

BROADCASTING
STANDARDS AUTHORITY
ANNUAL REPORT 2008
TE MANA WHĀHOTEA NONGA
KAI PĀHĀTAU 2008
Ā-TAU 2008 PŪRONGO

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VISION WAWATA

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

MISSION KOROMAKINGA

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

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

MEMBERS

JOANNE MORRIS OBE, LLM (HONS)

Joanne Morris has been chair of the BSA since October 2003, and was reappointed for a further three-year term in 2006. Formerly an academic lawyer and law commissioner, Joanne was a member of the BSA for five years from its establishment in 1989. Joanne is also a member of the Waitangi Tribunal, a position she has held for 19 years. She and her husband have two teenage children and live in Wellington.

TAPU MISA

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

DIANE MUSGRAVE MA (HONS), DIP. TCHG

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

PAUL FRANCE

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

CHAIR'S REPORT

NEW ZEALANDERS TAKE PRIDE IN GIVING EVERYONE 'A FAIR GO' AND THE BSA IS COMMITTED TO FOSTERING FAIR BROADCASTING.

The concept of broadcasting that is fair - to its audiences, to those who feature in programmes, and to broadcasters - necessarily involves the ideals of freedom and independence. This means that the BSA operates in a zone where vital social rights and values intersect and, sometimes, compete.

For example, broadcasters' right to freedom of expression, and audiences' corresponding right to receive information of any kind, must be weighed against the importance of New Zealanders receiving news coverage that is accurate and impartial, and against the right of individuals not to have their privacy infringed.

Fairness, freedom and independence all flow from knowledge and understanding. That is why we conduct research about New Zealanders' media habits and opinions. It is also why we seek to engage New Zealanders in dialogue about important broadcasting issues, and to encourage discussion and the availability of good information about wider media issues.

Achieving the goal of fair broadcasting takes effort. The BSA is in a tripartite relationship with television and radio broadcasters and the viewing and listening public. Some members of the public appear to favour stringent regulation (the BSA shouldn't allow it, because then we wouldn't have to watch or hear it) over consumer responsibility (we can turn off the TV or radio when the classifications and warnings system has advised us that what's going to be broadcast won't appeal to us). Broadcasters may be more inclined to rely on freedom of expression (we can say or screen anything, at any time) ahead of restraints that have social justifications but may prejudice the business of broadcasting.

Our work depends very much on balancing these different concerns. Our decisions and the reasons for them must meld the law (including the Broadcasting Act and the Bill of Rights Act), social expectations of traditional media (set against a rapidly changing larger media context), and the realities of broadcasters' lives (including commercial and time imperatives). We carry out this work on behalf of the people of New Zealand and this ultimate responsibility to the public is always in our minds.

With the BSA's membership including legal, broadcasting and community experience, the result is that our work is always important, often challenging, and never dull. In this, my fourth report as Chair, I give an overview of our year's work. The Chief Executive's and Legal Manager's reports contain a more detailed analysis of our functions, especially our complaints and research work.

Complaints and Code Reviews

As is to be expected, the complaints that come before the BSA continue to be as wide-ranging as the content on television and radio. In the past twelve months we have determined complaints involving everything from *Breakfast* to *Nightline*, from a children's story read on radio to the television show *Californication*.

The Authority has had another demanding year, with an increase in the number of complaints referred to us and a continuation of the trend of more complex complaints.

Our broadcasting standards system is underpinned by four codes of practice, each of which is reviewed every five years to ensure it remains relevant. The code review process usually begins with an opening discussion between broadcasters and the BSA of any areas of concern with the current code. A revised code is then drafted by the broadcasters in further consultation with the BSA. That draft code is put out for public discussion, which helps inform any further changes. Finally, when agreement is reached on final wording, the revised code is approved by the BSA. This process takes time and works only with goodwill from all sides and consistent effort on the part of broadcasters and the BSA.

Two of the codes, the Radio and Free-to-Air Television Codes, were scheduled for review during the year. The revised Radio Code took effect from 1 July 2008. The key change in the new code is the modification of the Accuracy standard. Previously it stated that:

In the preparation and presentation of news and current affairs programmes, broadcasters are required to be truthful and accurate on points of fact.

This requirement was absolute and provided no leeway where an inaccuracy was broadcast even though all care had been taken to ensure that the information was accurate. The revised standard provides that:

Broadcasters should make reasonable efforts to ensure that news, current affairs and factual programming:

- is accurate in relation to all material points of fact; and/or
- does not mislead.

During the year we also commenced a review of the Free-to-Air Television Code. Progress on this review was not as rapid as we had envisaged but we hope to complete it in early 2009.

In addition, the Election Programmes Code required revision because of amendments to the Broadcasting Act made in conjunction with the Electoral Finance Act. The changes made related largely to procedure. Complaints about 'election programmes' (typically election advertising and opening and closing addresses broadcast on radio or television) are now sent directly to the BSA rather than to the broadcaster. The standards in the Election Programmes Code were not reviewed. The revised code came into force on 1 June 2008.

We have instituted a policy of publishing newly revised codes of broadcasting practice in both English and Māori and this year two codes, the Election Programmes and Radio Codes, were republished in this way. We also used the opportunity to give the codes a fresher look.

Research

Research is one of our functions as prescribed in the Broadcasting Act. Our research programme is ambitious considering our size and relatively modest operating budget, and we continue to be proud of the research we publish.

The Act also prescribes that we encourage the development and observance of codes in relation to the protection of children.

Children are among our most vulnerable citizens and this year we were pleased to be able to deliver a major piece of research which will help us better understand how they relate to media.

Seen and Heard: Children's Media Use, Exposure and Response was published in May this year. Most notably for us, the study reinforced what we had always suspected: children are not passive media consumers who merely absorb content, but savvy media users with their own opinions and their own methods of dealing with challenging material. The Chief Executive's report covers this research in more depth.

Future Direction

The current review of broadcasting regulation undertaken by the Ministry for Culture and Heritage makes it timely to consider the pros and cons of what we have. In our view, the present system is essentially of sound design. We certainly believe that the 'co-regulatory' approach (where responsibility for regulation involves the broadcasters together with a state-appointed body) is an appropriate one for our country.

The present system requires broadcasters to develop the Codes of Broadcasting Practice (the 'rules of the game') and to be the first avenue of complaint in respect of the programmes they broadcast. Broadcasters must have informal and accessible complaints processes in place and respond to complaints in a timely fashion.

This is appropriate because broadcasters depend on their audiences for their livelihood. We know that most take their responsibilities seriously. We also know that news and current affairs journalists, about whose work a significant proportion of complaints are made, are proud of their profession and of the responsibilities that come with being part of the Fourth Estate.

In our view, both full state regulation, where the broadcasters are excluded from the standards system, or a complete self-regulatory approach, where the state has no role, have drawbacks that are likely to make them unworkable or unpalatable in New Zealand.

We do not claim, however, that the present system is perfect. We remain concerned that the changes across all media mean that our standards system is already dated and further media convergence will only worsen this situation. New Zealanders today access content in a variety of ways that were not considered in 1989 when our Act was written. Moving forward, it is clear that any future system needs to be appropriate, flexible and, above all, fair.

The overarching issues that need to be addressed include what electronic media content (television, radio, the internet, mobile devices) should be regulated; what regulatory model (co-regulation, self-regulation, state regulation) would be most appropriate for that content; and what regime of rules would be most suited to the different sorts of content.

Looking specifically at the standards based provisions of the Broadcasting Act we believe that these are some of the questions that will need to be addressed:

- Complaints can currently be made about privacy and fairness matters by third parties with no connection to the individual whose privacy has allegedly been infringed or to the individual or organisation who has allegedly been treated unfairly. One question is whether privacy and fairness complaints should be made only by or on behalf of the affected person. Against the apparent logic of that position is the

fact that the standards system, as a whole, is aspirational and based on a concept of public protection. The ability of third parties to make complaints is arguably in line with this concept of public duty.

- The Act provides for the possibility of modest redress (up to \$5,000) to a person whose privacy has been infringed by a broadcast. It may be just to extend the possibility of financial redress to complainants dealt with unfairly in a broadcast, given that unfair treatment can be as damaging as a breach of privacy. It may also be appropriate to revise the maximum amount able to be awarded; the current amount was set nearly 20 years ago.
- The financial penalties (costs to the Crown) able to be imposed on broadcasters for serious breaches of standards are fixed at a maximum of \$5,000. That figure was set some 12 years ago. It may be timely to review that amount.
- The current standards differ slightly between free-to-air TV, pay TV and radio. If other content delivery platforms are added to the BSA's jurisdiction, the codes and any powers to make orders will need to continue to take into account the differences between these platforms.
- The Act sets out the requirement for broadcasters to publicise the complaints process but gives the BSA no power to oversee or have input into this publicity. Information is key for enabling consumers to make wise media choices and there should be a discussion about whether the BSA should at least have a say in publicising the system it administers.
- The complaints process is designed to be accessible so that the public has a free complaints service. If a broadcaster appeals a decision to the High Court, the complainant becomes the respondent but may not wish to (and need not) take part in the appeal. In such circumstances, it may be unfair that they could be liable for costs if the appeal succeeds.
- The broadcasting standards appeals system ends with the High Court, and while this may be just, there may be an argument for further appeals in certain circumstances involving issues of public importance.'

Conclusion

Many thanks go to my fellow board members, Tapu Misa, Diane Musgrave and Paul France. Diane's term will come to an end during the course of the upcoming year and I thank her for all her work since joining the Authority in 2003 and particularly as the lead board contact with the Community Advisory Panel.

On behalf of all the board I thank our dedicated staff for their work.

I acknowledge the constructive relationships we have with our stakeholders and would especially like to thank David Innes (Radio Broadcasters Association), Justine Wilkinson and Rick Friesen (Television Broadcasters Council), Clare Bradley (MediaWorks), Andrea Fasching and Dianne Martin (TVNZ) and George Bignell (Radio NZ) for their work on the code reviews. We also greatly appreciate the support we receive from those working at the Ministry for Culture and Heritage.

Joanne Morris, OBE, Chair

CHIEF EXECUTIVE'S REPORT

LAST NIGHT'S ITCHY AND SCRATCHY SHOW WAS, WITHOUT A DOUBT, THE WORST EPISODE EVER. REST ASSURED, I WAS ON THE INTERNET WITHIN MINUTES, REGISTERING MY DISGUST THROUGHOUT THE WORLD.

It might seem unusual for the Chief Executive of a Crown Entity to quote Comic Book Guy from *The Simpsons*. But the Broadcasting Standards Authority isn't a typical Crown Entity and citing a complaints-focused television character is rather appropriate given our mandate.

Our organisation deals with complaints about everything from footage caught on hidden cameras to discussions on climate change, from sexual threesomes to the use of the word 'next'. Our work is often challenging and never boring.

Complaints

Complaints determination is our key function and a full discussion of complaints can be found in the Legal Manager's report.

We have an ongoing strategy for measuring stakeholder satisfaction with our systems and service, especially our complaints determination procedures. During the year we surveyed a selection of past complainants and asked them about their BSA experience. On the whole, complainants had confidence in the BSA processes and were pleased with how we communicated with and treated them. Feedback from the survey highlighted some improvements we could make, especially around awareness of the website, the 0800 number and other information available about the complaints process. We were surprised, for example, that 36% of complainants were unaware of the printed versions of the Codes of Broadcasting Practice while 26% were unaware of the electronic versions available online. Complainants also highlighted work we could be doing to de-mystify the board's decision-making process. We have rolled many of the issues raised in this survey into our work for the coming year.

High Court Appeals Released

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

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

XY and CanWest TVWorks (2006-014)

XY was the subject of *Inside New Zealand - Stake Out: Models Exposed*, a TV3 programme that showed him photographing models in his bedroom. The BSA found there had been a breach of his privacy.

