic media by children.

Our major paper on the future of media regulation by Andrea Millwood Hargrave, Paul Norris, Geoff Lealand, and Andrew Stirling was completed late in 2006 and has given us insights into overseas responses to the challenges created by the new media world. This paper will assist in mapping out the possible future direction of broadcast regulation in New Zealand.

We are equally pleased with the literature review for children's media use that was delivered this year. This paper has informed our main project for the upcoming year – a qualitative study of children's media use. This large study was commenced just as the year ended.

During the year, we also commissioned a literature review on media literacy. The high quality research that was delivered on this subject will inform our future work in this area.

## Conclusion

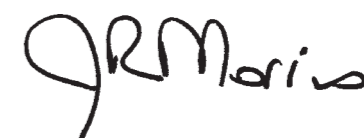
I thank my fellow BSA members, Tapu Misa, Diane Musgrave, and Paul France, for the energy and intelligence that they bring to our work. This year Tapu, Diane and I have been reappointed for two- or three-year terms. The current BSA members have worked together for some four years now and we appreciate the stability that comes from being part of an experienced and committed group.

On behalf of the BSA, I acknowledge the invaluable contribution that our staff make to our work. An organisation is only as good as its people and, in our case, it means we are a very good organisation indeed.

We have had three significant departures from the BSA this year: former Chief Executive Jane Wrightson, Complaints Manager John Sneyd, and long-serving staff member Michael Stace, who undertook several roles during his 16 years of BSA service.

In their place, we have appointed Dominic Sheehan, who joined the BSA as Chief Executive in February, Christina Sophocleous, who was promoted to the position of Legal Manager in early June, and Matthew Dearing, who joined as Legal Advisor in June. I am pleased to report that the new team has found its feet very quickly indeed.

Finally, I acknowledge with sadness the untimely death of Bruce Wallace in July this year. In his role with the Television Broadcasters' Council, he had a significant impact over many years on the review of the broadcasting codes and, more broadly, on the relationship between broadcasters and the BSA. Along with many others, we will miss his knowledge of, and dedication to, New Zealand broadcasting.



Joanne Morris, OBE, Chair



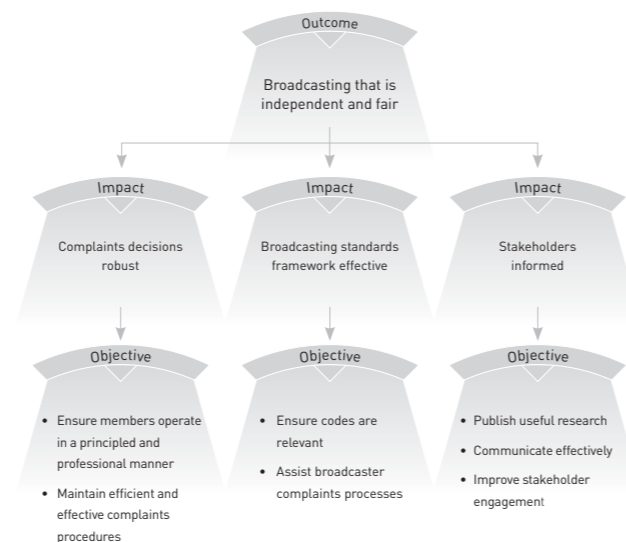
# CHIEF EXECUTIVE'S REPORT

**NOTHING ENDURES BUT CHANGE. THAT QUOTE FROM THE ANCIENT PHILOSOPHER HERACLITUS SEEMS PARTICULARLY RELEVANT TO THE BSA THIS YEAR. THE ENVIRONMENT WE OPERATE IN HAS HISTORICALLY BEEN ONE OF CHANGE, BUT NO ONE WOULD DENY THAT WE ARE CURRENTLY WITNESSING A PROFOUND SHIFT IN THE MEDIA LANDSCAPE.**

This is my first report as Chief Executive of the BSA, having taken up the position in February 2007. I was drawn to the role because of the opportunity to help provide a valuable public service, in our case an independent, free, and fair system for broadcasting complaints that is delivered alongside a practical programme of research. I am immensely proud to be a part of the BSA and at the outset want to recognise the hard work of the board and staff of this organisation.

Figure 1 below, reproduced here from our 2006-2009 Statement of Intent, illustrates our goals, and this report goes on to describe our achievements during the past year in three key outcome areas: complaints determination, standards-related research, and stakeholder communication.

Figure 1: BSA Outcomes Framework



## Complaints

As has been the case in the last two years, we are receiving a smaller number of complaints and releasing fewer decisions as a result. This year's totals of complaints received (131) and decisions released (125) are the lowest on record since 1992.

There are several likely reasons for this decrease, including the fact that some broadcasters are receiving fewer complaints or that people are accessing media in alternative ways. In the upcoming year, we intend to undertake research on this downward trend. In the meantime, we have reduced staff levels in our legal team to take account of lower complaints numbers.

A full discussion of complaints and related issues can be found in the Legal Manager's report.

## High Court Appeals

This year there was no major headline-grabbing decision as there was last year with the *South Park* 'Bloody Mary' case (decision 2006-022). However, we did revisit those *South Park* complaints in the form of an appeal to the High Court. The appeal by the Catholic Bishops Conference was heard in the High Court in Wellington on 21 May 2007.

In the appeal, the Conference argued that the action shown in the episode (spraying menstrual blood onto a person) on its own is an offensive act, and that to consider the context of the depiction of this act, as the BSA had done, was inappropriate because it might legitimise the broadcast of something that, by its nature, is offensive.

In dismissing the appeal, Judge Wild confirmed that context is indeed important in assessing broadcasting complaints of this nature.

Two other decisions made during the year have also been appealed.

The appeal by TVWorks over the *XY Stake Out* decision (2006-014) was heard in the High Court in Auckland on 6 July 2007. In this case, XY was the subject of a TV3 programme that showed him photographing models in his bedroom. The BSA found there had been a breach of his privacy.

In court, TVWorks argued that merely establishing an 'intrusion' was not enough to breach the privacy principle, that there needed to be some offensiveness in the facts disclosed. TVWorks also claimed that the BSA had acted *ultra vires* in establishing the relevant privacy principle.

The BSA argued the natural expectation of privacy and defended its application of the privacy principles.

The presiding judge, Harrison, reaffirmed the BSA's approach in applying the principles and deemed the relevant principles to be *intra vires*.

The other appeal is by TVNZ over the *KW Close Up* decision (2006-086). TVNZ has also made a claim for a judicial review of that case. The decision concerned a *Close Up* item that alleged that KW's property was a suburban brothel. The BSA upheld the complaint on the grounds that it was unfair, inaccurate, and breached KW and his wife's privacy.

## Research

### Regulatory Issues

Our major research published during the year, *Issues facing broadcast content regulation*, looked at what other countries are doing to address changes brought about by advances in electronic technology. The report was co-commissioned by the Ministry for Culture and Heritage and written by leading UK media researcher Andrea Millwood Hargrave, her associate Andrew Stirling, and New Zealand counterparts Paul Norris of the NZ Broadcasting School and Dr Geoff Lealand of the University of Waikato.

New Zealand needs to rethink its broadcast rules which do not include any for 'on-demand' content like that available on the internet or via mobile devices in the definition of 'broadcasting'. This means that identical content is treated differently on different platforms. Simply put, members of the public are unable to bring a formal complaint on certain material, including content that they view on the internet or mobile phones. The BSA is already aware of complaints to broadcasters for some of their online audio-visual content. Should the public be able to refer these complaints to the BSA? Is there a case for a uniform set of rules across all media?

The report describes how some countries have converged regulatory functions so that one body looks after most content standards issues (except for censorship, which tends to remain separate because of the special power to ban material completely). Other countries continue to regulate broadcast material but promote co-regulation or self-regulation of electronic content delivered on other platforms.

What should New Zealand do? The report looks in depth at what is happening in Australia, the United Kingdom, Ireland, and Finland, but as you would expect, none has the perfect answer for a small country like our own. In essence, there is a clash between the more regulated world of broadcasting and the new media world, which has generally developed with no standards for content.

Still to be debated are the questions the report concludes with: should the status quo for the broadcast rules continue? Does it make a difference if you are watching content free on your television or requesting it via the PC or phone? Should there be an increase in self-regulation? What special protections do audiences – and those featured in programmes – still want? And, how might we adequately protect children, especially those more tech-savvy than their parents?

### Children and Media

We commissioned *Children's Media Use and Responses: a review of the literature* to bring us up to date with New Zealand and international research on children's media use and responses published in the past decade.

The review's findings provided valuable insights for the preparation of the brief for fieldwork to examine New Zealand children's current media habits and experiences. In June, research agency Colmar Brunton was commissioned to undertake the quantitative study. This project will update *The Younger Audience*, published by the BSA in 2001, and provide important current information and longitudinal comparisons on the way children engage with media.

## Communications

### Community Advisory Panel

We 'launched' our inaugural Community Advisory Panel (CAP) at a small function in Christchurch last September. Christchurch Mayor, Garry Moore, gave the official address at the launch which was attended by representatives from Christchurch-based broadcasters and community service, advocacy, and educational groups.

Establishment of the ten-person panel has meant that the BSA has an ongoing engagement with a group of New Zealanders who are informed about, and interested in, the issues that we grapple with. CAP members now play a role in their own communities helping to make the formal complaints system and broadcasting standards better understood.

In February, the CAP confirmed its workplan out to July 2008. Its members identified a need for ethnic media and communities to receive tailored information about the complaints system and what the BSA does. As a result, a series of articles has been written, translated into up to six different languages, and has begun to be published in ethnic newspapers and newsletters around the country.

The CAP also identified a lack of awareness about the classification and timeband systems among sections of the community, particularly among some caregivers of children. Providing targeted information about these protections in our codes is a CAP workplan priority. Our resulting awareness campaign about the AO 8.30pm watershed and the classification system will be rolled out over the latter half of 2007.

CAP members left to right: Fraser Campbell, Lynda Park, Jessica Ralph, Liz Hirst, Huia Lloyd, Anna Carter, Raj Mundi, Tim Cadogan, Rob Tuwhare. Absent – Efeso Collins.



