



BROADCASTING STANDARDS AUTHORITY

TE MANA WHANONGA KAIPĀHO
TE PŪRONGO Ā-TAU 2015

ANNUAL REPORT 2015

PRESENTED TO THE HOUSE OF REPRESENTATIVES
UNDER S 150(3) OF THE CROWN ENTITIES ACT 2004

VISION

**FAIRNESS AND FREEDOM
IN BROADCASTING**

PURPOSE

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

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MEMBERS



Peter Radich – Chair

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

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

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

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



Mary Anne Shanahan

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

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

Mary Anne has also been involved in a number of community groups over the years. She joined the BSA in June 2009 and was reappointed for a further term in May 2012. Mary Anne's term expired on 30 April 2015. However, she continued as a member during the financial year to which this Annual Report relates.



Leigh Pearson

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

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

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



Te Raumawhitu (Te Rau) Kupenga

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

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

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

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

PART ONE

INTRODUCTION



CHAIR'S INTRODUCTION

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

As some of us near the end of our terms of office, it is time to reflect. To reflect on the past and on the future. To ask about and challenge what we do. To think about how things could be better done and engage with government's signalled intention to address these issues.

We are a State regulatory body established in 1989. In 1989 the different sections of the media operated in confined compartments. Radio broadcasters had their patch. So did the print media. Television had expanding territory. Little came through the air from afar. Most of what we consumed or were exposed to was home-grown or imported in a controlled way and served to us by New Zealand purveyors.

Now everything has changed. The fences have come down. Media caterers are working in each other's tents. Vast volumes of what is available for us to take can be taken by any of us from suppliers outside New Zealand. The media environment is now more active and much less controllable than it was almost 30 years ago.

In this kaleidoscope which is the media today is there a place for us. Is there a place for other regulatory authorities. Do we give up, recognise that the fences are down and the flock has scattered and become undisciplinable, or do we say, what can we do and what should we do. Do we say that concepts of freedom of expression are so broad that anything goes or do we say that no, there really do need to be boundaries and anything should not go. If we say that there should be ongoing controls of some kind, then how would these work, who would work them and who would they affect. Should those of us who are part of a regulatory body be saying anything. Should we remain silent in case it be thought that we are wanting to prolong our regulatory life or extend our regulatory patches. As appointees to our positions should we be expressing any views. These are all questions to which we have no ready answers but on which we do have some nascent views.

We think we need to move from looking at how media messages are conveyed (radio, television, print) and look at who is conveying these messages and what they are saying. We in New Zealand need to confine our reach to those who are in New Zealand and recognise that we have no control over those beyond our shores. We should be stepping past how media people say things and look more at what they are saying. We should recognise that most media people are responsible and can be trusted but we should have arrangements to deal with those who abuse their freedoms.

Would our society be safe enough if we said to media people that they need to regulate themselves? What if we also said that there would be an independent body appointed by the State to give oversight? This body would lightly oversee the standards that were being applied, make sure that the standards were correct and that they were being correctly applied. So in this vision there would be the continuation and enhancement of the freedoms we cherish. There would also be protections so that the values of privacy, fairness, decency, child care, and acceptable news gathering and dissemination, which are foundation blocks in our society, are preserved.

And what would happen to those of us who currently work in these fields? The BSA, the Press Council, the Online Media Standards Authority (OMSA), the Censor and the Police. Some of us may have continuing work in new fields but for others of us our work would be finished or others will have taken it over. Hopefully, we would all be able to reflect on where our society had been and to where it had gone. We may be able to say that we had matured; that we had endorsed freedom and light-handedness in government but that we were not so naïve as to think that there is no need for somebody somewhere to carry a stick.

Enough of wistful contemplations and now to the reality. We have continued to do our job which we see as dealing with complaints that broadcasters have not resolved, but also as involving assisting broadcasters and listeners and viewers in understanding broadcasting standards and their limits. We now have fewer complaints of little or no substance. Many of the complaints we have raise important issues of rights and freedoms in our society. We work at the interface where rights and responsibilities sometimes clash or rub and we are required to judge what is to prevail. Together with broadcasters, we are reviewing the Codes of Broadcasting Practice and these are now going through a process of public consultation which we see as important. We record our appreciation of the work that broadcasters have done and of the help they have given us in this process.

The appointment of Mary Anne Shanahan, one of the members of the Authority, has come to an end after six years. Mary has brought independent and searching thought to the Authority. She has been ready to question and probe and has often found that her intuitive judgements have been confirmed by further consideration. She has been a valued board member and we thank her for her service. We welcome Paula Rose in Mary's place. We have also had to farewell Susan Freeman-Greene, our Chief Executive, and some of her team, all of whom we appreciated when with us. We now have Karen Scott-Howman and a substantially new team with whom we look forward to working.

Nā reira kia ora anō tātau katoa.



Peter Radich
Chair

WHAT WE DO

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

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

WHO WE ARE

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

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

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

STRATEGIC CONTEXT OF OUR WORK THIS YEAR

We continue to operate in a rapidly changing media environment. Content is now accessible in digital form across multiple devices. The integration of social media in our lives means that today New Zealanders are increasingly both media consumers and media contributors, and content is not static but evolves through conversations.

These changes pose challenges for regulation that policymakers all over the world are grappling with. We welcome any discussion on the future of media regulation while acknowledging that determining its appropriate shape is not straightforward. In the meantime, we work to ensure that we apply standards in a meaningful way in the context of our shifting landscape.

During the reporting period, we welcomed a new Chief Executive, but the board and senior management of the BSA otherwise remained stable. This allowed us to continue to deliver on the BSA's strategic direction.

All our work supports our overarching goal, which is to ensure New Zealanders have increased confidence that the broadcasting standards regime fairly balances the broadcasters' right to freedom of expression with their obligation to avoid harm. Our new complaints management system is now one year old and has markedly improved our efficiency. We have also made improvements to our communications, including our decision format and website. We continue to work on our code reviews to ensure they remain robust, fit for purpose and reflective of New Zealand's diversity.

We have continued to operate in a tight fiscal environment and have been mindful of government's expectations that we continue to review our services with a view to finding more innovative and cost-effective ways of delivering services. Our shared service arrangements with NZ On Air continue to provide value and promote efficiencies. This year we also collaborated with NZ On Air to commission a substantial piece of research on children's media use. We will keep looking for ways to further maximise sector-wide efficiency and effectiveness.

This year was our fourth year working with a strategic framework which reflects the outcomes we seek and the impact we wish to have: how we contribute to and influence those goals in the medium term; how we measure them; and how our services and activities relate to the outcomes/impacts. Our strategic framework is set out in our Statement of Intent 2014–2018 and is summarised in the following chart.

STRATEGIC FRAMEWORK

SECTOR VISION	New Zealanders' distinctive culture enriches our lives
BSA VISION & PURPOSE	<p>OUR VISION IS FOR FAIRNESS AND FREEDOM IN BROADCASTING</p> <p>Our purpose is to oversee New Zealand's broadcasting standards regime so that it is fair to all New Zealanders by balancing the broadcasters' right to freedom of expression with their obligation to avoid harm</p>
OVERARCHING OUTCOME/GOAL	<p>What we intend to achieve:</p> <p>New Zealanders have increased confidence that the broadcasting standards regime fairly balances the broadcasters' right to freedom of expression with their obligation to avoid harm</p>
IMPACTS OVER TIME	<p>How we contribute and influence:</p> <ul style="list-style-type: none"> • A reduction in unjustified complaints from members of the public • Increased compliance with standards by broadcasters
MEASURE OUR IMPACT	<p>How we know we are succeeding:</p> <ul style="list-style-type: none"> • A reduction in the number of upheld and not upheld complaints • No proportionate increase in the number of BSA decisions overturned by the High Court on appeal • Improved public awareness of the existence of the broadcasting standards system
ACTIVITIES & SERVICES	<p>How we deliver:</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%; border: 1px solid black; padding: 5px;"> <p>OVERSIGHT AND DEVELOPMENT OF THE BROADCASTING STANDARDS SYSTEM</p> <p>We oversee the broadcasting standards regime, work with broadcasters and others to set clear broadcasting standards, and work to improve the complaint handling system at all levels by addressing systemic issues, reviewing codes, issuing practice notes, and undertaking research</p> </div> <div style="width: 30%; border: 1px solid black; padding: 5px;"> <p>COMPLAINTS DETERMINATION</p> <p>We receive complaints about breaches of the Codes of Broadcasting Practice and aim to issue robust, soundly reasoned, timely decisions that reflect the boundaries between freedom of expression and harm</p> </div> <div style="width: 30%; border: 1px solid black; padding: 5px;"> <p>INFORMATION AND COMMUNICATION</p> <p>We provide clear, user-friendly information about the broadcasting standards system and our decisions</p> </div> </div>