In court TV3 argued that merely establishing an 'intrusion' was not enough to breach the privacy principle and that there needed to be some offensiveness in the facts disclosed. TV3 also argued the BSA had acted *ultra vires* in establishing the relevant privacy principle.

There was also debate about the natural expectation of privacy, the meaning of the words 'solitude or seclusion' and the privacy principles in general.

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

Du Fresne and CanWest TVWorks (2007-017)

This case concerned an interview on 3 News with JS, a committed mental patient. JS's psychiatrist brought the original complaint. The BSA found that JS could not consent to the interview and so TVWorks had breached the privacy standard of the Free-to-Air Television Code of Broadcasting Practice.

On appeal Justice France quashed the BSA's decision. He found that the BSA should not have determined the decision without referring to JS, especially given that the case revolved around JS's mental status. However, he also did not endorse TV3's behaviour given that they could have easily worked through the psychiatrist's concerns for JS which had been raised before the interview went to air.

The BSA has considered the direction given in this judgment and we believe the facts of the case mean that it is likely to be limited to very specific situations.

Wellington City Council and Radio New Zealand (2007-056)

This decision concerned a *Morning Report* item that erroneously claimed that Wellington City Council was looking at scrapping free weekend parking. The BSA upheld WCC's complaint on the grounds that the item was inaccurate and unfair, and ordered RNZ to broadcast a statement summarising the decision.

In the appeal RNZ said that the BSA's order of a broadcast statement was unnecessary as simply releasing the BSA's decision was sufficient to mark the breach. Justice France did not agree and the BSA's order to broadcast a statement was upheld.

Other High Court Appeals

Other decisions released this year have also been appealed:

Green and TVNZ (2007-068) – the High Court judgment on this appealed decision was released outside the reporting period.

Dyson, Gourley & DPA and Radio NZ (2007-077) – this appeal was subsequently withdrawn.

Research

We have a research plan that outlines our strategic objectives in this area. The plan states that our research programme will "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". Our overall aim here is to be continuously curious, and informed, about New Zealanders' views on broadcasting standards and related matters.

Children and Media

Our key piece of research undertaken and published this year examined the media lives of children – how they interact with television, radio, the internet, video games and mobile devices. In *Seen and Heard: Children's Media Use, Exposure and Response* we sought to answer the question, "What do New Zealand children think of and do with media? We were also looking for an update on our 2001 study, *The Younger Audience: Children and Broadcasting in New Zealand*. Both the original study and the latest report were carried out by research agency Colmar Brunton.

In *Seen and Heard* we interviewed 604 New Zealand children aged six to 13 and their primary caregivers and asked them about children's media use across a range of media including television, radio, the internet and mobile devices. We also looked at children's exposure to content that might be challenging or inappropriate for them and asked the children what they think about such content and what they do when they encounter it.

The report showed that New Zealand children make good use of the media that they have access to at home – they watch TV programmes (99%), watch video tapes or DVDs (93%), play computer or video games (84%), listen to the radio (76%) and use the internet (62%). Forty-two percent of children use a cellphone and 35% watch recorded TV programmes. Around three-quarters (72%) of children use a computer at home that can connect to the internet.

On television, children said they were most commonly bothered or upset by violent content (29%), sexual content/nudity (21%) and scary/spooky things (20%). Bad language (20%) is the most common source of upset for children who listen to the radio, whereas sexual content (16%) received the most mention from children who use the internet.

Children are easily able to articulate how they react to challenging content across various media – the majority of children 'exit' the situation by turning off the media device or switching to different content.

Parents who express at least some concern about what their child sees on TV are most commonly worried about the child's exposure to violent content (51%). Inappropriate language dominates parents' concerns about what their children hear on the radio (56%), and it was restricted/adult sites that worried them most about the internet (57%).

Restricting the hours and/or time of day that children can watch TV is the most common way a parent manages their child's viewing (66%). Restricting viewing according to programme content (which in many instances is indicated by classifications and warnings) is also

prevalent (41% mentioned this without prompting). Further, 31% of parents say they supervise their child's viewing.

The research showed that awareness of the 8:30pm 'watershed' – the time after which programmes that are not suitable for children are shown on TV – changed significantly since the 2001 study; parents' awareness has fallen by 17 percentage points, and children's awareness has risen by 10 percentage points. The drop in awareness among adults was a concern for us. We had already been working on awareness campaigns and will continue to work on improving knowledge of the watershed.

We were scheduled to commission a qualitative study based upon findings from *Seen and Heard* by June 2008, however we chose to reschedule this follow-up in order to further digest the findings from the original study. That qualitative research will now go ahead in 2009.

Other Research

We commissioned Associate Professor Martin Hirst of The School of Communication Studies, Auckland University of Technology, to consider a number of questions about the balance standard in the codes of broadcasting practice for radio, free-to-air television and pay television.

The report was designed to stimulate discussion about the issue of balance. Among the issues covered in the think piece are whether the distinction between balance and fairness is strong enough, a comparison between balance and 'due impartiality' and the effect on balance of the range of alternative media sources via the internet. After the release of the study we invited comment on the issues raised.

During the year we also carried out the fieldwork for a study of public attitudes to violence in audio-visual entertainment (as distinct from, for example, news and current affairs). This was a joint project with the Office of Film and Literature Classification, and the study will be published before the end of 2008. The partnership with the OFLC has been immensely successful and we are looking for other research opportunities to partner with them, and other organisations, where practicable.

We also undertook preparatory work for a study on television classifications and warnings. This research will be carried out this coming year.

Communications

We have been focussing our attention on making our process as accessible as possible for all New Zealanders and part of that work this year saw us translate our key complaints information into a further eight languages. As well as English and Māori, information on how to make a complaint can now be accessed in Arabic, Traditional Chinese, Cook Island Māori, Khmer, Korean, Punjabi, Samoan and Tongan. We hope to further expand to other languages in the coming year.

In August 2007 the BSA participated in the *New Broadcasting Futures: Out of the Box* conference. We brought out respected broadcasting researcher Andrea Millwood Hargrave from the UK for the conference and she was able to provide her observations on both the future of content regulation and issues of cultural diversity.

Most of our communications activity is related to our work in 'media literacy' which involves enabling people to control their relationship with media. Our media literacy strategy has been further developed this year and we continue to sponsor www.mediascape.ac.nz, a media education web-based portal.

Community Advisory Panel

A two-year workplan of activity arising from consultation with our Community Advisory Panel (CAP) commenced in early 2007 and continued this year.

The first key project was to improve knowledge about BSA decisions and the complaints process among ethnic communities. Between June 2007 and February 2008 we released five different articles all promoting broadcasting standards issues: how to make a complaint to the BSA, using classifications and time bands to control TV viewing, differing views on good taste and decency, the effects of new media on the BSA's content standards regime and the importance of engaging with different communities. The articles were translated into a variety of languages and featured in ethnic publications including *Indian Newslink*, *Kuk Punjabi Samachar*, the *Oriental Times*, *Home Voice - Chinese Weekly News* and *Spasifik Magazine*.

The CAP identified a lack of awareness about classifications and time-bands among sections of the community, particularly caregivers of young children. As a result, the second CAP project, a campaign about the AO 8.30pm watershed and the classifications system, was developed.

A poster explaining the watershed was produced for teenage babysitters and distributed to secondary schools. An advertising campaign for grandparents who look after children, also about the watershed, was run in ethnic print media. The poster was produced in a variety of languages including Punjabi, Hindi, Arabic, Chinese, Samoan and Tongan. An 'AO' themed fridge magnet designed to appeal to young mothers was produced and distributed throughout the country via Parent and Child Shows in Auckland, Wellington and Christchurch, and sent to playgroups and caregiver associations.

Advertisements explaining the BSA complaints process were produced in various languages and published in ethnic print media. We also created a 'how to complain' themed poster in Te Reo Māori and distributed this to Kohanga Reo and Kura Kaupapa throughout the country. The feedback, especially concerning the Te Reo poster, has been overwhelmingly positive.

A new workplan arising from further CAP consultation was confirmed by the BSA board in May 2008 and the projects that form part of this plan will be rolled out through to June 2009.

The work of the BSA has been immensely enriched by the resources that have flowed from the CAP workplan and consultation with the CAP members. Thanks and gratitude go to the CAP for their service during part or all of this year – Tim Cadogan, Fraser Campbell, Anna Carter, Efeso Collins, Liz Hirst, Huia Lloyd, Raj Mundi, Lynda Park, Jessica Ralph and Rob Tuwhare.

General Management

We continue our secure financial position due to good returns from invested money and a slight increase in our levy. Over the past few years we have been fortunate to have been able to commit sizeable percentages of our budget to research outcomes by using reserves. We are aware that we will not be able to continue to make these sorts of investments long-term and so our future planning will take this into account.

Operating with such a small staff as we do creates various challenges; issues such as succession planning, diversity, staff departures and depth of workforce all must be handled appropriately. This year two staff members left the BSA. Jo Wilkinson, a member of the administration team had been working with us while completing her studies at Victoria University. In her place we appointed Zhao Xiaofeng and returning employee Margaret Giannotti as part-time Administrators early in 2008. Kate Ward, who had been the BSA's Research and Communications Advisor since 2004 also left for a position at the Office of Film and Literature Classification. Kate Baker took over as our new Communications Advisor in June. The research portion of the former position has been absorbed into the Chief Executive role.

Staff changes in the previous year gave us the option to leave one position in the legal team vacant until there was an increase in complaints numbers. This left our legal resources stretched and with an increase in complaints this year we chose to refill that position in order to maintain our targets over timeliness and quality of decisions. As a result our new Legal Advisor Patricia Windle joined the legal team in January this year.

Good Employer

The BSA is committed to being a good employer and our policy and practices reflect the 7 key good employer elements:

1. Leadership, Accountability and Culture
2. Recruitment, Selection and Induction
3. Employee Development, Promotion and Exit
4. Flexibility and Work Design
5. Remuneration, Recognition and Conditions
6. Harassment and Bullying Prevention
7. Safe and Healthy Environment

We are dedicated to maintaining a working environment that demonstrates our continuing commitment to the principles of equal employment opportunities (EEO). We value diversity and operate a zero tolerance policy towards discrimination. We offer a family friendly workplace, provide training and reasonable benefits to support staff development and wellbeing and place an emphasis on work/life balance. Our policies are reviewed annually and input is sought from all staff during the review.

Conclusion

He aha te mea nui o te ao? He tangata! He tangata! He tangata! What is the most important thing in the world? It is people! It is people! It is people!

We provide an accessible complaints system for the public and I want to acknowledge all those who take the time to become involved by having their say as well as the broadcasters who must work within the system. Thank you also to all those who have given advice or support to the BSA in the past twelve months.

I express my sincere appreciation to the four members of the BSA board who carry out a very difficult task with both dedication and skill. And lastly I want to recognise the commitment of the BSA staff. We are not an organisation that receives many thanks but I want to formally thank them for the superb job they do.