### Other Publications

*Media Literacy Information in New Zealand: a comparative assessment of current data in relation to adults* was undertaken during the year and will help shape our media literacy approach. Media audiences need to be well informed as technology continues to enable almost unlimited access to globally sourced content. As platforms of delivery increase, audience members themselves will become increasingly responsible for what they (and their children) see and hear on screen and online.

In the upcoming year, our media literacy activities will be mainly rolled out through our Community Advisory Panel workplan.

Both the media literacy and children's media use literature reviews were published on our site [www.bsa.govt.nz](http://www.bsa.govt.nz) in August 2007.



The proceedings of a symposium on the balance and fairness standards conducted in March 2006 were published online and in hard copy as *Significant Viewpoints: broadcasters discuss balance*. The publication was launched at the annual Journalism Educators of New Zealand (JEANZ) conference in Auckland in December 2006.

### Other Outreach

The BSA began a review of the strategic direction of its communications in November 2005. The review was completed in December 2006 with confirmation of a new three-year strategy with the key theme of 'public engagement'.

To improve public engagement, all of our core stakeholder resources have been enhanced during the year.

The look and functionality of the website has been updated, including the addition of an online complaints form. A web-based resource for secondary school students studying NCEA media studies at levels 2 and 3 was developed and uploaded onto our website for the start of the 2007 school year. It was written with the assistance of senior media studies teachers.

Our pamphlet *Television and Radio Complaints: A guide for viewers and listeners* and our quarterly newsletter have also been given a new look.



Board members and staff continue to engage with a range of stakeholders through activities such as public speaking engagements, a presence at conferences, and media interviews.

## General Management

The slight drop in levy that we experienced this year has been compensated for by greater than budgeted income from invested money. This has contributed to our healthy financial position and also enabled us to invest more money in CAP workplan initiatives, commencing them sooner than originally anticipated.

### Good Employer Policies

The BSA has a commitment to being a 'good employer', which includes equal employment opportunities policies and practices. All of the key elements for being a good employer (as established by the Crown Entities Act 2004) are reflected in the BSA's policy documents. In December 2006, the BSA undertook a review of implementation of EEO strategies. The review indicated that our EEO systems were operating effectively and highlighted opportunities for increasing diversity and knowledge of diversity within the organisation. We will continue to work through these issues.

### Annual Review of Policies

As is our practice each year, we have reviewed our organisation's policies. This year the review included clarifying policies on sensitive expenditure against the guidelines provided by the Office of the Auditor General, and ensuring our policies are in line with the new public service code of conduct that comes into effect later this year.

A major administration project undertaken by staff has been compliance with the retention and disposal requirements of the Public Records Act 2005.

### Staff Appreciation

In conclusion, any small organisation is greatly affected by changes in staff and this year we have had several. Those continuing staff members have handled the transition seamlessly and the ongoing high performance of the BSA is a tribute to their dedication and ability. The New Zealand public are fortunate to have such a diligent and enthusiastic team working for them.

*Dominic Sheehan*

Dominic Sheehan **Chief Executive**





Legal Manager, Christina Sophocleou

# LEGAL MANAGER'S REPORT

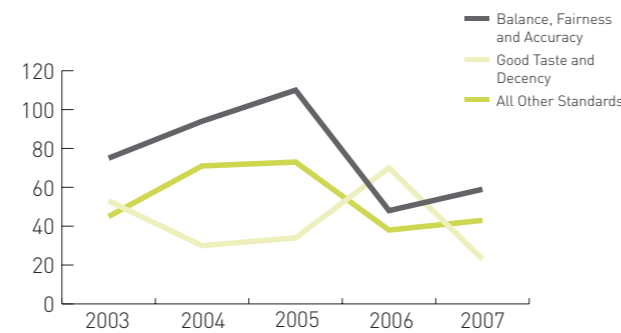
## Decisions Overview

This year the BSA issued 125 decisions compared to 156 in 2005/6. We received 131 complaints, compared to last year's 153. While this decrease in complaints continues the trend of previous years, the number of complex complaints has remained constant, ensuring that our small complaints team is busy and challenged.

Of the 125 decisions issued:

- 73% (91 decisions) concerned television programmes (83% or 129 in 2006)
- 27% (34) concerned radio broadcasts (17% or 27 in 2006)
- 22% of complaints (27) were upheld in full or in part (12% or 19 in 2006)
- 21 of the 27 upheld decisions concerned television broadcasts; 6 concerned radio
- 70% of decisions concerned news, current affairs and talk radio (50% in 2006)
- 59 alleged breaches of balance, fairness or accuracy standards. 24% were upheld (23% in 2006)
- 23 alleged breaches of good taste and decency. 4% were upheld (4% in 2006).

Figure 2: Decisions Issued by Standard



## Children: Privacy and Fairness Standards

The involvement of children in broadcasts is an area of concern to both complainants and broadcasters. The BSA has released several decisions in the past year that it hopes will serve as a guide to what is acceptable for broadcasts involving children.

### Privacy

Under the BSA's revised privacy principles, implemented on 1 August 2006, a child is now defined as 'someone under the age of 16 years'. Prior to that date, a child was 'a boy or girl under the age of 14 years'. This means that broadcasters must now apply the 'best interests' test when broadcasting information of a private nature about any person under the age of 16 years.

Nevertheless, the threshold for establishing a breach of privacy for a child is the same as it is for an adult. This means that once a complainant has established that a private fact was disclosed, he or she must establish that the disclosure was offensive. Whether this is so will always depend on the particular circumstances, including the manner of the disclosure.

As noted, an additional requirement with respect to children is the 'best interests' test. This test means that where a broadcast breaches a child's privacy, it is not a defence for the broadcaster to show that the parent or child gave consent – the broadcaster must also show that they independently and reasonably concluded that the broadcast would be in the best interests of that child.

The following complaint illustrates this requirement. The BSA upheld a privacy complaint about the disclosure of private facts about an eight-year-old girl (JB and TVNZ, 2006-090). The programme revealed that the child was at the centre of a bitter custody dispute where her mother had taken her to Australia against her father's wishes. Home video footage of the child, provided by her father, featured in the item.

The girl's mother complained that the item breached her child's privacy. In its decision, the BSA observed that it is widely recognised that children's involvement in Family Court processes should be kept private. The BSA was in no doubt that the disclosure of private facts about a vulnerable child would be highly offensive to an objective reasonable person.

Although the father had consented to the broadcast of the images of his child, the privacy principles required the broadcaster to reasonably satisfy itself that the broadcast was in the best interests of the child. The BSA concluded that it could not conceive of any positive consequences for this child arising from the broadcast and, finding that there was no public interest in disclosing that the child was at the centre of a custody dispute, it upheld the privacy complaint.

Public interest is a sliding scale – the more serious the breach of privacy, the more compelling the nature of the public interest that is required to justify the broadcast. In the case of children, a breach of privacy is likely to be seen at the serious end of the scale in light of the need to protect children, and the public interest required to justify such a broadcast would need to be correspondingly high.

### Fairness and Exploitation

The BSA upheld two fairness complaints this year relating to the exploitation of children.

In the case of the Children's Commissioner and CanWest (2006-105), the BSA found that a featured 14-year-old boy had been treated unfairly and exploited by the broadcast. It noted that the broadcaster was aware that the boy was in a vulnerable situation, having been removed from his mother's care by Child Youth and Family Services due to ongoing concerns for his safety. The BSA considered that CanWest had sufficient information about the boy's situation to recognise that it was inappropriate to involve him in the broadcast.

The second case (Agnew and TVNZ, 2007-010) involved an interview on *Close Up* in which a seven-year-old girl was shown crying and distressed about the possibility of her mother being deported to China. The child was interviewed, and she was also used as an interpreter for her mother.

The BSA considered that the broadcaster could have told the mother's story without interviewing the girl or having her present when her mother was interviewed. It found that the girl was involved purely for emotional effect, and upheld the complaint that she was treated unfairly and exploited.

These decisions emphasise that fairness complaints about children may be upheld even when a parent has consented to their child's inclusion in a broadcast.

## Proposed Amendments to the Complaints Process

As a result of a broadcaster satisfaction survey undertaken in October 2006 and subsequent meetings with broadcasters, the BSA released a discussion paper in August proposing changes to three aspects of the complaints process.

The BSA will assess whether it is appropriate to implement changes once submissions have been reviewed.

## Practice Notes

The BSA released two practice notes during the year. These are practical guides to likely approaches the BSA will take in interpreting the standards. The first discusses the law and order standard, and the second, the BSA's approach to denigration and discrimination. Both practice notes are available on the BSA's website.

Table 1: Complaints Summary

	2002/03	2003/04	2004/05	2005/06	2006/07
<b>Complaints Received</b>	171	196	184	153	131
<b>Total Decisions</b>	181	203	214	156	125
<b>Upheld (all or in part)</b>	32	57	40	19	27
<b>Not Upheld</b>	131	133	166	127	94
<b>Interlocutory Decisions</b>	11	3	1	4	-
<b>Declined to Determine</b>	7	5	5	5	3
<b>Declined Jurisdiction</b>	12	15	2	1	1
<b>Orders</b>	31	39	14	8	13
<b>Practice Notes</b>	-	-	-	1	2
<b>Decisions issued within 20 working days</b>	79%	74%	84%	100% <sup>1</sup>	100%

<sup>1</sup> From 2005/06 this percentage applies to the majority of complaints (those requiring only one board meeting for determination) as targets have been refined.

# STAFF

Dominic Sheehan BA, LLB (Hons)  
Chief Executive

Christina Sophocleous BSc, LLB  
Legal Manager

Matthew Dearing LLB  
Legal Executive

Kate Ward BA, Dip. Bus. Admin  
Communications and Research Advisor

Julie Bath  
Administration Manager

Jo Wilkinson  
Administration Assistant (part time)

Trish Cross  
Receptionist (shared with NZ On Air)



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# FINANCIAL STATEMENTS

FOR THE YEAR ENDED  
30 JUNE 2007



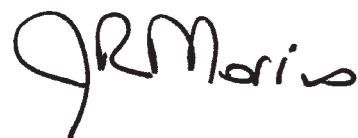
# STATEMENT OF RESPONSIBILITY

For the year ended 30 June 2007

Pursuant to the Crown Entities Act 2004, the BSA 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 BSA, the Financial Statements and Statement of Service Performance for the year ended 30 June 2007 fairly reflect the financial position and operations of the BSA.