THIS ANNUAL REPORT

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

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

PART TWO

WHAT WE HAVE
ACHIEVED THIS
YEAR



OVERALL PERFORMANCE STORY

HIGHLIGHTS

This year has had a number of highlights. We:

- undertook public consultation on our code reviews and aim to have the reviews completed by the end of the calendar year
- had no new appeals lodged against our decisions, and there are no appeals currently outstanding
- undertook focus group litmus testing of our decisions relating to an aspect of the accuracy standard – the distinction between fact and opinion – which showed that almost all (an average of 92%) participants could follow and accept the BSA's rationale for its decisions
- surveyed broadcasters who had dealt with us in the previous 12 months – they expressed a high level of satisfaction with our processes and relationships, with 88% of those surveyed scoring the BSA as 'good', 'very good' or 'neutral'
- received positive ratings for the various components of BSA service in our regular complainants' survey, with the average rating for good/very good written correspondence being 71%, for telephone contact 64%, and for professionalism 73%
- completed an external review of our balance decisions, which concluded that all decisions reviewed reached the correct outcome, were comparable with overseas jurisdictions and were expressed in language accessible to ordinary people
- reviewed and improved our decision format
- made further improvements to our revised website resulting in it being ranked 1st out of over 160 websites assessed by e-Gov Watch for the second consecutive year
- agreed with SKY to voluntarily regulate their new video on demand service, NEON
- continued to share services with NZ On Air which delivers our financial services robustly and effectively
- received a positive audit management report with best possible gradings in all categories of assessment
- returned a portion of our reserves (\$203,000) to the Crown for the second consecutive year.

OUTCOME WE ARE WORKING TOWARDS

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

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

- reducing unjustified complaints
- increasing broadcaster compliance.

Our key activity is complaints determination. In addition, we provide two other critical services and activities to support and enhance broadcasting content regulation: oversight and development of the broadcasting standards system; and the provision of information about the system and our decisions. All three parts interrelate, build on and strengthen the system as a whole.

The 2014–2018 Statement of Intent reflects these three outputs:

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

ARE WE HAVING AN IMPACT?

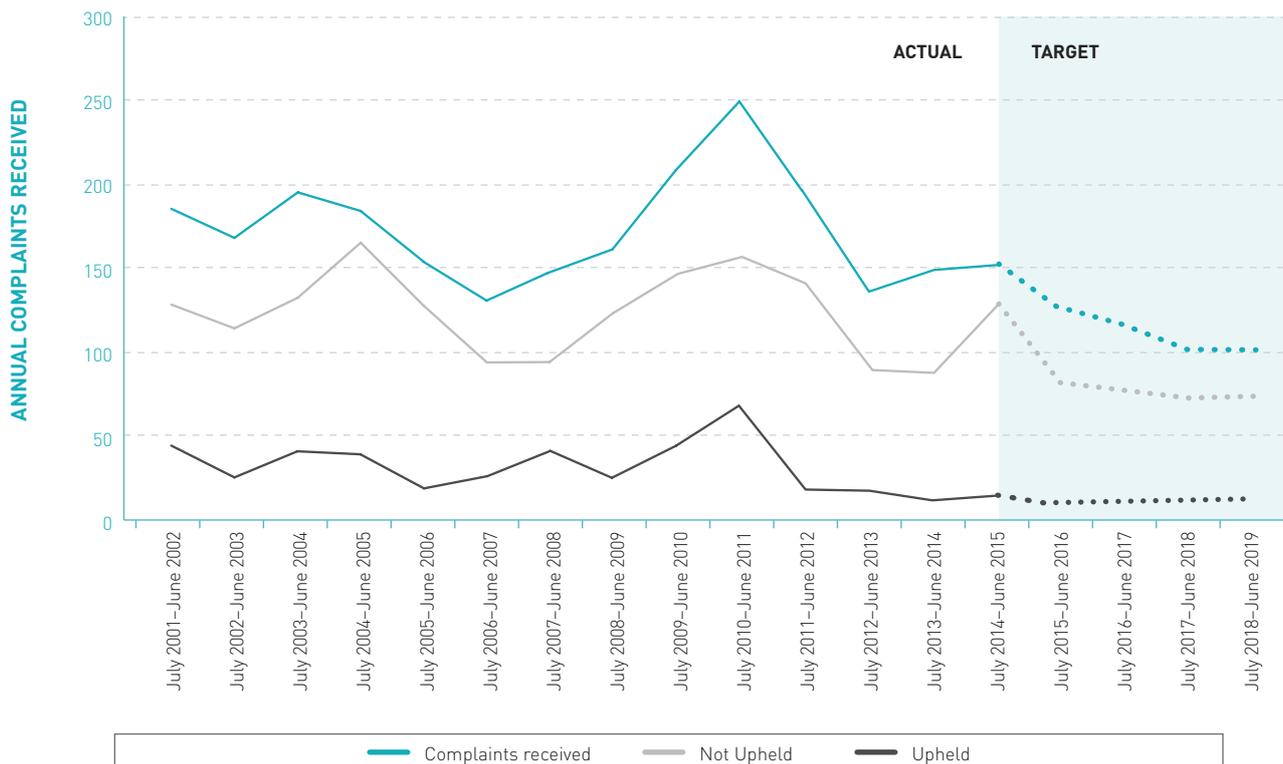
We have identified three key measures to determine our impact over time through our three interrelated activities and services. Many factors influence the medium-term outcomes, some of which are outside our control. We cannot achieve these outcomes alone – it will take the involvement and focus of all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

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

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

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

FIG.1 BSA SYSTEM PERFORMANCE INDICATORS



When the system is working well we have said:

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

Figure 1 shows complaint numbers, and the number of upheld decisions are steady compared to the previous year. The number of not upheld complaints has increased. This reflects the fact we have issued more decisions this year than last year (143 this year compared with 99 last year).

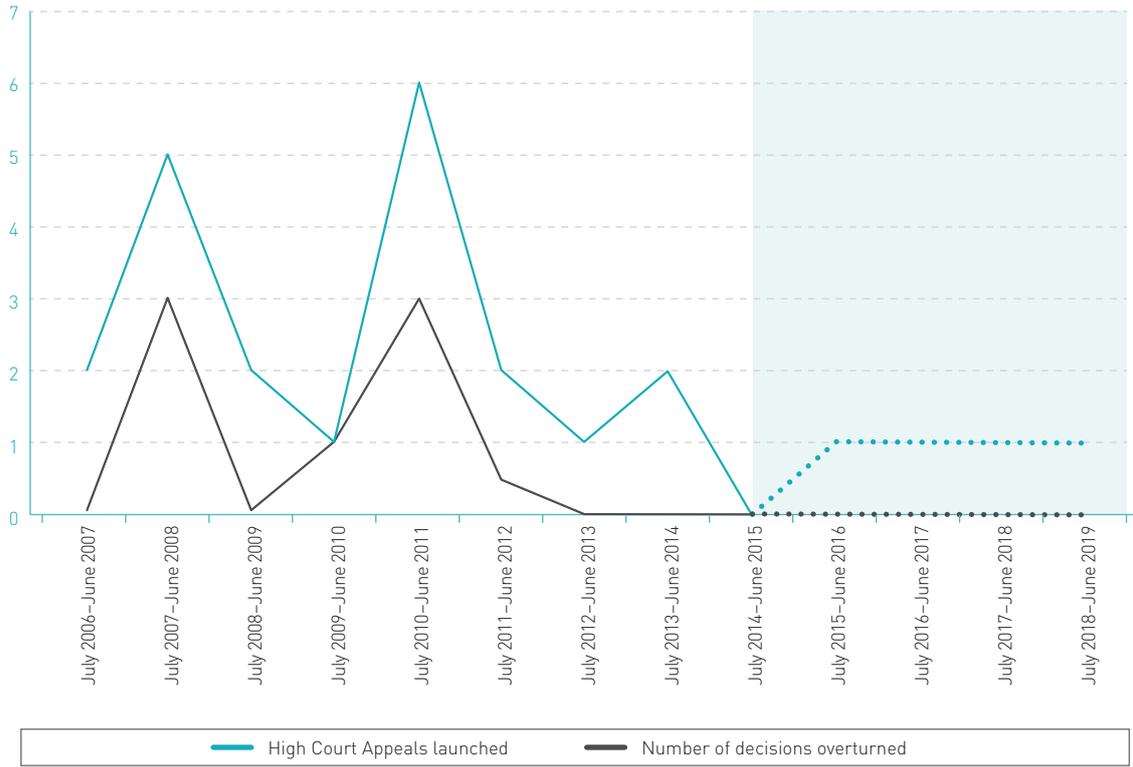
Overall, however, numbers remain relatively low which we see as a positive reflection of the system's effectiveness and functionality. In a well-functioning system this reflects that:

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

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

FIG.2 HIGH COURT APPEALS

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The BSA's decisions can be and sometimes are appealed. This is a key part of the process as it is important for parties to have recourse to the courts. Valuable jurisprudence is generated through the appeal process. The number of decisions overturned by the High Court has always been low, and this year we have had no appeals heard at all. At the beginning of this year, two appeals were outstanding. However, neither resulted in a hearing, as one was dismissed because the complainant did not comply with Court directions, and the other was settled.

