



BROADCASTING STANDARDS AUTHORITY  
TE MANA WHANONGA KAIPĀHO

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**BROADCASTING STANDARDS AUTHORITY**  
**BSA ANNUAL REPORT 2011**  
**TE MANA WHANONGA KAIPĀHO**  
**TE PŪRONGO Ā-TAU 2011**

## VISION, MISSION AND VALUES

### OUTPUT CLASSES

### IMPACTS

#### Complaints Determination

The public has an effective and efficient complaints process.

Codes of Broadcasting Practice are relevant for broadcasters and the New Zealand public.

Useful and reliable research is undertaken and the results utilised.

#### Information

A range of accessible information is provided.

Broadcasters understand their obligations under the Broadcasting Act and their processes are assisted where necessary.

Fairness and freedom in broadcasting.

### OUTCOME

# CONTENTS

|    |   |
|----|---|
| 2  | MISSION                                       |
| 3  | MEMBERS                                       |
| 4  | CHAIR'S REPORT                                |
| 6  | CHIEF EXECUTIVE'S REPORT                      |
| 11 | LEGAL MANAGER'S REPORT                        |
| 14 | STAFF   |
| 15 | FINANCIAL STATEMENTS                          |
| 16 | STATEMENT OF RESPONSIBILITY                   |
| 17 | INDEPENDENT AUDIT REPORT                      |
| 18 | STATEMENT OF OBJECTIVES & SERVICE PERFORMANCE |
| 22 | STATEMENT OF COMPREHENSIVE INCOME             |
| 22 | STATEMENT OF CHANGES IN EQUITY                |
| 23 | STATEMENT OF FINANCIAL POSITION               |
| 24 | STATEMENT OF CASH FLOWS                       |
| 25 | NOTES TO THE FINANCIAL STATEMENTS             |
| 35 | APPENDIX I: DECISION STATISTICS               |
| 39 | APPENDIX II: DECISION DETAILS                 |

## MISSION NGĀ WHĀINGA

TO PROMOTE FAIRNESS AND FREEDOM IN BROADCASTING THROUGH IMPARTIAL COMPLAINTS DETERMINATION, VALUABLE RESEARCH, EFFECTIVE COMMUNICATION AND PRACTICAL ASSISTANCE.

KI TE HĀPAI TE TIKĀ TE PONO, KIA RANGATIRA AI NGA MAHI PAOHO, MAI I NGA WHAKAHĒ TŌ KEKENGĀ, I NGA RANGAHĀU WHAI WĀRIU, I TE TŌTIKA O NGA WHAKAWHITIWHITINGA KORERO, I NGA ĀWHINATANGA WHAI KIKO HOKI.



## MEMBERS

### PETER RADICH - CHAIR

Peter is a partner in Radich Law and has been a solicitor of the High Court since 1969. He was previously the Chair of the New Zealand Law Practitioners Disciplinary Tribunal until it was disbanded in January 2009. He is also District Solicitor of the Marlborough District Council and serves as Milk Commissioner for the Fonterra Dairy Group, as well as being a member of the Law Practitioners and Conveyancers Disciplinary Tribunal. Peter took up the position of Chair of the BSA in January 2010.

### MARY ANNE SHANAHAN

Mary Anne obtained an LLB from Auckland University in 1980. She subsequently completed a Bachelor of Arts (BA) in 1989 and a Diploma of Business (Finance) in 1995 at Auckland University.

Mary Anne has practised in New Lynn in West Auckland for 28 years and was appointed a Notary Public in 1993. For the past 10 years she has also served on the Auckland Law Society Disciplinary Committee which deals with complaints about legal professional and ethical standards. Mary Anne has been involved in a number of community groups over the years and is currently a trustee of the Odyssey House Trust in Auckland which is concerned with the rehabilitation of drug and alcohol dependants. Mary Anne is married with two school-aged children; her husband is an airline pilot with Ngāti Toa affiliations. Mary Anne joined the BSA in June 2009.

### LEIGH PEARSON

Leigh is a self-employed government relations and communications advisor. She has worked for TVNZ, Radio NZ, and the Ministry of Foreign Affairs and Trade. She is a former Chair of the Parliamentary Press Gallery. Leigh joined the BSA in January 2010.

### TE RAUMAWHITU (TE RAU) KUPENGA

Te Rau has a legal background, having worked previously as a Crown Prosecutor as well as holding senior solicitor positions at the Office of the Māori Trustee and a commercial law firm in Wellington. He has worked as a television presenter and until recently was a regular panellist on a lifestyle television show.

Te Rau is Ngāti Porou and is very involved in iwi and whānau development. He is married to Fiona, and his pride and joy are his children, Te Ataakura and Pakanui. Te Rau joined the BSA in December 2010.

# CHAIR'S REPORT

When we reported a year ago we noted that the statute under which we are required to operate had come into force a long time ago, that many changes in broadcasting had occurred since and that we were keen to see what we do, and how we are required to do it, reviewed. In the last year, a process of re-evaluation of the place of the BSA and its required processes has begun. We welcome this review and the debate about the place of regulation in broadcasting.

The existing New Zealand model has a two-step complaints-based process. The first step is a complaint to the broadcaster. If the person complaining is not satisfied with the broadcaster's response then the next step is for the complaint to come to us. Complainants have to assert that there has been a breach of specified broadcasting standards. Some of these standards are particular requirements of statute. Others are set by the BSA in consultation with broadcasters. This type of structure, the adoption of standards, and a complaints process are often found in other countries.

The future of the BSA and the nature and scope of regulation in broadcasting are not matters for us to decide. We must do the work that is given to us. In doing that work, we see the issues which arise out of broadcasting, we see the issues that some people say call for regulation and we hear some of what is argued for the future. As far as we hear, there is no call for a complete absence of standards or a complete absence of regulation in broadcasting. It seems to be accepted that somebody or some organisation has to set standards and make sure that they are enforced.

Where we see the arguments developing is on the question of whether the broadcasting industry can regulate itself or whether there is a continuing need for an independent body to have some final say. We look forward to seeing these arguments develop and to their resolution. Debates of this kind always take time to resolve. Life in the meantime

**"SOME OF THE COMPLAINTS WE RECEIVE RAISE CHALLENGING MORAL, CULTURAL AND LEGAL ISSUES. THE STRUCTURES UNDER WHICH WE OPERATE PROVIDE FOR COMPLAINTS OF THIS KIND TO BE USED FOR DEBATE ABOUT STANDARDS AND FOR THE SETTING OF STANDARDS. WE WELCOME COMPLAINTS OF THIS KIND AND THE DEBATE THEY GENERATE. IT IS COMPLAINTS OF THIS KIND WHICH DEFINE THE BOUNDARIES BETWEEN THAT WHICH IS ACCEPTABLE AND THAT WHICH IS NOT."**

must go on and it is our responsibility to make sure that we are doing the best we can within the boundaries set by the existing legislation.

In this next year we intend to look searchingly at the work we do and the way we do it to see whether we can make improvements. We will look at the way in which we express our decisions and try to achieve simplicity. We will continue to review the Codes of Broadcasting Practice and, in conjunction with broadcasters, look at the possibility of combining them into a single Code. We will ask ourselves whether, on some occasions, especially when the issues before us are difficult, we should have better argument or a hearing. In some cases when a decision may be of particular importance, we may issue it to the parties as a provisional decision and invite further comment or argument. We expect to make more use of practice notes to help those who may wish to complain and broadcasters who need to respond to complaints. When we undertake research we will do our best to ensure that it is focused and relevant to contemporary issues in broadcasting. We wish to have discussions with broadcasters to see whether more of the minor complaints which come to us may be able to be satisfactorily resolved by broadcasters and complainants. There may be some scope for mediation between complainants and broadcasters.

Some of the complaints we receive raise challenging moral, cultural and legal issues. The structures under which we

operate provide for complaints of this kind to be used for debate about standards and for the setting of standards. We welcome complaints of this kind and the debate they generate. It is complaints of this kind which define the boundaries between that which is acceptable and that which is not.

In this past year we have dealt with 250 complaints. Each of these had already been through the first stage of consideration by the broadcaster. We upheld 69 complaints.

Dominic Sheehan, our CEO, and Christina Sophocleous, our Legal Manager have resigned to follow other interests. The BSA has been capably and diligently served by Dominic and Christina and we wish them well for their futures. Susan Freeman-Greene is about to join us as our new CEO. Patricia Windle who has been with the BSA for several years has been promoted to Legal Manager.

In the course of this year the long and valued term of Tapu Misa's service came to an end and Te Rau Kupenga was appointed in her place. This has been a year of challenging change. We have come to the end of it ready and keen to deal with the challenges and change of the coming year.



Peter Radich, **Chair**

# CHIEF EXECUTIVE'S REPORT

When American broadcaster TV Land came up with a list of the Top 100 TV Quotes and Catchphrases, "Here's Johnny!" (the introduction to Johnny Carson on *The Tonight Show*) topped the list. Other memorable quotes included "D'oh!" (Homer from *The Simpsons*), "Marcia, Marcia, Marcia!" (Jan from *The Brady Bunch*), "The tribe has spoken" (*Survivor*), "The truth is out there" (*The X-Files*), "I know nothing!" (Sgt Schultz from *Hogan's Heroes*), and "Oh, my God! They killed Kenny!" (*South Park*). The list is a testament to the power of television. As the device that sits in our living room, it commands a place of authority: the power to entertain, to inform, to educate, to influence, to elucidate, to connect and, clearly, to fill our heads with memorable catchphrases. Television, of course, has assumed radio's place in our living rooms but both mediums today remain the dominant forms of media we choose to engage with. It is the role of the Broadcasting Standards Authority to oversee the regulation of content in these media. This is my fifth time reporting as Chief Executive and this report will be my final one for the BSA.

## COMPLAINTS

The determination of complaints relating to alleged breaches of broadcasting standards forms our core business. This year we have once again dealt with complaints that involved a variety of issues. Animals regularly feature in our complaints and this year's menagerie included a police dog, pig farming, pig hunting, spiders, crayfish, mistreated horses, horse meat, possums, lions and tigers. There were more fantastical subjects like vampires, wizards, hobbits, Cinderella and – depending on where you stand on the subject – psychics. Real world issues covered included river pollution, teen pregnancy, youth suicide and police corruption. A detailed discussion of complaints determination can be found in the Legal Manager's Report.

## CODE REVIEWS

Our broadcasting standards system is underpinned by four codes of practice – Free-to-Air Television, Pay Television, Radio, and Election Programmes – each of which is reviewed every five years to ensure it remains relevant. This year we were scheduled to begin a review of the Pay Television Code and we undertook initial discussions with SKY TV over the need for, and scope of, the review. The BSA board subsequently decided to pursue a discussion with all broadcasters towards a single, unified Code which would incorporate the existing Codes. The review of the Pay Code has been paused while those discussions are undertaken.

## RESEARCH

Our research goal is to 'provide increased information and understanding to enhance decision making on formal complaints, develop codes and advisory opinions and/or improve understanding of environmental issues relevant to the Authority'. All our research is available to download, free of charge, from our website.

The BSA wishes to sincerely thank all the research companies that undertook work for us this year, broadcasters and advisors for their input into the projects, and especially the members of the public who took time to take part in our studies and to give us their opinions.

### Talkback Radio

In June we published *Matters of Opinion: Expectations and Perceptions of Standards in Talkback Radio*. The report was based on a three-phase research programme that included focus groups and an online survey of 503 talkback listeners.

**"BSA DECISIONS HAVE OFTEN DESCRIBED TALKBACK RADIO AS A "ROBUST" ENVIRONMENT BECAUSE IT TYPICALLY INVOLVES A FREE AND FRANK EXCHANGE OF IDEAS AND THE BSA HAS APPLIED THE CODE IN A WAY THAT RECOGNISES THE REALITIES OF THE TALKBACK ENVIRONMENT AND THE EXPECTATIONS OF THE AUDIENCE."**

Talkback radio is subject to the standards in the Radio Code of Broadcasting Practice, including expectations relating to fairness, accuracy, and not encouraging discrimination and denigration. BSA decisions have often described talkback radio as a "robust" environment because it typically involves a free and frank exchange of ideas and the BSA has applied the Code in a way that recognises the realities of the talkback environment and the expectations of the audience.

This research was commissioned to test this approach. The BSA wanted to see where the line should be drawn in terms of how talkback hosts can treat callers, how talkback hosts can treat the subject of discussions, in encouraging discrimination and denigration, and the requirement for accuracy.

In particular, the BSA wanted to ensure it was getting the balance right between protecting everyone's right to freedom of expression while at the same time maintaining standards expected of broadcasting.

The research also sought information relating to why people listened to talkback and how they engaged with it. A wider group of people was also surveyed to enable comparisons to be made between listeners and non-listeners.

We believe that this report confirms the approach we have been taking to talkback radio in recent years. That is, while listeners expected the boundaries to be pushed in talkback radio they still believed broadcasting standards needed to be maintained.

### Reality Television

Reality shows make up only a small number of the total complaints received by the BSA, but the complaints received tend to relate to fairness and an individual's privacy, issues that affect individuals in a powerful, and personal, way. The BSA has no opinions about the inherent value of reality television. Our job is not to judge programming quality, but to apply the standards in the Codes of Broadcasting Practice to the shows that have been complained about. The report below, conducted with focus groups and interviews with people who had been filmed as part of a reality programme, was completed this year but published just outside the reporting period for this year.

In *The Real Deal: Experiences of and Attitudes towards Reality TV* the BSA was interested in examining a section of these 'slice of life' programmes where people had not agreed, up front, to take part. In these shows people find themselves 'caught up' in the filming.

There is a degree of confusion among members of the public concerning issues of privacy. Some misunderstanding relates

to their rights (i.e. the rights of the public when they are filmed and if that footage is broadcast) and some relates to the rights of the producer or broadcaster of the programme (i.e. their rights to film and broadcast). This is especially true when filming takes place in a public place and, there was even confusion over what constitutes a 'public place'. This confusion colours the public's perceptions about what is 'appropriate' or 'fair'.

Viewers recognise that filming by hidden camera carries an extra degree of risk to the subjects. Viewers are equally able to weigh the public interest in broadcasting hidden camera footage. There were mixed views on whether pixellisation should be used to disguise the identities of those filmed; some felt it was a good thing, some felt it was unnecessary, especially if someone was 'guilty'. The BSA's position on pixellisation is well set out in its decisions and this report would not alter this.

As with viewers, there was a degree of confusion and lack of knowledge amongst participants about their rights to privacy. This primarily relates to the rights around filming (both overtly and covertly) and whether the footage could be broadcast without their consent.

It is preferable if participants are aware of the probability or even possibility of being on television. Clear efforts are made to ensure no participants are 'surprised' by the broadcast and the BSA encourages these efforts to be as exhaustive as possible.

The report makes several recommendations. Some of these relate to matters within the control of production companies and broadcasters. For the BSA the key recommendation is that the public would be well served by clear, accessible information about the issues raised by this report, particularly around rights to privacy, filming and broadcast.

### Complainants' Survey

We regularly survey our complainants to ensure our services meet their expectations. This year we surveyed complainants who referred a complaint to us between July 2010 and February 2011 and prepared to survey those from February to July 2011. We also decided that such surveys should be ongoing, and moving forward we will survey complainants on a rolling, ongoing basis (that is, each quarter we will survey complainants from the previous quarter).

### Other Research

We had intended to undertake an analysis of issues relating to freedom of expression in New Zealand this year. However, the board reviewed our research objectives in the light of the current economic climate and decided not to proceed with this project.

## INFORMATION

Our key projects for this year were to improve knowledge around classifications and warnings, the broadcasting standards themselves and our website as a source of information. We made the decision to roll all these projects into one and through research determined that our primary target should be people with school-aged children. We launched the project after the current reporting period. It involved an online quiz designed to raise awareness and improve knowledge of standards and was promoted through various sources, including school newsletters.