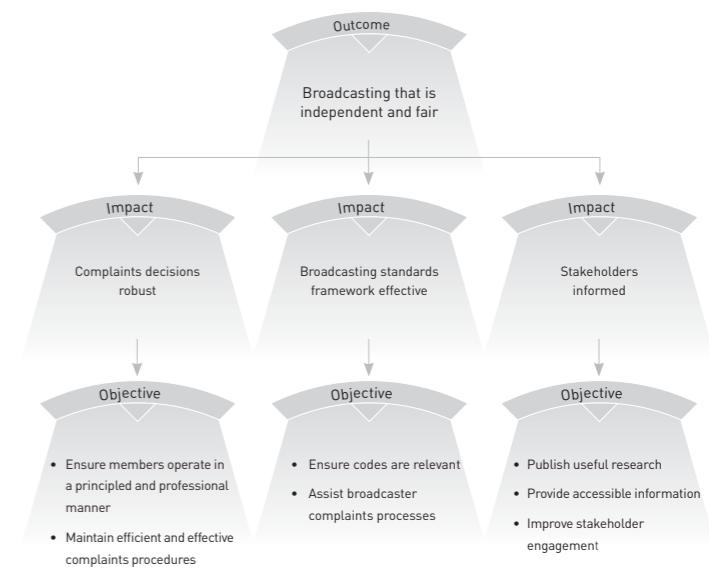


Dominic Sheehan, **Chief Executive**

BSA Outcomes Framework

The information contained in this Annual Report describes our achievements during the past year in three key areas: complaints determination, the broadcasting standards framework and stakeholder information.

The following table from the BSA's 2007-2010 Statement of Intent illustrates our goals.



BSA Outcome, Impacts and Objectives Structure

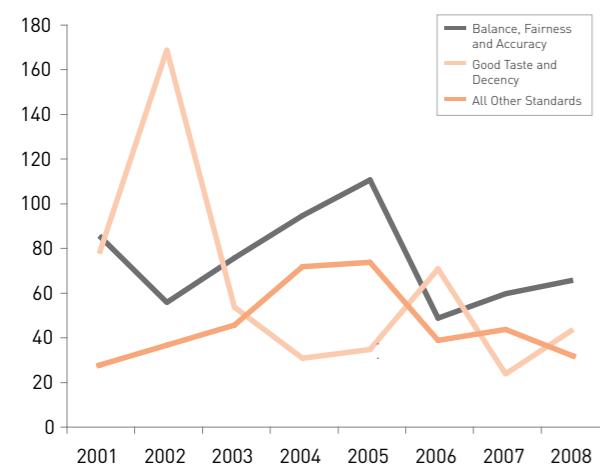
LEGAL MANAGER'S REPORT

Decisions Overview

This year the BSA issued 139 decisions compared to 125 in the previous twelve months and we received 148 complaints, compared to last year's 131. This 13% increase in complaints reverses a four-year downward trend. There may be several reasons for the upswing in referred complaints including improved awareness of the complaints process, increased publicity for the BSA or perhaps simply general public concern over the effect of the media. We note that another media complaints organisation, the Advertising Standards Authority, has also experienced increased complaints numbers recently.

Of the 139 decisions issued:

- 82% (114 decisions) concerned television programmes (73% or 91 in 2007)
- 18% (25) concerned radio broadcasts (27% or 34 in 2007)
- 29% of complaints (40) were upheld in full or in part (22% or 27 in 2007)
- 32 of the 40 upheld decisions concerned television broadcasts; 8 concerned radio
- 53% of decisions concerned news, current affairs and talk radio (70% in 2007)
- 65 alleged breaches of balance, fairness or accuracy standards. 35% were upheld (24% in 2007)
- 43 alleged breaches of good taste and decency. 16% were upheld (4% in 2007)



As has been the case in the past few years, we are receiving a high number of complex or challenging complaints and the majority of complaints continue to concern news, current affairs and talk radio. Given the rise in complaints numbers it is no surprise that there has been an increase in complaints under various standards, including good taste and decency.

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

Hidden Cameras: Privacy and Fairness

There has always been a tension between the media's desire to pursue a story and the individual's right to keep their lives private but this issue has gained increased prominence in the past few years. New technologies make filming much easier and a diet of reality-based entertainment has made peering into people's private lives a daily occurrence. This year that tension resulted in a significant BSA decision. Since its launch in 1999 the *Target* programme has used "hidden camera trials" to investigate the service provided by hundreds of trades people and service providers. This year, the BSA received and determined the first complaint that broadcasting hidden camera footage on *Target*, within a private residence, was a breach of privacy and was unfair (O'Connell and TVWorks Ltd, 2007-067).

A member of the public complained about a *Target* episode which featured hidden camera footage of four caregivers who had been hired to care for an elderly actor for a four-hour period. The caregivers were filmed inside the *Target* home where cameras were set up throughout. Each caregiver was given a score out of ten for their performance. Two of the caregivers performed well and scored seven and eight out of ten. One caregiver, who ate some food from the fridge without asking and did not wait outside while the actor used the bathroom, was rated five out of ten. The fourth caregiver was late to the job, used expired milk in the actor's cup of tea, did not return the actor's change after buying more milk, ignored the actor's coughing, gave her no privacy in the bathroom, and also read her personal diary. This caregiver was rated three out of ten by the programme.

The BSA upheld the privacy and fairness complaints. With respect to privacy, the BSA considered that, because the caregivers had no expectation of being alone in the house, they did not have an interest in solitude when working in the *Target* home. However, taking into account that the house was not accessible to the general public and was shut off from public view, the BSA considered that the caregivers had an interest in seclusion when they were working inside the property. It therefore found that the caregivers had a reasonable expectation of privacy during the course of their work.

The BSA has previously determined privacy complaints about the use of hidden camera footage, and found that broadcasting footage taken with a hidden camera will usually amount to an intentional interference "in the nature of prying". In this case, it said that secretly filming the caregivers inside the *Target* house where they had a reasonable expectation of privacy was an intrusion of this nature.

Considering whether the ordinary person would find the intrusion offensive, the BSA noted that the programme makers had set up hidden cameras without having any indication of how the caregivers would behave. This was not a situation where the broadcaster was aware that these individual caregivers were participating in unlawful or unprofessional behaviour. The BSA said it was essentially a "fishing expedition".

The broadcaster argued that the caregivers had given "implied consent" for the hidden camera footage to be broadcast. It based this on the fact that the caregivers' employers had all been notified about the filming prior to the broadcast date. The BSA disagreed with this line of reasoning, noting that privacy principle 5 makes it clear that only the "individual whose privacy is allegedly infringed" can give consent to the disclosure, not their employer or any other person.

Because the broadcaster did not seek and obtain consent from the caregivers themselves, the BSA found that the caregivers did not give informed consent to the broadcast of the hidden camera footage.

Looking at the public interest defence to a breach of privacy, the BSA held that even though some of the caregivers had performed poorly, their behaviour was not of such a serious nature that it justified broadcasting the hidden camera footage in the public interest.

For the same reasons, the BSA also found that the caregivers were treated unfairly.

The BSA acknowledged that its decision could have a significant impact on the *Target* programme and its "hidden camera trials". However, it pointed out that the decision did not preclude the use of hidden cameras as a genuine investigative tool. The BSA emphasised that hidden camera footage can be broadcast if the participants are not identifiable, if they have provided informed consent, or if there is a legitimate public interest in the material disclosed.

Restrictions on Liquor Promotion: the broadcasting standard

Since the abolition of the BSA's Programme Code on the Promotion of Liquor in 2004 and the introduction of the current Codes of Broadcasting Practice, the BSA has determined only three complaints about liquor promotion – two under the Free-to-Air Code and one under the Radio Code. Two of these decisions were released in the last year, and they provide guidance for broadcasters and complaints about the BSA's approach when determining complaints under the liquor standard.

The liquor standard, which is identical in the three main Codes, only applies to programmes that contain "liquor promotion". This can take three forms: the promotion of a liquor product, brand or outlet; liquor sponsorship; and advocacy of liquor consumption.

In Regional Public Health and The Radio Network Ltd (2007-030), a presenter on the ZM breakfast show drank a yard glass of beer in honour of his 21st birthday. The BSA noted that it was a popular breakfast programme, and the radio hosts treated the drinking as humorous and "cool". This satisfied the BSA that the broadcast implicitly condoned the behaviour and presented it as positive. It considered that the programme amounted to "advocacy of liquor consumption", and therefore liquor promotion.

The BSA reached a similar conclusion in Harrop and TVWorks Ltd (2007-063). The complainant in that case argued that the programme *Studentville*, which showed students at various levels of intoxication at the "Uni Games", imparted the message "have fun by binge drinking". The programme portrayed drinking as an integral part of the event while very little attention was paid to the sports events. The BSA considered that the broadcast not only implicitly condoned the consumption of liquor, but presented it in a positive light and as a necessary part of attending the Uni Games.

Having determined that both broadcasts contained liquor promotion, the second part of the BSA's task was to decide whether the liquor promotion in a broadcast was "socially irresponsible".

In 2007-030, the BSA identified two factors which led to its conclusion that the liquor promotion in the broadcast was socially irresponsible.

The first was that consuming two litres of beer by drinking a yard glass was clearly excessive and likely to have negative consequences. The second was that the broadcast treated the consumption as humorous and desirable behaviour. This was aggravated by the fact that the person drinking the alcohol was a young male host of a popular breakfast radio show that targeted an 18-34-year-old audience.

In 2007-063, the BSA acknowledged that binge drinking occurs, but said that its task was to assess whether the broadcast of that activity amounted to a breach of the liquor standard. The excessive consumption of alcohol in *Studentville* was portrayed as enjoyable and acceptable, and the BSA considered that this was particularly inappropriate given that the target audience of the programme was young people aged 15 to 29, who are seen to be at risk from binge drinking. It noted that many of the serious negative effects of binge drinking were not shown in the programme. The BSA concluded that *Studentville* advocated the consumption of liquor in a manner that was not socially responsible.

In summary, the BSA has found that a broadcast amounts to liquor promotion if it presents liquor consumption in a positive light, particularly excessive liquor consumption, or as a necessary part of an event or activity. These two decisions also suggest that liquor promotion will be considered by the BSA to be socially irresponsible if a broadcast portrays excessive liquor consumption as positive and desirable, fails to acknowledge the negative effects of liquor consumption, or involves excessive liquor consumption by young people.

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 BSA members will take in interpreting the standards.

The two Practice Notes issued this year discuss the violence standard and the BSA's approach to the restrictions on the promotion of liquor.

Complaints summary

	2003/04	2004/05	2005/06	2006/07	2007/08
Complaints Received	196	184	153	131	148
Total Decisions	203	214	156	125	139
Upheld (all or in part)	57	40	19	27	40
Not Upheld	133	166	127	94	95
Interlocutory Decisions	3	1	4	0	2
Declined to Determine	5	5	5	3	2
Declined Jurisdiction	15	2	1	1	0
Orders	39	14	8	13	21
Practice Notes	-	-	1	2	2
Decisions issued within 20 working days	74%	84%	100% ¹	100%	100%

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

STAFF

Dominic Sheehan BA, LLB (Hons)	Julie Bath
Chief Executive	Administration Manager
Christina Sophocleous BSc, LLB	Margaret Gianotti
Legal Manager	Administration Support (part time)
Matthew Dearing LLB	Zhao Xiaofeng (absent)
Legal Advisor	Administration Support (part time)
Patricia Windle BA, LLB	Trish Cross
Legal Advisor	Receptionist (shared with NZ On Air)
Kate Baker BA (Hons)	
Communications Advisor	



FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2008

STATEMENT OF RESPONSIBILITY

For the year ended 30 June 2008

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

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

In the opinion of the BSA, the Financial Statements and Statement of Service Performance for the year ended 30 June 2008 fairly reflect the financial position and operations of the BSA.

Joanne Morris
Chair

29 October 2008

Tapu Misa
Member

29 October 2008

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AUDIT REPORT

AUDIT NEW ZEALAND
Mana Arotake Aotearoa

TO THE READERS OF THE BROADCASTING STANDARDS AUTHORITY'S FINANCIAL STATEMENTS AND STATEMENT OF SERVICE PERFORMANCE For the year ended 30 June 2008

The Auditor-General is the auditor of the Broadcasting Standards Authority. The Auditor-General has appointed me, Clare Helm, using the staff and resources of Audit New Zealand, to carry out the audit on his behalf. The audit covers the financial statements and statement of service performance included in the annual report of the Broadcasting Standards Authority for the year ended 30 June 2008.