Joanne Morris  
Chair  
31 October 2007



Diane Musgrave  
Member  
31 October 2007

# AUDIT REPORT

AUDIT NEW ZEALAND  
Mana Arotake Aotearoa

TO THE READERS OF THE BROADCASTING STANDARDS AUTHORITY'S  
FINANCIAL STATEMENTS AND PERFORMANCE INFORMATION  
For the year ended 30 June 2007

The Auditor-General is the auditor of the Broadcasting Standards Authority. The Auditor-General has appointed me, Clare Helm, using the staff and resources of Audit New Zealand, to carry out the audit on his behalf. The audit covers the financial statements and statement of service performance included in the annual report of the Broadcasting Standards Authority for the year ended 30 June 2007.

## Unqualified Opinion

In our opinion:

- The financial statements of the Broadcasting Standards Authority on pages 19 to 27:
  - comply with generally accepted accounting practice in New Zealand; and
  - fairly reflect:
    - the Broadcasting Standards Authority's financial position as at 30 June 2007; and
    - the results of its operations and cash flows for the year ended on that date.
- The statement of service performance of the Broadcasting Standards Authority on pages 16 to 18:
  - complies with generally accepted accounting practice in New Zealand; and
  - fairly reflects for each class of outputs:
    - its standards of delivery performance achieved, as compared with the forecast standards outlined in the statement of forecast service performance adopted at the start of the financial year; and
    - its actual revenue earned and output expenses incurred, as compared with the forecast revenues and output expenses outlined in the statement of forecast service performance adopted at the start of the financial year.

The audit was completed on 31 October 2007, and 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 the Auditor, and explain our independence.

## Basis of Opinion

We carried out the audit in accordance with the Auditor-General's Auditing Standards, which incorporate the New Zealand Auditing Standards.

We planned and performed the audit to obtain all the information and explanations we considered necessary in order to obtain reasonable assurance that the financial statements and statement of service performance did not have material misstatements, whether caused by fraud or error.

Material misstatements are differences or omissions of amounts and disclosures that would affect a reader's overall understanding of the financial statements and the statement of service performance. If we had found material misstatements that were not corrected, we would have referred to them in our opinion.

The audit involved performing procedures to test the information presented in the financial statements and statement of service performance. We assessed the results of those procedures in forming our opinion.

Audit procedures generally include:

- determining whether significant financial and management controls are working and can be relied on to produce complete and accurate data;
- verifying samples of transactions and account balances;
- performing analyses to identify anomalies in the reported data;
- reviewing significant estimates and judgements made by the Board;
- confirming year-end balances;
- determining whether accounting policies are appropriate and consistently applied; and
- determining whether all financial statement and statement of service performance disclosures are adequate.

We did not examine every transaction, nor do we guarantee complete accuracy of the financial statements or statement of service performance.

We evaluated the overall adequacy of the presentation of information in the financial statements and statement of service performance. We obtained all the information and explanations we required to support our opinion above.

## Responsibilities of the Board and the Auditor

The Board is responsible for preparing financial statements and a statement of service performance in accordance with generally accepted accounting practice in New Zealand. The financial statements must fairly reflect the financial position of the Broadcasting Standards Authority as at 30 June 2007 and the results of its operations and cash flows for the year ended on that date. The statement of service performance must fairly reflect, for each class of outputs, the Broadcasting Standards Authority's standards of delivery performance achieved and revenue earned and expenses incurred, as compared with the forecast standards, revenue and expenses adopted at the start of the financial year. The Board's responsibilities arise from the Crown Entities Act 2004 and the Broadcasting Act 1989.

We are responsible for expressing an independent opinion on the financial statements and statement of service performance and reporting that opinion to you. This 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 Institute of Chartered Accountants of New Zealand.

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

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

## Matters relating to the electronic presentation of the audited financial statements

This audit report relates to the financial statements of Broadcasting Standards Authority for the year ended 30 June 2007 included on Authority's web site. The Authority's Board is responsible for the maintenance and integrity of the Authority's web site. We have not been engaged to report on the integrity of the Authority's web site. We accept no responsibility for any changes that may have occurred to the financial statements since they were initially presented on the web site.

The audit report refers only to the financial statements named above. It does not provide an opinion on any other information which may have been hyperlinked to/from these financial statements. If readers of this report are concerned with the inherent risks arising from electronic data communication they should refer to the published hard copy of the audited financial statements and related audit report dated 31 October 2007 to confirm the information included in the audited financial statements presented on this web site.

Legislation in New Zealand governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

## OUTPUT CLASS 1: COMPLAINTS DETERMINATION

### Broadcasting Act 1989, s.21(1)(a) and (b)

**Description:** Decision making on formal complaints lodged under the Broadcasting Act 1989 is undertaken by the BSA, with administrative and legal support provided by staff. Decisions are subject to judicial review or appeal to the High Court. We are required by the Act to operate with as little formality and technicality as possible.

We have two objectives to achieve this output.

### Cost:

	Budget*	Actual*
Total cost	\$928,454	\$877,821
% of total cost	57%	58%

\* Includes a portion of overheads

### Objective: Ensure members operate in a principled and professional manner

This objective primarily relates to members' quasi-judicial responsibilities. The following activities have quality, quantity and timeliness measures.

Members will discharge responsibilities to the highest professional standards and in accordance with natural justice. Members will continue to adhere to a strict conflict of interest policy. The board will also continue to review its own performance annually and undergo relevant training when it deems necessary.

We measure the following activities against quality, quantity and timeliness targets.

The BSA will:

- Convene formal board meetings ten times by 30 June 2007 in order that due process for complaints determination is followed.  
**Measure:** 10/10 meetings formally recorded.  
**Actual:** Achieved. 10/10 meetings formally recorded.
- Declare, decide and record conflicts of interest formally at each meeting.  
**Measure:** Conflicts register maintained.  
**Actual:** Achieved. Twelve possible conflicts decided and registered.
- Undertake an annual board self-assessment exercise.  
**Measure:** Board self-assessment completed and recommendations actioned by 30 June 2007.  
**Actual:** Achieved. Assessment completed in November and reported in December. Recommendations actioned.
- Minimise threats to the integrity of the complaints regime by issuing soundly reasoned decisions.  
**Measure:** No more than one issued decision is successfully appealed to the High Court by 30 June 2007.  
**Actual:** Achieved. One appeal heard before 30 June 2007. The appeal was unsuccessful.<sup>2</sup>

<sup>2</sup> Denis Browne v CanWest TVWorks, CIV 2006 485 1611, 21 May 2007

- Apply the principles of natural justice by ensuring procedural fairness.  
**Measure:** No issued decision has adverse judicial review findings on complaint determination procedures by 30 June 2007.  
**Actual:** Achieved. No judicial reviews completed.

### Objective: Maintain efficient and effective complaints procedures

Efficient and effective complaints management assists public confidence in the system. BSA staff report performance against targets at each board meeting.

The following activities have quantity and timeliness measures.

The BSA will:

- Acknowledge formal complaints in writing within 3 working days.  
**Measure:** 100% of complaints acknowledged in 3 working days  
**Actual:** Achieved.
- Ensure complaints are placed on the agenda of the next board meeting following receipt of final correspondence (agenda closes on tape copying day).  
**Measure:** 100% of processed complaints on next board agenda  
**Actual:** Achieved.
- For complaints requiring only one board meeting for determination, issue completed decisions within 20 working days of first working day after board meeting.  
**Measure:** 95% of single-meeting complaints decisions issued within 20 working days  
**Actual:** 100% decisions issued within target.
- For complaints requiring more than one board meeting for determination, issue completed decisions within 15 working days of last board meeting.  
**Measure:** 100% of multi-meeting complaints decisions issued within 15 working days of last board meeting.  
**Actual:** Achieved.
- Ensure only complaints involving complex issues or procedures, or where further information is required from the parties, require more than one board meeting for consideration.  
**Measure:** 95% of non-complex complaints require one board meeting for decision.  
**Actual:** Achieved. 100% of standard complaints decided at a single board meeting. ('Complex' decisions involve detailed fact situations, complex legal principles, requests for further information, or orders.)
- In election years, issue decisions on complaints about election programmes within 48 hours.  
**Measure:** 100% of decisions issued within 48 hours of receipt of final correspondence.  
**Actual:** Not applicable in year.
- Undertake a survey of all broadcasters involved in a formal complaint referred to the BSA in two calendar years to assess satisfaction with BSA processes  
**Measure:** Survey completed and recommendations actioned by 30 June 2007.  
**Actual:** Achieved. Survey completed. Report discussed with broadcasters December 2006. Submissions on recommendations received September 2007.

## OUTPUT CLASS 2: BROADCASTING CODES

### Broadcasting Act 1989, s.21(1)(e) and (g)

**Description:** The codes of broadcasting practice underpin the complaints system. As the wider environment changes, the provisions in the codes must be reviewed to ensure they provide relevant guidance for broadcasters and complainants alike.

Each major code is reviewed at least once every five years.

It is also important that broadcasters understand their statutory obligations.

### Cost:

	Budget*	Actual*
Total cost	\$60,171	\$42,697
% of total cost	4%	3%

\* Includes a portion of overheads.

### Objective: Ensure codes are relevant

Reviews of the two main codes commenced in the period. The following activities have quantity, quality, and timeliness measure.