We have had no new appeals lodged during the year.

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

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

In our 2014–2018 Statement of Intent we clarified the scope by which we will survey public awareness. The survey against the benchmark will be done every two years and measure the percentage of New Zealanders aware of the BSA, aware that they can make a formal complaint, and able to identify a course of action which would lead them to finding out about the correct process for making a formal complaint.

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

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

A survey published in 2015 showed awareness levels remain very high although there has been a second consecutive small drop in awareness. The survey showed:

- 79% of New Zealanders are aware that they can make a formal complaint about television and radio content (compared to 84% in 2014 and the 89% benchmark of 2010)
- 85% of New Zealanders could take a course of action which would lead them to finding out about the correct process for making a formal complaint (compared to 92% in 2013 and the 96% benchmark of 2010)
- 81% of New Zealanders are aware of the BSA (compared to 85% in 2013 and the 95% benchmark of 2010)

Our target currently remains that at least 90% of New Zealanders are aware that they can complain about broadcasting, can find out how to make a formal complaint, and know about the BSA.

We believe that basic awareness of the broadcasting standards system is promoted through the requirement that broadcasters broadcast publicity notices about the complaints system. We also raise awareness through our communications and information, including strategic media releases about decisions and the publication of a regular newsletter.

We consider there are two likely reasons for declining public awareness. The first relates to the description of the complaints system publicised by broadcasters which includes reference to the Broadcasting Act and their own internal complaints system without direct reference to the BSA.

The second relates to changing patterns of media consumption. As more people use time shifting and are more likely to fast forward through ads, or view broadcasts on demand rather than in real time on traditional platforms, it follows that fewer people may be exposed to our publicity notices, which are only required to be broadcast on television and radio.

We monitor a breakdown of figures relating to public awareness by age, region, ethnicity, gender and income. We note that comparatively lower awareness levels (compared with the overall results) are recorded amongst those with a household income of \$19,999 or less (61%) and those under the age of 40 (65% of those aged 15–24 and 69% of those aged 25–39).

We are monitoring these trends and assessing whether there are ways to improve awareness to the target level and improving awareness where it is comparatively low.

COMPLAINTS DETERMINATION

OVERVIEW

This year the BSA received 151 complaints and issued 143 decisions.

Complaints numbers ebb and flow, often for no clear reason. The number of complaints received in the first and second halves of this year interestingly reversed the numbers for the previous year (with 56 complaints in the first half of 2013/14 and 93 in the second half, compared with 98 in the first half of 2014/15 and 53 in the second half). However, the total number of complaints received for 2014/15 (151) is almost the same as the total received in the previous year (149 in 2013/14). This suggests complaints numbers are steady and not obviously trending upwards or downwards. Additionally, the number of complaints received in 2014/15 was only one above our target (which was to receive fewer than 150 complaints).

A steady number of complaints raise complex issues. These require more thought and careful consideration, and our workload remains constant. Some of these more complex matters – often concerned with privacy and fairness issues and the rights of programmes participants – are summarised below (see 'Decisions of Note').

This year around 10% of complaints were upheld (14 out of 143 decisions, compared with 12 out of 99 last year, or 12%). Consistent with last year, these were mostly about news, current affairs and factual programming. The programmes most complained about were also from this genre (see 'Decisions by Programme Genre' in Appendix 1).

Our complaints team has continued to make improvements to streamline the process overall and to ensure that we spend more time on the complex and challenging complaints and less on the routine and trivial ones. Our complaints management database Compass has now been in action for over a year (introduced April 2014). It has had a major impact on the ease and effectiveness of complaints handling, responding to enquiries and also reporting capability. We also introduced a new decision format in December 2014 which has received positive feedback in terms of being clearer and easier to read.

DECISIONS SUMMARY

	2014/15	2013/14	2012/13	2011/12	2010/11
Decisions issued	143	99	111	162	236
Television programmes	98 (69%)	73 (74%)	78 (70%)	134 (83%)	197 (83%)
Radio broadcasts	45 (31%)	26 (26%)	33 (30%)	28 (17%)	39 (17%)
Upheld (all or in part)	14 (10%)	12 (12%)	18 (16%)	17 (11%)	69 (29%)
Television programmes	8 (57%)	8 (67%)	12 (67%)	16 (94%)	60 (87%)
Radio broadcasts	6 (43%)	4 (33%)	6 (33%)	1 (6%)	9 (13%)

COMPLAINTS SUMMARY

	2014/15	2013/14	2012/13	2011/12	2010/11
Complaints received	151	149	136	195	250
Decisions issued	143	99	111	162	236
Upheld (all or in part)	14	12	18	17	69
Not upheld	120	74	86	132	146
Interlocutory/ Jurisdictional matters	-	-	2	4	2
Declined to determine	9	13	5	9	12
Orders	9	6	5	7	20
Practice notes	-	-	1	1	2
Decisions issued within 20 working days	92%	75%	99%	99%	100%

NOTES about this chart:

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

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

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

132 out of 143 decisions were issued within 20 working days of the last board meeting at which they were considered. Of the other 11 decisions, 5 decisions took between 21 and 25 days due to complexity in drafting the decisions; 5 were deliberately delayed due to the Chair being overseas; and 1 was delayed to avoid predetermination of a related complaint.

Practice notes have not been issued in the last two financial years on the basis that guidance would be incorporated into the new draft codes.

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

DECISIONS OF NOTE

Radio complaints

Complaints numbers traditionally have been dominated by complaints about TV. This year, complaints about radio broadcasts reached an all-time high, making up almost one-third of the complaints received by the BSA (31%, compared with closer to one quarter – 26% – in 2013/14). Radio complaints also represented nearly half of upheld complaints this year (43%). It is hard to pinpoint the reason(s) for this increase, but one possible reason is that people continue to listen to the radio in real time (for example, in the car or at work), while fewer are watching television in this way, preferring to watch on demand or make use of time-shifting devices. Some of the more thought-provoking cases relating to radio programmes are summarised below.