Last year we worked on upgrading our website and launched the redesigned site in early 2011. We also reviewed our 0800 service and determined that no changes were necessary at this time.

We continue to communicate with stakeholders and interested parties through our electronic newsletter, the *BSA Bulletin*, and have, of course, also continued with all our usual methods of providing information and advice. This includes visits to broadcasters both large and small, educational institutions and community groups.

## GENERAL MANAGEMENT

Once again we have experienced a rise in complaints numbers. This is the fourth consecutive year where complaints numbers have increased and, as a small organisation, any increase in numbers places stress on our ability to process complaints in a timely manner. We have, however, met all our targets for the processing and release of complaints and maintained our healthy financial position. The BSA staff has had to work hard in order to achieve these results. The BSA has been very fortunate to be able to utilise the talents, experience and intellect of a group of such talented people.

## Good Employer

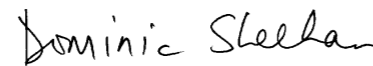
The BSA is committed to being a good employer. We are dedicated to maintaining a working environment that demonstrates our continuing commitment to the principles of equal employment opportunities (EEO).

## ORGANISATIONAL OBJECTIVES AND ONGOING MEASURES TOWARDS ACHIEVING SUCCESS

Each year we set ourselves goals to enhance our capability and to provide us with ongoing targets to meet. While these do not form part of our Statement of Service Performance, we report against them in the Annual Report. Actual progress against these goals can be found in the tables following this report.

## CONCLUSION

The BSA exists to serve the public and to support broadcasters in fulfilling their obligations under the Broadcasting Act and the Codes of Broadcasting Practice. As in past years, the BSA acknowledges all those who made a complaint and all the broadcasters whose work we oversee. Thank you also to all those who have given advice, services or support to the BSA in the past twelve months.



Dominic Sheehan, **Chief Executive\***

| HRC Good Employer Element                   | BSA Policy and Procedure  | Possible Issues  | Actions (if any)                                 |
|---|---|--|--|
| Leadership, accountability and culture      | Staff are involved in decision making relevant to their areas. Staff encouraged to devise and manage own solutions. | None.  | Feedback is given to staff via regular meetings. |
| Recruitment, selection and induction        | All permanent staff vacancies are advertised. Focus is on the best range of skills for each position.               | Retention of staff and diversity in small specialised organisations can be an issue. | Two senior vacancies advertised and filled.      |
| Employment, development, promotion and exit | Annual appraisal reviews and professional development undertaken.   | None.  | None.  |
| Flexibility and work design                 | Flexible work practices encouraged – focus is on work/life balance.   | None.  | None.  |
| Remuneration, recognition and conditions    | Equitable gender-neutral remuneration.  | None.  | None.  |
| Harassment and bullying prevention          | Zero tolerance policy.  | None.  | None.  |
| Safe and healthy environment                | Proactive health and safety approach – staff.   | None.  | Policies reviewed annually.                      |

\* **Note:** Dominic Sheehan was the Chief Executive of the BSA during the reporting period and stepped down at 30 September 2011. Susan Freeman-Greene commenced as Chief Executive after this date.

## CAPABILITY OBJECTIVES

To enhance performance we sought to achieve the following goals.

| Goals  | Measures   | Actual  |
|--|--|---|
| <b>Members</b>   |  |   |
| Members undertake an annual self-assessment exercise.  | Board self-assessment completed and recommendations actioned by 30 June 2011.  | Achieved. Assessment completed and reporting letter sent to Minister on 28 April 2011. Letter contained no recommendations. |
| Members continue to be knowledgeable both about their duties of governance and their quasi-judicial powers, and how to discharge these successfully. | Governance and questions relating to quasi-judicial functions included in annual board self-assessment, with training given as required. | Achieved. Issues relating to governance and quasi-judicial functions included in annual board self-assessment.              |
| Members continue to have a clear appreciation of the diversity of community views and public attitudes towards BSA decisions.                        | Board undertakes activities, including research, to enable them to stay in touch with social attitudes and opinions.                     | Achieved. Research into talkback radio undertaken.  |
| <b>Staff</b>   |  |   |
| Staff recruitment, training and retention policies focus on attracting and retaining skilled, flexible, knowledgeable and diverse team players.      | Full-time staff turnover no more than one-third (two people) per annum.  | Achieved. Only one staff member left during the reporting year.   |
|  | Individual staff needs assessed annually.  | Achieved. All staff members have professional development plans. Development plans are reviewed once a year.                |
| <b>Office</b>  |  |   |
| Office space and equipment are safe and well-maintained.   | Annual capital expenditure and maintenance programmes as approved by board.  | Achieved.   |

## MEASURING OVERALL PERFORMANCE - 2010-2013

These key goals underpinned our work over the three-year period ending 30 June 2012 in order to ensure our financial and non-financial success.

| Goals  | Measures   | Actual  |
|--|--|---|
| <b>Complaints Determination</b>  |  |   |
| The complaints determination process is effective, efficient and principled.   | External reviews confirm the process is meeting these standards.   | Achieved. External review of the efficacy of merging four existing Codes of Broadcasting Practice into a unified single Code completed and reported to board. |
| Codes of Broadcasting Practice remain relevant for broadcasters and the public.  | Each Code is reviewed at least once every five years.  | Achieved. Review of Pay TV Code of Broadcasting Practice commenced but paused to investigate pursuit of unified single Code.                                  |
|  | Each Code review is completed within 18 months of commencement.  | Not applicable in reporting year.   |
| <b>Information</b>   |  |   |
| Useful and reliable research is undertaken and the BSA utilises results where appropriate.                                   | The five-year research plan is followed (and is reviewed annually).  | Achieved.   |
| Broadcasters and the public receive the information they require.  | External reviews confirm that information is meeting broadcaster and public expectations and requirements. | Not achieved. External reviews not carried out in reporting year.   |
| <b>Finance</b>   |  |   |
| Funding from the Crown and the broadcasting levy is applied to activities described in the prospective financial statements. | Compliance reviewed by board half-yearly.  | Achieved.   |
|  | Accounts formally audited each year.   | Achieved.   |

# LEGAL MANAGER'S REPORT

## COMPLAINTS SUMMARY

|  | 2006/07 | 2007/08 | 2008/09 | 2009/10 | 2010/11     |
|--|---------|---------|---------|---------|-------------|
| <b>Complaints Received</b>                     | 131     | 148     | 162     | 210     | <b>250</b>  |
| <b>Total Decisions</b>                         | 125     | 139     | 151     | 193     | <b>236</b>  |
| <b>Upheld (all or in part)</b>                 | 27      | 40      | 25      | 45      | <b>69</b>   |
| <b>Not Upheld</b>                              | 94      | 95      | 124     | 148     | <b>146</b>  |
| <b>Interlocutory Decisions</b>                 | 0       | 2       | 0       | 0       | <b>1</b>    |
| <b>Declined to Determine</b>                   | 3       | 2       | 2       | 7       | <b>12</b>   |
| <b>Declined Jurisdiction</b>                   | 1       | 0       | 0       | 0       | <b>1</b>    |
| <b>Orders</b>                                  | 32      | 26      | 11      | 25      | <b>20</b>   |
| <b>Practice Notes</b>                          | 2       | 2       | 2       | 2       | <b>2</b>    |
| <b>Decisions issued within 20 working days</b> | 100%    | 100%    | 100%    | 100%    | <b>100%</b> |

The two most complained-about programmes this year were *Breakfast* and *Outrageous Fortune*. The *Breakfast* complaints principally relate to two episodes featuring comments made by Paul Henry, both of which prompted multiple complaints. The *Outrageous Fortune* complaints were all about a single episode and all were upheld. Early evening news and current affairs programmes also make up a large percentage of our complaints – other complained-about programmes are *Close Up* (17 complaints, 1 uphold), *3 News* (13 complaints, 6 upholds), *One News* (12 complaints, 1 uphold), and *Campbell Live* (7 complaints, 3 upholds).

It should be noted that the uphold figures include those *Outrageous Fortune* and, to a lesser extent, *Breakfast* upholds which consisted of large numbers of complaints about single programmes. This is atypical and that should be borne in mind when interpreting our statistics this year.

The tables in Appendix 1 to this report give a full overview of the year's complaints statistics.

## DECISIONS OF INTEREST

### Ashurst and Others and Television New Zealand Ltd (2010-001)

On *Breakfast* Paul Henry stated that singer Susan Boyle was "retarded" and that it was possible to "make it out" by looking at her. Upheld (good taste and decency – action taken), upheld by majority (discrimination and denigration). TVNZ was ordered to broadcast a statement on *Breakfast* within one month of the decision.

### Sundborn and TVWorks Ltd (2010-044)

Soap-drama *Home and Away* screened at 5:30pm (G time-band) on TV3. It included a scene in which a couple started kissing – man removed woman's robe leaving her in a bra and pyjama pants – man lay on kitchen table while the woman straddled him as they continued to kiss. Upheld (children's interests, responsible programming, and good taste and decency). No order. This decision was appealed by the broadcaster to the High Court but the appeal was dismissed.

### Bush and Television New Zealand Ltd (2010-036)

*Fair Go* item inaccurately claimed that a woman had taken a photo which the complainant was displaying on his website as his own work. Upheld (accuracy and fairness). Not upheld (privacy, responsible programming). TVNZ was ordered to pay \$1,000 costs to the Crown.

## DECISIONS OVERVIEW

This year the BSA issued 236 decisions compared to 193 in the previous twelve months. We received 250 complaints compared to last year's 210. This represents a 20% increase in complaints received from the previous year and a 90% increase in numbers compared to four years ago. Our small team has continued to manage the increased number of complaints, meaning that we have remained busy and challenged.

Of the 236 decisions issued:

- 83% (197 decisions) concerned television programmes compared with 88% (170 decisions) in 2010
- 17% (39) concerned radio broadcasts (12% or 23 in 2010)
- 29% of complaints (69) were upheld in full or in part (23% or 45 in 2010)
- 60 of the 69 upheld decisions concerned television broadcasts; 9 concerned radio (42 of 45 for television and 3 for radio in 2010)
- 68% of decisions concerned news, current affairs, factual programming and talk radio (77% in 2010)

**West and Television New Zealand Ltd (2010-073)**

*Hung* featured a prolonged oral sex scene and display of female genital nudity. Upheld by majority (good taste and decency). No order. This decision was appealed by the broadcaster to the High Court and subsequently quashed.

**Bolton and Radio New Zealand (2009-166)**

*Sunday* with Chris Laidlaw. Host interviewed a sociologist who made comments about the complainant and said he was a Holocaust denier. Not upheld (accuracy). Radio New Zealand had appealed a previous decision concerning this complaint and the High Court had directed the BSA to reconsider the original complaint. This decision was the result of that reconsideration.

**Binnie and Others and TVWorks Ltd (2010-097)**

*3 News*. Item about Outrageous Fortune contained a number of sex scenes. Upheld (good taste and decency and children's interests). Not upheld (responsible programming). TV3 was ordered to broadcast a statement and pay \$4,000 costs to Crown.

**Johnson and Television New Zealand Ltd (2010-152)**

*One News* item available for viewing on TVNZ's website. The complainant lodged a formal complaint after the 20 working day post-broadcast timeframe. The BSA declined jurisdiction to consider the complaint because it was "on demand" content and therefore falls outside the definition of "broadcasting" in the Broadcasting Act (which excepts broadcasts "made on the demand of a particular person for reception only by that person" from the BSA's jurisdiction).

**Catran and Others and Kool FM (2009-051)**

Interviewee made allegations of serious misconduct by members of the local district council. Upheld (controversial issues and fairness). Subsumed (accuracy). Orders (broadcast statement, costs to complainants \$2,000).

**Adams and Others and Television New Zealand Ltd (2010-143)**

*Breakfast*. Presenter made comments about the nationality of the Governor General. Not upheld (good taste and decency, fairness, and discrimination and denigration – action taken, controversial issues, and responsible programming).

**MA and Television New Zealand Ltd (2010-084)**

*Police Ten 7* filmed the execution of search warrant at the complainant's property. Upheld (privacy). The complainant received \$1,500 compensation for breach of privacy and TVNZ was ordered to pay \$1,000 costs to Crown.

**Jackson and Television New Zealand Ltd (2010-122)**

An interview on *Close Up* with a female porn star included footage of her wearing lingerie and clips from her pornographic movies. Upheld (good taste and decency and children's interests – action taken). TVNZ was required to broadcast a statement and pay costs to Crown of \$3,000.

**SP and TVWorks Ltd (2010-112)**

On the reality programme *Noise Control* the complainant was shown arguing with a noise control officer. Upheld (fairness). TVWorks was ordered to pay \$7,000 of the complainant's legal costs.

**Binks and Others and TVWorks Ltd (2010-141)**

There was excessive coarse language on *Outrageous Fortune* before 8.40pm. Upheld (good taste and decency, responsible programming, and children's interests). Not upheld (good taste and decency and children's interests – action taken). TVWorks was required to broadcast a statement and pay \$3,000 costs to Crown.

**Adams, Godinet and Parsons and Television New Zealand Ltd (2010-145)**

On *Breakfast* Paul Henry deliberately mispronounced the name of the Chief Minister of Delhi. Upheld (good taste and decency, fairness, and discrimination and denigration – action taken). Not upheld (responsible programming). TVNZ was ordered to broadcast a statement and pay \$3,000 costs to the Crown.

**Freeman and Television New Zealand Ltd (2011-001)**

*Sunday*. Interview with policeman who said an offensive word twice when recalling his involvement in Aramoana massacre. Upheld by majority (good taste and decency, and children's interests). Not upheld (law and order, and responsible programming). No order.

**"OUR SMALL TEAM HAS CONTINUED TO MANAGE THE INCREASED NUMBER OF COMPLAINTS, MEANING THAT WE HAVE REMAINED BUSY AND CHALLENGED."**

**REVIEWS OF BSA DECISIONS**

To ensure that its decision making is robust and relevant, the BSA regularly commissions independent critiques of its decisions. We are always careful to choose knowledgeable, unbiased assessors to ensure we receive challenging and constructive feedback. The BSA works with four different Codes of Broadcasting Practice – Free-to-Air Television, Pay Television, Radio and Election Programmes. This year we commissioned an assessment of the efficacy of merging those four Codes into a unified single Code.

**PRACTICE NOTES**

The BSA has released two further Practice Notes in the last year which are available on its website. These are intended as practical guides to likely approaches the BSA will take in interpreting the standards.

The Authority's Practice Notes issued this year discuss two of the privacy principles, namely, principles 1 and 4.

**HIGH COURT APPEALS**

Under section 18 of the Broadcasting Act a broadcaster or a complainant may appeal to the High Court against the whole or any part of a BSA decision or order.

**High Court decisions released**

Decisions on the following High Court appeals were released during the year:

**Bolton and Radio NZ (Decision No: 2009-097)**

Appeal of decision by complainant.

Result: Appeal successful. BSA decision quashed.

**Reekie and TVNZ (Decision No: 2009-111)**

Appeal of decision by complainant.  
Result: Appeal dismissed.

**Sundborn and TVWorks (Decision No: 2010-044)**

Appeal of decision by broadcaster.  
Result: Appeal dismissed.

**West and TVNZ (Decision No: 2010-073)**

Appeal of decision by complainant.  
Result: Appeal successful. BSA decision quashed.

**Hon Paula Bennett and TVWorks (Decision No: ID2010-106)**

Appeal of interlocutory decision by broadcaster.  
Result: Appeal successful. BSA decision quashed.

**Other High Court appeals**

The following BSA decisions have also been appealed to the High Court and are either awaiting determination or the decisions were released outside the current reporting period:

**Attorney General of Samoa and TVWorks (Decision No: 2010-188)**

Appeal of decision by complainant.