The BSA will:

- Review the radio and free-to-air television codes.
- Include consultation with a range of individuals and interest groups including Māori.  
**Measure:** Radio code review process, including consultation process, agreed with broadcaster representatives by 31 October 2006.  
**Actual:** Achieved.  
**Measure:** Draft radio code amendments (if any) available for public consultation by 31 March 2007.  
**Actual:** Not achieved. Radio code not available by 31 March 2007. Public consultation planned for November 2007.  
**Measure:** Draft free-to-air television code amendments (if any) to be on track for public consultation by 1 December 2007.  
**Actual:** Timetable for television code review agreed with broadcasters. On track for public consultation now due in the first half of 2008.  
**Measure:** Both code reviews to be on track for completion by 30 June 2008.  
**Actual:** Both codes on track for completion by 30 June 2008.

### Objective: Assist broadcaster complaints processes

It is in the public interest that complainants have their complaints dealt with professionally by broadcasters. Large broadcasters have resources and well-developed processes in place to meet their broadcasting standards obligations. Advice on processes from the BSA is therefore rarely required. Smaller organisations, and those which rarely encounter formal complaints, sometimes need tailored information.

The following activity has a quantity and timeliness measure.

The BSA will:

- Ensure a minimum of three face-to-face meetings with medium-small size broadcast organisations to discuss and advise on complaints process matters.  
**Measure:** Three visits by 30 June 2007.  
**Actual:** Four visits made to: Canterbury TV, Tahu FM, Alt TV, and the Association of Community Access Broadcasters.

## OUTPUT CLASS 3: STAKEHOLDERS INFORMED

### Broadcasting Act 1989, s.21(1)(c), (d) and (h)

**Description:** It is important for us, our stakeholders, and the integrity of the standards regime, that a variety of material is available to inform opinion. Such material ranges from commissioning and publishing formal academic research to providing simple, effective information on complaints issues and processes. Stakeholder information is not one-way: we also need to ensure that we have access to a variety of voices, particularly so members can have a clear appreciation of the diversity of community views.

### Cost:

	Budget*	Actual*
Total cost	\$631,059	\$586,704
% of total cost	39%	39%

\* Includes a portion of overheads

### Objective: Publish useful research

Quantitative and qualitative research provides information about community attitudes and various topics relevant to broadcasting standards. Such research is only rarely conducted and made public by other New Zealand organisations.

The following activities have quality, quantity, and timeliness measures.

The BSA will:

- After consultation with relevant stakeholders, devise and commission at least two significant research projects which will add to publicly available information about issues relating to broadcasting standards.  
**Measure:** Projects with a budget exceeding \$50,000 will follow the relevant tendering and commissioning processes recommended by the OAG.  
**Actual:** Achieved. One project with a budget exceeding \$50,000 commissioned following OAG processes.  
**Measure:** Projects with a budget exceeding \$50,000 will be peer-reviewed and recommendations addressed.  
**Actual:** The second major project is not due for review and completion until April 2008.  
**Measure:** All projects will be published.  
**Actual:** A media literacy data audit and a literature review of children's media use and responses were commissioned during the period and published in August 2007.  
**Measure:** At least one project will be completed in draft form, ready for peer review, by 30 June 2007.  
**Actual:** The *Children's Media Use and Response Literature Review* draft was peer-reviewed May 2007.

- Publish a record of proceedings of a symposium on balance and fairness issues (held in 2006).  
**Measure:** Report published by 30 November 2006.  
**Actual:** Achieved. Published in November and launched in December 2006 at the JEANZ conference in Auckland.

### Objective: Communicate effectively

Providing simple and effective information on broadcasting standards processes and issues assists New Zealanders to understand their media environment and uplift their right to protest if they wish. Web-based information is the primary on-going tool.

The following activities have quality, quantity and timeliness measures.

The BSA will:

- Publish decisions on website within 10 working days of sign-off by Chair.  
**Measure:** 100% of decisions published within 10 working days.  
**Actual:** 90% achieved. There was a delay of 5 extra days during January due to website reconfiguration issues.
- Develop and implement a new communications plan.  
**Measure:** Plan agreed and implemented by 30 June 2007.  
**Actual:** Plan agreed December. Implementation ongoing.
- Continue to support a web-based media clearing-house to encourage media literacy.  
**Measure:** www.mediascape.ac.nz used and updated as required and satisfactory twice-yearly reports received from service provider.  
**Actual:** Achieved. Two satisfactory reports received during year.
- Review BSA website content and ensure e-government compliance where possible.  
**Measure:** Website more than 80% e-government compliant by 30 June 2007.  
**Actual:** Achieved. More than 80% compliance achieved in May against current version of the New Zealand Government Web Standards.

### Objective: Improve stakeholder engagement

The following activities have quality, quantity and timeliness measures.

The BSA will:

- Develop our community advisory panel and create a work plan for the CAP.  
**Measure:** Work plan with targets and measures confirmed by 31 March 2007.  
**Actual:** Achieved. Work plan confirmed at February meeting.
- Meet formally with broadcaster associations annually.  
**Measure:** Television Broadcasters' Council and Radio Broadcasters Association meet with BSA board by 30 March 2007.  
**Actual:** Achieved. Meetings held with both TBC and RBA.

Table 2: Output Income and Expenditure Summary

	SOI Income Forecast \$	Actual Income \$	SOI Expenditure Forecast \$	Actual Expenditure \$
Complaints	767,700	798,616	928,454	877,821
Codes	49,753	38,844	60,171	42,697
Stakeholder Information	521,796	533,767	631,059	586,704
<b>TOTAL</b>	<b>1,339,249</b>	<b>1,371,227</b>	<b>1,619,684</b>	<b>1,507,222</b>

In the 2006-2009 SOI income was not allocated across output classes for reporting purposes. In the table above, forecast income has been allocated on the basis of forecast expenditure and actual income has been allocated on the basis of actual expenditure.

# STATEMENT OF ACCOUNTING POLICIES

## For the year ended 30 June 2007

### Reporting Entity

The BSA was established by the Broadcasting Act 1989 which sets out its functions and responsibilities. These statements have been prepared in accordance with the Public Finance Act 1989, the Crown Entities Act 2004 and generally accepted accounting practice. The information in the financial statements may not be appropriate for purposes other than those required in these Acts.

### Measurement System

The measurement base adopted is that of historical cost unless otherwise stated.

### Accounting Policies

The following particular accounting policies that materially affect the measurement of financial performance and financial position have been applied:

#### 1. Fixed Assets

Fixed assets are recorded at historical cost less accumulated depreciation.

#### 2. Depreciation

Depreciation of fixed assets is provided on a straight-line basis, at rates which will write off the assets to their residual value over their useful lives:

Office Equipment	5 years
Furniture & Fittings	5 years
Leasehold Improvements	5 years
Photocopier	3 years
Computer Equipment	3 years
Artworks	are fully depreciated in the year of purchase.

#### 3. Receivables

Accounts receivable are stated at their estimated net realisable value.

#### 4. Lease Payments

Operating lease payments, where lessors effectively retain substantially all the risks and benefits of ownership of the leased items, are included in the determination of the operating result in equal instalments over the lease terms.

#### 5. Taxation

- Income tax: The BSA is exempt from the payment of income tax in accordance with Section 33 of the Broadcasting Act 1989.
- FBT: FBT is payable on all fringe benefits.
- GST: The BSA is a registered trader for GST purposes and is liable for GST on all goods and services supplied. The financial statements are prepared GST exclusive except for accounts receivable and accounts payable which are GST inclusive.

#### 6. Financial Instruments

The BSA is party to financial instruments as part of its normal operations. These financial instruments include bank accounts, short-term deposits, accounts payable and accounts receivable. All financial instruments are recognised in the statement of financial position and all revenues and expenses in relation to financial instruments are recognised in the statement of financial performance.

#### 7. Employee Benefits

Annual leave is recognised as a cost on an entitlement basis and unused accumulated sick leave is recognised as a cost on an expected usage basis. Both costs are calculated using present values.

#### 8. Budget Figures

The budget figures have been prepared in accordance with generally accepted accounting practice and are consistent with the accounting policies adopted for the preparation of the financial statements, including complying with Financial Reporting Standard No. 42 (FRS-42).

#### 9. Revenue

Revenues are derived and recognised as follows:

- Crown revenue consists of a grant from the Government. This grant is recognised when it is received.
- The Broadcasting Levy is recognised upon receipt of the payment from the broadcaster.
- Interest is derived from held-to-maturity investments and is recognised on an accrual basis.
- Other income is recognised at the time the services are rendered.

#### 10. Commitments for Contracted Services

The cost of contracted services is expensed when the contract for the services is signed.

#### 11. Statement of Cash Flows

*Cash* means cash balances on hand, held in bank accounts, demand deposits and term deposits in which the BSA invests as part of its day-to-day cash management.

*Operating activities* include cash received from all income sources of the BSA and records the cash payments made for the supply of goods and services.

*Investing activities* are those activities relating to the acquisition and disposal of non-current assets.

*Financial activities* comprise the change in our equity and debt capital structure.

#### 12. Cost of Allocation

The cost of output classes reported in the Statement of Service Performance is the total cost of services allocated to each of our outputs. Cost allocation policy is to charge direct costs to output class and charge indirect costs to output classes based on estimated usage.

#### 13. Changes in accounting policies and the impact of adopting the New Zealand International Financial Reporting Standards (NZIFRS)

The BSA will adopt NZIFRS for the first time for the year ending 30 June 2008. There would not have been any material difference in the financial results, and the assets and liabilities, had these financial statements been prepared using NZIFRS.

There have been no changes in accounting policies. All policies have been applied on a basis consistent with those used in previous years.