Unqualified Opinion

In our opinion:

- The financial statements of the Broadcasting Standards Authority on pages 19 to 32:
 - comply with generally accepted accounting practice in New Zealand; and
 - fairly reflect:
 - the Broadcasting Standards Authority's financial position as at 30 June 2008; and
 - the results of its operations and cash flows for the year ended on that date.
- The statement of service performance of the Broadcasting Standards Authority on pages 16 to 18:
 - complies with generally accepted accounting practice in New Zealand; and
 - fairly reflects for each class of outputs:
 - its standards of delivery performance achieved, as compared with the forecast standards outlined in the statement of forecast service performance adopted at the start of the financial year; and
 - its actual revenue earned and output expenses incurred, as compared with the forecast revenues and output expenses outlined in the statement of forecast service performance adopted at the start of the financial year.

The audit was completed on 29 October 2008, and is the date at which our opinion is expressed.

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

Basis of Opinion

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

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

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

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

Audit procedures generally include:

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

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

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

Responsibilities of the Board and the Auditor

The Board is responsible for preparing financial statements and a statement of service performance in accordance with generally accepted accounting practice in New Zealand. The financial statements must fairly reflect the financial position of the Broadcasting Standards Authority as at 30 June 2008 and the results of its operations and cash flows for the year ended on that date. The statement of service performance must fairly reflect, for each class of outputs, the Broadcasting Standards Authority's standards of delivery performance achieved and revenue earned and expenses incurred, as compared with the forecast standards, revenue and expenses adopted at the start of the financial year. The Board's responsibilities arise from the Crown Entities Act 2004 and the Broadcasting Act 1989.

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

Independence

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

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

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

Matters relating to the electronic presentation of the audited financial statements

This audit report relates to the financial statements of Broadcasting Standards Authority for the year ended 30 June 2008 included on Authority's web site. The Authority's Board is responsible for the maintenance and integrity of the Authority's web site. We have not been engaged to report on the integrity of the Authority's web site. We accept no responsibility for any changes that may have occurred to the financial statements since they were initially presented on the web site.

The audit report refers only to the financial statements named above. It does not provide an opinion on any other information which may have been hyperlinked to/from these financial statements. If readers of this report are concerned with the inherent risks arising from electronic data communication they should refer to the published hard copy of the audited financial statements and related audit report dated 29 October 2008 to confirm the information included in the audited financial statements presented on this web site.

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

STATEMENT OF OBJECTIVES AND SERVICE PERFORMANCE 2007-2008

For the year ended 30 June 2008

OUTPUT CLASS 1: COMPLAINTS DETERMINATION

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

We have two objectives to achieve this output.

Cost:

	Budget*	Actual*
Total cost	\$914,608	\$877,185
% of total cost	57%	62%

* Includes a portion of overheads

Objective: Ensure Members Operate in a Principled and Informed Manner

This objective primarily relates to members' quasi-judicial responsibilities. Measures for these activities are constant across financial years.

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

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

The BSA will:

- Convene ten formal board meetings by 30 June 2008 in order that due process for complaints determination is followed.
Measure: 10/10 meetings formally recorded.
Actual: Achieved. 10/10 meetings formally recorded.
- Declare, decide and record conflicts of interest formally at each meeting.
Measure: Conflicts register maintained.
Actual: Achieved. 24 possible conflicts declared, decided and registered.
- Undertake an annual board self-assessment exercise.
Measure: Board self-assessment completed and recommendations actioned by 30 June 2008.
Actual: Achieved. Self-assessment took place on 9 November 2007. Recommendations have been actioned. Letter sent to Minister on 12 February 2008.
- Minimise threats to the integrity of the complaints regime by issuing soundly-reasoned decisions.
Measure: No more than one issued decision is successfully appealed to the High Court by 30 June 2008.

Actual: Achieved. Only one issued decision was successfully appealed to the High Court by 30 June.²

- Apply the principles of natural justice to ensure procedural fairness.

Measure: No issued decision has adverse judicial review findings on complaint determination procedures by 30 June 2008.

Actual: Achieved. There have been no adverse judicial review findings on complaint determination procedures.³

Actual: In election years, issue decisions on complaints about election programmes within 48 hours.

Measure: 100% of decisions issued within 48 hours of receipt of final correspondence.

Actual: Not applicable in year.

- Undertake a survey of all complainants involved in a formal complaint referred to the BSA in the 2006 calendar year to assess satisfaction with BSA processes.

Measure: Survey completed by 30 June 2008.

Actual: Achieved. Survey completed in December 2007.

Objective: Assist Broadcaster Complaints Processes

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

The following activity has a quantity and timeliness measure.

Measures

- Ensure a minimum of three face-to-face meetings with medium-small size broadcast organisations to discuss and advise on complaints process matters.

Measure: Three visits by 30 June 2008.

Actual: Achieved. Four visits (Triangle TV, Access Radio, Niu FM and Telstra Clear) by 30 June 2008.

OUTPUT CLASS 2: BROADCASTING CODES

Description

The codes of broadcasting practice underpin the complaints system. As the wider environment changes the provisions of the codes must be reviewed to ensure they provide relevant guidance for broadcasters and complainants alike. Each major code is reviewed at least once every five years.

It is also important that broadcasters understand their statutory obligations.

Cost:

	Budget*	Actual*
Total cost	\$60,943	\$44,235
% of total cost	4%	3%

* Includes a portion of overhead

Objective: Ensure Codes are Relevant

The Free-to-Air Television Code review will be completed in the period. Two further practice notes explaining various code interpretation matters will be published. The following activities have quantity, quality and timeliness measures.

Measures

- Complete the review of the Radio Code.
Measure: Radio Code review completed by 30 June 2008.
Actual: Achieved. Code review completed before 30 June. New code came into force on 1 July.
- Complete the review of the Free-to-Air Television Code.
Measure: Free-to-Air Television Code review completed by 30 June 2008.
Actual: Not achieved. Review process has taken longer than anticipated and will not be completed until early 2009.
- Produce at least two new practice notes on an aspect of code interpretation
Measure: Two new practice notes published by 30 April 2008.
Actual: Achieved. Two new practice notes (one on Liquor and one on Violence) were issued by 30 April 2008.

OUTPUT CLASS 3: STAKEHOLDERS INFORMED

Description

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

Cost:

	Budget*	Actual*
Total cost	\$621,818	\$492,527
% of total cost	39%	35%

* Includes a portion of overheads

Objective: Publish Useful Research

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

The following activities have quantity, quality and timeliness measures.

² This output counts High Court decisions received during the current SOI year. Any High Court decisions released after 30 June 2008 are not counted against this measure.

³ This output counts judicial review findings received during the current SOI year. Any judicial review findings released after 30 June 2008 are not counted against this measure.

STATEMENT OF FINANCIAL PERFORMANCE

For the year ended 30 June 2008

Measures

- Commission qualitative research to study issues of concern identified by the 2007 children's media use and response studies.
- Measures:** Relevant tendering and commissioning procurement processes recommended by the Office of the Auditor General followed. Research published by 31 December 2008.
- Actual:** Reporting period still open.

This project is a follow up to the *Seen and Heard* research which was published in May 2008. We wish to maximise our investment here by proceeding in a thoughtful manner and so we have extended our timeframes for delivering this project. Accordingly, the publishing deadline on this measure has been altered in the 2008-11 Statement of Intent to 30 June 2009.

- Commission a media literacy-related project arising from an identified data gap.
- Measures:** Relevant tendering and commissioning procurement processes recommended by the Office of the Auditor General followed. Draft is peer reviewed and recommendations are addressed (if over \$50k). Published by 30 June 2008.
- Actual:** Achieved in part. Research company Mobius contracted in May 2008. Project is for \$50k only so does not require peer review. Field work to commence in late 2008 and report planned to be published in 2009.

- Commission a think-piece on balance and impartiality
- Measure:** Published by 31 December 2007.

Actual: Achieved. *Balancing Act: A review of the balance provision in the New Zealand broadcasting standards* commissioned and published in October 2007.

- Commission the quantitative children's research commissioned earlier in 2007.
- Measure:** Research published by 30 June 2008.

Actual: Achieved. Published report entitled *Seen and Heard: Children's Media Use, Exposure and Response* to be released on 6 May 2008.

Objective: Provide Accessible Information

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

The following activities have quantity, quality and timeliness measures.

Measures

- Develop a comprehensive media literacy strategy.
- Measure:** Strategy in place by 30 September 2008.
- Actual:** Achieved. Strategy confirmed in September 2008.
- Publish decisions on BSA website within 10 working days of sign-off by Chair
- Measure:** 100% of decisions published within 10 working days
- Actual:** Achieved. 100 % of decisions published within 10 working days.
- Publish *BSA Quarterly*
- Measure:** Four editions published by 30 June 2008.
- Actual:** Achieved. Four editions published during the year.
- Continue to support a web-based media clearinghouse to encourage media literacy (year three of a three year contract).
- Measures:** www.mediascape.ac.nz used and updated as required. Satisfactory twice-yearly progress reports received from CPIT.
- Actual:** Achieved. Two progress reports received during the year.
- Publish complaints information on our website in eight further languages
- Measure:** Information in ten languages published on website by 30 June 2008.
- Actual:** Achieved. Information published on website in September 2007.

Objective: Improve Stakeholder Engagement

The following activities have quality and timeliness measures.

Measures

- Implement a work plan for the Community Advisory Panel.
- Measures:** Work plan with targets and measures completed according to deadlines by 30 June 2008.
- Actual:** Achieved. Work plan tasks completed according to deadlines.
- Meet formally with broadcaster associations annually.
- Measures:** Television Broadcasters' Council and Radio Broadcasters Association meet with BSA board by 30 June 2008. Areas of cooperation agreed.
- Actual:** Achieved. Formal meetings held on 27 February 2008 (RBA) and 2 April 2008 (TBC).

Output Income and Expenditure Summary

	SOI Income Forecast \$	Actual Income \$	SOI Expenditure Forecast \$	Actual Expenditure \$
Complaints	757,865	790,022	914,608	877,185
Codes	53,184	55,440	60,943	44,235
Stakeholder Information	518,540	540,542	621,818	492,527
Total	1,329,590	1,386,004	1,597,369	1,413,947

In the 2007 – 2010 SOI income was not allocated across output classes for reporting purposes. In the table above, forecast income has been allocated on the basis of forecast expenditure and actual income has been allocated on the basis of actual expenditure.

NOTES	2008 Actual \$	2008 Budget \$	2007 Actual \$
REVENUE			
Revenue from Crown	609,000	608,889	609,000
Broadcasting Levy	708,766	685,000	687,754
Interest Income	66,495	35,000	67,097
Other Revenue	1,743	700	7,376
TOTAL REVENUE	1,386,004	1,329,589	1,371,227
LESS EXPENDITURE			
Personnel Costs	2	659,515	758,172
Other Expenses	3	702,567	796,598
Depreciation and Amortisation	16 & 17	51,865	42,599
TOTAL EXPENDITURE	1,413,947	1,597,369	1,507,222
NET (DEFICIT) / SURPLUS	(27,943)	(267,780)	(135,995)

STATEMENT OF CHANGES IN EQUITY

For the year ended 30 June 2008

NOTES	2008 Actual \$	2008 Budget \$	2007 Actual \$
Net (deficit) / surplus for the year	(27,943)	(267,780)	(135,995)
Public Equity as at 1 July 2007	414,588	383,830	550,583
PUBLIC EQUITY AS AT 30 JUNE 2008	386,645	116,050	414,588

The accompanying notes form part of these financial statements.