**Freeman and TVNZ (Decision No: 2011-001)**

Appeal of decision by broadcaster.



Patricia Windle, **Legal Manager**

**Note:** Christina Sophocleous was the Legal Manager of the BSA during the reporting period and until 6 July 2011. Patricia Windle commenced as Legal Manager after this date.



# STAFF

**Susan Freeman-Greene LLB, MBS**  
*from October 2011*  
Chief Executive

**Dominic Sheehan BA, LLB (Hons)**  
*until September 2011*  
Chief Executive

**Patricia Windle BA, LLB**  
*from July 2011*  
Legal Manager

**Christina Sophocleous BSc, LLB**  
*until July 2011*  
Legal Manager

**Miro Booth LLB**  
Legal Advisor

**Julie Bath**  
Administration Manager

**Margaret Giannotti**  
Administration Support (part-time)

**Margaret Haughey**  
Accounts/ Website Coordinator  
(part-time)

**Trish Cross**  
Receptionist/Administrator  
(shared with NZ On Air)

## OFFICE

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# FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2011

# STATEMENT OF RESPONSIBILITY

## FOR THE YEAR ENDED 30 JUNE 2011

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 controls 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 2011 fairly reflect the financial position and operations of the BSA.



Peter Radich  
Chair  
28 October 2011



Mary Anne Shanahan  
Member  
28 October 2011

AUDIT NEW ZEALAND

Mana Arotake Aotearoa

# INDEPENDENT AUDITOR'S REPORT

## TO THE READERS OF THE BROADCASTING STANDARDS AUTHORITY'S FINANCIAL STATEMENTS AND STATEMENT OF SERVICE PERFORMANCE FOR THE YEAR ENDED 30 JUNE 2011

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

### We have audited:

- the financial statements of the Authority on pages 22 to 34, that comprise the statement of financial position as at 30 June 2011, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date and notes to the financial statements that include accounting policies and other explanatory information]; and
- the statement of service performance of the Authority on pages 18 to 21.

### Opinion

#### In our opinion:

- the financial statements of the Authority on pages 22 to 34:
  - comply with generally accepted accounting practice in New Zealand; and
  - fairly reflect the Authority's:
    - financial position as at 30 June 2011; and
    - financial performance and cash flows for the year ended on that date.
- the statement of service performance of the Authority on pages 18 to 21:
  - complies with generally accepted accounting practice in New Zealand; and
  - fairly reflects, for each class of outputs for the year ended 30 June 2011, the Authority's
    - service performance compared with the forecasts in the statement of forecast service performance for the financial year; and
    - actual revenue and output expenses compared with the forecasts in the statement of forecast service performance at the start of the financial year.

Our audit was completed on 28 October 2011. This is the date at which our opinion is expressed.

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

### Basis of opinion

We carried out our audit in accordance with the Auditor-General's Auditing Standards, which incorporate the International Standards on Auditing (New Zealand). Those standards require that we comply with ethical requirements and plan and carry out our audit to obtain reasonable assurance about whether the financial statements and statement of service performance are free from material misstatement.

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

An audit involves carrying out procedures to obtain audit evidence about the amounts and disclosures in the financial statements and statement of service performance. The procedures selected depend on our judgement, including our assessment of risks of material misstatement of the financial statements and statement of service performance, whether due to fraud or error. In making those risk assessments, we consider internal

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

### An audit also involves evaluating:

- the appropriateness of accounting policies used and whether they have been consistently applied;
- the reasonableness of the significant accounting estimates and judgements made by the Board;
- the adequacy of all disclosures in the financial statements and statement of service performance; and
- the overall presentation of the financial statements and statement of service performance.

We did not examine every transaction, nor do we guarantee complete accuracy of the financial statements and statement of service performance. We have obtained all the information and explanations we have required and we believe we have obtained sufficient and appropriate audit evidence to provide a basis for our audit opinion.

### Responsibilities of the Board

The Board is responsible for preparing financial statements and a statement of service performance that:

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

The Board is also responsible for such internal control as is determined necessary to enable the preparation of financial statements and a statement of service performance that are free from material misstatement, whether due to fraud or error.

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

### Responsibilities of the Auditor

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

### Independence

When carrying out the audit, we followed the independence requirements of the Auditor-General, which incorporate the independence requirements of the New Zealand Institute of Chartered Accountants.

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



K M Rushton  
Audit New Zealand  
On behalf of the Auditor-General  
Wellington, New Zealand

## MATTERS RELATING TO THE ELECTRONIC PRESENTATION OF THE AUDITED FINANCIAL STATEMENTS AND STATEMENT OF SERVICE PERFORMANCE

This audit report relates to the financial statements and statement of service performance of the Broadcasting Standards Authority for the year ended 30 June 2011 included on the Broadcasting Standards Authority's website. The Broadcasting Standards Authority's Board is responsible for the maintenance and integrity of the Broadcasting Standards Authority's website. We have not been engaged to report on the integrity of the Broadcasting Standards Authority's website.

We accept no responsibility for any changes that may have occurred to the financial statements and statement of service performance since they were initially presented on the website.

The audit report refers only to the financial statements and statement of performance named above. It does not provide an opinion on any other information which may have been hyperlinked to or from the financial statements and statement of service performance. 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 statement of service performance as well as the related audit report dated 28 October 2011 to confirm the information included in the audited financial statements and statement of service performance presented on this website.

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

# STATEMENT OF OBJECTIVES AND SERVICE PERFORMANCE 2010-2011

## OUTPUT: COMPLAINTS DETERMINATION

**Impacts:** The public has an effective, efficient and principled complaints process.  
Codes of Broadcasting Practice are relevant for broadcasters and the New Zealand public.

### Description

Decision making on formal complaints lodged under the Broadcasting Act is undertaken by the BSA, with legal and administrative support provided by staff. Decisions are subject both to judicial review and appeal to the High Court.

The Codes of Broadcasting Practice underpin the complaints system. Each Code is reviewed at least once every five years to ensure it provides relevant guidance for both broadcasters and complainants.

Practice notes are designed to assist broadcasters and complainants understand the approach the BSA is likely to take in considering standards issues.

### Cost:

|                 | Budget*    | Actual* |
|-----------------|------------|---------|
|                 | \$         | \$      |
| Total cost      | 1,1014,878 | 968,053 |
| % of total cost | 66%        | 70%     |

\* Includes a portion of overheads

**Impact:** The public has an effective, efficient and principled complaints process.

| Measures   | Targets (quality, quantity, timeliness)  | Actual  |
|--|--|---|
| Written acknowledgement of formal complaints.  | 100% of complaints acknowledged in 3 working days.   | Achieved. 100% of complaints acknowledged in 3 working days.<br>2007-2008 - 100% of complaints acknowledged in 3 working days.<br>2008-2009 - 100% of complaints acknowledged in 3 working days.<br>2009-2010 - 100% of complaints acknowledged in 3 working days.  |
| Formal board meetings convened in order that due process for complaints determination is followed. | No fewer than 10 formal board meetings recorded by 30 June 2011.   | Achieved. Total of 10 meetings held and recorded by 30 June 2011.   |
| Soundly reasoned decisions issued in a timely manner.  | 95% of all complaints decisions issued within 20 working days after board meeting at which decision is made.   | Achieved. 98% of all complaints decisions issued within 20 working days after board meeting at which decision was made.<br>2007-2008 - 100% of single-meeting complaints decisions and 92% of multi-meeting complaints decisions issued within 20 working days.<br>2008-2009 - 100% of complaints decisions issued within 20 working days.<br>2009-2010 - 100% of complaints decisions issued within 20 working days. |
|  | In the event of an appeal, any advice or direction given by the Court is implemented into the appropriate procedures and practice notes within six months of the date of the decision. | Achieved. Of 5 High Court judgments released, two provided relevant guidance that was incorporated into our decision making process immediately.<br>NB: No formal system in place to confirm the result.  |

|   |  |  |
|---|--|--|
| Externally assess the quality of BSA reasoning.   | Commission an external review of the way the BSA interprets a standard or an aspect of the process by which the BSA determines complaints. | Achieved. A review analysing the merging of the four current Codes of Broadcasting Practice into one single Code has been commissioned and received.   |
|   | Review published by 30 June 2011.  | Not achieved. Due to the nature of this review the BSA has decided not to publish it.  |
|   | Relevant findings are applied in the BSA's processes.  | Not applicable.  |
| Survey complainants to assess satisfaction with the quality of the BSA processes and service. | Survey all complainants involved in a formal complaint referred to the BSA in the previous year to assess satisfaction with BSA processes. | Partially achieved. The survey covered the period 1 July 2010 - 22 February 2011. Surveys were sent out to 129 complainants. 57 completed the survey by 19 May 2011. On a 5 point scale 40% agreed or strongly agreed that the complaints process was handled well. The results have provided a baseline measure for future years. |
|   | Survey completed and published by 30 May 2011.   | Not achieved. Final report received in late July 2011. Report will be published once results are compared to ongoing complainant research being undertaken in 2011-12 reporting year.  |
|   | Relevant recommendations from the survey are actioned and changes made to BSA processes or policies as required.                           | Not achieved. Recommendations and changes will be reviewed once results are compared to ongoing complainant research being undertaken in 2011-12 reporting year.   |

**Impact:** Codes of Broadcasting Practice are relevant for broadcasters and the New Zealand public.

| Measures   | Targets (quality, quantity, timeliness)   | Actual  |
|--|---|---|
| Practice notes on aspects of Code interpretation.              | Two new practice notes published by 30 June 2011.                                 | Achieved. Practice notes on Privacy Principles 1 and 4 published on 30 June 2011.   |
| Commence a review of the Pay TV Code of Broadcasting Practice. | Review of Pay TV Code of Broadcasting Practice commenced before 31 December 2010. | Achieved. Review commenced but was paused while analysis work is undertaken on issues surrounding merging the Pay Code, along with the other three Codes, into a single Code. |

## OUTPUT: INFORMATION

**Impacts:** Useful and reliable research is undertaken and the results utilised.

A range of accessible information is communicated to the public.

Broadcasters understand their obligations under the Broadcasting Act and their processes are assisted where necessary.

### Description

Research on topics relevant to broadcasting standards provides information about community attitudes and behaviour. This assists the Authority when making decisions.

It is important for us, our stakeholders and the integrity of the standards regime, that a variety of material is provided to assist the public and, when required, broadcasters. Effective information on broadcasting standards processes and issues assists New Zealanders to understand their media environment. An informed and media-literate public is better able to control their engagement with all forms of broadcasting content.

It is in the public interest that complainants have their complaints dealt with professionally by broadcasters. Broadcast organisations that receive the majority of complaints have resources and well-developed processes in place to meet their broadcasting standards obligations. Advice on processes from the BSA is therefore rarely required.

However, to ensure the robustness and consistency of the overall complaints process there is value in an ongoing dialogue with these broadcasters.

Smaller broadcasters and those which rarely encounter formal complaints sometimes need specific support and tailored information.

### Cost:

|                 | Budget* | Actual* |
|-----------------|---------|---------|
|                 | \$      | \$      |
| Total cost      | 522,477 | 407,672 |
| % of total cost | 34%     | 30%     |

\* Includes a portion of overheads

**Impact:** Useful and reliable research is undertaken and the results utilised.

| Measures   | Targets (quality, quantity, timeliness)   | Actual   |
|--|---|--|
| An analysis of issues relating to freedom of expression in New Zealand.              | Relevant tendering and commissioning procurement processes recommended by the Office of the Auditor General followed. | Not applicable.<br>No tendering or commissioning process required. |
|  | Research published by 30 June 2011.   | Not achieved.  |
| A study of public and broadcaster attitudes and expectations towards talkback radio. | Relevant tendering and commissioning procurement processes recommended by the Office of the Auditor General followed. | Achieved.  |
|  | Research published by 30 June 2011.   | Not achieved. Report published on 7 July 2011.                     |

**Impact:** A range of accessible information is provided and communicated to the public.

| Measures  | Targets (quality, quantity, timeliness)  | Actual  |
|---|--|---|
| Business as usual communications to stakeholders and the public.  | 100% of decisions published on BSA website within 10 working days of sign-off by Chair.                    | Achieved. 100% of decisions published on BSA website within 10 working days of sign-off by Chair.<br><br>When decisions signed by Chair the Legal Manager emails the Website Coordinator with the date they are to go live.<br><br>Note: There was no formal system for providing proof of date of publishing online. |
|   | Publish by 30 June 2011 no fewer than six editions of a newsletter designed to keep stakeholders informed. | Achieved. A total of 10 editions of BSA Bulletin published during the year.   |
|   | Publish all newly reviewed Codes in both English and Te Reo Māori.   | No newly reviewed Codes published during reporting period.  |
| The complaints determination process and the Codes of Broadcasting Practice are promoted to the public. | Undertake a campaign designed to promote awareness of the BSA website.                                     | Not achieved. Project commenced in July 2011.   |
|   | Undertake a campaign designed to promote awareness of the standards in the Codes.                          | Not achieved. Project commenced in July 2011.   |
| Special communications projects undertaken.   | Undertake a campaign designed to raise awareness of television classifications.                            | Not achieved. Project commenced in July 2011.   |

**Impact:** Broadcasters understand their obligations under the Broadcasting Act and their processes are assisted where necessary.

| Measures  | Targets (quality, quantity, timeliness)  | Actual  |
|---|--|---|
| Meetings with the two broadcasters from which the BSA received the most referred complaints in the preceding year (in 2009-2010 this was TVNZ and MediaWorks).  | Two meetings each with TVNZ and MediaWorks by 30 June 2011.  | Achieved. At least two meetings held during year with each of TVNZ and MediaWorks.  |
| Meetings with broadcasters from which the BSA receives a significant number of referred complaints (including for the next twelve months at least, Radio NZ, The Radio Network, SKY TV and Māori TV). | At least one meeting with each of the other significant broadcasters by 30 June 2011.                              | Achieved. Meetings held during year with Radio NZ, The Radio Network, SKY TV and Māori TV.                                |
| Meetings with no less than five additional broadcast organisations to discuss and advise on complaints process matters.   | No less than five meetings with various broadcasters by 30 June 2011.  | Achieved: Meetings held during year with CTV, Plains FM, Radio Apna, National Pacific Radio Trust and Radio Samoa.        |
| Meet formally with broadcaster associations.  | At least one meeting with the Television Broadcasters' Council and Radio Broadcasters Association by 30 June 2011. | Achieved. At least one meeting held during year with Television Broadcasters' Council and Radio Broadcasters Association. |
|   | Areas of cooperation agreed.   | Achieved.   |

### Output Income and Expenditure Summary:

|                          | SOI Income \$    | Actual Income \$ | SOI Expend \$    | Actual Expend \$ |
|--------------------------|------------------|------------------|------------------|------------------|
| Complaints Determination | 923,340          | 993,788          | 1,014,878        | 968,053          |
| Information              | 475,660          | 418,509          | 522,477          | 407,672          |
| <b>Total</b>             | <b>1,399,000</b> | <b>1,412,297</b> | <b>1,537,355</b> | <b>1,375,725</b> |

# STATEMENT OF COMPREHENSIVE INCOME

FOR THE YEAR ENDED 30 JUNE 2011

|                                   | NOTES   | 2011<br>Actual<br>\$ | 2011<br>Budget<br>\$ | 2010<br>Actual<br>\$ |
|-----------------------------------|---------|----------------------|----------------------|----------------------|
| <b>REVENUE</b>                    |         |                      |                      |                      |
| Revenue from Crown                |         | 609,000              | 609,000              | 609,000              |
| Broadcasting Levy                 |         | 751,680              | 750,000              | 762,241              |
| Interest Income                   |         | 50,147               | 40,000               | 40,863               |
| Other Revenue                     |         | 1,470                | -                    | 500                  |
| <b>TOTAL REVENUE</b>              |         | <b>1,412,297</b>     | <b>1,399,000</b>     | <b>1,412,604</b>     |
| <b>LESS EXPENDITURE</b>           |         |                      |                      |                      |
| Personnel Costs                   | 2       | 671,749              | 744,500              | 676,295              |
| Other Expenses                    | 3       | 679,909              | 767,116              | 527,448              |
| Depreciation and Amortisation     | 17 & 18 | 24,067               | 25,739               | 49,188               |
| <b>TOTAL EXPENDITURE</b>          |         | <b>1,375,725</b>     | <b>1,537,355</b>     | <b>1,252,931</b>     |
| <b>NET (DEFICIT) / SURPLUS</b>    |         | <b>36,572</b>        | <b>(138,355)</b>     | <b>159,673</b>       |
| <b>TOTAL COMPREHENSIVE INCOME</b> |         | <b>36,572</b>        | <b>(138,355)</b>     | <b>159,673</b>       |

# STATEMENT OF CHANGES IN EQUITY

FOR THE YEAR ENDED 30 JUNE 2011

|   | NOTES | 2011<br>Actual<br>\$ | 2011<br>Budget<br>\$ | 2010<br>Actual<br>\$ |
|---|-------|----------------------|----------------------|----------------------|
| Public Equity as at 1 July              |       | 618,026              | 573,616              | 458,353              |
| Total Comprehensive Income              |       | 36,572               | (138,355)            | 159,673              |
| <b>PUBLIC EQUITY AS AT 30 JUNE 2011</b> |       | <b>654,598</b>       | <b>435,261</b>       | <b>618,026</b>       |

Explanations of major variances against budget are provided in note 16.