# STATEMENT OF FINANCIAL PERFORMANCE

For the year ended 30 June 2007

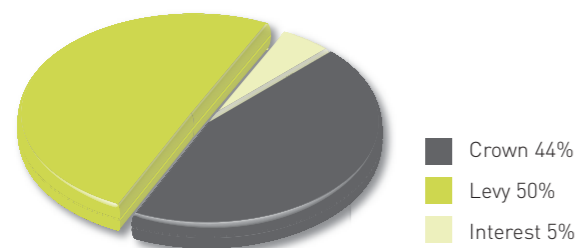
	NOTES	2007 Actual \$	2007 Budget \$	2006 Actual \$
Crown Revenue		609,000	608,889	608,889
Broadcasting Levy		687,754	704,160	661,098
Interest Income		67,097	25,000	56,693
Other Income		7,376	1,200	4,535
<b>TOTAL REVENUE</b>		<b>1,371,227</b>	<b>1,339,249</b>	<b>1,331,215</b>
LESS EXPENDITURE				
Personnel Expenses & Members Fees	1 & 2	685,892	757,027	657,894
Other Operating Expenses	3	770,602	799,200	533,270
Depreciation	5	50,728	63,457	63,044
<b>TOTAL EXPENDITURE</b>		<b>1,507,222</b>	<b>1,619,684</b>	<b>1,254,208</b>
<b>NET (DEFICIT) / SURPLUS</b>		<b>(135,995)</b>	<b>(280,435)</b>	<b>77,007</b>

# STATEMENT OF MOVEMENTS IN EQUITY

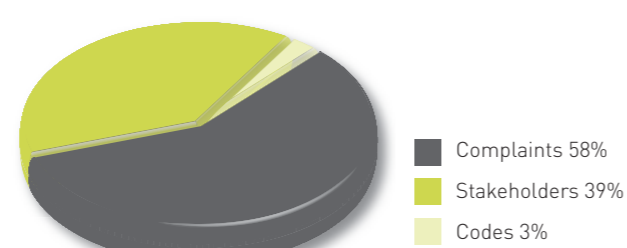
For the year ended 30 June 2007

	2007 Actual \$	2007 Budget \$	2006 Actual \$
Net (deficit) / surplus for the year	(135,995)	(280,435)	77,007
Public Equity as at 1 July 2006	550,583	533,115	473,576
<b>PUBLIC EQUITY AS AT 30 JUNE 2007</b>	<b>414,588</b>	<b>252,680</b>	<b>550,583</b>

Income 2006-2007



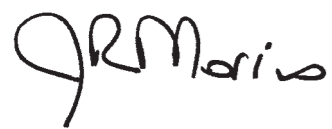
Expenditure by Output 2006-2007



# STATEMENT OF FINANCIAL POSITION

As at 30 June 2007

	NOTES	2007 Actual \$	2007 Budget \$	2006 Actual \$
CURRENT ASSETS				
Cash, Bank & Term Deposits	4	607,450	239,859	583,844
Accounts Receivable & Accruals		12,126	13,650	25,477
Prepayments		11,653	-	1,415
GST Receivable		23,051	6,300	15,149
		<b>654,280</b>	<b>259,809</b>	<b>625,885</b>
LESS CURRENT LIABILITIES				
Accounts Payable & Accruals		316,772	79,800	184,686
Employee Entitlements		21,937	31,500	35,437
WORKING CAPITAL		315,571	148,509	405,762
FIXED ASSETS	6	99,017	104,171	144,821
NET ASSETS		414,588	252,680	550,583
<b>Represented by PUBLIC EQUITY</b>		<b>414,588</b>	<b>252,680</b>	<b>550,583</b>



Joanne Morris  
**Chair**  
Wellington  
31 October 2007



Diane Musgrave  
**Member**  
Wellington  
31 October 2007

The statement of accounting policies and the notes form an integral part of and should be read in conjunction with these financial statements.

# STATEMENT OF CASH FLOWS

For the year ended 30 June 2007

	NOTES	2007 Actual \$	2007 Budget \$	2006 Actual \$
CASH FLOWS FROM OPERATING ACTIVITIES				
<b>Cash was provided from:</b>				
Crown Revenue, Broadcasting Levy & Other Income		1,293,892	1,313,599	1,255,543
Interest Received		80,448	25,000	54,566
Net GST Received		-	-	9,035
<b>Cash was disbursed to:</b>				
Payments to Employees & Members		(699,392)	(717,850)	(659,164)
Payments to Suppliers & Other Operating Expenses		(638,516)	(833,077)	(533,673)
Net GST Paid		(7,902)	(300)	-
<b>Net Cash Flow From Operating Activities</b>	<b>7</b>	<b>28,530</b>	<b>(212,628)</b>	<b>126,307</b>
CASH FLOWS FROM INVESTING ACTIVITIES				
<b>Cash was disbursed to:</b>				
Purchase of Fixed Assets		(4,924)	(25,000)	(35,720)
<b>Net Cash Flows From Investing Activities</b>		<b>(4,924)</b>	<b>(25,000)</b>	<b>(35,720)</b>
NET INCREASE IN CASH HELD		23,606	(237,628)	90,587
PLUS Opening Cash Brought Forward		583,844	477,487	493,257
<b>ENDING CASH CARRIED FORWARD</b>	<b>4</b>	<b>607,450</b>	<b>239,859</b>	<b>583,844</b>

The statement of accounting policies and the notes form an integral part of and should be read in conjunction with these financial statements.

# STATEMENT OF COMMITMENTS

As at 30 June 2007

## Leased Premises

The BSA now has a lease from the A & AM Muollo Family Trust Partnership for the rental of the premises comprising part of the second floor, 54-56 Cambridge Terrace, Wellington from 1 July 2005 until 30 June 2008.

The BSA has a right of renewal for a further term of three years from 1 July 2008 to 30 June 2011 inclusive.

	2007 \$	2006 \$
One year or less	47,056	47,056
Years two and three	-	47,056
<b>Total Rent Expenditure Committed</b>	<b>47,056</b>	<b>94,112</b>

# STATEMENT OF CONTINGENT LIABILITY

As at 30 June 2007

As at 30 June 2007, the BSA had one High Court appeal lodged against the BSA's decisions. One appeal has been lodged subsequently. (As at 30 June 2006 there were no contingent liabilities.)

# NOTES TO THE FINANCIAL STATEMENTS

For the year ended 30 June 2007

	2007 Actual \$	2006 Actual \$
<b>1 PERSONNEL EXPENSES</b>		
Staff Remuneration	533,416	523,917
	<b>533,416</b>	<b>523,917</b>

The Chief Executive's annual remuneration band is \$120,000 - \$130,000 (2006: \$130,000 - 140,000). (There was a change in Chief Executive during the financial year. The previous Chief Executive's annual remuneration band was \$130,000 to \$140,000. Both Chief Executives were paid as part of these annual values in relation to the time employed during the year.) No other employees' remuneration exceeded \$100,000 (2006: Nil). One employee who ceased employment with the Broadcasting Standards Authority was paid cessation benefits of \$37,100 (2006: Nil).

## 2 MEMBERS' FEES

J Morris	56,589	55,516
T Misa	31,590	25,205
D Musgrave	31,168	26,401
P France	33,129	26,855
	<b>152,476</b>	<b>133,977</b>

## 3 OTHER OPERATING EXPENSES

Audit of Financial Statements	15,389	14,159
Complaints	106,233	64,941
Communications & Information	110,712	97,874
Research	243,196	112,213
Travel, Accommodation & Training	149,859	82,149
Rent	47,056	47,056
Office Expenses	98,157	114,878
	<b>770,602</b>	<b>533,270</b>

## 4 CASH, BANK & TERM DEPOSITS

Cash on hand:		
Petty Cash	100	100
Banks:		
- Current Account	16,162	16,418
- Cash Management and Term Deposit Accounts	591,188	567,326
	<b>607,450</b>	<b>583,844</b>

The BSA has an unsecured overdraft facility of \$5,000 (2006: \$5,000). The current interest rate on the bank overdraft is 16.55% p.a. (2006: 15.70%). This is a floating rate set quarterly by the bank. The BSA has a Mastercard facility with Westpac Bank of \$30,000 (2006: \$15,000). The average interest rate for term deposits at year end was 6.84% per annum (2006: 6.96%).



## NOTES TO THE FINANCIAL STATEMENTS CONTINUED

For the year ended 30 June 2007

	2007 Actual \$	2006 Actual \$
<b>5 DEPRECIATION</b>		
<b>Asset Class</b>		
Computer Equipment	14,672	24,265
Furniture & Fittings	5,993	7,347
Leashold Improvements	17,145	18,483
Photocopier	9,322	7,755
Office Equipment	3,596	3,450
Art Works	-	1,744
<b>TOTAL DEPRECIATION</b>	<b>50,728</b>	<b>63,044</b>

## 6 FIXED ASSETS

		2007	2006
Artworks	At cost	8,432	8,432
	Accumulated depreciation	[8,432]	[8,432]
	Net current value	0	0
Computer Equipment	At cost	127,143	124,770
	Accumulated depreciation	[119,004]	[104,333]
	Net current value	8,139	20,437
Furniture & Fittings	At cost	81,408	78,857
	Accumulated depreciation	[56,279]	[50,286]
	Net current value	25,129	28,571
Leasehold Improvements	At cost	149,937	149,937
	Accumulated depreciation	[103,253]	[86,107]
	Net current value	46,684	63,830
Photocopier	At cost	47,720	47,720
	Accumulated depreciation	[36,802]	[27,480]
	Net current value	10,918	20,240
Office Equipment	At cost	37,758	37,758
	Accumulated depreciation	[29,611]	[26,015]
	Net current value	8,147	11,743
<b>TOTAL FIXED ASSETS</b>	At cost	452,398	447,474
	Accumulated depreciation	[353,381]	[302,653]
	Net current value	99,017	144,821

## NOTES TO THE FINANCIAL STATEMENTS CONTINUED

For the year ended 30 June 2007

## 7 RECONCILIATION OF THE NET OPERATING SURPLUS / (DEFICIT) WITH NET CASH FLOWS FROM OPERATING ACTIVITIES FOR THE YEAR

	2007 Actual \$	2006 Actual \$
Reported (Deficit) / Surplus For The Year	(135,995)	77,007
Add Non-Cash Items:		
Depreciation	50,728	63,044
Add Movements in Other Working Capital Items:		
Decrease / (Increase) in Accounts Receivable and Accruals	13,351	(21,679)
(Decrease) / Increase in Accounts Payable	132,086	[403]
(Decrease) / Increase in Employee Entitlements	[13,500]	[1,270]
Decrease / (Increase) in Net GST Receivable	[7,902]	9,035
Decrease / (Increase) in Prepayments	[10,238]	573
Net Cash Flow From Operating Activities	28,530	126,307

## 8 FINANCIAL INSTRUMENTS

The BSA is party to financial instrument arrangements as part of its everyday operations. These financial instruments include instruments such as bank balances, investments and accounts receivable.