Parlane and Wilson and MediaWorks Radio Ltd (2015-009)

One decision which generated a lot of media coverage and debate related to talkback radio host Sean Plunket's reaction to author Eleanor Catton's comments at a literary festival in India, which were negative about the New Zealand government. Mr Plunket was highly critical of Ms Catton, saying that she was a 'traitor' and an 'ungrateful hua' among other things. The Authority did not uphold two complaints that Mr Plunket's comments breached standards. The Authority said the nature of Ms Catton's remarks was such that it was reasonable for them to attract some strong views in response. The host's comments were within the bounds of audience expectations of talkback radio and within his right to free speech, which includes the right to express opinions in a way that others may not like. *Not Upheld: Fairness, Good Taste and Decency, Discrimination and Denigration, Controversial Issues, Accuracy.*

Du Fall and The Radio Network Ltd (2014-055)

The Authority found that sufficient action was taken by The Radio Network after radio host Rachel Smalley described some women as 'heifers' and a 'bunch of lardos'. Ms Smalley made the comments on Newstalk ZB during an advertisement break when she thought she was off air. She was responding to the statement that the average New Zealand woman weighed 72 kilograms. In its decision the BSA said that it understood that some listeners found the comments objectionable but did not think they reached the high threshold needed to find a breach. It noted that size or weight is not one of the specified sections of the community under the discrimination and denigration standard (consistent with the grounds for discrimination outlined in the Human Rights Act 1993). The comments were off the cuff and not intended for broadcast, and the host and the broadcaster both issued public apologies. This decision also received a fair amount of media coverage. *Not Upheld: Good Taste and Decency, Discrimination and Denigration (Action Taken).*

VR and APNA Networks Ltd (2014-033)

APNA 990 broadcast a segment disclosing that a named company allegedly owed it money and asking for the director of that company to 'contact us [as soon as possible] to sort out the account'. The Authority upheld the complaint that the broadcast breached the privacy of the company director because a debt is a private matter between the debtor and the person or company to whom the debt is owed. The

disclosure was highly offensive as the complainant could reasonably expect the debt to remain private, and there was no public interest in disclosing it to the public at large. *Upheld: Privacy. Orders: Section 13(1)(d) \$1,000 compensation to the complainant for breach of privacy; Section 16(4) \$1,000 costs to the Crown.*

Taranaki Regional Council and Radio New Zealand Ltd (2014-013)

The Authority declined to uphold a complaint from Taranaki Regional Council that a *Morning Report* item about the disposal of fracking waste in Taranaki was misleading, unfair and unbalanced. The item reported that the waste from fracking was being applied to farmland in Taranaki – an operation known as landfarming – and also reported that TRC was misleading the public by claiming this practice was consistent with the international best practice of Canada's Alberta Energy Regulator. The Council complained that the allegations arose because the report confused drilling waste (solids such as mud and sludge) with the liquid waste from fracking. The BSA found that the basis for any alleged inaccuracy was the language used by the Council's Director of Environment Quality, who was interviewed. The BSA was satisfied overall that the report was an accurate and fair reflection of what that interviewee told the reporter in the interview. The Authority emphasised that it is legitimate and important in our free and democratic society to challenge and criticise public bodies on matters of strong public interest – and this message was picked up by some media outlets. *Not Upheld: Accuracy, Fairness, Controversial Issues.*

Privacy and fairness

Privacy and fairness complaints continue to make up one of our most interesting and complex areas of work, with many of the upheld complaints this year concerning these standards. This year also saw an increase in the number of awards of compensation for breach of privacy (6 orders, compared with 1 in 2013/14 – see Appendix 1). The key issues include whether programme participants' informed consent is required and what the conditions (including duration) of that consent should be; what constitutes informed participation; what makes an individual 'identifiable' for the purposes of the privacy standard and whether this can include sources outside the broadcast; when and where an individual has a reasonable expectation of privacy; what constitutes a fair and reasonable opportunity to comment; and what matters carry legitimate public interest. Below are examples of decisions dealing with some of these issues – four of these were upheld. One was not upheld but raised an interesting question around 'jigsaw' identification (using sources outside of the broadcast to identify an individual).

PG and Television New Zealand Ltd (2014-090)

An episode of *Water Patrol*, a reality TV series following the work of the Maritime Police, showed footage of the complainant, PG, in his boat in the Marlborough Sounds. The police vessel approached him from behind and asked him to stop his motor. The complainant was caught off guard, apparently not wearing any pants. As he stood up to engage

with the police, the fact that he was wrapping a towel around his waist was highlighted and the police officer turned to the camera and commented, with a smile on his face, 'very unusual'. The Authority upheld PG's complaint that this breached his privacy because in the unique circumstances of this particular case the filming amounted to an intentional intrusion, in the nature of prying with the complainant's interest in seclusion; the intrusion was highly offensive; and it was not justified by any overriding public interest factors. This decision received a fair amount of coverage by media outlets. *Upheld: Privacy. Order: Section 13(1)(d) \$1,000 compensation to the complainant for breach of privacy.*

WS and MediaWorks TV Ltd (2014-100)

An item on *3rd Degree* contained an interview with a man who was involved in a family feud over the provisions of his mother's will. The man described the legal battle with his brothers, and the item showed two old photographs of the brothers, one of whom was WS. The Authority upheld the complaint that WS's privacy was breached as he had not consented to have his image shown in the programme. *Upheld: Privacy. Order: Section 13(1)(d) \$1,500 compensation to the complainant for breach of privacy.*

TD and MediaWorks TV Ltd (2014-048)

An item on *3rd Degree* reported on the 'turf war' between two business owners in New Zealand's adult entertainment industry. The item included footage of the complainant working in a strip club, serving drinks and talking to customers. The Authority upheld her complaint that this breached her privacy, as she had not consented to appear in the programme. Management had apparently consented on her behalf, but the privacy principles make it clear consent must be obtained from the individual whose privacy has allegedly been interfered with. *Upheld: Privacy. Order: Section 13(1)(d) \$1,500 compensation to the complainant for breach of privacy.*

Smyth and Television New Zealand Ltd (2014-065)

An episode of *Seven Sharp* reported on alleged 'cat killers' in Raglan. The Authority did not uphold the complaint that the item breached the privacy of the child of the alleged cat killers. The Authority considered the question of whether, by pointing to a link online which contained a documentary about the 'cat killers', the programme could have enabled viewers to identify those involved by using sources outside of the broadcast. However, the accused were not named, shown, or otherwise identified within the item, so no individual, and specifically the child, could be linked to them – meaning the child was not 'identifiable' for the purposes of the privacy standard. *Not Upheld: Privacy.*

CG and Television New Zealand Ltd (2013-082)

An episode of *The Claim Game*, a reality series about insurance claims, profiled a claim involving a house fire where the tenant did not have contents insurance. The Authority upheld the complaint from the tenant that the programme breached her privacy and that she had been treated unfairly. The broadcaster could not demonstrate that the complainant had given consent to appear in the programme, and she had made her objections known to both the broadcaster and the production company before this third repeat broadcast, which occurred four years after

the filming took place. *Upheld: Fairness, Privacy. Not Upheld: Accuracy, Children's Interests. Order: Section 13(1)(d) \$1,000 compensation to the complainant for breach of privacy.*

Election Period 2014

We received a total of four election complaints about the 2014 general election (compared to 11 in the 2011 election period). None of the complaints were upheld, and the decisions emphasised the importance of freedom of expression in the context of a robust political environment.

Two of the complaints related to a National Party radio advertisement broadcast on Radio Live and Newstalk ZB (*Pekepo and MediaWorks Radio Ltd*, 2014-116; *Kumar and The Radio Network Ltd*, 2014-117). The advertisement included the statement: 'What have we learnt in this election? We've learnt Labour, the Greens and Dotcom want to spend more than 30 billion dollars...' The complainants argued that the advertisement was inaccurate because Kim Dotcom was not a political party, but the Authority found that as Kim Dotcom had been a particularly prominent figure in the lead-up to the 2014 general election and was a high-profile public figure in general, most listeners would have understood that the advertisement referred to Kim Dotcom as the founder of the Internet Party.

The third complaint related to a National Party advertisement that said part of National's economic plan for the next three years was to 'start paying off debt' (*Allen and MediaWorks TV Ltd*, 2014-106). The complainant argued the advertisement was misleading because Treasury's Pre-Election Fiscal Update reflected that debt was set to increase every year until 2018. However, the BSA found that this was not a statement of fact and that 'viewers would have recognised John Key's statement in the advertisement as robust political expression, typical of pre-election advertising, advocating for National's policies and encouraging the public to vote for National'.

The fourth complaint contended that the National Party's closing address illegally contained footage of the Queen and Barack Obama (*Curtis and Television New Zealand Ltd*, 2014-124). The Authority declined to determine the complaint as it did not raise any issues of broadcasting standards that warranted consideration.

Other decisions of interest

Harkema and TVWorks Ltd (2012-042)

In February 2015, the BSA released a decision on five *Campbell Live* items broadcast in November and December 2011. The programmes featured Margaret Harkema, a former director of the Valley Animal Research Centre, and investigated concerns that she was using Trade Me to rehome beagles that were bred or used for medical testing. The issues raised in the complaints were numerous and very complicated, contributing to the length of time taken to resolve the matter. The BSA held its first ever oral hearing to better understand the complainant's main concerns, and ultimately upheld her complaints that the programmes were unfair, misleading and breached her privacy. *Upheld: Fairness, Accuracy, Privacy. Not Upheld: Law and Order. Orders: Section 13(1)(d) \$2,000 compensation to the complainant for breach of privacy; Section 16(1) \$12,000 legal costs to the complainant.*

HIGH COURT APPEALS

Two appeals were scheduled to be heard in the High Court in the 2014/15 financial year.