The accompanying notes form part of these financial statements.

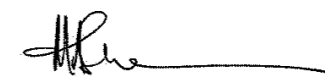
# STATEMENT OF FINANCIAL POSITION

AS AT 30 JUNE 2011

|                                     | NOTES | 2011<br>Actual<br>\$ | 2011<br>Budget<br>\$ | 2010<br>Actual<br>\$ |
|-------------------------------------|-------|----------------------|----------------------|----------------------|
| <b>CURRENT ASSETS</b>               |       |                      |                      |                      |
| Cash and Cash Equivalents           | 4     | 81,629               | 59,737               | 22,273               |
| Investments                         | 5     | 700,000              | 450,000              | 610,611              |
| Debtors and Other Receivables       | 6     | 5,598                | 1,800                | 9,771                |
| Prepayments                         |       | 13,126               | 15,000               | 16,289               |
| Net GST                             |       | 24,049               | 18,000               | 13,474               |
|                                     |       | 824,402              | 544,537              | 672,418              |
| <b>LESS CURRENT LIABILITIES</b>     |       |                      |                      |                      |
| Creditors and Other Payables        | 7     | 164,991              | 120,000              | 70,721               |
| Employee Entitlements               | 8     | 56,217               | 50,000               | 47,497               |
|                                     |       | 221,208              | 170,000              | 118,218              |
| <b>WORKING CAPITAL</b>              |       | <b>603,194</b>       | <b>374,537</b>       | <b>554,200</b>       |
| <b>NON-CURRENT ASSETS</b>           |       |                      |                      |                      |
| Property, Plant and Equipment       | 17    | 44,849               | 34,708               | 59,441               |
| Intangible Assets                   | 18    | 6,555                | 26,016               | 4,385                |
|                                     |       | 51,404               | 60,724               | 63,826               |
| <b>NET ASSETS</b>                   |       | <b>654,598</b>       | <b>435,261</b>       | <b>618,026</b>       |
| <b>Represented by PUBLIC EQUITY</b> |       | <b>654,598</b>       | <b>435,261</b>       | <b>618,026</b>       |



Peter Radich  
Chair  
Wellington  
28 October 2011



Mary Anne Shanahan  
Member  
Wellington  
28 October 2011

The accompanying notes form part of these financial statements.

# STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED 30 JUNE 2011

|  | NOTES | 2011<br>Actual<br>\$ | 2011<br>Budget<br>\$ | 2010<br>Actual<br>\$ |
|--|-------|----------------------|----------------------|----------------------|
| <b>CASH FLOWS FROM OPERATING ACTIVITIES</b>      |       |                      |                      |                      |
| <b>Cash was provided from:</b>                   |       |                      |                      |                      |
| Revenue from Crown                               |       | 609,000              | 609,000              | 609,000              |
| Broadcasting Levy                                |       | 751,680              | 725,000              | 761,205              |
| Interest Received                                |       | 52,761               | 40,000               | 33,942               |
| Other Income                                     |       | 3,028                | 11,200               | 500                  |
| GST (Payable) / Receivable                       |       | (10,574)             | (6,000)              | 5,257                |
| <b>Cash was disbursed to:</b>                    |       |                      |                      |                      |
| Payments to Employees & Members                  |       | (663,029)            | (743,600)            | (675,550)            |
| Payments to Suppliers & Other Operating Expenses |       | (582,476)            | (687,132)            | (589,236)            |
| <b>Net Cash Flow from Operating Activities</b>   | 9     | <b>160,390</b>       | <b>(51,532)</b>      | <b>145,118</b>       |
| <b>CASH FLOWS FROM INVESTING ACTIVITIES</b>      |       |                      |                      |                      |
| <b>Cash was disbursed to:</b>                    |       |                      |                      |                      |
| Purchase of Property, Plant and Equipment        |       | (6,645)              | (15,660)             | (47,331)             |
| Purchase of Intangible Assets                    |       | (5,000)              | (48,325)             | (3,745)              |
| (Increase)/ Decrease Investments                 |       | (89,389)             | 150,000              | (110,611)            |
| <b>Net Cash Flow from Investing Activities</b>   |       | <b>(101,034)</b>     | <b>86,015</b>        | <b>(161,687)</b>     |
| <b>Net Increase / (Decrease) in cash held</b>    |       | <b>59,356</b>        | <b>34,483</b>        | <b>(16,569)</b>      |
| <b>PLUS</b>                                      |       |                      |                      |                      |
| Opening Cash brought forward                     |       | 22,273               | 25,254               | 38,842               |
| <b>CASH AND CASH EQUIVALENTS AT END OF YEAR</b>  | 4     | <b>81,629</b>        | <b>59,737</b>        | <b>22,273</b>        |

The GST (net) component of operating activities reflects the net GST paid or received from Inland Revenue Department. The GST (net) component has been presented on a net basis, as the gross amounts do not provide meaningful information for financial statement purposes.

The accompanying notes form part of these financial statements.

# NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2011

## 1 Statement of Accounting Policies

### Reporting Entity

The Broadcasting Standards Authority (BSA) was established by the Broadcasting Act 1989 which sets out its functions and responsibilities.

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

Its primary objective is to provide public services to the New Zealand public, as opposed to that of making a financial return.

Accordingly, the BSA has designated itself as a public benefit entity for the purposes of New Zealand Equivalents to International Financial Reporting Standards ("NZ IFRS").

The financial statements for the BSA are for the year ended 30 June 2011, and were approved by the board on 28 October 2011.

### Basis of Preparation

These financial statements comply with NZ IFRS, and other applicable Financial Reporting Standards, as appropriate for public benefit entities.

### Statement of Compliance

The financial statements for the year ended 30 June 2011 are prepared in accordance with the Crown Entities Act 2004, which includes the requirement to comply with New Zealand generally accepted accounting practice ("NZ GAAP").

### Measurement Base

These financial statements have been prepared on an historical cost basis. The accrual basis of accounting has been used unless otherwise stated.

### Functional and Presentation Currency

These financial statements are presented in New Zealand dollars and are rounded to the nearest dollar (\$).

### Changes in Accounting Policies

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

### Early Adopted Amendments to Standards

The following amendments to standards have been early adopted:

- NZ IAS 7 *Financial Instruments: Disclosures*. The effect of early adopting these amendments is that the following information is no longer disclosed:
  - The carrying amount of financial assets that would otherwise be past due or impaired whose terms have been renegotiated; and
  - the maximum exposure to credit risk by the class of financial instrument if the maximum credit risk exposure is best presented by the carrying amount.
- NZ IAS 24 *Related Party Disclosures (Revised 2009)*. The effect of early adopting the revised NZ IAS 24 is:
  - More information is required to be disclosed about transactions between the BSA and other entities controlled, jointly controlled, or significantly influenced by the Crown;
  - Commitments with related parties require disclosure;
  - Information is required to be disclosed about any related party transitions with Ministers of the Crown.

### Standards, amendments, and interpretations issued that are not yet effective and have not been early adopted.

- Standards, amendments, and interpretations issued but not yet effective that have not been early adopted, and which are relevant to the BSA are:
  - NZ IAS 9 *Financial Instruments* will eventually replace NZ IAS 39 *Financial Instruments: Recognition and Measurement*. NZ IAS 39 is being replaced through the following 3 main phases: Phase 1 Classification and Measurement, Phase 2 Impairment Methodology, and Phase 3 Hedge Accounting. Phase 1 has been completed and has been published in the new financial instrument standard NZ IFRS 9. NZ IFRS 9 uses a single approach to determine whether a financial asset is measured at amortised cost or fair value, replacing the many different rules in NZ IAS 39. The approach in NZ IFRS 9 is based on how an entity manages its financial assets (its business model) and the contractual cash flow characteristics of the financial assets. The financial liability requirements are the same as those of NZ IAS 39, except for when any entity elects to designate a financial liability at fair value through the surplus/deficit. The new standard is required to be adopted for the year ended 30 June 2011. The BSA has not yet assessed the effect of the new standard and expects it will not be early adopted.

## Significant Accounting Policies

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

### Revenue

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

#### Revenue from the Crown

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

#### Broadcasting Levy

The Broadcasting Levy is recognised upon receipt of the payments from the broadcasters.

#### Interest

Interest income is recognised as it accrues on bank account balances and investments.

#### Other Income

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

### Leases

#### Operating Leases

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

#### Cash and Cash Equivalents

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

#### Debtors and Other Receivables

Accounts receivable are stated at their expected realisable value.

#### Investments in Bank Deposits

Investments in bank deposits are measured at fair value.

## Property, Plant and Equipment

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

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

#### Additions

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

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

#### Disposals

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

#### Subsequent Costs

Costs incurred subsequent to initial acquisition are capitalised only when it is probable that future economic benefits or service potential associated with the item will flow to the BSA and the cost of the item can be measured reliably. The costs of day-to-day servicing of property, plant and equipment are recognised in the Statement of Comprehensive Income as they are incurred.

#### Depreciation

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

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

|                        |         |                   |
|------------------------|---------|-------------------|
| Office Equipment       | 5 years | 20% straight line |
| Furniture and Fittings | 5 years | 20% straight line |
| Leasehold Improvements | 5 years | 20% straight line |
| Photocopier            | 3 years | 33% straight line |
| Computer Equipment     | 3 years | 33% straight line |

Artworks are fully depreciated in the year of purchase.

## Intangible Assets

### Software Acquisition

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

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

### Amortisation

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

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

|                   |         |                   |
|-------------------|---------|-------------------|
| Computer Software | 3 years | 33% straight line |
| Copyright         | 3 years | 33% straight line |

## Impairment

Property, plant and equipment and intangible assets that have a finite useful life are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the assets carrying amount exceeds its recoverable amount.

## Creditors and Other Payables

Creditors and other payables are stated at their expected realisable value.

## Employee Entitlements

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

These include salaries and wages accrued up to balance date, annual leave earned to but not yet taken at balance date.

A liability and an expense for bonuses where there is a contractual obligation or where there is a past practice that has created a constructive obligation.

No liability is recognised for sick leave.

## Superannuation Scheme

### Defined contribution scheme

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

## Goods and Service Tax (GST)

All items in the financial statements are exclusive of GST, with the exception of accounts receivable and accounts payable, which are stated inclusive of GST.

The net amount of GST recoverable from, or payable to, the Inland Revenue Department (IRD) is included as part of receivables or payables in the Statement of Financial Position.

The net GST paid to or received from the IRD, including the GST relating to investing and financing activities, is classified as an operating cash flow in the Statement of Cash Flows.

Commitments and contingencies are disclosed exclusive of GST.

## Income Tax

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

## Budget Figures

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

## Cost Allocation

The BSA has determined the cost of outputs in the Statement of Service Performance using the cost allocation system outlined below. Direct costs are those costs directly attributed to an output. Indirect costs are those costs that cannot be identified in an economically feasible manner, with a specific output.

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

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

## Use of Judgements, Estimates and Assumptions

In preparing these financial statements the BSA has made estimates and assumptions about the future. These estimates and assumptions may differ from subsequent actual results. Estimates and assumptions are regularly evaluated and are based on historical experience and other facts, including expectations of future events that are believed to be reasonable under the circumstances.

## 2 Personnel Costs

|  | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|--|----------------------|----------------------|
| Staff salaries and board remuneration                | 660,808              | 669,279              |
| Employer contributions to defined contribution plans | 10,941               | 7,016                |
| <b>Total personnel costs</b>                         | <b>671,749</b>       | <b>676,295</b>       |

Employer contributions to defined contribution plans include contributions to KiwSaver and State Sector Retirement Savings Scheme (SSRSS)

## 3 Other Expenses

|                                  | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|----------------------------------|----------------------|----------------------|
| Audit of Financial Statements    | 16,932               | 16,800               |
| Complaints                       | 127,886              | 60,626               |
| Information                      | 140,349              | 119,723              |
| Research                         | 80,125               | 78,400               |
| Travel, Accommodation & Training | 80,158               | 77,561               |
| Rent                             | 66,254               | 66,254               |
| Office Expenses                  | 168,205              | 108,084              |
| <b>Total other expenses</b>      | <b>679,909</b>       | <b>527,448</b>       |

## 4 Cash and Cash Equivalents

|  | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|--|----------------------|----------------------|
| <b>Cash on hand:</b>                   |                      |                      |
| Petty Cash                             | 100                  | 100                  |
| <b>Banks:</b>                          |                      |                      |
| - Current Account                      | 18,357               | 6,779                |
| - Online Saver Account                 | 63,172               | 15,394               |
| <b>Total cash and cash equivalents</b> | <b>81,629</b>        | <b>22,273</b>        |

The carrying value of short-term deposits with maturity dates of three months or less approximates their fair value. The BSA has a Mastercard facility with Westpac Bank of \$30,000 (2010: \$25,000).

## 5 Investments

Current investments are represented by:

|                          | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|--------------------------|----------------------|----------------------|
| Term deposits            | 700,000              | 610,611              |
| <b>Total investments</b> | <b>700,000</b>       | <b>610,611</b>       |

There were no impairment provisions for investments.

|   | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|---|----------------------|----------------------|
| Term deposits with maturities of 4-6 months | 700,000              | 610,611              |
| Weighted average effective interest rate    | 4.60%                | 4.90%                |

The carrying amounts of term deposits with maturities less than 12 months approximate their fair value.

## 6 Debtors and Other Receivables

|  | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|--|----------------------|----------------------|
| Trade receivables                          | -                    | 1,559                |
| Accrued interest                           | 5,598                | 8,212                |
| <b>Total debtors and other receivables</b> | <b>5,598</b>         | <b>9,771</b>         |

The carrying value of receivables approximates their fair value. No receivables are greater than 30 days.