### Credit Risk

In the normal course of its business, the BSA incurs credit risk from accounts receivable, and transactions with financial institutions.

The BSA does not require any collateral or security to support financial instruments with financial institutions that the BSA deals with, as these entities have high credit ratings. For its other financial instruments the BSA does not have significant concentrations of credit risk.

### Fair Value

The fair value of financial instruments is equivalent to the carrying amount disclosed in the Statement of Financial Position.

### Foreign Currency and Interest Rate Risk

The BSA does not have any significant exposure to foreign currency and interest rate risk.

## 9 RELATED PARTY INFORMATION

The BSA is a wholly owned entity of the Crown. The Government provides a major source of revenue via the Ministry for Culture and Heritage. The provision of these funds is on an arm's length basis and is not considered to be a related party transaction. There were no other related party transactions.

## COMPLAINTS RECEIVED AND DECISIONS ISSUED:

JULY 1990 – JUNE 2007

	Complaints Received	Decisions Issued
July 2006 - June 2007	131	125
July 2005 - June 2006	153	156
July 2004 - June 2005	184	214
July 2003 - June 2004	196	203
July 2002 - June 2003	171	190
July 2001 - June 2002	186	268
July 2000 - June 2001	197	203
July 1999 - June 2000	206	255
July 1998 - June 1999	204	184
July 1997 - June 1998	174	177
July 1996 - June 1997	206	199
July 1995 - June 1996	179	171
July 1994 - June 1995	162	144
July 1993 - June 1994	168	151
July 1992 - June 1993	159	144
July 1991 - June 1992	106	76
July 1990 - June 1991	52	45

## DECISIONS BY MAIN STANDARD

Figures in brackets are previous year's

	Balance/ Fairness/ Accuracy	Good Taste & Decency	Children's Interests	Privacy	Denigration/ Discrimination	Violence	Other
Not upheld	45 <sup>1</sup> (37)	22 <sup>2</sup> (67)	3 (11)	9 (6)	12 (7)	- (1)	7 <sup>3</sup> (8)
Upheld	14 (11)	1 (3)	2 (1)	6 (1)	- (-)	2 (-)	2 (3)
Total	59 (48)	23 (70)	5 (12)	15 (7)	12 (7)	2 (1)	9 <sup>4</sup> (11)

<sup>1</sup> Includes 1 declined to determine

<sup>2</sup> Includes 1 declined to determine

<sup>3</sup> Includes 1 declined to determine

<sup>4</sup> Made up of 2 programme information, 1 programme classification, 3 law and order, 1 action taken, 1 no jurisdiction, 1 social responsibility

## DECISIONS BY BROADCASTER

Figures in brackets are previous year's

	Decisions	Declined to determine/ Interlocutory	Not upheld	Upheld	Orders
TVNZ	59 (62)	2 (6)	43 (44)	14 (12)	7 (5)
CanWest TVWorks	29 (61)	- (2)	22 (56)	7 (3)	3 (1)
SKY TV	- (1)	- (-)	- (1)	- (-)	- (-)
Telstra Clear	- (-)	- (-)	- (-)	- (-)	- (-)
Māori Television	1 (2)	- (-)	1 (2)	- (-)	- (-)
Prime TV	1 (3)	- (-)	1 (1)	- (2)	- (1)
Other TV	1 (-)	- (-)	1 (-)	- (-)	- (-)
CanWest RadioWorks	13 (6)	1 (-)	8 (5)	4 (1)	2 (1)
Radio NZ	10 (11)	- (1)	9 (10)	1 (-)	1 (-)
The Radio Network	5 (7)	- (1)	4 (6)	1 (-)	- (-)
Other Radio	6 (3)	1 (-)	5 (2)	- (1)	- (-)
TOTAL	125 (156)	4 (10)	94 (127)	27 (19)	13 (8)

## DECISIONS BY TELEVISION NETWORK AND GENRE 2006/07

Figures in brackets represent number of complaints upheld

	Total	News	Current Affairs	Drama	Documentary	Promos	Other
TVNZ	59 (14)	22 (6)	15 (6)	7 (-)		3 (-)	12 (2)
TVWorks	29 (7)	16 (4)	7 (3)	2 (-)			4 (-)
Māori	1 (-)						1 (-)
Prime	1 (-)						1 (-)
Other	1 (-)		1 (-)				
	<b>91 (21)</b>	<b>38 (10)</b>	<b>23 (9)</b>	<b>9 (-)</b>	<b>0 (-)</b>	<b>3 (-)</b>	<b>18 (2)</b>

## DECISIONS BY RADIO STATION AND GENRE 2006/07

Figures in brackets represent number of complaints upheld

	Total	News	Current Affairs / Talk	Music	Other
National Radio	10 (1)	1 (-)	7 (1)		2 (-)
Newstalk ZB	4 (-)	1 (-)	3 (-)		
Radio Pacific	3 (1)		2 (1)		1 (-)
Radio Live	7 (1)		7 (1)		
Other	10 (3)	2 (-)	4 (1)	1 (-)	3 (2)
	<b>34 (6)</b>	<b>4 (-)</b>	<b>23 (4)</b>	<b>1 (-)</b>	<b>6 (2)</b>



## Upheld with order (by standard)

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding	Order
2006-021	Viking Homewares	TVNZ	One News	Item on non-stick cookware inaccurate and unfair	Accuracy, fairness	Upheld (accuracy)	Statement, legal costs \$927.50, costs to the Crown \$2500
2007-009	Eyeworks Touchdown	CanWest TVWorks	Campbell Live	Allegations about production company leaving rubbish on Fijian island where they filmed allegedly unbalanced, inaccurate and unfair	Balance, accuracy, fairness	Upheld (accuracy, fairness)	Statement
2005-083	Benson-Pope	Radio NZ	Nine to Noon	Interview with unidentified man who accused Mr Benson-Pope of bullying during time as a teacher unfair and unbalanced	Balance, fairness, accuracy	Upheld (fairness)	Statement, legal costs \$5000, costs to the Crown \$2000
2007-010	Agnew	TVNZ	Close Up	Interview with children of alleged overstayers allegedly unfair to the children involved	Fairness	Upheld	Statement, costs to the Crown of \$1500
2007-004	Vandenberg	CanWest RadioWorks	The Rock	Item where fireworks were fired at another person allegedly socially irresponsible	Law and order, social responsibility	Upheld (social responsibility)	Statement
2006-112	EF	CanWest RadioWorks	The Edge	DJs disclosing private medical details about a named person allegedly breach of privacy	Privacy	Upheld	Costs to the Crown \$5000, compensation \$5000, costs to complainant \$2067
2007-023	NM	TVNZ	The Last Laugh	Filming in complainant's bedroom breached her privacy	Privacy	Upheld	Compensation \$500
2006-014	XY	CanWest TVWorks	Stake Out	Hidden camera footage of photographer breached privacy	Privacy	Upheld	Statement, legal costs \$393.75, compensation \$3000, costs to the crown \$3000
2006-090	JB	TVNZ	Sunday	Item on fathers and the family court unbalanced and breach of privacy of daughter shown in item	Privacy, balance, accuracy, children's interests	Upheld (privacy, children's interests)	Statement, payment to NB \$500, costs to complainant \$3,000, costs to Crown \$2,500
2006-087	KW	TVNZ	Close Up	Unfair and inaccurate to suggest that premises identified in item were a brothel. Also hidden camera footage amounted to a breach of privacy	Privacy, balance, accuracy, fairness	Upheld (privacy, accuracy, fairness)	Statement, legal costs \$1152.50, compensation \$1500 and \$1000, costs to the Crown \$3000
2006-020	Dunning	TVNZ	One News	Item on court proceedings in Lower Hutt allegedly breach of privacy, unbalanced, inaccurate and unfair	Privacy, balance, fairness, accuracy	Upheld (accuracy, fairness)	Statement
2006-105	Kiro	CanWest TVWorks	Campbell Live	Item on bill revealing smacking which included interview with boy smacked by his mother unbalanced, unfair, inaccurate, breached the boy's privacy and breached children's interests standard	Privacy, balance, fairness, accuracy, children's interests	Upheld (fairness)	Statement, costs to the Crown of \$1500
2007-016	Russek	TVNZ	Close Up	Reporter came on to complainant's farm and filmed and recorded him without his knowledge - allegedly unfair and a breach of privacy	Privacy, fairness	Upheld (privacy)	Compensation \$1000, costs to the Crown \$1500, legal costs \$574.65