One of those appeals (*Levertoff*) was dismissed by Justice Collins as the complainant did not pay security for costs or instruct new counsel as directed by the Court.

The other appeal (*McDonald*) was settled out of court before the scheduled hearing date with a written agreement reached between the complainant, the broadcaster and the BSA.

Levertoff and Television New Zealand Ltd (2013-066)

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

McDonald and Television New Zealand Ltd (2014-004)

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

TIMELINESS

We aim to release decisions to the parties to a complaint within 20 working days of the last board meeting at which the complaint was considered. This year, some decisions were not able to be released within that timeframe (8% compared with 25% in 2013/14). Most of these were just outside the timeframe target. Five decisions took between 21 and 25 days to release due to complexity in drafting the written decisions; another five had a planned delay due to the absence of the Chair; and one was delayed to avoid predetermination of a related complaint.

COMPLAINTS MANAGEMENT SYSTEM (COMPASS)

A new system was deployed in April 2014, so we marked its first birthday during this financial year. Overall, it is an extremely valuable system. It has significantly improved our record-keeping, the way we manage both enquiries and formal complaints, reporting capability, general efficiency, and the accuracy of our data. In its first year of operation, the system captured 333 formal referrals to the

BSA (including those from 2013/14), and 1156 enquiries. The system allows us to keep track of complaints in 'real time' and set automated reminders around timeframes and deadlines for responses. Customised reporting also enables us to keep track of the work we do and more easily demonstrate performance.

COMPLAINANTS' SURVEY

We continue to assess the quality of our processes by surveying complainants, to ensure our services meet their expectations. This year, 60 complainants who referred a complaint to the BSA between 1 April 2014 and 31 March 2015 completed the survey. Complainants' assessment of the various components of the BSA service remains fairly positive; the average rating this year for written correspondence was 71%, for telephone contact 64% and for the website 69%. We analyse these reports and look for ways to continue to improve our processes.

EXTERNAL REVIEW OF OUR BALANCE DECISIONS

We invited Professor John Burrows to undertake a review of 10 of the BSA's balance decisions. The report concluded that the BSA's interpretation of the balance standard and the general approach taken in the Codes and decisions, while liberal, is correct. In Professor Burrows' view all 10 of the decisions he reviewed reached the correct outcome, the decisions are comparable to those of overseas regulatory bodies (including those in the United States, Australia and the United Kingdom) and they are expressed in language accessible to ordinary people. The report included some suggestions and recommendations that the Authority has reviewed. For example, Professor Burrows suggested the reasoning could be slightly clearer where the BSA is advancing multiple arguments for dismissing a complaint. He also suggested that the BSA should consider differentiating between types of programme (length, style, purpose and format) as the 'one size fits all' approach of the balance standard can be problematic. The Authority has borne these suggestions in mind in its consideration of subsequent complaints about the balance standard.

LITMUS TESTING

Focus group meetings were held in March 2015 to gauge the public's understanding of a particular aspect of the accuracy standard – the distinction between fact and opinion – and to determine whether they could understand (and accept) the rationale for the BSA's decisions. Respondents identified a number of 'cues' that they used to distinguish between fact and opinion, including the language used; the personal experience or expertise of the speaker; the role or reputation of the speaker; the type of programme; and to a lesser extent non-verbal cues such as body language and whether there is visual proof. Respondents had difficulty clearly discerning between fact and opinion. However, after seeing a summary of the BSA's decision, an average of 92% of participants were able to follow the board's rationale and agree with, or at least accept, the decision made, when they considered the decision in the context of the legal and other guidelines the board operates within. An average of 80% rated the BSA's decisions as 'good' or 'very good' on a five-point scale.

OVERSIGHT OF THE BROADCASTING STANDARDS SYSTEM

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

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

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

CODE REVIEWS

Our broadcasting standards system is underpinned by the four Codes of Practice – Free-to-Air Television, Pay Television, Radio and Election Programmes. All these codes, except the Election Programme Code, are being reviewed. We are well into the process of updating and modernising these codes into a user-friendly principles-based format that allows for the range of delivery platforms. Following extensive consultation with broadcasters which spanned more than a year, we agreed all substantive issues raised and produced a draft codebook. We are now in the process of wider public consultation. The review will be completed in 2015/2016. Modernising the codes should assist the public, the broadcasters and the BSA itself, pending any future regulatory change.

BROADCASTERS' SATISFACTION SURVEY

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

INFORMATION AND COMMUNICATION

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

In previous years, we outsourced the provision of media advice to a third party. This year we brought this function back in-house after we provided staff with additional media training.

As our website is our key interface with the public, it is vital that it is accessible and user-friendly, that the content is clear and accurate and that decisions are easily searchable. Last year, we engaged e-Gov Watch to undertake a best practice assessment of our website against criteria such as accessibility, usability, information delivery, and e-services delivery, and our site ranked 1st in the rankings (of 108 websites assessed). We reassessed our site this year and it remains ranked 1st out of over 160 websites assessed.

Broadcaster and complainants' surveys rate our website well. An average of 70% of all complainants surveyed – and 83% of broadcasters surveyed – rate all aspects of the website (its ease of use, its value as a resource and its clarity of content) as 'good' or 'very good' on a five-point scale.

OPERATIONS

OVERVIEW

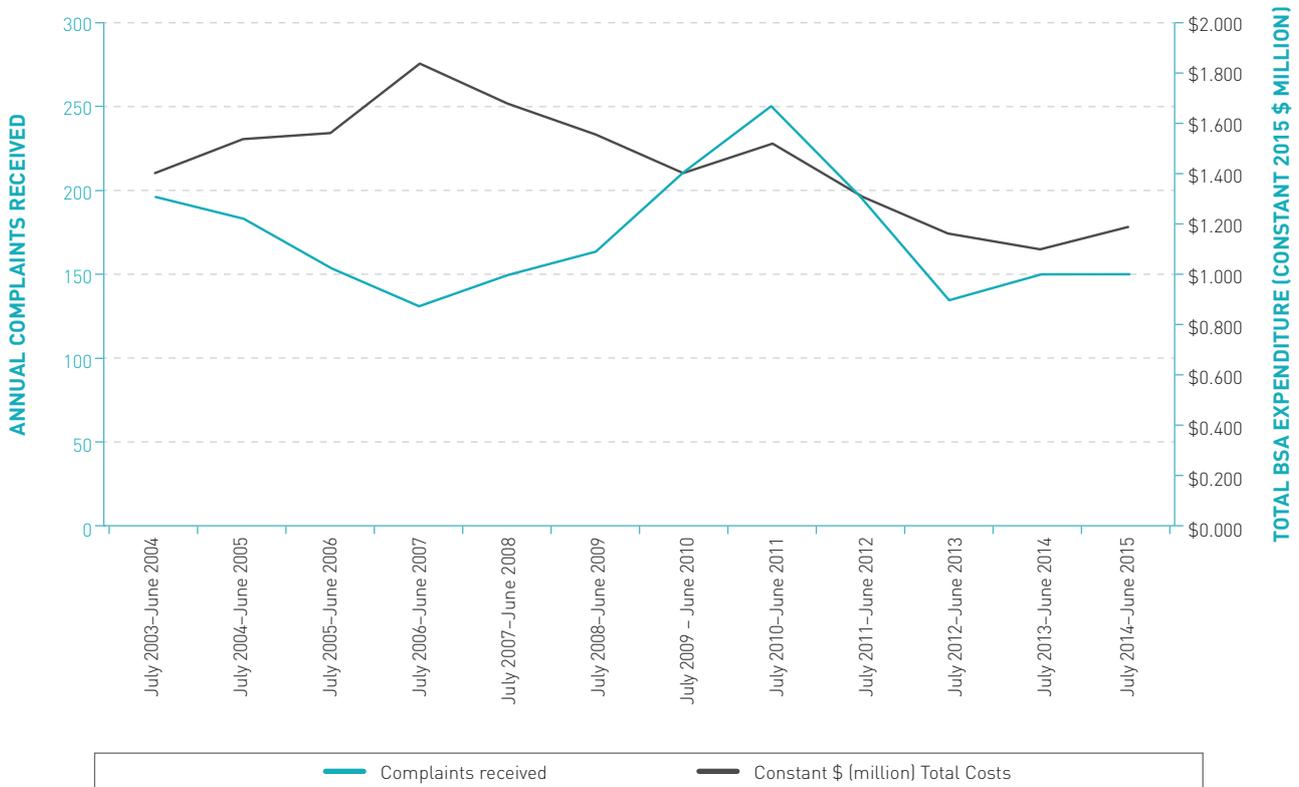
We have a new Chief Executive this year, but this has otherwise been a stable year for management and our board. That has enabled us to make further improvements to our systems and processes, including improving our decision format. The arrangements we have for sharing financial services, reception duties, and offices with NZ On Air have continued to work extremely well.