## 7 Creditors and Other Payables

|   | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|---|----------------------|----------------------|
| Creditors                                 | 94,014               | 35,976               |
| Accrued expenses                          | 70,977               | 34,745               |
| <b>Total creditors and other payables</b> | <b>164,991</b>       | <b>70,721</b>        |

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



## 8 Employee Entitlements

|  | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|--|----------------------|----------------------|
| <b>Current employee entitlements are represented by:</b> |                      |                      |
| Accrued salaries and wages                               | 10,724               | 8,033                |
| Annual leave   | 25,245               | 17,515               |
| Salary 'at risk'   | 20,248               | 21,949               |
| <b>Total employee entitlements</b>                       | <b>56,217</b>        | <b>47,497</b>        |

## 9 Reconciliation of the Net Operating Surplus (Deficit) with Net Cash Flows from Operating Activities

|  | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|--|----------------------|----------------------|
| Reported (Deficit) / Surplus For The Year              | 36,572               | 159,673              |
| <b>Add Non-Cash Items:</b>                             |                      |                      |
| Depreciation and Amortisation                          | 24,067               | 49,188               |
| <b>Add Movements in Other Working Capital Items:</b>   |                      |                      |
| Decrease / (Increase) in Debtors and Other Receivables | 4,173                | (7,957)              |
| Increase / (Decrease) in Creditors and Other Payables  | 94,269               | (57,041)             |
| Increase / (Decrease) in Employee Entitlements         | 8,720                | 745                  |
| (Increase) / Decrease in Net GST                       | (10,574)             | 5,257                |
| Decrease / (Increase) in Prepayments                   | 3,163                | (4,747)              |
| <b>Net cash flow from operating activities</b>         | <b>160,390</b>       | <b>145,118</b>       |

## 10 Commitments and Operating Leases

|   | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|---|----------------------|----------------------|
| <b>Operating Lease</b>                            |                      |                      |
| Not later than one year                           | 66,254               | 66,254               |
| Later than one year and not later than five years | 66,254               | 132,508              |
| <b>Total non-cancellable operating lease</b>      | <b>132,508</b>       | <b>198,762</b>       |

The BSA has an operating lease for the rental of the premises comprising part of the second floor, 54-56 Cambridge Terrace, Wellington from 1 July 2008 until 30 June 2013.

## 11 Contingent Assets and Liabilities

### Contingent Assets

As at 30 June 2011 the BSA has no contingent assets. (2010: Nil)

### Contingent Liabilities

As at 30 June 2011, the BSA had two High Court appeals lodged against its decisions.

The only financial liability that may arise from these appeals could be court costs incurred by BSA.

(2010: there was one High Court appeal lodged against the BSA's decisions.)

## 12 Key Management Personnel

|  | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|--|----------------------|----------------------|
| <b>Key management personnel compensation</b>       |                      |                      |
| Salaries and other short-term benefits             | 278,794              | 320,792              |
| <b>Total key management personnel compensation</b> | <b>278,794</b>       | <b>320,792</b>       |

Key management personnel includes all board members and the Chief Executive. The BSA had no related party transactions. (2010: Nil)

### Board Remuneration

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

|  | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|--|----------------------|----------------------|
| P Radich                               | 45,799               | 21,711               |
| T Misa                                 | 15,645               | 38,265               |
| M Shanahan                             | 27,368               | 34,713               |
| L Pearson                              | 27,521               | 16,260               |
| T Kupenga                              | 15,566               | -                    |
| J Morris                               | -                    | 34,668               |
| D Musgrave                             | -                    | 2,214                |
| P France                               | -                    | 22,206               |
| <b>Total board member remuneration</b> | <b>131,899</b>       | <b>170,037</b>       |

### Employee Remuneration

|                                    | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|------------------------------------|----------------------|----------------------|
| Total remuneration paid or payable |                      |                      |
| 100,000 - 110,000                  | 1                    | -                    |
| 130,000 - 140,000                  | -                    | 1                    |
| 140,000 - 150,000                  | 1                    | -                    |
| <b>Total employees</b>             | <b>2</b>             | <b>1</b>             |

## 13 Events after Balance Sheet Date

There were no significant events after the balance sheet date.

## 14 Financial Instruments

The carrying amounts of financial assets and financial liabilities in each of the NZ IAS 39 categories are as follows:

### Loans and Receivables

|   | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|---|----------------------|----------------------|
| Cash and cash equivalents                         | 81,629               | 22,273               |
| Debtors and other receivables                     | 5,598                | 9,771                |
| Investments - term deposits greater than 3 months | 700,000              | 610,611              |
| <b>Total loans and receivables</b>                | <b>787,227</b>       | <b>642,655</b>       |

### Financial Liabilities at Fair Value

|  | 2011<br>Actual<br>\$ | 2010<br>Actual<br>\$ |
|--|----------------------|----------------------|
| Creditors and other payables                     | 164,991              | 70,721               |
| <b>Total financial liabilities at fair value</b> | <b>164,991</b>       | <b>70,721</b>        |

## 15 Financial Instrument Risks

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

### Market Risk

#### Currency risk

The BSA is not exposed to currency risk and has no foreign currency expenditure.

#### Interest risk

Interest rate risk is the risk that the fair value of a financial instrument will fluctuate, or the cash flows from a financial instrument will fluctuate, due to changes in market interest rates.

The BSA only has exposure to interest rate risk on interest-bearing deposits.

#### Credit risk

Credit risk is the risk that a third party will default on its obligation to the BSA, causing the BSA to incur a loss. In the normal course of its business, credit risk arises from debtors and deposits with banks.

#### Liquidity risk

Liquidity risk is the risk that the BSA will encounter difficulty raising liquid funds to meet commitments as they fall due. In meeting its liquidity requirements the BSA closely monitors its forecast cash requirements.

The BSA does not use derivative financial instruments.

## 16 Explanations of Significant Variations against Budget

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

### Statement of Comprehensive Income

#### Income

BSA received revenue from the Crown paid quarterly plus annual broadcasting levies from broadcasters.

Interest income increased against budget by \$10,000 due to a higher level of investments, higher interest rates and delays in project expenditure.

#### Expenditure

BSA achieved an operating surplus of \$36,572 compared to a budgeted operating deficit of \$138,555. The following are the main areas of change:

Personnel costs reduced by \$72,000. In the main, this was because board members' remuneration for the monthly board meeting covered one day instead of two days as in the past.

Other expenses reduced by \$90,000. Partly, this is the flow-on effect of savings in accommodation and travel costs for members (as detailed above); but it was also affected by the cancellation of the planned freedom of expression research project. There was also project expenditure not expensed in the current financial year.

However, there were increased legal costs due to High Court appeals, and an increase in recruitment costs to replace two senior staff members.

## 17 Property, Plant and Equipment

Movements for each class of Property, Plant and Equipment are as follows:

|  | Artworks | Computer<br>Equipment | Furniture<br>and Fittings | Leashold<br>Improvements | Photocopier   | Office<br>Equipment | Totals        |
|--|----------|-----------------------|---------------------------|--------------------------|---------------|---------------------|---------------|
| <b>Cost or valuation</b>                 |          |                       |                           |                          |               |                     |               |
| Balance at 1 July 2009                   | 9,082    | 112,403               | 71,739                    | 152,797                  | 27,995        | 37,789              | 411,805       |
| Additions                                | -        | 4,526                 | 11,176                    | 7,955                    | 20,399        | 3,276               | 47,332        |
| Disposals                                | -        | (59,421)              | (12,121)                  | -                        | (27,995)      | -                   | (99,537)      |
| Balance at 30 June 2010                  | 9,082    | 57,508                | 70,794                    | 160,752                  | 20,399        | 41,065              | 359,600       |
| <b>Accumulated depreciation</b>          |          |                       |                           |                          |               |                     |               |
| Balance at 1 July 2009                   | 9,082    | 92,272                | 58,571                    | 136,726                  | 27,995        | 30,130              | 354,776       |
| Depreciation expense                     | -        | 14,662                | 7,332                     | 16,364                   | 3,366         | 3,196               | 44,920        |
| Eliminate on disposal / reclassification | -        | (59,421)              | (12,121)                  | -                        | (27,995)      | -                   | (99,537)      |
| Balance at 30 June 2010                  | 9,082    | 47,513                | 53,782                    | 153,090                  | 3,366         | 33,326              | 300,159       |
| <b>Balance at 30 June 2010</b>           | <b>-</b> | <b>9,995</b>          | <b>17,012</b>             | <b>7,662</b>             | <b>17,033</b> | <b>7,739</b>        | <b>59,441</b> |
| <b>Cost or valuation</b>                 |          |                       |                           |                          |               |                     |               |
| Balance at 1 July 2010                   | 9,082    | 57,508                | 70,794                    | 160,752                  | 20,399        | 41,065              | 359,600       |
| Additions                                | -        | 1,200                 | 758                       | -                        | -             | 4,687               | 6,645         |
| Disposals                                | -        | (540)                 | (678)                     | -                        | -             | (19,043)            | (20,261)      |
| Balance at 30 June 2011                  | 9,082    | 58,168                | 70,874                    | 160,752                  | 20,399        | 26,709              | 345,984       |
| <b>Accumulated depreciation</b>          |          |                       |                           |                          |               |                     |               |
| Balance at 1 July 2010                   | 9,082    | 47,513                | 53,782                    | 153,090                  | 3,366         | 33,326              | 300,159       |
| Depreciation expense                     | -        | 7,231                 | 3,087                     | 2,163                    | 6,732         | 2,024               | 21,237        |
| Eliminate on disposal / reclassification | -        | (540)                 | (678)                     | -                        | -             | (19,043)            | (20,261)      |
| Balance at 30 June 2011                  | 9,082    | 54,204                | 56,191                    | 155,253                  | 10,098        | 16,307              | 301,135       |
| <b>Carrying amount 30 June 2011</b>      | <b>-</b> | <b>3,964</b>          | <b>14,683</b>             | <b>5,499</b>             | <b>10,301</b> | <b>10,402</b>       | <b>44,849</b> |

## 18 Intangible Assets

Movements for each class of intangible asset are as follows:

|  | Acquired software |
|--|-------------------|
| <b>Cost or valuation</b>               |                   |
| Balance at 1 July 2009                 | 27,826            |
| Additions                              | 3,745             |
| Disposals                              | -                 |
| Balance at 30 June 2010                | 31,571            |
| <b>Accumulated amortisation</b>        |                   |
| Balance at 1 July 2009                 | 22,918            |
| Amortisation expense                   | 4,268             |
| Disposals                              | -                 |
| Balance at 30 June 2010                | 27,186            |
| <b>Carrying amount at 30 June 2010</b> | <b>4,385</b>      |
| <b>Cost or valuation</b>               |                   |
| Balance at 1 July 2010                 | 31,571            |
| Additions                              | 5,000             |
| Disposals                              | (2,472)           |
| Balance at 30 June 2011                | 34,099            |
| <b>Accumulated amortisation</b>        |                   |
| Balance at 1 July 2010                 | 27,186            |
| Amortisation expense                   | 2,830             |
| Disposals                              | (2,472)           |
| Balance at 30 June 2011                | 27,544            |
| <b>Carrying amount at 30 June 2011</b> | <b>6,555</b>      |

# APPENDIX I

## DECISION STATISTICS

# COMPLAINTS RECEIVED AND DECISIONS ISSUED

July 1989 - June 2011

| Year                  | Complaints Received | Decisions Issued | DETERMINATION |                      |            | Appealed to High Court *** | ORDERS                 |         |                     |                |             |                                    |  |
|-----------------------|---------------------|------------------|---------------|----------------------|------------|----------------------------|------------------------|---------|---------------------|----------------|-------------|------------------------------------|--|
|                       |                     |                  | Upheld        | Upheld as % of total | Not Upheld |                            | Declined to Determine* | Other** | Broadcast Statement | Costs to Crown | Legal Costs | Compensation for Breach of Privacy | Other  |
| July 2010 - June 2011 | 250                 | 236              | 69            | 29.2%                | 146        | 13                         | 8                      | 6       | 4                   | 2              | -           | -                                  | -  |
| July 2009 - June 2010 | 210                 | 193              | 45            | 23.3%                | 141        | 7                          | -                      | 11      | 7                   | -              | -           | -                                  | -  |
| July 2008 - June 2009 | 162                 | 151              | 25            | 16.6%                | 124        | 2                          | -                      | 4       | 3                   | 1              | -           | -                                  | -  |
| July 2007 - June 2008 | 148                 | 139              | 41            | 29.5%                | 94         | 2                          | 2                      | 13      | 3                   | 2              | -           | -                                  | 1 Refrain from broadcasting  |
| July 2006 - June 2007 | 131                 | 125              | 27            | 21.6%                | 94         | 3                          | 1                      | 10      | 7                   | 6              | -           | -                                  | -  |
| July 2005 - June 2006 | 153                 | 156              | 19            | 12.2%                | 127        | 10                         | -                      | 6       | 4                   | -              | -           | -                                  | 1 Publication of apology in newspapers   |
| July 2004 - June 2005 | 184                 | 214              | 40            | 18.7%                | 166        | 7                          | 1                      | 11      | 6                   | -              | -           | -                                  | 2 Publication in newspaper/<br>Referred back to broadcaster to review its policies |
| July 2003 - June 2004 | 196                 | 187              | 42            | 22.5%                | 133        | 5                          | 7                      | 10      | 3                   | 2              | -           | -                                  | -  |
| July 2002 - June 2003 | 169                 | 160              | 26            | 16.3%                | 116        | 8                          | 10                     | 7       | 2                   | -              | -           | -                                  | -  |
| July 2001 - June 2002 | 186                 | 180              | 44            | 24.4%                | 128        | 8                          | -                      | 12      | 2                   | 3              | -           | -                                  | 1 Broadcast of apology   |
| July 2000 - June 2001 | 197                 | 189              | 41            | 21.7%                | 135        | 13                         | -                      | 13      | 1                   | 2              | -           | -                                  | 1 Letter of apology  |
| July 1999 - June 2000 | 206                 | 239              | 71            | 29.7%                | 152        | 16                         | -                      | 12      | 5                   | 2              | -           | -                                  | 1 Refrain from advertising   |
| July 1998 - June 1999 | 204                 | 184              | 33            | 17.9%                | 132        | 9                          | 10                     | 4       | 2                   | 4              | -           | -                                  | -  |
| July 1997 - June 1998 | 174                 | 176              | 39            | 22.2%                | 122        | 12                         | 3                      | 2       | -                   | 7              | -           | -                                  | 1 Broadcast of apology   |
| July 1996 - June 1997 | 206                 | 199              | 40            | 20.1%                | 147        | 10                         | 2                      | 5       | 8                   | 1              | -           | -                                  | 2 Broadcasts of apology  |
| July 1995 - June 1996 | 179                 | 171              | 50            | 29.2%                | 110        | 10                         | 1                      | 11      | -                   | 4              | -           | -                                  | 4 Broadcasts of apology  |
| July 1994 - June 1995 | 162                 | 139              | 48            | 34.5%                | 84         | 4                          | 3                      | 7       | 1                   | -              | -           | -                                  | 2 Broadcasts of apology  |
| July 1993 - June 1994 | 168                 | 151              | 53            | 35.1%                | 92         | 6                          | -                      | 6       | -                   | 2              | -           | -                                  | 1 Broadcast of apology   |
| July 1992 - June 1993 | 159                 | 144              | 43            | 29.9%                | 97         | 3                          | 1                      | 3       | 1                   | 2              | -           | -                                  | -  |
| July 1991 - June 1992 | 106                 | 76               | 25            | 32.9%                | 46         | 4                          | 1                      | 3       | -                   | 1              | -           | -                                  | -  |
| July 1990 - June 1991 | 52                  | 45               | 19            | 42.2%                | 25         | -                          | 1                      | 7       | 1                   | -              | -           | -                                  | 2 Broadcasts of apology/<br>Refrain from advertising                               |
| July 1989 - June 1990 | 43                  | 14               | 6             | 42.9%                | 6          | 2                          | -                      | -       | -                   | 1              | -           | -                                  | -  |

\* From 2010 'Decline to Determine' encompasses all non-jurisdiction-related 'declined' findings, including that complaints were frivolous, vexatious or that in any event the complaints ought not to be determined by the BSA.  
 \*\* From 2010 'Other' relates solely to findings of jurisdiction or no jurisdiction that may have been previously included in 'Decline to Determine'.  
 \*\*\*Appeals numbers relate to the date of the original decision (and not the date of appeal or High Court decision).