## Upheld, no order (by standard)

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding	Order
2006-063	Dewar	CanWest TVWorks	3 News	Item on Chernobyl made allegedly inaccurate statement about death toll	Accuracy	Upheld	No order
2006-115	Arthur	TVNZ	One News	Report on David Arthur's convictions inaccurate and unfair	Accuracy, fairness	Upheld	No order
2006-030	Mental Health Commission	CanWest RadioWorks	Radio Live	Host's criticisms of Mental Health Commission inaccurate, unfair, and denigratory of mental health consumers	Accuracy, fairness, social responsibility (denigration)	Upheld (accuracy, fairness)	No order
2006-086	Māori Television	CanWest RadioWorks	Radio Pacific	Presenter's comments about Māori TV's complaints to the BSA inaccurate	Accuracy, social responsibility (denigration)	Upheld (accuracy)	No order
2006-083	COLFO	TVNZ	Sunday	Item on firearms licensing unbalanced, inaccurate and unfair	Balance, fairness, accuracy	Upheld (balance)	No order
2006-073	Cooper	TVNZ	One News	Item on marketing of Goji juice product allegedly unbalanced, inaccurate and unfair	Balance, fairness, accuracy	Upheld (fairness)	No order
2006-058	CYFS	TVNZ	Sunday	Sunday item on CYFS actions in removing children from foster parents allegedly inaccurate, unbalanced and unfair to CYFS	Balance, fairness, accuracy	Upheld	No order
2006-076	Ministry of Social Development	TVNZ	One News	Item questioning whether Helpline was too expensive allegedly unbalanced, unfair and inaccurate	Balance, fairness, accuracy	Upheld (balance)	No order
2006-122	Taylor	TRN	John Morrison	Clip of woman apparently having intercourse with a bull a breach of good taste and decency	Good taste and decency	Upheld	No order
2006-062	Nevell	CanWest TVWorks	3 News	News item about 'snuff' movie allegedly in breach of good taste and decency, children's interests and violence	Good taste and decency, children's interests, violence	Upheld (violence, children's interests)	No order
2006-062	Simmers	CanWest TVWorks	3 News	News item about 'snuff' movies allegedly in breach of good taste and decency, children's interests, violence	Good taste and decency, children's interests, violence	Upheld (violence, children's interests)	No order
2006-125	Baldwin	TVNZ	One News	News item on DVD made by Australian school students showing them bullying disabled girl a breach of good taste and decency, violent and inappropriate for children	Good taste and decency, law and order, children's interests, violence	Upheld (children's interests, violence)	No order
2006-062	Boyce	CanWest TVWorks	3 News	News item about 'snuff' movie allegedly in breach of good taste and decency, law and order, fairness and violence	Good taste and decency, law and order, fairness, violence	Upheld (violence)	No order
2006-055	Owen	TVNZ	Frontseat	Clip from film Clockwork Orange shown on G-rated arts programme - allegedly breach of programme classification and children's interests	Programme classification, children's interests	Upheld	No order

## Not upheld (by standard)

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding
2006-007	Chand	Apna 990AM	News	Inaccuracies in the news	Accuracy	Not upheld
2006-007	Chand	Apna 990AM	News	Inaccuracies in the sports news	Accuracy	Not upheld
2006-081	Burt	Radio NZ	News	Item on reemployment rate from closing Nelson laboratory allegedly inaccurate	Accuracy	Not upheld
2006-126	ACC	TVNZ	<i>Dragons' Den</i>	Statement made by participant in show about ACC inaccurate	Accuracy	Not upheld
2007-007	Broatch	TVNZ	<i>One News</i>	Item reporting number of Iraqi casualties as a result of US-led invasion allegedly inaccurate	Accuracy	Not upheld
2007-033	McDonald	TVNZ	<i>One News</i>	Reference to volcanic eruption allegedly misleading and inaccurate	Accuracy	Not upheld
2007-040	Dodd	TVNZ	<i>One News</i>	Use of word 'next' in promos allegedly inaccurate	Accuracy	Not upheld
2007-011	Greally	TVNZ	BSA-ordered statement	Statement ordered by Authority allegedly inaccurate and unfair to complainant	Accuracy, fairness	Not upheld
2006-064	Li	CanWest TVWorks	<i>3 News</i>	Item on organ transplants in China allegedly critical of China and Chinese people as a whole	Accuracy, fairness, programme information	Not upheld
2006-102	Beiersdorf	CanWest TVWorks	<i>Target</i>	Item on sunscreens failed to properly explain sunscreens' compliance with sun protection guidelines	Accuracy, fairness, programme information	Not upheld
2007-022	Wood	TVNZ	<i>One News</i>	Item reporting on 2006 rugby league season allegedly unfair	Accuracy, fairness, violence	Not upheld
2006-074	Dowler	CanWest TVWorks	<i>Campbell Live</i>	Item presented as being live when it was actually pre-recorded	Accuracy, programme information	Not upheld
2006-077	Thorpe	CanWest TVWorks	<i>3 News</i>	Graphics in 3 News item regarding 9/11 crash into the Pentagon allegedly inaccurate and using subliminal perception	Accuracy, programme information	Not upheld
2006-085	Māori Television	CanWest RadioWorks	Radio Pacific	Presenter's comments about Māori TV allegedly denigratory	Accuracy, social responsibility (denigration)	Not upheld
2006-124	Henry	TVNZ	<i>Te Karere</i>	Complainant dissatisfied with action taken by TVNZ after it upheld as inaccurate a report involving the Ngaikahu ki Whangaroa Trust Board	Action taken	Not upheld
2007-003	Young	CanWest TVWorks	<i>3 News</i>	Item reporting new research about male circumcision unbalanced	Balance	Not upheld
2006-060	Bunkley	Radio NZ	<i>Morning Report</i>	Item on tax cuts in Australia and consequent possibility of increased migration from NZ allegedly unbalanced	Balance	Not upheld
2006-123	Robinson	Radio NZ	<i>Sunday Morning</i>	Discussion on services available to victims of sexual abuse unbalanced	Balance	Not upheld
2007-024	Young	Radio NZ	<i>Nine to Noon</i>	Allegedly unbalanced discussion of issue of circumcision	Balance	Not upheld

## Not upheld (by standard) continued

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding
2007-019	Lubbock	TVNZ	<i>One News</i>	News item reporting on speech by opposition leader allegedly unbalanced	Balance	Not upheld
2007-037	Nicholson	TVNZ	<i>The Go Show</i>	Comment that apes were relatives of humans allegedly unbalanced because it did not refer to Creation as an alternative perspective	Balance	Not upheld
2006-007	Chand	Apna 990AM	Talkback	Talkback discussion allegedly unbalanced in its discussion of racial issues	Balance	Not upheld
2006-050	Gelfer	TVNZ	<i>Sunday</i>	<i>Sunday</i> item on CYFS actions in removing children from foster parent unbalanced in its discussion of the issue of smacking children	Balance	Not upheld
2006-079	Wood	CanWest TVWorks	<i>3 News</i> (13 June)	Item on Israeli shelling of Palestine allegedly contained doctored footage	Accuracy	Not upheld
2006-079	Wood	CanWest TVWorks	<i>3 News</i> (14 June)	Item on Israeli shelling of Palestine allegedly contained doctored footage	Balance	Not upheld
2006-117	Jensen	Radio NZ	<i>Morning Report</i>	Item about Distribution Union workers' strike unbalanced, unfair and inaccurate	Balance, accuracy	Not upheld
2006-101	Kelly	TVNZ	<i>One News</i>	Intro to news item allegedly stated as fact that MP's 90 day probationary employment period bill would increase jobs – allegedly inaccurate	Balance, accuracy	Not upheld
2006-121	Boyce	TVNZ	<i>Sunday</i>	Item about accused spy Bill Sutch was inaccurate, unbalanced and unfair	Balance, accuracy, fairness	Not upheld
2006-049	Shandil	Apna 990AM	Talkback	Reference to complainant being 'terminated' from his position at the radio station unbalanced, unfair and breach of privacy	Balance, accuracy, privacy	Not upheld
2006-097	Harvey	CanWest TVWorks	<i>60 Minutes</i>	Item on filicide unbalanced and unfair to men	Balance, fairness	Not upheld
2006-023	Benson-Pope	TVNZ	<i>One News</i>	News item on new allegations against Cabinet Minister allegedly unbalanced and unfair to Minister	Balance, fairness	Not upheld
2006-100	CTFA	CanWest TVWorks	<i>Target</i>	Item on sunscreens failed to properly explain sunscreens' compliance with sun protection guidelines	Balance, fairness, accuracy	Not upheld
2006-096	Dodd	TVNZ	<i>One News</i>	News item on Winston Peters meeting with Senator McCain unfair and unbalanced	Balance, fairness, accuracy	Not upheld
2007-020	Headley	TVNZ	<i>Close Up</i> (5 December)	Item on kidnapping of Jayden Headley unbalanced, inaccurate and unfair	Balance, fairness, accuracy	Not upheld
2007-021	Headley	TVNZ	<i>Close Up</i> (20 December)	Item on kidnapping of Jayden Headley unbalanced, inaccurate and unfair	Balance, fairness, accuracy	Not upheld

## Not upheld (by standard) continued

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding
2007-025	Johnston	TVNZ	Sunday	Item on trademark dispute between designers allegedly inaccurate and unfair	Balance, fairness, accuracy	Not upheld
2006-131	NZ Aids Foundation	CanWest RadioWorks	Radio Live (11 October)	Comments made on Radio Live denigratory of gay people	Balance, fairness, social responsibility (denigration)	Not upheld
2007-025	Johnston	TVNZ	Sunday	Item on trademark dispute between designers allegedly inaccurate and unfair	Balance, fairness, accuracy	Not upheld
2006-131	NZ Aids Foundation	CanWest RadioWorks	Radio Live (12 October)	Comments made on Radio Live denigratory of gay people	Balance, fairness, social responsibility (denigration)	Not upheld
2006-113	Butler	TVNZ	Spongebob Squarepants	Reference to 'panty raiding' inappropriate	Children's interests	Not upheld
2006-129	Grant	TVNZ	Sunday	Item on controversial issue of <i>Pavement</i> magazine broadcast early on Sunday morning contained sexualised images	Children's interests	Not upheld
2006-059	Hide	TVNZ	Agenda	Reporter allegedly told complainant he had an affidavit about him that did not in fact exist	Fairness	Not upheld
2006-088	Stringer	CanWest RadioWorks	Radio Live	Comments made by host on talkback allegedly unfair	Fairness	Not upheld
2006-075	van Son	Prime TV	<i>The Crowd Goes Wild</i>	Sports show host made derogatory comments about Dutch people; allegedly denigratory	Fairness (denigration)	Not upheld
2006-069	Davies	TVNZ	<i>Top of the Class</i>	Reference to recorders being 'gay' allegedly denigratory of homosexuals	Fairness (denigration)	Not upheld
2006-109	Forbes-Dawson	CanWest TVWorks	3 News	Item on Boobs on Bikes parade indecent	Good taste and decency	Not upheld
2006-109	Popping	CanWest TVWorks	3 News	Item on Boobs on Bikes parade indecent	Good taste and decency	Not upheld
2006-109	Wimalasena	CanWest TVWorks	3 News	Item on Boobs on Bikes parade indecent	Good taste and decency	Not upheld
2007-005	Deerness	CanWest TVWorks	<i>Outrageous Fortune</i>	Sex scene in drama allegedly in breach of good taste and decency	Good taste and decency	Not upheld
2007-035	Braddon-Parsons	Radio NZ	<i>Nine to Noon</i>	Interviewee's use of 'Jesus' and 'for Christ's sake' allegedly in breach of good taste and decency	Good taste and decency	Not upheld
2007-039	Patmore	Radio NZ	<i>This Way Up</i>	Host's laughter during discussion of story about pub in Sicily that had been targeted by arsonist allegedly offensive	Good taste and decency	Not upheld
2006-052	Maybury	TVNZ	<i>One News</i>	Comment about searcher taking body bag to look for missing man breach of good taste and decency	Good taste and decency	Not upheld
2006-057	Harvey	TVNZ	<i>Orange Roughies</i> promo	Promo for <i>Orange Roughies</i> used phrase 'for Christ's sake' – allegedly breach of good taste and decency	Good taste and decency	Not upheld