The graph below shows that costs are relatively steady. Our costs are not directly correlated to the number of complaints we receive. While the number of complaints is down, the complexity of complaints has increased, placing more demands on staff and board members. On top of this,

our responsibilities extend beyond complaints, as detailed in this report. In the current tight fiscal environment, and given the expectations of the public sector, we will continue to focus on reducing costs and increasing efficiency while carrying out our statutory duties.

We continue to hold relatively high reserves compared to our budget. This has arisen for two reasons – staff restructuring and variable levies. We are actively monitoring this and returned \$203,000 of reserves to the Crown in this financial year.

FIG.3 OVERALL PERFORMANCE AND COST ANALYSIS



ORGANISATIONAL CAPABILITY

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

Progress against these goals is found in the following tables which set out:

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

No issues of concern have occurred during the year.

BEING A GOOD EMPLOYER

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

CAPABILITY OBJECTIVES

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

PART THREE

ACCOUNTABILITY STATEMENTS



BROADCASTING STANDARDS AUTHORITY STATEMENT OF RESPONSIBILITY

FOR THE YEAR ENDED 30 JUNE 2015

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

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

Pursuant to section 19A of the Public Finance Act 1989, the board accepts responsibility for any end-of-year performance information provided by the BSA.

In the opinion of the board, the Financial Statements and Statement of Service Performance for the year ended 30 June 2015 fairly reflect the financial position and operations of the BSA.



Peter Radich
Chair
30 October 2015



Leigh Pearson
Member
30 October 2015

STATEMENT OF SERVICE PERFORMANCE

FOR THE YEAR ENDED 30 JUNE 2015

The statements in this section provide the detailed results of our outputs against targets, budgets and performance measures for the year ended 30 June 2015 as set out in our Statement of Performance Expectations for the year ended 30 June 2015 and the longer-term goals set out in our Statement of Intent for the period 2014–2018.

	SOI INCOME \$	ACTUAL INCOME \$	SOI EXPEND \$	ACTUAL EXPEND \$
Complaints determination	909,350	1,007,880	812,598	748,865
Oversight of broadcasting standards system	209,850	232,588	187,522	196,321
Information and communication	279,800	310,117	250,030	242,273
TOTAL	1,399,000	1,550,585	1,250,150	1,187,459

OUTCOMES AND IMPACTS

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

We aim to contribute and influence this goal by:

- reducing unjustified complaints from members of the public
- increasing compliance with standards by broadcasters.

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

SUMMARY OF OUTPUT COSTS

COMPLAINTS DETERMINATION	ACTUAL	BUDGET
Personnel	454,565	440,500
Direct Operating	79,684	100,000
Overhead	214,616	272,098
% OF TOTAL BUDGET	748,865	812,598
	63.1%	65%

OVERSIGHT AND DEVELOPMENT OF BROADCASTING STANDARDS SYSTEM

Personnel	78,019	71,850
Direct Operating	86,270	80,000
Overhead	32,032	35,672
% OF TOTAL BUDGET	196,321	187,522
	16.5%	15%

INFORMATION AND COMMUNICATION

Personnel	106,824	132,000
Direct Operating	61,775	20,000
Overhead	73,674	98,030
% OF TOTAL BUDGET	242,273	250,030
	20.4%	20%

OUTPUT: COMPLAINTS DETERMINATION

DESCRIPTION

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

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

We issue decisions for all complaints that come to us and record and measure the timeliness and quality of our decisions and processes. This year we assessed the quality of our decisions by seeking an external assessment of our balance decisions, and litmus tested our decisions relating to a particular aspect of the accuracy standard – the distinction between fact and opinion – with members of the public to gauge how our decisions correspond to the diverse views of the community. We also assessed the quality of our processes by surveying complainants.

COST	ACTUAL 2014/15	BUDGET 2014/15	2013/14	2012/13
Total cost	748,865	812,598	698,638	790,621
% of total cost	63.1%	65%	65.7%	71%

Key deliverables		Performance measures		Actual 2014/15	Target 2014/15	2013/14	2012/13
Receive complaints	Quantity	Formal complaints received and processed	151	Less than 150	149	136	
Issue decisions		Issue decisions for all complaints that are within our jurisdiction in accordance with the Broadcasting Act 1989	100%	100%	100%	100%	The numbers are below our target. This is a positive result as our SOI notes that fewer complaints suggest the system is working more effectively
Commission research by way of a survey of complainants who have been through the broadcasting standards regime to assess their satisfaction with the processes and system		Commission twice-yearly summaries of the research into complainants' satisfaction with the complaints processes and system	2 reports were provided by survey company to BSA; the results were analysed, and improvements will be made where appropriate	2 reports provided by the survey company to BSA are analysed, and appropriate improvements made	2 reports provided by survey company to BSA; the results were analysed and improvements made where appropriate	2 reports provided by survey company to the BSA, results were analysed, and improvements made where appropriate	
Commission independently facilitated focus groups to litmus test decisions and further our understanding of current community attitudes on standards, and to test the understanding of decisions		Litmus test decisions as to approach to a standard and decision presentation, with groups of mixed ethnicity, age and gender	Focus groups litmus tested 5 decisions on the accuracy standard (the distinction between fact and opinion). Research was published on our website in June 2015	Litmus test 5 decisions	Focus groups litmus tested 5 decisions on the discrimination and denigration standard. Research was published on our website in May 2014	Focus groups litmus tested 5 decisions on the children's interests standard. Research was published on our website in June 2013	

Key deliverables	Performance measures	Actual 2014/15	Target 2014/15	2013/14	2012/13
Timeliness					
Acknowledgement of complaints in a timely manner	Complaints acknowledged in writing within 3 working days	94% – 9 out of 151 complaints received acknowledged outside period – due to staff absence, or follow-up with broadcasters before being accepted	100%	97% – 2 complaints took 4 days to action, and 2 required follow-up with broadcasters before being accepted	99.3% – 1 out of 136 complaints received acknowledged outside period due to staff absence
Decisions issued in timely manner	Decisions issued within 20 working days of the board meeting at which final decision is made	92% (132 out of 143 decisions) – 5 decisions took between 21 and 25 days due to complexity in drafting of decisions; 5 had a planned delay due to Chair's absence; 1 delayed to avoid predetermination of related complaint	98%	75% (74 out of 99 decisions) – 10 decisions delayed 1 day due to 21 July earthquake; 1 decision delayed at complainant's request pending Ombudsman and Privacy Commission decisions; 4 decisions delayed due to complexity in drafting of decisions; 10 decisions had planned delay of 3 days due to absence of key legal staff	99.1% (1 out of 111 decisions was complex and required 37 working days to finalise)
Quality					
Decisions soundly reasoned	External assessment conducted to assess whether BSA reasoning, processes and/or interpretation of a standard are appropriate and reasonable	An external review of 10 BSA 'balance' decisions was conducted in April and published on the BSA website in June. The report concluded that all 10 of the decisions reviewed reached the correct outcome and were comparable with the approach of overseas jurisdictions. It found the BSA's interpretation of the balance standard and the general approach taken in the codes and decisions, while liberal, are correct. The report also contained useful suggestions and recommendations that the Authority will review and consider	An external review of the way BSA interprets a standard or aspect of the process by which BSA determines complaints shows that the reasoning, process and/or interpretation are appropriate and reasonable	An external review of 11 BSA privacy decisions was conducted in May and completed at the end of June. The report noted the reviewed decisions were all correctly decided in terms of substantive privacy law, that the Authority was consistent in its approach, and that the decisions were clearly written and easy to follow. The report also contained useful suggestions and recommendations where appropriate	An external review of 10 challenging BSA decisions was conducted and published on the BSA website in June. The Authority was commended on its well-written, accessible and thorough decisions. The review also included useful suggestions and recommendations. Improvements were made where appropriate