## DECISIONS CONCERNING TELEVISION NEWS/CURRENT AFFAIRS, FACTUAL PROGRAMMES

Figures in brackets are from previous year.

|                       | Total Number of Decisions | Upheld  | Not Upheld | Declined to Determine | No Jurisdiction/ Accepted Jurisdiction |
|-----------------------|---------------------------|---------|------------|-----------------------|--|
| News /Current Affairs | 116 (126)                 | 28 (28) | 77 (93)    | 5 (5)                 | 6 (-)                                  |
| Factual Programmes    | 24 (13)                   | 7 (8)   | 16 (5)     | 1 (-)                 | - (-)                                  |
| Total                 | 140 (139)                 | 35 (36) | 93 (98)    | 6 (5)                 | 6 (-)                                  |

## DECISIONS CONCERNING RADIO NEWS/CURRENT AFFAIRS, FACTUAL PROGRAMMES, TALKBACK

Figures in brackets are from previous year.

|                       | Total Decisions | Upheld | Not Upheld | Declined to Determine |
|-----------------------|-----------------|--------|------------|-----------------------|
| News /Current Affairs | 3 (2)           | - (-)  | 2 (1)      | 1 (1)                 |
| Factual Programmes    | 11 (2)          | 5 (1)  | 5 (1)      | 1 (-)                 |
| Talkback              | 8 (6)           | - (1)  | 8 (5)      | - (-)                 |
| Total                 | 22 (10)         | 5 (2)  | 15 (7)     | 2 (1)                 |

## DECISIONS BY STANDARD COMPLAINED UNDER

Many complaints name more than one standard so totals do not match up with the total number of decisions released. Figures in brackets are from previous year.

|                   | Good Taste and Decency | Accuracy | Programme Information / Social Responsibility / Responsible Programming | Fairness | Children's Interests / Children | Denigration and Discrimination | Balance / Controversial Issues - Viewpoints | Privacy | Law and Order | Violence | Action Taken | Programme Classification / Content Classification, Warning and Filtering | Liquor  |
|-------------------|------------------------|----------|---|----------|---------------------------------|--------------------------------|---|---------|---------------|----------|--------------|--|---------|
| Total             | 96 (61)                | 94 (83)  | 71 (20)   | 64 (68)  | 56 (30)                         | 51 (26)                        | 47 (47)                                     | 23 (31) | 16 (14)       | 10 (5)   | 7 (4)        | 1 (2)  | 1 (6)   |
| Upheld            | 47 (10)                | 13 (18)  | 36 (3)  | 16 (14)  | 36 (14)                         | 10 (-)                         | 8 (8)                                       | 7 (4)   | 2 (-)         | 2 (1)    | 1 (-)        | (-) (1)  | (-) (4) |
| Not Upheld/ Other | 49 (51)                | 81 (65)  | 35 (17)   | 48 (54)  | 20 (16)                         | 41 (26)                        | 39 (39)                                     | 16 (27) | 14 (14)       | 8 (4)    | 6 (4)        | 1 (1)  | 1 (2)   |

## DECISIONS BY BROADCASTER

Figures in brackets are from previous year.

|                   | Total Decisions | Upheld  | Not Upheld | Declined to Determine | No Jurisdiction or Accepted Jurisdiction | Orders  |
|-------------------|-----------------|---------|------------|-----------------------|--|---------|
| Apna 990          | 2 (1)           | 1 (-)   | - (1)      | 1 (-)                 | - (-)                                    | 1 (-)   |
| KOOL FM           | 5 (-)           | 5 (-)   | - (-)      | - (-)                 | - (-)                                    | 5 (-)   |
| Māori TV          | 1 (6)           | 1 (1)   | - (4)      | - (1)                 | - (-)                                    | - (1)   |
| Planet FM         | 1 (-)           | - (-)   | 1 (-)      | - (-)                 | - (-)                                    | - (-)   |
| RadioWorks        | 15 (9)          | - (3)   | 10 (6)     | 5 (-)                 | - (-)                                    | - (2)   |
| Radio NZ          | 8 (8)           | - (1)   | 6 (5)      | 2 (2)                 | - (-)                                    | - (-)   |
| SKI FM            | 2 (-)           | 1 (-)   | 1 (-)      | - (-)                 | - (-)                                    | 1 (-)   |
| SKY TV            | 8 (2)           | 1 (1)   | 6 (1)      | 1 (-)                 | - (-)                                    | - (-)   |
| The Radio Network | 11 (2)          | 1 (-)   | 10 (2)     | - (-)                 | - (-)                                    | - (-)   |
| Triangle TV       | 1 (-)           | - (-)   | 1 (-)      | - (-)                 | - (-)                                    | - (-)   |
| TVNZ              | 108 (102)       | 25 (25) | 76 (73)    | 3 (4)                 | 4 (-)                                    | 18 (8)  |
| TVWorks           | 73 (60)         | 34 (15) | 36 (45)    | 1 (-)                 | 2 (-)                                    | 29 (10) |
| X105FM            | 1 (-)           | - (-)   | 1 (-)      | - (-)                 | - (-)                                    | - (-)   |

# APPENDIX II

## DECISION DETAILS

## DECISIONS RELEASED – BY MEDIUM

Figures in brackets are from previous year.

|            | Total Number of Decisions | Upheld  |
|------------|---------------------------|---------|
| Television | 204 (170)                 | 32 (23) |
| Radio      | 60 (42)                   | 9 (3)   |

## PROGRAMMES MOST COMPLAINED ABOUT

Figures in brackets are from previous year.

|                       | Number of Complaints | Upheld | Not Upheld |
|-----------------------|----------------------|--------|------------|
| Breakfast             | 29 (13)              | 14 (1) | 15 (12)    |
| Outrageous Fortune    | 21 (-)               | 21 (-) | - (-)      |
| Close Up              | 17 (16)              | 1 (6)  | 16 (10)    |
| 3 News                | 13 (18)              | 6 (4)  | 7 (14)     |
| One News              | 12 (25)              | 1 (6)  | 11 (19)    |
| Campbell Live         | 7 (5)                | 3 (1)  | 4 (4)      |
| Sunday                | 5 (10)               | 1 (4)  | 4 (6)      |
| Edge Morning Madhouse | 6 (-)                | 1 (-)  | 5* (-)     |
| One News Tonight      | 4 (-)                | - (-)  | 4 (-)      |
| Target                | 4 (3)                | 2 (-)  | 2 (3)      |
| 60 Minutes            | 4 (2)                | 1 (1)  | 3 (1)      |

\* Indicates Declined to Determine rather than Not Upheld.

## UPHELD WITH ORDER

| Decision Number | Complainant     | Broadcaster | Programme                 | Nature of Complaint   | Standards Complained Under                           | Standards Upheld                                   | Order                                   |
|-----------------|-----------------|-------------|---------------------------|---|--|--|---|
| 2010-001A       | Sneath          | TVNZ        | Breakfast                 | Host's comment about Susan Boyle being "retarded"                   | Discrimination/denigration                           | Discrimination/denigration                         | Broadcast statement                     |
| 2010-001B       | Higgins         | TVNZ        | Breakfast                 | Host's comment about Susan Boyle being "retarded"                   | Discrimination/denigration                           | Discrimination/denigration                         | Broadcast statement                     |
| 2010-001C       | Love            | TVNZ        | Breakfast                 | Host's comment about Susan Boyle being "retarded"                   | Good taste and decency                               | Good taste and decency                             | Broadcast statement                     |
| 2010-001D       | Shaskey         | TVNZ        | Breakfast                 | Host's comment about Susan Boyle being "retarded"                   | Discrimination/denigration                           | Discrimination/denigration                         | Broadcast statement                     |
| 2010-001E       | Hutchinson      | TVNZ        | Breakfast                 | Host's comment about Susan Boyle being "retarded"                   | Good taste and decency, discrimination/denigration   | Good taste and decency, discrimination/denigration | Broadcast statement                     |
| 2010-001F       | McConnochie     | TVNZ        | Breakfast                 | Host's comment about Susan Boyle being "retarded"                   | Discrimination/denigration                           | Discrimination/denigration                         | Broadcast statement                     |
| 2010-001G       | Shanks          | TVNZ        | Breakfast                 | Host's comment about Susan Boyle being "retarded"                   | Good taste and decency, discrimination/denigration   | Good taste and decency, discrimination/denigration | Broadcast statement                     |
| 2010-001H       | People First NZ | TVNZ        | Breakfast                 | Host's comment about Susan Boyle being "retarded"                   | Good taste and decency, discrimination/denigration   | Good taste and decency, discrimination/denigration | Broadcast statement                     |
| 2010-001I       | Dean            | TVNZ        | Breakfast                 | Host's comment about Susan Boyle being "retarded"                   | Discrimination/denigration                           | Discrimination/denigration                         | Broadcast statement                     |
| 2010-001J       | Paramo          | TVNZ        | Breakfast                 | Host's comment about Susan Boyle being "retarded"                   | Good taste and decency, discrimination/denigration   | Good taste and decency, discrimination/denigration | Broadcast statement                     |
| 2010-001K       | Ashurst         | TVNZ        | Breakfast                 | Host's comment about Susan Boyle being "retarded"                   | Good taste and decency, discrimination/denigration   | Good taste and decency, discrimination/denigration | Broadcast statement                     |
| 2010-0036       | Bush            | TVNZ        | Fair Go                   | Item alleged that photographer had stolen woman's image             | Privacy, accuracy, fairness, responsible programming | Accuracy, fairness                                 | Costs to Crown \$1000                   |
| 2010-0037       | Robinson        | RadioWorks  | The Edge Morning Madhouse | Jingle about celebrity being "into ladies" contained crude language | Good taste and decency                               | Good taste and decency                             | Costs to Crown \$2000                   |
| 2009-051A       | Catran          | KOOL FM     | KOOL FM                   | Alleged misconduct by local councillors in Whitianga                | Controversial issues, accuracy, fairness             | Controversial issues, fairness (accuracy subsumed) | Broadcast statement, legal costs \$2000 |
| 2009-051B       | Sieling         | KOOL FM     | KOOL FM                   | Alleged misconduct by local councillors in Whitianga                | Controversial issues, accuracy, fairness             | Controversial issues, fairness (accuracy subsumed) | Broadcast statement, legal costs \$2000 |
| 2009-051C       | Hewlett         | KOOL FM     | KOOL FM                   | Alleged misconduct by local councillors in Whitianga                | Controversial issues, accuracy, fairness             | Controversial issues, fairness (accuracy subsumed) | Broadcast statement, legal costs \$2000 |
| 2009-051D       | Barclay         | KOOL FM     | KOOL FM                   | Alleged misconduct by local councillors in Whitianga                | Controversial issues, accuracy, fairness             | Controversial issues, fairness (accuracy subsumed) | Broadcast statement, legal costs \$2000 |
| 2009-051E       | Bartley         | KOOL FM     | KOOL FM                   | Alleged misconduct by local councillors in Whitianga                | Controversial issues, accuracy, fairness             | Controversial issues, fairness (accuracy subsumed) | Broadcast statement, legal costs \$2000 |
| 2010-064B       | Kataovich       | TWWorks     | Campbell Live             | Item about internet business "fraudster"                            | Fairness, accuracy, privacy                          | Fairness   | \$2000 costs to complainant             |
| 2010-064C       | Kataovich       | TWWorks     | Campbell Live             | Item about internet business "fraudster"                            | Fairness, accuracy, privacy                          | Fairness   | \$2000 costs to complainant             |

|           |                 |          |   |   |   |   |  |
|-----------|-----------------|----------|---|---|---|---|--|
| 2010-066  | NJ              | APNA 990 | Apna Ne Bana Di Jodi                                  | Personal ad for complainant not authorised            | Privacy   | Privacy   | \$500 compensation                                     |
| 2010-084  | MA              | TVNZ     | Police Ten 7  | Footage of police raid on property                    | Privacy   | Privacy   | \$1500 privacy compensation, \$1000 costs to the Crown |
| 2010-097A | Godinet         | TWWorks  | 3 News  | Sex scenes from Outrageous Fortune at 6.35pm          | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests                          | Broadcast statement, costs to Crown \$4000             |
| 2010-097B | Binnie          | TWWorks  | 3 News  | Sex scenes from Outrageous Fortune at 6.35pm          | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests                          | Broadcast statement, costs to Crown \$4000             |
| 2010-097C | Cavill          | TWWorks  | 3 News  | Sex scenes from Outrageous Fortune at 6.35pm          | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests                          | Broadcast statement, costs to Crown \$4000             |
| 2010-097D | Briesman        | TWWorks  | 3 News  | Sex scenes from Outrageous Fortune at 6.35pm          | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests                          | Broadcast statement, costs to Crown \$4000             |
| 2010-097E | Ieriko          | TWWorks  | 3 News  | Sex scenes from Outrageous Fortune at 6.35pm          | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests                          | Broadcast statement, costs to Crown \$4000             |
| 2010-097F | Souch           | TWWorks  | 3 News  | Sex scenes from Outrageous Fortune at 6.35pm          | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests                          | Broadcast statement, costs to Crown \$4000             |
| 2010-107A | Carr            | SKI FM   | SKI FM report   | Comment about diarrhoea                               | Good taste and decency  | Good taste and decency  | \$500 costs to the Crown                               |
| 2010-112  | SP              | TWWorks  | Noise Control   | Footage of woman led outside by Noise Control officer | Fairness  | Fairness  | \$7000 costs to complainant                            |
| 2010-119  | Young           | TVNZ     | The Investigator Special: The Case Against Robin Bain | Questioned evidence of witness at trial               | Accuracy, fairness  | Fairness  | \$1500 costs to complainant                            |
| 2010-122  | Jackson         | TVNZ     | Close Up  | Images of porn films                                  | Action taken (good taste and decency, children's interests)           | Good taste and decency, children's interests                          | Broadcast statement, \$3000 costs to Crown             |
| 2010-141A | Muntz           | TWWorks  | Outrageous Fortune                                    | Frequent coarse language at 8.30pm                    | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown             |
| 2010-141B | Flanagan        | TWWorks  | Outrageous Fortune                                    | Frequent coarse language at 8.30pm                    | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown             |
| 2010-141C | Stadlander      | TWWorks  | Outrageous Fortune                                    | Frequent coarse language at 8.30pm                    | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown             |
| 2010-141D | Warin           | TWWorks  | Outrageous Fortune                                    | Frequent coarse language at 8.30pm                    | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown             |
| 2010-141E | Family First NZ | TWWorks  | Outrageous Fortune                                    | Frequent coarse language at 8.30pm                    | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown             |
| 2010-141F | Cahill          | TWWorks  | Outrageous Fortune                                    | Frequent coarse language at 8.30pm                    | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown             |
| 2010-141G | Lynne           | TWWorks  | Outrageous Fortune                                    | Frequent coarse language at 8.30pm                    | Good taste and decency, children's interests, responsible programming | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown             |