STATEMENT OF FINANCIAL POSITION

As at 30 June 2008

	NOTES	2008 Actual \$	2008 Budget \$	2007 Actual \$
CURRENT ASSETS				
Cash and cash equivalents	4	32,603	232,198	107,450
Investments	5	417,536	-	511,590
Debtors and other receivables		4,012	6,000	536
Prepayments		2,085	-	11,653
Net GST		13,359	19,666	23,051
		469,595	257,864	654,280
LESS CURRENT LIABILITIES				
Creditors and other payables	6	137,711	184,887	316,772
Employee Entitlements	7	43,958	36,072	21,937
		181,669	220,959	338,709
WORKING CAPITAL		287,926	36,905	315,571
NON CURRENT ASSETS				
Property, Plant and Equipment	16	90,359	79,145	96,759
Intangible Assets	17	8,360	-	2,258
		98,719	79,145	99,017
NET ASSETS		386,645	116,050	414,588
Represented by PUBLIC EQUITY		386,645	116,050	414,588

Joanne Morris
Chair
Wellington
29th October 2008

Tapu Misa
Member
Wellington
29th October 2008

The accompanying notes form part of these financial statements.

STATEMENT OF CASH FLOWS

For the year ended 30 June 2008

	NOTES	2008 Actual \$	2008 Budget \$	2007 Actual \$
CASH FLOWS FROM OPERATING ACTIVITIES				
Cash was provided from:				
Revenue from Crown		609,000	609,000	609,000
Broadcasting Levy		708,766	707,826	687,754
Other Income		1,730	-	[2,862]
Interest Received		60,549	35,000	80,448
Net GST		9,692	[3,760)	[7,902)
Cash was disbursed to:				
Payments to Employees & Members		[637,494]	[753,600)	[699,392)
Payments to Suppliers & Other Operating Expenses		[875,523]	[691,512)	[638,516)
Net Cash Flow From Operating Activities	8	(123,280)	(97,046)	28,530
CASH FLOWS FROM INVESTING ACTIVITIES				
Cash was disbursed to:				
Purchase of Property, Plant and Equipment	16	(41,200)	(30,000)	[4,924)
Purchase of Intangible Assets	17	[10,367)	-	-
Acquired Investments		100,000	-	[6,620)
Net Cash Flows From Investing Activities		48,433	(30,000)	(11,544)
Net Increase / Decrease in cash held		(74,847)	(127,046)	(16,986)
PLUS				
Opening Cash brought forward		107,450	359,244	90,464
BALANCE CARRIED FORWARD	4	32,603	232,198	107,450

The GST (net) component of operating activities reflects the net GST paid and received with the 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 2008

1 Statement of Accounting Policies

Reporting Entity

The Broadcasting Standards Authority (BSA) was established by the Broadcasting Act 1989 which sets out the 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 2008, and were approved by the Board on 29 October 2008.

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 2008 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").

First year of preparation under NZ IFRS

This is the first set of financial statements prepared using NZ IFRS, and comparatives for the year ended 30 June 2007 have been restated to NZ IFRS accordingly. Reconciliations of equity and surplus for the year ended 30 June 2007 under NZ IFRS to the balances reported in the 30 June 2007 financial statements are detailed in note 18.

The accounting policies set out below have been applied consistently to all periods presented in these financial statements and in preparing an opening NZ IFRS statement of financial position as at 1 July 2006 for the purposes of the transition to NZ IFRS.

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 (\$). The functional currency of the BSA is New Zealand dollars.

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 include:

NZ IAS 1 Presentation of Financial Statements (revised 2007) replaces NZ IAS 1 Presentation of Financial Statements (issued 2004) and is effective for reporting periods beginning on or after 1 January 2009.

The revised standard requires information in financial statements to be aggregated on the basis of shared characteristics and introduces a statement of comprehensive income. The statement of comprehensive income will enable readers to analyse changes in equity resulting from non-owner changes separately from transactions with the Crown in its capacity as "owner". The revised standard gives BSA the option of presenting items of income and expense and components of other separate statements (a separate income statement followed by a statement of comprehensive income). The BSA intends to adopt this standard for the year ending 30 June 2010, and is yet to decide whether it will prepare a single statement of comprehensive income or a separate income statement followed by a statement of comprehensive income.

Significant Accounting Policies

The accounting policies set out below have been applied consistently to all periods presented in these financial statements and in preparing an opening NZ IFRS Statement of Financial Position at 1 July 2006 for the purposes of the transition to NZ IFRS.

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 broadcaster.

Interest

Interest income is recognised as it accrues on bank account balances, on-call 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 financial position.

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 financial performance.

When revalued assets are sold, the amounts included in revaluation reserves in respect of those assets are transferred to general funds.

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 financial performance as they are incurred.

Depreciation

Depreciation is provided on a straight line basis on all fixed assets, other than freehold land, 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 external use by the BSA are recognised as an intangible asset. Direct costs include the software development, employee costs and an appropriate portion of relevant overheads. Staff training costs are recognised as an expense when incurred.

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 financial performance.

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

Computer Software	3 years	33% straight line
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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 reporting date are measured at nominal values on an actual entitlement basis at current rates of pay.

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 financial performance 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 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 BSA at the beginning of the financial year. The budget figures have been prepared in accordance with NZ IFRS, 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 has 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.

Commitments for Contracted Services

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

2 Personnel Costs

	2008 Actual \$	2007 Actual \$
Salaries and Wages	650,468	665,458
Employer contributions to defined contribution plans	9,047	20,434
Total personnel costs	659,515	685,892

Employer contributions to defined contribution plans include contributions to Kiwisaver and State Sector Retirement Savings Scheme

3 Other Expenses

	2008 Actual \$	2007 Actual \$
Audit of Financial Statements	16,500	15,389
Audit fees for NZ IFRS transition	7,000	-
Complaints	157,121	106,233
Communications & Information	142,417	110,712
Research	120,608	243,196
Travel, Accommodation & Training	116,922	149,859
Rent	47,056	47,056
Office Expenses	94,943	98,157
Total other expenses	702,567	770,602

4 Cash and Cash Equivalents

	2008 Actual \$	2007 Actual \$
Cash on hand:		
Petty Cash	100	100
Banks:		
- Current Account	9,959	16,162
- Cash Management Account	22,544	91,188
Total cash and cash equivalents	32,603	107,450

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 (2007: \$30,000).

5 Investments

	2008 Actual \$	2007 Actual \$
Current investments are represented by:		
Term deposits	400,000	500,000
Accrued Interest	17,536	11,590
Total investments	417,536	511,590
There were no impairment provisions for investments.		
Term deposits with maturities of 4 - 6 months	400,000	500,000
weighted average effective interest rate	8.87%	7.87%
The carrying amounts of term deposits with maturities less than 12 months approximate their fair value.		

6 Creditors and Other Payables

	2008 Actual \$	2007 Actual \$
Creditors	50,804	123,292
Accrued Expenses	86,907	193,480
Total creditors and other payables	137,711	316,772

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.

7 Employee Entitlements

	2008 Actual \$	2007 Actual \$
Current employee entitlements are represented by:		
Accrued salaries and wages	9,818	4,466
Annual leave	20,940	12,987
Performance salary	13,200	4,484
Total employee entitlements	43,958	21,937

8 Reconciliation of the Net Operating Surplus / (Deficit) with Net Cash Flows from Operating Activities for the Year

	2008 Actual \$	2007 Actual \$
Reported (Deficit) / Surplus For The Year	(27,943)	(135,995)
Add Non-Cash Items:		
Depreciation and Amortisation	51,865	50,728
Add Movements in Other Working Capital Items:		
(Increase) / Decrease in Debtors and other receivables	(9,422)	13,351
(Decrease) / Increase in Creditors and other payables	(179,061)	132,086
Increase / (Decrease) in Employee Entitlements	22,021	(13,500)
Decrease / (Increase) in Net GST	9,692	(7,902)
Decrease / (Increase) in Prepayments	9,568	(10,238)
Net Cash Flow From Operating Activities	(123,280)	28,530

9 Commitments and Operating Leases

	2008 Actual \$	2007 Actual \$
Not later than one year	62,828	47,056
Later than one year and not later than five years	125,656	-
Total non-cancellable operating lease	188,484	47,056

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 2011.

10 Contingent Assets and Liabilities

Contingent Assets

As at 30 June 2008 the BSA has no contingent assets. (2007: Nil)

Contingent Liabilities

As at 30 June 2008, the BSA had three High Court appeals lodged against its decisions.

The only financial liability that may arise from these appeals could be court costs incurred by BSA.
(As at 30 June 2007 there was one High Court appeal lodged against the BSA's decisions.)

11 Related Party Transactions and Key Management Personnel

	2008 Actual \$	2007 Actual \$
Salaries and other short-term benefits	314,282	270,584
Total key management personnel compensation	314,282	270,584
Key management personnel include all board members and the Chief Executive.		
Board Remuneration		
The total value of remuneration paid or payable to each Board member during the year was:		
J Morris	68,607	56,589
T Misa	38,570	31,590
D Musgrave	40,145	31,168
P France	38,570	33,129
Total board member remuneration	185,892	152,476

Employee Remuneration

	2008 Actual \$	2007 Actual \$
Total remuneration paid or payable	120,000 - 130,000	1
Total employees	1	0

(2007: The Chief Executive's annual remuneration band was \$120,000 - \$130,000. There was a change in Chief Executive during the financial year. Both Chief Executives were paid part of these values in relation to the time employed during the year.)

12 Events After Balance Sheet Date

There were no significant events after the balance sheet date.

13 Financial Assets and Liabilities

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

Loans and Receivables

	2008 Actual \$	2007 Actual \$
Cash and cash equivalents	32,603	107,450
Debtors and other receivables	4,012	536
Investments - term deposits greater than 3 months	417,536	511,590
Total loans and receivables	454,151	619,576

Financial Liabilities at Fair Value

	2008 Actual \$	2007 Actual \$
Creditors and other payables	137,711	316,772
Total financial liabilities at fair value	137,711	316,772

14 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.

The BSA does not use derivative financial instruments.

15 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 Financial Performance

Income

Income exceeded budget due to an increase in broadcasting levy and higher than forecast interest rates.

Expenditure

Expenditure decreased primarily due to a reduction in personnel and research costs at year end.