Key deliverables		Performance measures	Actual 2014/15	Target 2014/15	2013/14	2012/13
Quality						
	Decisions overturned by the High Court are analysed to enable improvements to BSA's reasoning and process		High Court decisions referenced in 6 BSA decisions. No appeal judgments issued since early 2012, and existing judgments not directly relevant to most complaints considered in period	Direction or advice provided by the High Court in any appeal analysed and applied in subsequent decisions as appropriate, as evidenced by reference to appeals in 8 decisions	High Court decisions referenced in 3 BSA decisions. Target of 10 references no longer appropriate given fewer appeal judgments (none issued since early 2012), existing judgments not directly relevant to most complaints considered in period, and fewer decisions	High Court decisions referenced in 8 BSA decisions
BSA decisions reflect community standards and are understood by members of the public	Independently facilitated focus groups (litmus testing) show that decisions are understood by members of the public		An average of 92% of the participants ranked the decisions as acceptable, good or very good on a 5-point scale (an average of 80% ranked this selection of decisions as good or very good) in terms of how well the reasoning is understood by the public and supports the outcomes	70% or more rank decisions as acceptable, good or very good on 5-point scale in terms of how well the reasoning is understood by public and supports the outcomes	An average of 89% of the participants ranked the decisions as acceptable, good or very good on a 5-point scale (an average of 68% ranked this selection of decisions as good or very good) in terms of how well the reasoning is understood by the public and supports the outcomes	79% of participants ranked the decisions as acceptable, good or very good on a 5-point scale. 53% ranked the decisions as good or very good. (Survey used 'very good' rather than 'excellent' as top of scale)
Decisions reference findings from research into community standards and/or litmus testing			References to research/litmus testing included in 5 decisions	5 decisions reference research of community standards and/or litmus testing	References to research/litmus testing included in 2 decisions – fewer decisions and different subject matter of complaints have contributed to a low number of references	References included in 5 decisions. This was a new measure. With the reduced number of decisions this year and fewer on standards such as good taste and decency, this target was not achievable or appropriate

Key deliverables	Performance measures	Actual 2014/15	Target 2014/15	2013/14	2012/13
High-quality service provided to complainants	Complainants rate BSA processes overall as good or very good in the twice-yearly reports on complainants' satisfaction	39% of complainants rated BSA service overall as good or very good on a 5-point scale. These results do not correspond with the high ratings for each separate aspect of BSA service (see below), appearing instead to reflect dissatisfaction with the outcome of their complaints rather than the service Note: This measure has been removed for the 2015/16 financial year, as a performance measure that targets specific aspects of BSA service more accurately reflects complainant satisfaction than an overall measure, which has potentially been impacted by the context of a low uphold rate for decisions issued to those surveyed	45% of complainants rank BSA service overall as good or very good on a 5-point scale	39% of complainants agreed or strongly agreed BSA handled their part of the process well on a 5-point scale. These results do not correspond with the high ratings for each separate aspect of BSA service (see below), appearing instead to reflect dissatisfaction with the outcome of their complaints rather than the service	50% of complainants agreed or strongly agreed BSA handled their part of the process well on a 5-point scale
Complainants rate individual aspects of their interaction with BSA positively	Complainants rate individual aspects of their interaction with BSA positively	An average of 71% of complainants who responded to the survey agreed or strongly agreed with positive statements about written correspondence, an average of 64% with positive statements regarding telephone contact (though only 20% of those surveyed had contact by phone), and 73% regarding BSA's professionalism. It is likely these numbers are a reflection of complainants' dissatisfaction with the outcome of their BSA complaint – as only 8% of complainants surveyed had their complaints upheld (compared with 24% in the 2013/14 survey)	70% or more of complainants rate each of the following aspects of interaction with BSA as good or very good: written correspondence, telephone contact, and professionalism of BSA staff	An average of 80% of complainants who responded to the survey agreed or strongly agreed with positive statements about written correspondence, an average of 94% with positive statements regarding telephone contact, and 100% agreed with positive statements about BSA's professionalism	75% or more of complainants surveyed agreed or strongly agreed with four out of five positive statements about written correspondence (with 67% agreeing or strongly agreeing with the fifth statement, more than 85% with positive statements regarding telephone contact, and more than 90% regarding BSA's professionalism)

OUTPUT: OVERSIGHT AND DEVELOPMENT OF THE BROADCASTING STANDARDS SYSTEM

DESCRIPTION

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

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

Codes of Broadcasting Practice underpin the complaints system. We are close to completing a review of our codes. We have publicly consulted on a new draft codebook, which we have developed in conjunction with broadcasters. We aim to complete the review by the end of the 2015 calendar year. Our goal is to develop a user-friendly principles-based codebook that allows for the range of different platforms and includes the different codes.

COST	ACTUAL 2014/15	BUDGET 2014/15	2013/14	2012/13
Total cost	196,321	187,522	147,575	141,717
% of total cost	16.5%	15%	13.8%	13%

Key deliverables		Performance measures		Actual 2014/15	Target 2014/15	2013/14	2012/13
Quantity and timeliness							
Regular interactions with broadcasters to monitor and improve complaint handling systems, and to consult with and agree areas of cooperation	Meetings held regularly	At least 3 meetings with each of the main broadcasters or with groups of their representatives (and four meetings with broadcasters who are not main broadcasters)	3 meetings with each of the main broadcasters or with groups of their representatives	At least 3 face-to-face meetings with each of the major broadcasters or with groups of their representatives took place in the year supporting ongoing open telephone communication on mutual issues	3 meetings		
Issue practice guidance on standards issues or process matters	Practice guidance consulted on with broadcasters and issued	Guidance on standards issues and process matters has been incorporated into the code reviews rather than issued piecemeal	Guidance on two standards, issues or process matters issued	Guidance on standards issues and process matters is being incorporated into the code reviews rather than issued piecemeal	1 practice note completed and published in June 2013 on BSA's power to determine trivial and vexatious complaints. Broadcasters consulted. Only 1 practice note was completed as we were focusing on including draft guidance on standards issues and process matters in our revised codes		
Continue process to modernise and review Pay, Radio and Free-to-Air Codes	Review and modernise codes in conjunction with broadcasters	Process of consultation with broadcasters on code reviews complete, with public consultation on draft codes, launched 20 July 2015	Draft codes developed with broadcasters and public consultation underway	Process of consultation with broadcasters underway on form of modernised code/s	First draft prototype prepared for discussion. Subsequently, in consultations with broadcasters, we revised our approach to code reviews. We will review each of the codes with the view to modernising them, making them principles-based, and including them in a 'code handbook'		

Key deliverables		Performance measures	Actual 2014/15	Target 2014/15	2013/14	2012/13
Quantity and timeliness						
Commission research that analyses or examines the relevant application of a standard, an aspect of broadcasting, and/or informs any future regulatory system	Commission and publish research in one of these areas	Research on children's media use commissioned with NZ On Air and published in March. This updates previous research and helps provide useful longitudinal data	At least one piece of research produced by June 2015	We have undertaken an examination and commissioned legal analysis of the application of the Bill of Rights to the definition of 'election programme' and have received 2 opinions on the issue. Publication was delayed pending the election	This research was put on hold pending government response to Law Commission report on news media regulation and the need for any research to be relevant and valuable in the context	
Following audit of broadcaster publicity of the complaints process notify any not complying and provide information and/or assistance where necessary	Non-compliant broadcasters notified and relevant information provided to them	N/A (every two years)	N/A (every two years)	Audit completed and 100% of non-compliant broadcasters notified within a month of completed audit	100% compliance achieved after completing follow-up from 2011/12 audit	
Commission survey measuring percentage of New Zealanders aware of the BSA and aware they can make a formal complaint	Survey completed and analysed in Annual Report against benchmark set in 2010	Survey completed November-December 2014 and analysed against benchmark. The survey shows 81% of New Zealanders are aware of the BSA, and 79% are aware they can make a formal complaint	Survey completed by June 2015 and analysed against benchmark contained in SOI	Survey completed and analysed against benchmark in 2013 Annual Report		
Quality						
Survey broadcasters to assess satisfaction with the quality of the BSA processes, services and working relationships	Broadcasters rate BSA processes and working relationships as good or better and identify any issues	88% of broadcasters surveyed rated the BSA working relationships as good or very good on a 5-point scale	80% or more of broadcasters surveyed rank BSA processes and working relationships as good or very good on a 5-point scale	88% of broadcasters surveyed rated the BSA working relationships as good or very good on a 5-point scale	88% of broadcasters surveyed ranked the BSA processes and working relationships as good or very good on a 5-point scale	
		88% also rated the BSA processes as neither good nor bad, good or very good (with 63% good or very good)		88% also rated the BSA processes as neither good nor bad, good or very good (with 63% good or very good)		