## UPHELD WITH ORDER (continued)

|           |              |         |                    |  |  |   |  |
|-----------|--------------|---------|--------------------|--|--|---|--|
| 2010-141H | Holland-Kara | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141I | Fletcher     | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141J | Watson       | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141K | Binks        | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141L | Lindsay      | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141M | Deady        | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141N | Davidson     | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141O | Blackburn    | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141P | Millar       | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141Q | Smithson     | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141R | Waitsmley    | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141S | Lennie       | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141T | Cobham       | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-141U | Schwabe      | TWWorks | Outrageous Fortune | Frequent coarse language at 8.30pm                           | Good taste and decency, children's interests, responsible programming                  | Good taste and decency, children's interests, responsible programming | Broadcast statement, \$3000 costs to Crown |
| 2010-145A | Parsons      | TVNZ    | Breakfast          | Host ridiculed name of India's Chief Minister Sheila Dikshit | Good taste and decency, fairness, discrimination/deni-gration, responsible programming | Good taste and decency, fairness, discrimination/deni-gration,        | Broadcast statement, \$3000 costs to Crown |
| 2010-145B | Godinet      | TVNZ    | Breakfast          | Host ridiculed name of India's Chief Minister Sheila Dikshit | Good taste and decency, fairness, discrimination/deni-gration, responsible programming | Good taste and decency, fairness, discrimination/deni-gration,        | Broadcast statement, \$3000 costs to Crown |
| 2010-145C | Adams        | TVNZ    | Breakfast          | Host ridiculed name of India's Chief Minister Sheila Dikshit | Good taste and decency, fairness, discrimination/deni-gration, responsible programming | Good taste and decency, fairness, discrimination/deni-gration,        | Broadcast statement, \$3000 costs to Crown |

## UPHELD WITH NO ORDER

| Decision Number | Complainant | Broadcaster | Programme   | Nature of Complaint                                       | Standards Complainned Under  | Standards Upheld  |
|-----------------|-------------|-------------|---|---|--|---|
| 2010-044        | Sundborn    | TWWorks     | Home and Away   | Characters passionately kissing and undressing            | Good taste and decency, children's interests, responsible programming                | Good taste and decency, children's interests, responsible programming |
| 2010-053        | Riwai-Couch | TVNZ        | Band of Brothers                                      | Sex scene broadcast at 8.40pm                             | Good taste and decency, children's interests, responsible programming                | Children's interests  |
| 2010-073        | West        | TVNZ        | Hung  | Oral sex scene and female genital nudity                  | Good taste and decency   | Good taste and decency  |
| 2010-075        | Gunasekara  | TVNZ        | One News  | Statement about Iran's nuclear testing                    | Accuracy   | Accuracy  |
| 2010-101        | Waters      | TWWorks     | We Own the Night                                      | Sex scene broadcast at 8.30pm                             | Good taste and decency, children's interests, responsible programming                | Children's interests  |
| 2010-130A       | Karam       | TVNZ        | The Investigator Special: The Case Against Robin Bain | Questioned evidence of witness at trial                   | Accuracy, fairness, controversial issues, privacy                                    | Fairness  |
| 2010-130B       | Boyce       | TVNZ        | The Investigator Special: The Case Against Robin Bain | Questioned evidence of witness at trial                   | Accuracy, fairness, controversial issues, privacy                                    | Fairness  |
| 2010-170        | Nova Ltd    | TWWorks     | Campbell Live   | Model claimed that agency was preventing her from working | Controversial issues, accuracy, fairness   | Accuracy, fairness  |
| 2010-180        | Lambert     | SKY TV      | The Soviet Story                                      | Violent details and images                                | Violence, children   | Violence  |
| 2011-001        | Freeman     | TVNZ        | Sunday  | Broadcast used offensive word twice in 7.30pm programme   | Good taste and decency, children's interests, law and order, responsible programming | Good taste and decency, children's interests                          |
| 2011-008        | Findlay     | TVNZ        | The Tiger's Tail                                      | Rape scene broadcast with no warning                      | Violence, law and order, good taste and decency                                      | Violence (good taste and decency subsumed)                            |
| 2011-025        | Bradstock   | Maori TV    | Hunting Aotearoa                                      | Hunter used offensive language                            | Good taste and decency   | Good taste and decency  |
| 2011-035        | Campbell    | TRN         | Radio Hauraki Listeners' Choice Countdown             | Expletives in song repeated 16 times                      | Good taste and decency, responsible programming                                      | Good taste and decency (responsible programming subsumed)             |

## NOT UPHELD

| Decision Number | Complainant           | Broadcaster | Programme                              | Nature of Complaint   | Standards Complained Under  |
|-----------------|-----------------------|-------------|--|---|---|
| 2009-111        | Reekie                | TVNZ        | Until Proven Innocent                  | Drama about story of David Dougherty's wrongful conviction              | Privacy, controversial issues, discrimination/denigration   |
| 2009-166        | Bolton                | RNZ         | Sunday with Chris Laidlaw              | Sociologist opined that complainant was Holocaust denier                | Accuracy  |
| 2010-005        | Hashimoto             | TWWorks     | 3 News                                 | Reporter referred to Japan's "illegal whaling"                          | Accuracy  |
| 2010-041        | Findlay               | TVNZ        | The Tudors                             | Man tortured with hot steel rod   | Good taste and decency, law and order, violence   |
| 2010-042        | Bebb                  | SKY         | The Crowd Goes Wild                    | Remark about man with red hair having a disability                      | Discrimination/denigration  |
| 2010-043        | de Villiers           | X105FM      | X105FM                                 | Host entered Premier House where BBQ for Prince William was to be held  | Good taste and decency, law and order   |
| 2010-045        | Church of Scientology | TWWorks     | Inside New Zealand: How to Spot a Cult | Interviewed former members of Scientology                               | Controversial issues, accuracy, fairness  |
| 2010-046        | Young                 | TVNZ        | The Big Bang Theory                    | Characters became intoxicated and ended up in bed together              | Law and order, responsible programming, children's interests, violence, liquor                              |
| 2010-049        | Bateson               | TVNZ        | Close Up                               | Item about homeopathy sceptics  | Controversial issues  |
| 2010-052        | McGovern              | TWWorks     | 60 Minutes                             | Teaser for upcoming episode on boy's suicide                            | Fairness  |
| 2010-054        | Kozeluh               | TVNZ        | Beyond the Darklands                   | Case study of Bert Potter and Centrepoint                               | Controversial issues, accuracy, fairness  |
| 2010-056        | McDonald              | TVNZ        | One News Tonight                       | Presenter's joke about hanging dog on washing line                      | Good taste and decency  |
| 2010-057        | Burn                  | TWWorks     | 3 News                                 | Item about 3-year-old Chinese tightrope walker                          | Children's interests  |
| 2010-058        | Rupa                  | TVNZ        | Close Up                               | Viewer opinion poll on changing the New Zealand flag                    | Controversial issues, accuracy  |
| 2010-059        | Smyth                 | TVNZ        | One News                               | Footage of injured Air Force man after helicopter crash                 | Privacy   |
| 2010-060        | Ross                  | TVNZ        | Beyond the Darklands                   | Case study of Antonio Dixon   | Privacy, accuracy, fairness   |
| 2010-061        | McPherson             | TVNZ        | Sensing Murder                         | Attempt by two psychics to solve mystery                                | Accuracy  |
| 2010-062        | Bibby                 | TVNZ        | Close Up                               | Interview with Richard Dawkins about religion                           | Good taste and decency, controversial issues, fairness, discrimination/denigration, responsible programming |
| 2010-063        | Thomson-Ryan          | TVNZ        | Close Up promo                         | Use of word "Fugly"   | Good taste and decency  |
| 2010-064A       | Kataich               | TWWorks     | Campbell Live                          | Item about internet business "fraudster"                                | Fairness, accuracy, privacy   |
| 2010-065        | FIANZ                 | TVNZ        | Sunday                                 | Investigation into forced child marriages                               | Accuracy, fairness, discrimination/denigration  |
| 2010-067        | Williams              | RadioWorks  | More FM Breakfast                      | Host and caller used the term "poofter"                                 | Discrimination/denigration  |
| 2010-069        | Paranjape             | RNZ         | Afternoons with Jim Mora               | Hosts discussed Russia's proposal to contain oil leak in Gulf of Mexico | Good taste and decency, discrimination/denigration  |
| 2010-076        | Wrathall              | TVNZ        | Tagata Pasifika                        | Item about climate change on Tuvalu                                     | Controversial issues  |

|           |                 |            |                       |  |   |
|-----------|-----------------|------------|-----------------------|--|---|
| 2010-077A | Williamson      | TWWorks    | Campbell Live         | Item about SPCA seizure of neglected horses  | Accuracy, fairness  |
| 2010-077B | Williamson      | TWWorks    | Campbell Live         | Item about SPCA seizure of neglected horses  | Accuracy, fairness  |
| 2010-077C | Williamson      | TWWorks    | Campbell Live         | Item about SPCA seizure of neglected horses  | Accuracy, fairness  |
| 2010-077D | Williamson      | TWWorks    | Campbell Live         | Item about SPCA seizure of neglected horses  | Accuracy, fairness  |
| 2010-079  | Baylis          | TWWorks    | 3 News                | Report on house fire showed owners of house  | Privacy   |
| 2010-080  | Couper-Wain     | TWWorks    | Bones promo           | Images of spiders and skeletal remains   | Responsible programming, children's interests                                       |
| 2010-081  | Wyatt           | TWWorks    | Target                | Hidden camera trial of video game retailers  | Accuracy  |
| 2010-082A | Keane           | TVNZ       | One News              | Viva Palestina aid worker's account of commando raid   | Law and order, controversial issues, accuracy, fairness, discrimination/denigration |
| 2010-082B | Keane           | TVNZ       | One News              | Viva Palestina aid worker's account of commando raid   | Law and order, controversial issues, accuracy, fairness, discrimination/denigration |
| 2010-083  | Keane           | TVNZ       | Sunday                | Viva Palestina aid worker's account of commando raid   | Controversial issues, accuracy, fairness, discrimination/denigration                |
| 2010-087A | Irwin           | TVNZ       | Masterchef NZ         | Contestant dropped live crayfish into boiling water  | Good taste and decency, children's interests, responsible programming, violence     |
| 2010-087B | Irwin           | TVNZ       | Close Up              | Chef killed crayfish by severing its head  | Good taste and decency, children's interests, responsible programming, violence     |
| 2010-088  | Wilkins         | TVNZ       | One News              | Item on release of Government Budget reported salaries of Air NZ CEO, Telecom CEO and the PM | Controversial issues, accuracy, fairness  |
| 2010-089  | Guy             | TRN        | Easy Mix              | Host's comment about smacking child  | Law and order, responsible programming  |
| 2010-090  | North           | TVNZ       | Vampire Diaries promo | During G time-band contained dark themes   | Good taste and decency, children's interests, responsible programming, violence     |
| 2010-091  | Ibousi          | TWWorks    | Sticky TV             | Panel gave advice on kissing and contained fictional scene of teenagers kissing              | Children's interests, responsible programming                                       |
| 2010-092A | Stephens        | TWWorks    | 3 News                | Host suggested fake porn movie titles  | Good taste and decency, children's interests, responsible programming               |
| 2010-092B | Family First NZ | TWWorks    | 3 News                | Host suggested fake porn movie titles  | Good taste and decency, children's interests, responsible programming               |
| 2010-093  | McCarthy        | TWWorks    | 3 News                | Referred to 13-year-old being paid to have sex   | Good taste and decency, children's interests  |
| 2010-094  | Family First NZ | TWWorks    | Nightline             | Full frontal male nudity   | Good taste and decency  |
| 2010-095  | Tucker          | TVNZ       | One News at 4.30      | Item said that NZ authorities would be equipped to cope with oil spill                       | Controversial issues, accuracy, fairness  |
| 2010-096A | Riley           | TVNZ       | Breakfast             | Comment about Asian drivers  | Good taste and decency  |
| 2010-098  | Lind            | TVNZ       | One News              | Implied DOC was involved in 1080 drop  | Accuracy  |
| 2010-099  | Lee             | TVNZ       | One News              | Teaser showed carving knife and man simulating stabbing motion                               | Good taste and decency  |
| 2010-100  | Elders          | RadioWorks | Morning Rumble        | Hosts discussed woman who alleged ex-All Black had sexually assaulted her                    | Good taste and decency, controversial issues, fairness, responsible programming     |



## NOT UPHELD (continued)

|           |              |            |                           |  |   |
|-----------|--------------|------------|---------------------------|--|---|
| 2010-102A | Boyce        | TVNZ       | One News                  | News item about upcoming documentary on David Bain case                                    | Accuracy  |
| 2010-102B | Boyce        | TVNZ       | News at Eight             | News item about upcoming documentary on David Bain case                                    | Accuracy  |
| 2010-102C | Boyce        | TVNZ       | One News Tonight          | News item about upcoming documentary on David Bain case                                    | Accuracy  |
| 2010-102D | Boyce        | TVNZ       | TVNZ News Now             | News item about upcoming documentary on David Bain case                                    | Accuracy  |
| 2010-103  | Lubetzky     | TVNZ       | Sunday                    | Interview with aid worker in Gaza raid   | Accuracy  |
| 2010-104A | Young        | TVNZ       | Close Up                  | Hidden camera footage inside pig farm  | Law and order   |
| 2010-104B | Grieve       | TVNZ       | Close Up                  | Hidden camera footage inside pig farm  | Law and order   |
| 2010-105  | Sandford     | SKY        | SKY Sport 1               | Repeat footage of head-butt in rugby match   | Violence  |
| 2010-107B | Carr         | SKI FM     | SKI FM report             | Comment about drinking pigs' urine   | Good taste and decency  |
| 2010-108  | Auge         | TVNZ       | Border Patrol             | Comments about French people eating horse meat   | Discrimination/denigration  |
| 2010-113  | Cokanasiga   | TVNZ       | Breakfast                 | Comment that Fijian leaders were "ungrateful swine"  | Discrimination/denigration  |
| 2010-114  | Bush         | TRN        | Larry Williams Drive Show | Comments about Muslims   | Good taste and decency, controversial issues, accuracy, fairness, discrimination/denigration, responsible programming |
| 2010-115  | Hearse-Farry | TWWorks    | NZ's Next Top Model       | 16-year-old photographed topless in mud pool   | Good taste and decency  |
| 2010-116  | Goodwin      | TVNZ       | Close Up                  | Item about shooting of police officers   | Law and order, fairness, discrimination/denigration, responsible programming  |
| 2010-118  | Fearon       | RadioWorks | Weekend Sport             | Host used the word "root"  | Good taste and decency  |
| 2010-120  | Hickey       | TVNZ       | Close Up                  | Report on woman's mentally ill husband   | Accuracy, discrimination/denigration  |
| 2010-121  | NZ DF        | TVNZ       | One News                  | Item on alleged dangerous driving in the NZ Army   | Controversial issues, accuracy, fairness  |
| 2010-123  | Collier      | TVNZ       | Breakfast                 | Joke referring to "Jesus Christ"   | Good taste and decency, discrimination/denigration, children's interests  |
| 2010-124  | O'Neil       | TVNZ       | What Now                  | Contestant playing Cinderella said "next time I'm holding one of my balls, you're invited" | Good taste and decency  |
| 2010-125  | O'Neil       | TVNZ       | Cellular promo            | Promo for AO movie during PGR animated film  | Responsible programming, children's interests   |
| 2010-126A | Mahon        | TVNZ       | Breakfast                 | Host's comments about immigrant doctors  | Good taste and decency, controversial issues, accuracy, fairness, discrimination/denigration, responsible programming |
| 2010-126B | Wolf         | TVNZ       | Breakfast                 | Host's comments about immigrant doctors  | Good taste and decency, controversial issues, accuracy, fairness, discrimination/denigration, responsible programming |
| 2010-127A | Patterson    | TVNZ       | Close Up                  | Item on proposed brothel for women   | Good taste and decency, controversial issues  |
| 2010-127B | Patterson    | TVNZ       | Close Up promo            | Promo for item on proposed brothel for women   | Good taste and decency, controversial issues  |
| 2010-128A | Dragicevich  | TVNZ       | Babel                     | Young girl exposed genitals  | Good taste and decency, children's interests, responsible programming   |

