

Media Release

8 November 2016

***Hauraki Breakfast Show* found to have breached broadcasting standards; NZME Radio ordered to pay a fine and compensation totalling \$8,000**

The Broadcasting Standards Authority (BSA) has found hosts on the *Hauraki Breakfast Show* seriously breached broadcasting standards when they intentionally broadcast live on air a caller who had asked to make a complaint off air.

The BSA has ordered broadcaster NZME Radio to pay \$4,000 in privacy compensation to Deborah Stokes, \$4,000 in costs to the Crown and to broadcast a statement summarising the Authority's findings.

Mrs Stokes, the mother of New Zealand-born English cricketer Ben Stokes, called the station to complain about comments made by the hosts regarding her son, and to defend him. When she asked to speak to someone off air, host Matt Heath assured Mrs Stokes she was off air. The conversation was actually being broadcast live on air.

Mrs Stokes complained to NZME Radio that the broadcast was unfair and breached her privacy. NZME Radio upheld Mrs Stokes' complaint, but the BSA found that NZME Radio did not take sufficient action to adequately rectify the harm caused to Mrs Stokes.

The Authority found that "the broadcast amounted to a serious breach of broadcasting standards and demonstrated a grave lack of understanding on the hosts' behalf of an individual's fundamental rights to privacy and fair treatment. This is a case of public deception, which is a substantial departure from the standards of broadcasting expected in New Zealand".

The Authority also found that the hosts' behaviour after the broadcast which appeared to ridicule Mrs Stokes, the hosts' lack of remorse and the inadequate remedial action taken by NZME Radio, aggravated the initial breach of standards.

The Authority also upheld another complaint from a member of the public that the broadcast breached Mrs Stokes' privacy.

ENDS

For more information contact Nicole Hickman on 027 313 0179.

FURTHER INFORMATION

The full decision is available at <http://bsa.govt.nz/decisions/latest>.

The programme was broadcast on 4 April 2016. The decision was made under the new Radio Code of Broadcasting Practice. The new Codebook has been in force since 1 April 2016 and is available at <http://bsa.govt.nz/standards/overview>.

ABOUT THE BROADCASTING STANDARDS AUTHORITY

The Broadcasting Standards Authority is an independent body that oversees the broadcasting standards regime in New Zealand. We do this by determining complaints that broadcasts have breached standards, by doing research and also by providing information about broadcasting standards.

ORDERS

Under sections 13, 13A and 16 of the Broadcasting Act 1989, if the BSA upholds a complaint, it may make certain orders. The broadcaster must comply with any order the BSA has issued and may be liable for a fine for failing to comply. The Authority may order a broadcaster to:

- Publish a statement eg a correction, a summary of the decision or an apology
- Pay costs to the Crown of up to \$5,000
- Pay compensation to an individual for a breach of privacy of up to \$5,000
- Pay costs reasonably incurred by the complainant
- Refrain from broadcasting for up to 24 hours
- Refrain from broadcasting any advertising for up to 24 hours.

The Authority members who determined these complaints were Peter Radich (Chair), Leigh Pearson, Te Raumawhitu Kupenga and Paula Rose. **For more information see our website:** www.bsa.govt.nz.