## Not upheld (by standard) continued

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding
2006-057	Parkinson	TVNZ	<i>Orange Roughies</i> promo	Promo for <i>Orange Roughies</i> used phrase 'for Christ's sake' – allegedly breach of good taste and decency	Good taste and decency	Not upheld
2006-067	Taylor	TVNZ	<i>Bodies</i>	Explicit shot of woman's genitals during birth scenes allegedly offensive	Good taste and decency	Not upheld
2006-103	McKenty	TVNZ	<i>Ghost Squad</i>	Portrayal of person being urinated on after being assaulted breach of good taste and decency	Good taste and decency	Not upheld
2007-031	Smith	TVNZ	<i>Rude Awakenings</i>	Sex scene allegedly in breach of good taste and decency	Good taste and decency	Not upheld
2007-038	le Cren	TVNZ	<i>The Unauthorised History of New Zealand</i>	Skit involving doctor examining female patient and becoming aroused allegedly in breach of good taste and decency	Good taste and decency	Not upheld
2007-008	Parsons	TVNZ	<i>One News</i>	Item on Michael Jackson's comeback concert allegedly unfair to Michael Jackson	Good taste and decency, balance, accuracy, fairness	Not upheld
2006-130	Golden	Radio NZ	<i>Nine to Noon</i>	Item on taxi drivers allegedly unbalanced, inaccurate and unfair	Good taste and decency, balance, fairness, accuracy	Not upheld
2006-035	Advantage Advocacy	TVNZ	<i>Fair Go</i>	Item querying complainant's actions as advocate unfair, inaccurate, and unbalanced	Good taste and decency, balance, fairness, accuracy	Not upheld
2006-035	Nottingham	TVNZ	<i>Fair Go</i>	Item querying complainant's actions as advocate unfair, inaccurate, and unbalanced	Good taste and decency, balance, fairness, accuracy	Not upheld
2007-006	Imlach	TRN	Newstalk ZB	Treatment of talkback caller allegedly unfair	Good taste and decency, balance, fairness, social responsibility (denigration)	Not upheld
2007-001	Fabian	CanWest TVWorks	<i>3 News Special: Let Us Spray</i>	Item on chemical plant showed photos of babies born with deformities	Good taste and decency, children's interests	Not upheld
2006-098	Harang	TVNZ	<i>One News</i>	Nudity in 'Boobs on Bikes' parade in Auckland in breach of good taste and decency	Good taste and decency, children's interests	Not upheld
2006-071	Denham	CanWest TVWorks	C4	Music video showing dog in drier allegedly offensive	Good taste and decency, children's interests, violence	Not upheld
2006-092	Riwai-Couch	TVNZ	<i>Big Love</i>	Sexual material inappropriate	Good taste and decency, children's interests, violence	Not upheld
2006-091	Licari	TVNZ	<i>Breakfast</i>	Presenter's reference denigrated French people	Good taste and decency, fairness (denigration)	Not upheld
2006-093	Gautier	TVNZ	<i>Close Up</i>	References to God disrespectful and breach of good taste and decency	Good taste and decency, fairness (denigration)	Not upheld

## Not upheld (by standard) continued

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding
2007-043	Wolf	TVNZ	<i>The Unauthorised History of New Zealand</i>	Allegedly offensive remark about Pakeha settlers and host pretending to urinate on sculpture allegedly offensive and realistic portrayal of anti-social behaviour	Good taste and decency, law and order, balance	Not upheld
2007-027	Osborne	CanWest TVWorks	<i>The Simpsons</i>	Halloween special allegedly excessively violent	Good taste and decency, programme classification, violence	Not upheld
2006-048	McGeechan	CanWest RadioWorks	Solid Gold	Joke about Indian taxi drivers allegedly breach of good taste and decency and denigratory	Good taste and decency, social responsibility (denigration)	Not upheld
2006-118	Anderson	CanWest RadioWorks	Radio Live	Host's references to King of Tonga inappropriate	Good taste and decency, social responsibility (denigration)	Not upheld
2006-114	Hewens	Radio NZ	<i>Nine to Noon</i>	Reference to 'poof' denigrated homosexuals	Good taste and decency, social responsibility (denigration)	Not upheld
2006-066	Savill	TRN	Newstalk ZB	Comments about square dancers allegedly breach of good taste and decency and denigratory	Good taste and decency, social responsibility (denigration)	Not upheld
2007-002	Lay	CanWest TVWorks	<i>3 News</i>	Item on Iraq showed soldiers getting shot by snipers	Good taste and decency, violence	Not upheld
2006-051	Byles	TVNZ	<i>One News</i> promo	Depiction of Ahmed Zaoui breach of law and order	Law and order	Not upheld
2007-026	Orlandini	TVNZ	TVNZ promo	TVNZ station identity logo allegedly encouraged smoking contrary to law and order standard	Law and order	Not upheld
2006-108	Turangi/ Tongariro Community Board	TVNZ	<i>Close Up</i>	Item on Taupo District Council's inaction over swimming pool unbalanced, unfair, inaccurate, and in breach of law and order	Law and order, balance, fairness, accuracy	Not upheld
2006-072	Morgan	TVNZ	<i>One News</i>	Footage of Minister of Finance taken before formal interview commenced allegedly unfair to him	Law and order, privacy, fairness, programme information	Not upheld
2006-054	Benson	Far North Cable TV	Good Vibrations coverage	Coverage of Good Vibrations festival in Far North allegedly unbalanced, inaccurate, unfair to complainants (owners of new brothel at Cooper's Beach), showed disrespect for the law, used deceptive programme practices, encouraged denigration, breach of privacy	Pay TV Code – accuracy, fairness, respect for principles of law, balance, deceptive programme practices, denigration, privacy	Not upheld
2006-078	Penney	CanWest TVWorks	<i>Campbell Live</i>	Item on singles party showed footage of two women taken at unrelated function some years earlier – allegedly breach of privacy	Privacy	Not upheld
2006-078	Sumich	CanWest TVWorks	<i>Campbell Live</i>	Item on singles party showed footage of two women taken at unrelated function some years earlier – allegedly breach of privacy	Privacy	Not upheld

## Not upheld (by standard) continued

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding
2006-119	Ferguson	CanWest TVWorks	<i>3 News</i>	News item showing house where toddler injured breached occupants' privacy	Privacy	Not upheld
2006-120	GH	CanWest TVWorks	<i>3 News</i>	News item showing complainant performing court-ordered community service was breach of privacy	Privacy	Not upheld
2006-094	Baines	TRN	Newstalk ZB	News item disclosing name of complainant's son who had kicked Christchurch mayor breach of privacy	Privacy	Not upheld
2006-115	Arthur	TVNZ	<i>One News</i>	Breach of privacy to refer to complainant's convictions for supplying drugs while a teacher	Privacy	Not upheld
2006-089	An Ying	TVNZ	<i>Close Up</i>	Unfair and inaccurate to suggest company involved in money laundering	Privacy, balance, accuracy, fairness	Not upheld
2006-084	Young	CanWest TVWorks	<i>Target</i>	Hidden camera footage of airline check-in operator breach of privacy, misleading and unfair	Privacy, fairness	Not upheld
2006-061	Walden	TVNZ	<i>Police College</i>	Item showed complainant being removed from stadium by police while intoxicated; allegedly breach of privacy and unfair	Privacy, fairness	Not upheld
2006-106	Soryl	TRN	Newstalk ZB	Unfair to have toddler who kicked Christchurch mayor as one of the nominees for 'Stick of the Week'	Privacy, fairness (denigration)	Not upheld
2006-054	Benson	Doubtless Bay Family Radio	Good Vibrations coverage	Coverage of Good Vibrations Festival in Far North allegedly unbalanced, unfair, inaccurate, breach of privacy and encouraged denigration of brothel owners	Radio Code – balance, fairness, accuracy, privacy, social responsibility (denigration)	Not upheld
2006/056	Māori Television	CanWest RadioWorks	Radio Live (27 April)	Comments by host during talkback allegedly denigratory of Māori and inaccurate	Social responsibility (denigration), accuracy	Not upheld
2006-056	Māori Television	CanWest RadioWorks	Radio Live (3 May)	Comments by host during talkback allegedly denigratory of Māori and inaccurate	Social responsibility (denigration), accuracy	Not upheld



## Other (by standard)

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding
2006-104	Loves	TVNZ	<i>Young Farmer Contest</i>	Reference to 'Queen of England' inaccurate	Accuracy	Decline to determine s11(a)
2007-018	Wood	Radio Active	<i>Wednesday Night Jam</i>	Freestyle rap session contained allegedly offensive lyrics	Good taste and decency	Decline to determine s11(b)
2006-082	Campbell	TVNZ	<i>One News</i>	Item disclosing name of defendant who had name suppression allegedly in breach of law and order	Law and order	Decline to determine s11(b)
2007-034	Edgar	CanWest RadioWorks	Radio Pacific	Jurisdictional question: is it a valid referral under s8(1)(b) if complainant sent formal complaint to wrong radio station if radio station in question is owned by the same parent company?	s8(1)(b) Broadcasting Act 1989	No jurisdiction to consider complaint

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