16 Property, Plant and Equipment

	Artworks	Computer Equipment	Furniture and Fittings	Leashold Improvements	Photocopier	Office Equipment	Totals
Cost or valuation							
Balance at 1 July 2006	8,432	94,581	78,857	149,937	47,720	37,758	417,285
Additions	-	2,372	2,551	-	-	-	4,923
Disposals	-	-	-	-	-	-	-
Balance at 30 June 2007	8,432	96,953	81,408	149,937	47,720	37,758	422,208
Accumulated depreciation							
Balance at 1 July 2006	8,432	81,818	50,286	86,107	27,480	26,015	280,138
Depreciation expense	-	9,255	5,993	17,145	9,322	3,596	45,311
Eliminate on disposal / reclassification	-	-	-	-	-	-	-
Balance at 30 June 2007	8,432	91,073	56,279	103,252	36,802	29,611	325,449
Carrying Amount 30 June 2007	-	5,880	25,129	46,685	10,918	8,147	96,759
Cost or valuation							
Balance at 1 July 2007	8,432	96,953	81,408	149,937	47,720	37,758	422,208
Additions	650	38,095	-	-	-	2,455	41,200
Disposals	-	(22,645)	(11,679)	-	(19,725)	(4,332)	(58,381)
Balance at 30 June 2008	9,082	112,403	69,729	149,937	27,995	35,881	405,027
Accumulated depreciation							
Balance at 1 July 2007	8,432	91,073	56,279	103,252	36,802	29,611	325,449
Depreciation expense	650	10,367	7,110	16,505	9,322	3,646	47,600
Eliminate on disposal / reclassification	-	(22,644)	(11,679)	-	(19,725)	(4,333)	(58,381)
Balance at 30 June 2008	9,082	78,796	51,710	119,757	26,399	28,924	314,668
Carrying amount 30 June 2008	-	33,607	18,019	30,180	1,596	6,957	90,359

17 Intangible Assets

Movements for each class of intangible asset are as follows:

Cost of valuation	Acquired software
Balance at 1 July 2006	30,189
Additions	-
Disposals	-
Balance at 30 June 2007	30,189
Accumulated amortisation	
Balance at 1 July 2006	22,514
Amortisation expense	5,417
Disposals	-
Balance at 30 June 2007	27,931
Carrying amount 30 June 2007	2,258
Cost of valuation	
Balance at 1 July 2007	30,189
Additions	10,367
Disposals	(12,730)
Balance at 1 July 2008	27,826
Accumulated amortisation	
Balance at 1 July 2007	27,931
Amortisation expense	4,265
Disposals	(12,730)
Balance at 1 July 2008	19,466
Carrying amount at 30 June 2008	8,360

18 Explanation of Transition to NZ IFRS

Transition to NZ IFRS

As stated in note 1, these are the BSA's first financial statements to be prepared in accordance with NZ IFRS.

The BSA's transition date is 1 July 2006 and the opening NZ IFRS balance sheet has been prepared as at that date.

The BSA's NZ IFRS adoption date is 1 July 2007.

Exceptions from full retrospective application elected by the BSA.

In preparing these financial statements in accordance with NZ IFRS 1, the BSA has not applied any optional exemptions to full retrospective application of NZ IFRS.

The mandatory exception from retrospective application that applies to the BSA is the requirement for estimates under NZ IFRS at 1 July 2006 and 30 June 2007 to be consistent with estimates made for the same date under previous NZ GAAP.

Reconciliation of equity

The following table shows the changes in equity, resulting from the transition from previous NZ GAAP to NZ IFRS as at 1 July 2006 and 30 June 2007.

Statement of Financial Position

	NOTE	1 July 2006		30 June 2007		
		Previous NZ GAAP	Effect on Transition NZ IFRS	NZ IFRS	Previous NZ GAAP	
ASSETS						
Current						
Cash and Cash equivalents	a	583,844	(493,380)	90,464	607,450	
Term investments	a	0	499,046	499,046	0	
Trade and other receivables		25,477	[5,666]	19,811	12,126	
Prepayments		1,415	-	1,415	11,653	
GST Receivable		15,149	-	15,149	23,051	
Total current assets		625,885	-	625,885	654,280	
Non-current assets						
Property, Plant and Equipment	b	144,821	(7,675)	137,146	99,017	
Intangibles	c	0	7,675	7,675	2,258	
Total non-current assets		144,821	-	144,821	99,017	
Total assets		770,706	-	770,706	753,297	
LIABILITIES						
Current						
Accounts Payable		184,686	-	184,686	316,772	
Employee entitlements		35,437	-	35,437	21,937	
Total current liabilities		220,123	-	220,123	338,709	
Non-current liabilities						
Provisions		-	-	-	-	
Employee entitlements		-	-	-	-	
Total non-current liabilities		-	-	-	-	
Total liabilities		220,123	-	220,123	338,709	
Net Assets		550,583	-	550,583	414,588	
EQUITY						
Accumulated Funds	d	473,576	-	473,576	550,583	
Net (deficit) / surplus for the year		77,007	-	77,007	(135,995)	
Total Equity	e	550,583	-	550,583	414,588	

Notes to Explanation of Transition to NZ IFRS

a. Cash and Cash Equivalents and Investments

Those term deposits with maturities less than three months have been reclassified as cash and cash equivalents.

b. Property, Plant and Equipment

The adjustments to property, plant and equipment are as follows:

	1 July 2006	30 June 2007
Intangible assets (note c)	7,675	2,258
Total adjustment to property, plant and equipment	(7,675)	(2,258)

c. Intangible Assets

Computer software has been reclassified as an intangible asset. It was previously classified as property, plant and equipment.

d. Accumulated Funds

There has been no change to general funds.

e. Reconciliation of Surplus for the Year Ending 30 June 2007.

Other than changes in IFRS terminology there have been no further changes to the operating surplus / deficit resulting from the transition from previous NZ GAAP to NZ IFRS for the year ending 30 June 2007.

APPENDIX I

DECISION STATISTICS

COMPLAINTS RECEIVED AND DECISIONS ISSUED:

July 1990 – June 2008

July 2007 – June 2008	Complaints Received: 148	Decisions Issued: 139
July 2006 - June 2007	Complaints Received: 131	Decisions Issued: 125
July 2005 - June 2006	Complaints Received: 153	Decisions Issued: 156
July 2004 - June 2005	Complaints Received: 184	Decisions Issued: 214
July 2003 - June 2004	Complaints Received: 196	Decisions Issued: 203
July 2002 - June 2003	Complaints Received: 171	Decisions Issued: 190
July 2001 - June 2002	Complaints Received: 186	Decisions Issued: 268
July 2000 - June 2001	Complaints Received: 97	Decisions Issued: 203
July 1999 - June 2000	Complaints Received: 206	Decisions Issued: 255
July 1998 - June 1999	Complaints Received: 204	Decisions Issued: 184
July 1997 - June 1998	Complaints Received: 174	Decisions Issued: 177
July 1996 - June 1997	Complaints Received: 206	Decisions Issued: 199
July 1995 - June 1996	Complaints Received: 179	Decisions Issued: 171
July 1994 - June 1995	Complaints Received: 162	Decisions Issued: 144
July 1993 - June 1994	Complaints Received: 168	Decisions Issued: 151
July 1992 - June 1993	Complaints Received: 159	Decisions Issued: 144
July 1991 - June 1992	Complaints Received: 106	Decisions Issued: 76
July 1990 - June 1991	Complaints Received: 52	Decisions Issued: 45

DECISIONS BY MAIN STANDARD

Figures in brackets are previous year's

*Please note this table does not include two interlocutory decisions

	Balance/ Fairness/ Accuracy	Good Taste & Decency	Children's Interests	Privacy	Denigration/ Discrimination	Violence	Other
Not upheld	42 ¹ (45)	36 (22)	4 (3)	3 (9)	- (12)	4 (-)	7 ² (7)
Upheld	23 (14)	7 (1)	2 (2)	4 (6)	- (-)	- (2)	5 ³ (2)
Total	65 [59]	43 [23]	6 [5]	7 [15]	0 [12]	4 [2]	12 [9]

¹ Includes 2 decline to determine

² Made up of 1 action taken, 2 law and order, 2 programme information, 2 social responsibility

³ Made up of 2 liquor, 2 programme information, 1 social responsibility

DECISIONS BY BROADCASTER

Figures in brackets are previous year's

	Decisions	Declined to determine/ Interlocutory	Not upheld	Upheld	Orders
TVNZ	60 (52)	- (2)	48 (43)	12 (14)	3 (7)
TVWorks	45 (29)	3 (-)	25 (22)	17 (7)	7 (3)
Sky TV	2 (-)	- (-)	2 (-)	- (-)	- (-)
Telstra Clear	1 (-)	- (-)	1 (-)	1 (-)	- (-)
Māori Television	1 (1)	- (-)	1 (-)	- (-)	- (-)
Other TV	2 (1)	- (-)	1 (1)	1 (-)	1 (-)
RadioWorks	5 (13)	- (1)	3 (8)	2 (4)	1 (2)
Radio NZ	13 (10)	- (-)	9 (9)	4 (1)	4 (1)
The Radio Network	7 (5)	- (-)	6 (4)	1 (1)	2 (-)
Other Radio	3 (6)	1 (1)	- (5)	2 (-)	2 (-)
TOTAL	125 (156)	4 (10)	94 (127)	27 (19)	13 (8)

DECISIONS BY TELEVISION NETWORK AND GENRE

Figures in brackets represent number of complaints upheld

	Total	News	Current Affairs	Drama	Documentary	Promos	Comedy	Lifestyle/ information	Reality	Children's
TVNZ	60 (12)	10 (1)	16 (6)	5 (-)	1 (1)	7 (3)	7 (1)	9 (-)	3 (-)	2 (-)
TVWorks	45 (17)	17 (7)	9 (2)	9 (3)	-	-	2 (0)	7 (4)	1 (1)	-
Māori	1 (-)	-	1 (-)	-	-	-	-	-	-	-
Sky	2 (-)	1 (-)	-	-	-	-	-	1 (-)	-	-
Other	3 (2)	-	1 (-)	1 (1)	-	-	-	1 (1)	-	-
Total	111 (31)	28 (8)	27 (8)	15 (4)	1 (1)	7 (3)	9 (1)	18 (5)	4 (1)	2 (-)

DECISIONS BY RADIO STATION AND GENRE

Figures in brackets represent number of complaints upheld

	Total	News	Current Affairs / Talk	Music	Breakfast	Other
RNZ	13 {4}	1 {-}	11 {4}	-	-	1 {-}
TRN	7 {2}	-	-	-	5 {1}	2 {1}
RadioWorks	5 {2}	1 {1}	3 {-}	-	1 {1}	-
Other	3 {2}	-	3 {2}	-	-	-
Total	28 {10}	2 {1}	17 {6}	-	6 {2}	3 {1}

APPENDIX II

DECISION DETAILS

Upheld with order (by standard)