|           |                       |            |                            |   |  |
|-----------|-----------------------|------------|----------------------------|---|--|
| 2010-128B | Ben                   | TVNZ       | Babel                      | Young girl exposed genitals                                       | Good taste and decency, children's interests, responsible programming  |
| 2010-134  | Amnesty International | TVNZ       | Breakfast                  | Host's comments about treatment of Afghan prisoners               | Good taste and decency, responsible programming  |
| 2010-135  | Worsnop               | TWWorks    | Family Guy promo           | Cartoon promo with innuendo                                       | Good taste and decency, children's interests, responsible programming  |
| 2010-136  | Davies                | TVNZ       | Breakfast                  | Footage of motorcycle death                                       | Good taste and decency   |
| 2010-137  | Palmer                | TVNZ       | Shoda Game On - Extra Time | Host flirted with weightlifter and touched his backside           | Good taste and decency   |
| 2010-138  | Federated Farmers NZ  | TVNZ       | One News                   | Alleged that Manawatu River was "among the most polluted"         | Accuracy   |
| 2010-139  | Walls                 | SKY        | Sex and the City           | Oral sex scene  | Good taste and decency, content classification, children   |
| 2010-140  | Mathias               | TVNZ       | Breakfast                  | Host joked about looting in emergency                             | Good taste and decency   |
| 2010-143A | Millar                | TVNZ       | Breakfast                  | Comments about nationality of Governor-General                    | Action taken (good taste and decency, fairness, discrimination/denigration), controversial issues, responsible programming |
| 2010-143B | Adams                 | TVNZ       | Breakfast                  | Comments about nationality of Governor-General                    | Action taken (good taste and decency, fairness, discrimination/denigration), controversial issues, responsible programming |
| 2010-143C | Godinet               | TVNZ       | Breakfast                  | Comments about nationality of Governor-General                    | Action taken (good taste and decency, fairness, discrimination/denigration), controversial issues, responsible programming |
| 2010-143D | Yarrall               | TVNZ       | Breakfast                  | Comments about nationality of Governor-General                    | Action taken (good taste and decency, fairness, discrimination/denigration), controversial issues, responsible programming |
| 2010-143E | McNamara              | TVNZ       | Breakfast                  | Comments about nationality of Governor-General                    | Action taken (good taste and decency, fairness, discrimination/denigration), controversial issues, responsible programming |
| 2010-144  | Souness               | TWWorks    | 3 News                     | Report on damaged chicken farm in Christchurch                    | Accuracy, fairness   |
| 2010-146  | Marshall              | RadioWorks | Willie & JT                | Disclosure of caller's email address                              | Privacy  |
| 2010-148  | Taylor                | TVWorks    | Target                     | Statement about home owners fixing electrical appliances          | Accuracy   |
| 2010-149  | Bolot                 | TVNZ       | Close Up                   | Item about Gaza gave one side of the story                        | Controversial issues, accuracy, fairness, responsible programming  |
| 2010-150  | Cox                   | TWWorks    | Balls of Steel             | Skit involving actors pretending to have sex in public            | Good taste and decency   |
| 2010-153  | Bhandiwad             | SKY        | The Crowd Goes Wild        | Negative comments about India                                     | Discrimination/denigration   |
| 2010-154  | Greenwood             | SKY        | Penis Envy promo           | Promo for AO programme about penis enlargement                    | Children's interests   |
| 2010-155  | O'Connor              | TVNZ       | One News Tonight           | Report stated 10 people had died "as a result of" police pursuits | Accuracy, fairness   |
| 2010-156  | Asiworth              | TVNZ       | Breakfast                  | Host's negative comments about ACT MP                             | Good taste and decency, controversial issues, accuracy, fairness   |
| 2010-157A | Brannigan             | TVNZ       | One News                   | Report on primary teachers' strike                                | Controversial issues, accuracy, fairness   |
| 2010-157B | Brannigan             | TVNZ       | One News                   | Report on primary teachers' strike                                | Controversial issues, accuracy, fairness   |
| 2010-157C | Brannigan             | TVNZ       | One News Tonight           | Report on primary teachers' strike                                | Controversial issues, accuracy, fairness   |

## NOT UPHELD (continued)

|           |                             |                        |                          |  |  |
|-----------|-----------------------------|------------------------|--------------------------|--|--|
| 2010-158  | Pieruschka                  | TWWorks                | Sons of Anarchy          | Glamorising gang life  | Good taste and decency, law and order  |
| 2010-159  | Reade                       | TVNZ                   | Close Up                 | Interviewee with natural cosmetics brand   | Controversial issues   |
| 2010-160  | McCarron                    | TVNZ                   | Breakfast                | Host's sexual references   | Good taste and decency   |
| 2010-161  | Cox                         | TVNZ                   | One News                 | Footage of school students after suicide of schoolmate                                     | Privacy  |
| 2010-162  | Voluntary Law Assn of India | Access Community Radio | Radio Punjab             | Discussed electoral fraud by member of Indian community                                    | Accuracy, fairness   |
| 2010-164  | Cummings                    | TVNZ                   | Close Up                 | Satirical item about Palmerston North  | Accuracy   |
| 2010-165  | Riley                       | TWWorks                | Campbell Live            | Comment about having a "hand up your bum"  | Good taste and decency, discrimination/denigration                                 |
| 2010-166  | So                          | TVNZ                   | Close Up                 | Report on police corruption  | Controversial issues   |
| 2010-167  | Golden                      | RNZ                    | Morning Report           | Report on recent appointment of former Fellex director                                     | Accuracy, fairness   |
| 2010-168  | Paraiso                     | Triangle TV            | Voice of Islam           | Comments about the Bible   | Discrimination/denigration   |
| 2010-169  | Hall                        | TVNZ                   | Extreme Male Beauty      | Included shots of male genitalia   | Good taste and decency   |
| 2010-171  | Milnes                      | TRN                    | Newstalk ZB talk show    | Excerpt from The View where guest said Muslims killed Americans in 9/11                    | Law and order, controversial issues, accuracy, fairness                            |
| 2010-172  | Acland                      | TVNZ                   | Close Up                 | Viewer poll on whether government should have apologised to India for Paul Henry's remarks | Controversial issues, accuracy   |
| 2010-173  | Cordes                      | RadioWorks             | George FM competition    | Complainant not included in prize draw   | Fairness, accuracy   |
| 2010-174  | Schwabe                     | RNZ                    | Morning Report           | Discussed Paul Henry's remarks about the Governor-General                                  | Good taste and decency, discrimination/denigration                                 |
| 2010-175  | CTFA                        | TVNZ                   | Close Up                 | Interviewee promoted own brand of natural cosmetics  | Controversial issues, accuracy, fairness   |
| 2010-181  | Beckett                     | RNZ                    | Afternoons with Jim Mora | Discussion about the Hobbit industrial action  | Accuracy   |
| 2010-182  | Quin                        | TVNZ                   | Close Up                 | Item about high teenage pregnancy and abortion rate in NZ                                  | Controversial issues   |
| 2010-183  | Turner                      | TWWorks                | 2 Fast 2 Furious         | Violence including torture and shootings   | Violence   |
| 2010-184  | Aminian                     | TWWorks                | Sons of Anarchy          | Characters having sex in the same room as dead body  | Violence   |
| 2010-185  | Evans                       | TWWorks                | 3 News                   | Grainy pictures of Shane Warne with lovers   | Good taste and decency   |
| 2010-186A | Latimer                     | TVNZ                   | Q&A                      | Interview with CTU representative about Hobbit industrial action                           | Good taste and decency, controversial issues, fairness, discrimination/denigration |
| 2010-186B | Bolster                     | TVNZ                   | Q&A                      | Interview with CTU representative about Hobbit industrial action                           | Good taste and decency, controversial issues, fairness, discrimination/denigration |
| 2010-187  | Ransfield                   | SKY                    | Heartland                | Complainant shown leaning out lounge window  | Privacy  |

|           |                           |            |                                 |   |   |
|-----------|---------------------------|------------|---------------------------------|---|---|
| 2010-188A | Attorney General of Samoa | TWWorks    | Campbell Live                   | Report into how Samoa had used aid money following tsunami  | Accuracy, fairness  |
| 2010-188B | Attorney General of Samoa | TWWorks    | Campbell Live                   | Report into how Samoa had used aid money following tsunami  | Accuracy, fairness  |
| 2011-002  | McNeill                   | RNZ        | Saturday Mornings with Kim Hill | Interview with former Australian PM                         | Fairness  |
| 2011-003  | Paranjape                 | TWWorks    | Campbell Live                   | Report that "race row" erupted at Miss India NZ competition | Accuracy, fairness, responsible programming                           |
| 2011-006  | Dorrance                  | TWWorks    | Campbell Live                   | Images of topless woman                                     | Good taste and decency, children's interests                          |
| 2011-007  | Miller                    | TVNZ       | Promo for Liam                  | Woman shown naked but covering breasts and genitals         | Good taste and decency, children's interests, responsible programming |
| 2011-010  | Grieve                    | TVNZ       | Sunday                          | Item about use of sow crates                                | Law and order, fairness   |
| 2011-011  | Atkinson                  | RadioWorks | Fletch & Vaughan Show           | Contestant and hosts referred to penises                    | Good taste and decency  |
| 2011-012  | Hashimoto                 | TVNZ       | Sunday                          | Description of Tokyo as "chaotic"                           | Accuracy  |
| 2011-013  | Hoban                     | TWWorks    | 3 News                          | Reporter exclaimed "Jesus"                                  | Good taste and decency  |
| 2011-014  | Redhead                   | TRN        | Newstalk ZB talk show           | Reference to "heads so up their backsides"                  | Good taste and decency  |
| 2011-015  | Leo                       | TVNZ       | Castle promo                    | References to violence                                      | Children's interests  |
| 2011-016  | Nassau                    | TWWorks    | 3 News                          | Report that Samoan prison guards had been arrested          | Discrimination/denigration  |
| 2011-017  | Thomson                   | TWWorks    | Taken                           | Violence including torture and shootings                    | Good taste and decency, children's interests, violence                |
| 2011-018  | Berry                     | RadioWorks | Willie & JT                     | Joke about Prime Minister having polio                      | Good taste and decency  |
| 2011-021  | O'Halloran                | RadioWorks | Martin Crump Late Night Live    | Stand-in host joked about running over possums              | Good taste and decency, law and order, fairness                       |
| 2011-022  | Harrison                  | TWWorks    | 7 Days                          | Host said "motherfucker" in joke                            | Good taste and decency  |
| 2011-023  | Madsen                    | TWWorks    | Glee promo                      | Character said "I still have the use of my penis"           | Good taste and decency  |
| 2011-024A | Minogue                   | RadioWorks | News                            | Allegations that mayoral candidate doctored email           | Accuracy, fairness  |
| 2011-024B | Minogue                   | RadioWorks | News                            | Allegations that mayoral candidate doctored email           | Accuracy, fairness  |
| 2011-027  | Field                     | TVNZ       | IRB Sevens World Series         | Use of the term "MILFs"                                     | Good taste and decency  |
| 2011-036  | Towers                    | TRN        | Newstalk ZB talk show           | Host referred to "whack-job Christians"                     | Discrimination/denigration  |
| 2011-042  | Hashimoto                 | RadioWorks | Radio Live Drive                | Host referred to "dirty Germans" stealing geckos            | Good taste and decency, discrimination/denigration                    |

## DECLINED TO DETERMINE

| Decision Number | Complainant | Broadcaster | Programme                 | Nature of Complaint                                  | Standards Complained Under  | Reason   |
|-----------------|-------------|-------------|---------------------------|--|---|--|
| 2010-068        | Golden      | RNZ         | Nine to Noon              | Interview with Sir Eion Edgar about award            | Law and order, controversial issues, accuracy, fairness, responsible programming      | Complainant's concerns did not raise any issues of broadcasting standards      |
| 2010-065        | McDonald    | TVNZ        | One News                  | Item on search for missing sailor                    | Accuracy  | Complaint vexatious and trivial  |
| 2010-068A       | Meek        | RadioWorks  | The Edge Morning Madhouse | Hug-a-Ginga Day promotion                            | Good taste and decency, privacy, discrimination/deni-gration, responsible programming | Recording of broadcast unavailable   |
| 2010-068B       | Dunlop      | RadioWorks  | The Edge Morning Madhouse | Hug-a-Ginga Day promotion                            | Good taste and decency, privacy, discrimination/deni-gration, responsible programming | Recording of broadcast unavailable   |
| 2010-068C       | Kelly       | RadioWorks  | The Edge Morning Madhouse | Hug-a-Ginga Day promotion                            | Good taste and decency, privacy, discrimination/deni-gration, responsible programming | Recording of broadcast unavailable   |
| 2010-068D       | Clarke      | RadioWorks  | The Edge Morning Madhouse | Hug-a-Ginga Day promotion                            | Good taste and decency, privacy, discrimination/deni-gration, responsible programming | Recording of broadcast unavailable   |
| 2010-068E       | Johnstone   | RadioWorks  | The Edge Morning Madhouse | Hug-a-Ginga Day promotion                            | Good taste and decency, privacy, discrimination/deni-gration, responsible programming | Recording of broadcast unavailable   |
| 2010-070        | Steel       | TVNZ        | One News                  | Complaint about content on TVNZ's website            | Accuracy  | Authority does not have jurisdiction to consider print content on the internet |
| 2010-074        | McDonald    | Radio NZ    | National News             | Item about ACC levy increase for motorcyclists       | Accuracy  | Complaint frivolous, trivial and vexatious                                     |
| 2010-086        | Tucker      | TVWorks     | 3 News                    | Programme failed to report important news            | Controversial issues, accuracy, fairness, responsible programming                     | Complainant did not specify which parts of the programme breached standards    |
| 2010-129        | Lateef      | APNA 990    | Talkathon                 | Allegedly referred to complainant and his wife       | Privacy, accuracy, fairness   | Recording of broadcast in Hindi and translation incomplete                     |
| 2011-004        | Ryan        | TVNZ        | One News Tonight          | Described Prince William as the next King of England | Controversial issues, accuracy  | Complaint trivial  |
| 2011-009        | Rice        | SKY         | Prime News                | Item about train collision                           | Accuracy  | Complaint trivial  |

## NO JURISDICTION

| Decision Number | Complainant | Broadcaster  | Programme                     | Nature of Complaint            | Standards Complained Under | Reason          |
|-----------------|-------------|--------------|-------------------------------|--------------------------------|----------------------------|-----------------|
| 2010-142A       | Dougherty   | TVNZ         | One News                      | Report on Film and TV Awards   | Accuracy                   | No jurisdiction |
| 2010-142B       | Dougherty   | TVWorks      | 3 News                        | Report on Film and TV Awards   | Accuracy                   | No jurisdiction |
| 2010-151        | Calder      | TVWorks/TVNZ | One News/ 3 News              | Jurisdictional issue           |                            | No jurisdiction |
| 2010-152        | Johnson     | TVNZ         | One News item on TVNZ website | Jurisdictional issue           |                            | No jurisdiction |
| 2010-189        | Visser      | TVNZ         | One News                      | Coverage of rowing competition |                            | No jurisdiction |
| 2011-040        | Paranjape   | TVNZ         | One News                      | Coverage of cricket matches    | Discrimination/denigration | No jurisdiction |

## ACCEPTED JURISDICTION

| Decision Number | Complainant   | Broadcaster | Programme           | Nature of Complaint   | Finding  |
|-----------------|---------------|-------------|---------------------|---|--|
| ID2010-106      | Bennett       | TVWorks     | Target              | Interlocutory decision as to whether Authority had jurisdiction to accept complaint | Authority has jurisdiction to accept complaint |
| ID2010-132      | Paper-Reclaim | RadioWorks  | Campbell Live promo | Jurisdictional issue  | Accepted jurisdiction                          |



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