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding	Order
2007-114	Gough	TWorks	Target	Item on formaldehyde levels in imported clothing allegedly inaccurate	Accuracy	Upheled	Broadcast statement, \$4,000 costs to Crown
2006-127	PHARMAC	TWorks	60 Minutes	Item on Herceptin funding unbalanced and inaccurate	Balance, accuracy	Upheled	Broadcast statement, \$3,000 costs to Crown
2007-125A	Ministry of Social Development	TWorks	3 News	Report that Ministry had hired a drag queen to motivate Pacific Island Staff	Balance, fairness, accuracy	Upheled [accuracy, fairness]	\$2500 costs to the Crown
2007-125B	Ministry of Social Development	TWorks	Nightline	Report that Ministry had hired a drag queen to motivate Pacific Island Staff	Balance, fairness, accuracy	Upheled [accuracy, fairness]	\$2500 costs to the Crown
2007-056	Wellington City Council	RNZ	Morning Report	Item discussing proposal by WCC to scrap free weekend parking allegedly unbalanced, inaccurate, unfair	Balance, fairness, accuracy	Upheled [accuracy, fairness]	Broadcast of a statement
2007-077A	Dyson	RNZ	Nine to Noon	Interview about paying minimum wage to disabled people allegedly unbalanced, inaccurate, unfair	Balance, fairness, accuracy	Upheled [balance]	Broadcast statement
2007-077B	Gourley	RNZ	Nine to Noon	Interview about paying minimum wage to disabled people allegedly unbalanced, inaccurate, unfair	Balance, fairness, accuracy	Upheled [balance]	Broadcast statement
2007-077C	DPA (NZ) Inc	RNZ	Nine to Noon	Interview about paying minimum wage to disabled people allegedly unbalanced, inaccurate, unfair	Balance, fairness, accuracy	Upheled [balance]	Broadcast statement
2007-080	Hales	TWNZ	Close Up	Statements that complainant was racist and a wife-beater allegedly inaccurate and unbalanced	Balance, fairness, accuracy	Upheled [fairness, accuracy]	Broadcast statement \$2500 costs to Crown, \$2500 legal costs
2006-116	Mason	TWNZ	Close Up	Item criticising orthopaedic surgeon's management of boy allegedly unbalanced, inaccurate and unfair	Balance, fairness, accuracy	Upheled [accuracy, fairness]	Statement, \$6750 legal costs, \$2500 costs to Crown
2007-098	Henry	Pacific Coast FM	Pacific Coast FM	Statements that local councilors were guilty of misconduct allegedly unbalanced, inaccurate, unfair	Balance, fairness, accuracy, good taste and decency, social responsibility	Upheled [fairness, balance]	Broadcast statement, legal costs \$900
2007-032	Dulakiverata du Fresne	National Pacific Radio Trust Inc	Fijian Language Programme	Interview with Commander Frank Bainimarama unbalanced and not socially responsible. Broadcaster upheld balance complaint	Balance, social responsibility	Upheled [balance] – action taken insufficient	Broadcast statement
2007-067	O'Connell	TWorks	Target	Hidden camera trial of caregivers allegedly breach of privacy and unfair due to use of hidden camera footage	Fairness, privacy	Upheled	Broadcast statement
2007-029	Barnes	Alt TV	Groove in the Park	Broadcast of text messages containing sexual and racist content	Good taste and decency, fairness (negligible), children's interests, liquor	Upheled [good taste and decency, fairness, children's interests]	Refrain from broadcasting, broadcast of a written statement, costs to the Crown \$5,000
2007-030	Regional Public Health	TRN	ZM Breakfast	Presenter drinking a "yard glass" on morning show allegedly socially irresponsible and in breach of liquor standard	Liquor, social responsibility	Upheled	Broadcast Statement
2007-017		TWorks	3 News	Filming committed mental health patient allegedly a breach of privacy due to lack of capacity to consent	Privacy	Upheled	\$1500 costs to the Crown
2007-028	Hood	TWNZ	Sex and Lies in Cambodia	Documentary on Graeme Cleogen's detention in Cambodia allegedly breach of privacy and unfair due to use of hidden camera footage	Privacy, fairness	Upheled	Statement, \$500 breach of privacy, \$5000 Crown costs
2007-108	Spring	TRN	ZM	Radio presenter encouraged harassment of complainant allegedly in breach of privacy, fairness, law and order and balance standards	Privacy, fairness, law and order and balance	Upheled [privacy and fairness]	Payment to complainant for breach of privacy \$1500
2007-102	Shieffelbein	CanWest RadioWorks	The Edge	Prank call to National Poisons Centre allegedly socially irresponsible	Social responsibility	Upheled	Broadcast of a statement

Upheled, no order (by standard)

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding	Order
2007-041	Francis	TWNZ	Sunday	Item discussing fairness of justice system for rape victims allegedly unbalanced	Balance	Upheled	No order
2007-074	Mahdavi	Radioworks	Radio Live	Use of term 'Arabian Gulf' inaccurate	Accuracy	Upheled	No order
2007-058	Young	TWorks	C4	Showed singer simulating sexual intercourse with 14-year-old girl on stage	Law and order, accuracy, fairness, children's interests, violence	Upheled	No order
2007-068	Green	TWNZ	Close Up	Item on naming and shaming drunk drivers, woman approached outside court and chased down the street. Allegedly unfair	Fairness	Upheled	No order
2007-063	Harrop	TWorks	Studentville	Students shown binge drinking allegedly in breach of liquor standard	Liquor	Upheled	No order
2007-093	Price	TWNZ	One News	Item misrepresented the Electoral Finance Bill	Accuracy	Upheled	No order
2007-094	Price	TWorks	3 News	Item misrepresented the Electoral Finance Bill	Accuracy	Upheled	No order
2007-092	Livesey	TelstraClear Ltd	9 Songs	Movie contained explicit unsimulated sex. Allegedly in breach of content classification and good taste and decency	Content classification, warning and filtering, good taste and decency	Upheled	No order
2008-037	Miller	TWorks	Californication	Simulated threesome allegedly in breach of good taste and decency, programme information and children's interests standards	Good taste and decency	Upheled	No order
2008-024	Treadgold	TWorks	Campbell Live	Item about global warming affecting penguins in Antarctica allegedly inaccurate	Accuracy	Upheled	No order
2007-140	Anderson	TWorks	Nightline	Profane language in interview with rock band	Good taste and decency	Upheled	No order
2008-025	Green	TWNZ	Desperate Housewives promo	Promo with sexual themes in breach of children's interests standard	Children's interests	Upheled	No order
2008-023	Knight	TWorks	3 News	Graphic showing results of political poll allegedly inaccurate	Accuracy	Upheled	No order
2007-087	RT	TWNZ	Sunday	Current affairs item unfair, unbalanced, inaccurate, and in breach of privacy and programme information standards	Privacy, balance, accuracy, fairness, programme information	Upheled [accuracy and fairness, majority]	No order
2007-049	Bretton	TWNZ	20/20	Item on tobacco industry breached privacy, balance, accuracy, fairness inaccurate, unfair	Privacy, balance, accuracy, fairness	Upheled [accuracy]	No order
2007-126	NZ Food & Grocery Council	TWorks	Inside New Zealand: What's Really In Our Food	Documentary about safety of food additives allegedly unbalanced, inaccurate, unfair	Balance, fairness, accuracy	Upheled [accuracy, programme information, children's interests]	No order
2007-081	Tomonaga	TWNZ	3 News	Christchurch house fire, reported that members of a family were "believed to be dead". Allegedly inaccurate, unfair and breach of privacy	Good taste and decency, programme information, children's interests	Upheled [good taste and decency]	No order
2008-026A	Valenta	TWorks	Californication	Segment showing "Pain Men" sanding buttocks with electric sander, and hammering a nail through skin	Simulated threesome allegedly in breach of good taste and decency, programme information and children's interests standards	Children's interests, violence, programme classification	No order
2008-026B	Marsh	TWorks	Californication	Simulated threesome allegedly in breach of good taste and decency, programme information and children's interests standards	Good taste and decency, law and order, children's interests	Upheled [good taste and decency, law and order]	No order
2007-066	Atkins	TWNZ	Balls of Steel	Promo with violent themes allegedly in breach of programme classification, children's interests and violence standards	Children's interests, violence, programme classification	Upheled [programme classification and children's interests]	No order
2008-018A	Smith	TWNZ	Criminal Minds promo	Promo with violent themes allegedly in breach of programme classification, children's interests and violence standards	Children's interests, violence, programme classification	Upheled [programme classification and children's interests]	No order
2008-018B	Smith	TWNZ	Criminal Minds promo	Promo with violent themes allegedly in breach of programme classification, children's interests and violence standards	Children's interests, violence, programme classification	Upheled [programme classification and children's interests]	No order

Not upheld (by standard)

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding
2007-055	Childfund	RadioWorks	Truth Radio	John Banks talkback made comments about Childfund	Accuracy	Not upheld
2007-052	Curran	TVNZ	One News	Item reporting peace process in Ireland	Accuracy	Not upheld
2007-060	Jaspers	TWworks	Campbell Live	Statement that Dr Michael Cullen had "refused to be interviewed" since October 2006 inaccurate	Accuracy	Not upheld
2007-073	McDonald	TVNZ	One News	Statement that average household spends 20 percent more on electricity than 20 years ago inaccurate	Accuracy	Not upheld
2007-078	Talacek	TWworks	Downsize Me!	Advice about weight loss by naturopath inaccurate	Accuracy	Not upheld
2008-020	Godson	Sky	Sky Sport	Use of "Live" logo during replays inaccurate	Accuracy	Not upheld
2007-119	Gadgil	TVNZ	Sensing Murder: Insight	Psychics' comments about unsolved murders allegedly inaccurate	Accuracy	Not upheld
2007-112	Whaanga-Kipa	Māori Television	Native Affairs	Item on Trust's work with people with alcohol/drug issues inaccurate and unfair	Accuracy, fairness	Not upheld
2007-057	Coleman	TVNZ	Sunday	Correction of inaccuracy inadequate	Action taken	Not upheld
2007-050	Hudig	TVNZ	Sunday	Examined treatment of South African immigrant by Immigration New Zealand	Balance	Not upheld
2007-118A	Watson	RNZ	Ideas: Cut or Uncut	Item about proposed government funding of male circumcision unbalanced	Balance	Not upheld
2007-118B	Young	RNZ	Ideas: Cut or Uncut	Item about proposed government funding of male circumcision unbalanced	Balance	Not upheld
2008-029	Easton	RNZ	Nine to Noon	Interview about review of Domestic Violence Act allegedly unbalanced	Balance	Not upheld
2007-042	Corin	RNZ	Insight	Climate change item, presented views of "sceptics"	Balance	Not upheld
2007-044	Federated Mountain Clubs of NZ Inc	TWworks	3 News	Reaction of recreational groups to Walking Access Consultation Panel recommendations unbalanced and inaccurate	Balance, accuracy	Not upheld
2007-062	Maka	TVNZ	Tagata Pasifika	Item on Recognised Seasonal Employer Scheme unbalanced and inaccurate	Balance, accuracy	Not upheld
2008-008	Grieve	TWworks	3 News	Item about climate change allegedly unbalanced and inaccurate	Balance, accuracy	Not upheld
2007-130	Cowan	TVNZ	One News	Presenter's comments about likelihood of tax cuts unbalanced and inaccurate	Balance, accuracy	Not upheld
2007-083	Werry	TVNZ	Sunday Morning with Chris Laidlow	Reference to abuse in NZ psychiatric institutions unbalanced, inaccurate and unfair	Balance, fairness, accuracy	Not upheld
2007-099	Alexander	TVNZ	Nailed, Sorted, Exposed	Programme did not include interview with man who featured in promo	Balance, fairness, accuracy	Not upheld
2007-096	Cleave	TVNZ	Nailed, Sorted, Exposed	Item on man's attempt to get camera repaired unbalanced, inaccurate and unfair	Balance, fairness, accuracy	Not upheld
2007-103	Peapell	TVNZ	Fair Go	Item on real estate contract allegedly unfair, unbalanced, inaccurate	Balance, fairness, accuracy	Not upheld
2007-072	McArthur	RNZ	Checkpoint	Use of words "energy", "power" and "electricity" misleading	Balance, accuracy, fairness, social responsibility	Not upheld
2007-082	CTFA	TVNZ	Close Up	Item about allergic reactions to chemical in hair dye unbalanced, inaccurate and unfair	Balance, fairness, accuracy	Not upheld

Not upheld (by standard) continued.

2007-110	Truong	TVNZ	Fair Go	Item on elderly woman's purchase of expensive vacuum cleaner allegedly unbalanced, unfair and inaccurate	Balance, fairness, accuracy	Not upheld
2008-013A	Benson-Pope	TWworks	3 News	Item about Mr Benson-Pope seeking re-election allegedly inaccurate, unfair	Balance, fairness, accuracy	Not upheld
2008-013B	Benson-Pope	TWworks	3 News	Item about Mr Benson-Pope seeking re-election allegedly inaccurate, unfair	Balance, fairness, accuracy	Not upheld
2008-013C	Benson-Pope	TWworks	Nightline	Item about Mr Benson-Pope seeking re-election allegedly inaccurate, unfair	Balance, fairness, accuracy	Not upheld
2008-013D	Benson-Pope	TWworks	Campbell Live	Item about Mr Benson-Pope seeking re-election allegedly inaccurate, unfair	Balance, fairness, accuracy	Not upheld
2008-013E	Benson-Pope	TWworks	3 News	Item about Mr Benson-Pope seeking re-election allegedly inaccurate, unfair	Balance, fairness, accuracy	Not upheld
2007-134	ARLAN	TWworks	60 Minutes	Item looking at NZ based research facility which tested on animals allegedly unbalanced, unfair, inaccurate	Balance, fairness, accuracy	Not upheld
2007-120	Browne	TVNZ	The Go Show	Cartoon showing boy lighting match in breach of children's interests	Children's interests	Not upheld
2008-009	Keating	TVNZ	Sunday	Item about alleged forgery of a signature on Philip Clairmont painting	Fairness, accuracy, balance, privacy, law and order	Not upheld
2007-109	Lewis	TVNZ	Coastwatch	Episode featured man caught with undersized paua, allegedly unfair and breach of privacy	Fairness, privacy	Not upheld
2007-047	Garland	TVNZ	Close Up	Interviewee compared playing old songs to having sex and an orgasm	Good taste and decency, children's interests	Not upheld
2007-053	Monckton	TVNZ	One News	Repetition of footage showing violent racist attack	Good taste and decency, law and order, violence	Not upheld
2007-045	Greensill	RNZ	Morning Report	News item reporting inappropriate sexual behaviour by police officers	Good taste and decency, social responsibility	Not upheld
2007-054	Palmer	TRN	Radio Hauraki	Joke about Helen Clark having testicles	Good taste and decency, social responsibility	Not upheld
2007-091	McCready	TWworks	Outrageous Fortune	Sex scenes in breach of good taste and decency	Good taste and decency	Not upheld
2007-086	Wasley	TVNZ	Nip/Tuck	Sex scene in breach of good taste and decency	Good taste and decency	Not upheld
2007-106	Hadfield	TRN	Classic Hits	Promos with sexual connotations in breach of good taste and decency	Good taste and decency	Not upheld
2007-105	Parker	TVNZ	Nip/Tuck	Sex scenes in breach of good taste and decency	Good taste and decency	Not upheld
2007-142	Smith	TVNZ	Facelift	Skit featuring person acting as Camilla Parker Bowles allegedly in breach of good taste and decency	Good taste and decency	Not upheld
2007-121	Smith	TVNZ	Facelift	Book reading contained language of a sexual nature	Good taste and decency	Not upheld
2007-100	Guard	RNZ	Nine to Noon	Fictional series contained swear words, sex scenes and implied drug use.	Good taste and decency	Not upheld
2007-129A	McCoshkie	TWworks	Californication	Fictional series contained swear words, sex scenes and implied drug use. Allegedly in breach of good taste and decency	Good taste and decency	Not upheld
2007-129B	Baker	TWworks	Californication	Fictional series contained swear words, sex scenes and implied drug use.	Good taste and decency	Not upheld
2007-129C	Taylor	TWworks	Californication	Fictional series contained swear words, sex scenes and implied drug use. Allegedly in breach of good taste and decency	Good taste and decency	Not upheld
2007-129D	Kinney	TWworks	Californication	Fictional series contained swear words, sex scenes and implied drug use. Allegedly in breach of good taste and decency	Good taste and decency	Not upheld

Not upheld (by standard) continued.

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding
2007-129E	O'Leary	TWorks	Californication	Fictional series contained swear words, sex scenes and implied drug use. Allegedly in breach of good taste and decency	Good taste and decency	Not upheld
2007-136	Kuehn	TVNZ	One News	Item allegedly showed man's testicles	Good taste and decency	Not upheld
2008-006	Goldingham	TVNZ	What Now?	"Grossology" episode allegedly in breach of good taste and decency	Good taste and decency	Not upheld
2007-132	Lawrence	TVNZ	Benidorm	Character's comment about his wife's vagina allegedly in breach of good taste and decency	Good taste and decency	Not upheld
2008-011	Campbell	TVNZ	Line of Beauty	Homosexual sex scenes allegedly in breach of good taste and decency	Good taste and decency	Not upheld
2008-019	Archibald	TVNZ	Criminal Minds	Story involving kidnap and psychological torture in breach of good taste and decency	Good taste and decency	Not upheld
2008-012	Gibb	TVNZ	Hell's Kitchen: Served Raw	Host said "Fuck me, fucking Jesus Christ." Allegedly in breach of good taste and decency	Good taste and decency	Not upheld
2008-002	Taylor	TVNZ	Eating Media Lunch	Introduction saying "tuck your mother" in breach of good taste and decency	Good taste and decency	Not upheld
2008-004	Brock	TVNZ	Eating Media Lunch	Brief shot of hands "masturbating" penis-shaped dildo in breach of good taste and decency	Good taste and decency	Not upheld
2007-045	Denley	TVNZ	Shortland Street	Sex scene in breach of good taste and decency and children's interests	Good taste and decency and children's interests	Not upheld
2008-021	Cook	TVNZ	One News	Reference to China as "the godless state"	Good taste and decency, accuracy, balance	Not upheld
2007-101	Seymour	TVNZ	Breakfast	Interviewee made remarks about Māori and child abuse	Good taste and decency, balance, accuracy	Not upheld
2007-059	Kinsella	RadioWorks	Radio Live	Host referred to Catholic church as "church of paedophilia"	Good taste and decency, balance, fairness, accuracy	Not upheld
2007-122	Henderson	TVNZ	How to Look Good Naked	Footage of women with bare breasts and in their underwear allegedly in breach of good taste and decency and children's interests standards	Good taste and decency, children's interests	Not upheld
2007-116	Cheyne	TVNZ	How to Look Good Naked	Footage of women with bare breasts and naked allegedly in breach of good taste and decency and children's interests standards	Good taste and decency, children's interests	Not upheld
2007-071	Henderson	TWorks	Campbell Live	Showed pictures of Cindy Crawford from Playboy magazine	Good taste and decency, children's interests, programme classification	Not upheld
2007-097	Harang	TVNZ	One News	Footage from inside strip club used to illustrate item about MPs visiting strip clubs	Good taste and decency, children's interests	Not upheld
2007-117	McArthur	TVNZ	How to Look Good Naked	Footage of women with bare breasts and naked allegedly in breach of good taste and decency and children's interests standards	Good taste and decency, children's interests	Not upheld
2007-076	Chapman	TRN	Classic Hits	Joke about patients in a "mental hospital"	Good taste and decency, fairness, social responsibility	Not upheld
2008-016	Preston	TWorks	60 Minutes	Item showing dangerous stunts in breach of good taste and decency and law and order	Good taste and decency, law and order	Not upheld
2008-007	Livingstone	TVNZ	Breakfast	Presenter's comments about prisoner assaults allegedly in breach of good taste and decency, law and order, and fairness	Good taste and decency, law and order, fairness	Not upheld
2007-085	Bancilhon	TVNZ	One News	Comment by news presenter about Paris Hilton unfair and inappropriate law and order, balance, fairness, children's interests, violence	Good taste and decency, law and order, balance, fairness, children's interests, violence	Not upheld

Not upheld (by standard) continued.

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding
2007-137	McCLean	TWorks	3 News	Re-enactment of crime	Good taste and decency, law and order, children's interests, violence, programme information	Not upheld
2007-064	Child	TVNZ	Without a Trace promo	Promo showing beaten man threatened with torture	Good taste and decency, law and order, programme classification, children's interests, violence	Not upheld
2008-015	Bennett	TVNZ	Eating Media Lunch	Subliminal message allegedly in breach of good taste and decency, law and order, programme information and children's interests	Good taste and decency, law and order, programme classification, children's interests	Not upheld
2008-005	Hind	TVNZ	Promo for F**k Off I'm Small	Promo in breach of good taste and decency and programme classification	Good taste and decency, programme classification	Not upheld
2007-113	Harvey	RadioWorks	Radio Live	Host likened appearance of talent show contestant to person with disability	Good taste and decency, social responsibility	Not upheld
2007-135	de Hamel	RNZ	Peewee's Sister	Children's story in breach of good taste and decency, social responsibility, law and order	Good taste and decency, social responsibility, law and order	Not upheld
2007-141	PB	TWorks	South Park	Prank involving cartoon character trying to put his penis in other character's mouth	Good taste and decency, violence	Not upheld
2007-069	McArthur	TWorks	South Park	Offensive portrayal of Jesus Christ	Law and order, privacy, balance, accuracy, fairness, good taste and decency, violence	Not upheld
2007-070	Hindu Council of NZ	Triangle Television	Darpan	Report on first Hindu conference	Law and order, privacy, balance, accuracy, fairness, good taste and decency, violence	Not upheld
2007-104	Rose	TWorks	Nightline	Item involving "cat hater" showing how he would drown cats in breach of law and order	Law and order, children's interests, violence	Not upheld
2007-127	Stranaghan	TVNZ	Benidorm promo	Promo showed man being slapped in the face by two women. Allegedly in breach of law and order, children's interests and violence standards	Law and order, children's interests, violence	Not upheld
2008-010	Valenta	TVNZ	20/20	Item about promotional stunt where explosives detonated on Rangitoto Island	Law and order, fairness	Not upheld
2007-048	Talaespa	TRN	Flava	Prank phone calls	Law and order, fairness, social responsibility	Not upheld
2007-036	NK	TWorks	60 Minutes	Item showed private footage from family party and family portrait	Privacy	Not upheld
2007-069	QW	TVNZ	20/20	Broadcast excerpt from talkback radio programme where complainant spoke of anti-depressant use	Privacy	Not upheld
2007-088	Kirk	TWorks	3 News	Item showed email from complainant, email address visible	Privacy	Not upheld
2007-090	Peapell	TVNZ	Fair Go	Item on real estate contract allegedly unfair, unbalanced, inaccurate, and in breach of privacy and programme information standards	Privacy, balance, accuracy, fairness, programme information	Not upheld

Not upheld (by standard) continued.

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding
2007-079	RC	TWorks	Campbell Live	Item on early sexualisation of pre-teen girls showed picture of 11-year-old from magazine spread	Privacy, fairness	Not upheld
2007-124	Truong	TVNZ	Fair Go	Broadcast of phone conversations in breach of privacy, fairness, law and order	Privacy, fairness, law and order	Not upheld
2007-111	Kiro	TVNZ	One News	News item showing autopsy photos of dead child allegedly in breach of good taste and decency, fairness, privacy, programme classification, children's interests and violence standards	Privacy, fairness, programme classification, children's interests, good taste and decency, violence	Not upheld
2007-115	Roberts	TVNZ	The Tudors promo	Sexual content of promo allegedly in breach of programme classification and children's interests standards	Programme classification, children's interests	Not upheld
2007-139	Botur	TRN	Radio Hauraki	Skit used the word "faggot", allegedly derogatory	Social responsibility	Not upheld
2007-107	Corkett	Sky	Prime News	Item repeated footage of high tackle 12 times	Violence	Not upheld

Other (by standard)

Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards	Finding	Order
2007-095	Dodd	TWorks	3 News	Promos contained the word "next", allegedly inaccurate	Accuracy	Decline to determine [s11(a)]	
2007-051	Dulakiverata	National Pacific Radio Trust Inc	Fijian Language Programme	Interview with former Fijian MP unbalanced and socially irresponsible	Balance, social responsibility	Decline to determine [s11(b)]	
ID2007-012B	Ministry of Health	TWorks	Let Us Spray	Interlocutory decision on production of field tape		Authority to supply a copy of the field tape to Ministry of Health - section 12 Broadcasting Act 1989 and section 4C Commissions of Inquiry Act 1908	Authority to supply a copy of the field tape to Ministry of Health - section 12 Broadcasting Act 1989 and section 4C Commissions of Inquiry Act 1908
ID2007-012	Ministry of Health	TWorks	Let Us Spray	Interlocutory decision on production of field tape		Order made to supply tape to the Authority - section 12 Broadcasting Act 1989 and section 4C Commissions of Inquiry Act 1908	Order made to supply tape to the Authority - section 12 Broadcasting Act 1989 and section 4C Commissions of Inquiry Act 1908

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