Key deliverables	Performance measures	Actual 2014/15	Target 2014/15	2013/14	2012/13
	Quality				
	Any issues identified considered by board, and appropriate changes made and recorded or placed on the agenda of the broadcaster/BSA working group	Reports have been analysed and raised no issues not already under consideration, or outside BSA control	100% of issues discussed with broadcasters and resolved to satisfaction of both broadcasters and BSA or explanation provided by BSA	Reports have been analysed and raised no issues not already under consideration, or outside BSA control	Analysis of issues demonstrated that two issues raised were discussed with broadcasters and resolved to satisfaction of both broadcasters and BSA
Research on standards or regulatory system is assessed as thorough, and of value to discussion and debate on standards and/or any future regulatory system	Research adds value for policy makers, broadcasters, and BSA in developing and assessing standards and aspects of any future regulatory scheme	Feedback received (and recorded) from 5 broadcasters as part of satisfaction survey that the children's media use research is valuable (with 100% of those 5 rating it as 'somewhat valuable' or 'valuable')	Feedback is received (and recorded) from at least 3 key stakeholders that the research is valuable	Feedback from the opinions/analysis of 'electoral programme' will be sought once election over	This research was put on hold pending government response to Law Commission report on news media regulation and the need for any research to be relevant and valuable in the context

OUTPUT: INFORMATION AND COMMUNICATION

DESCRIPTION

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

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

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

COST	ACTUAL 2014/15	BUDGET 2014/15	2013/14	2012/13
Total cost	242,273	250,030	217,604	174,673
% of total cost	20.4%	20%	20.5%	16%

Key deliverables		Performance measures	Actual 2014/15	Target 2014/15	2013/14	2012/13
Quantity and timeliness						
Assessment of website shows it is easy to use with clear content and high accessibility	Assessment of website against other government websites undertaken and shows website is easy to use, clear in content and high in accessibility	Assessment of website undertaken by e-Gov Watch and website ranking remains 1 st out of over 160 sites assessed. Platform has been upgraded and made more responsive, and other recommendations have been analysed and where appropriate implemented	Assessment of website undertaken by June 2015 with recommendations analysed and where appropriate implemented (new measure)	Initial assessment by e-Gov Watch in June 2013 had given our website an All of Government rank of 3 rd of all websites surveyed in June 2013 (out of 108). After analysis and improvements, it was reassessed in November 2013 as 1 st out of 110 sites assessed	New website launched 1 November 2012	
Website is increasingly main vehicle for accessing BSA resources and information	Requests for hard copy resources reduced	Benchmark ascertained; 17 resource requests received in 2014/15	Benchmark for hard copy requests to be ascertained by 1 August 2014 after deployment of new database (new measure)	Consideration of website statistics showed the measure of 'unique hits' was not an appropriate measure to determine this deliverable (measure changed in 2014/15 SPE)	Baseline from launch available but rather than focus on gain in unique hits (which is out of our control) we focused on quality of website with an assessment by e-Gov Watch. Our site ranked 3 rd out of 108 sites assessed on criteria such as accessibility, usability, information delivery and e-services delivery	
Visitors to website indicate that they can find the information that they need	54% (407 out of 753) of respondents said they had found what they needed – however, results are skewed because 83% of responses saying they could not find what they needed were spam. This fault has now been fixed	100%	80% of those that complete an online website question say that they have found what they need (new measure)	100%	100%	
Decisions published on BSA website	Decisions published on website within 10 working days of sign off by Chair	100%	100%	100%	100%	
Production of newsletter to keep stakeholders informed	Newsletters published	8. One less newsletter published due to transition to new format	9	9	10	

Key deliverables		Performance measures	Actual 2014/15	Target 2014/15	2013/14	2012/13
Quantity and timeliness						
Strategic media releases	Decisions of high public interest or particular educational interest communicated by way of a media release	14. One less media release due to delayed decision (complex case)	Releases for at least 15 decisions issued before 30 June 2015	12. The reduced number of decisions issued this year resulted in a lower number of decisions suitable for profiling in a media release. Decisions of note also included a number of privacy decisions which are usually unsuitable for further publicity	15	
Quality						
Surveys of complainants and broadcasters indicate high satisfaction with the usability, value and clarity of the website	Complainants and/or broadcasters (as part of any other service surveys) rate the value and clarity of the BSA website as good or very good on a 5-point scale	Between 68% and 71% of complainants surveyed rated the value, ease of use and clarity of the website as good or very good on a 5-point scale Between 67% and 100% (average 83%) of broadcasters surveyed rated the value, ease of use and clarity of the website as good or very good on a 5-point scale	At least 70% of those surveyed rate the BSA website as good or very good on a 5-point scale	85% of complainants surveyed rated the value, ease of use and clarity of the website as good or very good on a 5-point scale Between 63% and 88% (average 78%) of broadcasters surveyed rated the value, ease of use and clarity of the website as good or very good on a 5-point scale	Between 67% and 75% of complainants surveyed said the content of the website was clear, the website was easy to use, and it was a valuable resource Between 75% and 87% (average 84%) of broadcasters surveyed rated the value, ease of use and clarity of the website as good or very good on a 5-point scale	

FINANCIAL STATEMENTS



BROADCASTING STANDARDS AUTHORITY STATEMENT OF COMPREHENSIVE REVENUE AND EXPENDITURE

FOR THE YEAR ENDED 30 JUNE 2015

BROADCASTING STANDARDS AUTHORITY
ANNUAL REPORT 2015

	Note	2015 ACTUAL \$	2015 BUDGET \$	2014 ACTUAL \$
Revenue				
Revenue from the Crown	2	609,000	609,000	609,000
Broadcasting levies		858,891	750,000	842,108
Interest income		82,694	40,000	63,577
Other revenue		-	-	-
Total Revenue		1,550,585	1,399,000	1,514,685
Less Expenditure				
Personnel costs	3	575,167	644,350	592,654
Other expenses	4	542,187	555,800	410,117
Depreciation and amortisation	15 & 16	70,105	50,000	61,046
Total Expenditure		1,187,459	1,250,150	1,063,817
SURPLUS		363,126	148,850	450,868

Explanations of major variances against budgets are provided in Note 14.

The accompanying notes form part of these financial statements.

BROADCASTING STANDARDS AUTHORITY STATEMENT OF CHANGES IN EQUITY

FOR THE YEAR ENDED 30 JUNE 2015

	2015 ACTUAL \$	2015 BUDGET \$	2014 ACTUAL \$
Public equity as at 1 July	1,555,657	1,414,789	1,307,789
Return of equity to the Crown	(203,000)	(203,000)	(203,000)
Surplus for the year ended 30 June	363,126	148,850	450,868
PUBLIC EQUITY AS AT 30 JUNE 2015	1,715,783	1,360,639	1,555,657

Explanations of major variances against budgets are provided in Note 14.

The accompanying notes form part of these financial statements.

BROADCASTING STANDARDS AUTHORITY STATEMENT OF FINANCIAL POSITION

AS AT 30 JUNE 2015

	Note	2015 ACTUAL \$	2015 BUDGET \$	2014 ACTUAL \$
Assets				
Bank accounts and cash	5	146,445	134,139	308,325
Investments	6	1,500,000	1,200,000	1,150,000
Debtors and prepayments	7	18,674	7,500	11,102
Net GST		7,341	18,000	11,506
		1,672,460	1,359,639	1,480,933
Property, plant and equipment	15	118,116	118,000	174,345
Intangible assets	16	14,220	13,000	22,457
		132,336	131,000	196,802
Total Assets		1,804,796	1,490,639	1,677,735
Less Liabilities				
Creditors and accrued expenses	8	54,926	90,000	71,062
Employee entitlements	9	34,087	40,000	51,016
		89,013	130,000	122,078
Assets less Liabilities		1,715,783	1,360,639	1,555,657
REPRESENTED BY PUBLIC EQUITY		1,715,783	1,360,639	1,555,657

Explanations of major variances against budgets are provided in Note 14.

The accompanying notes form part of these financial statements.

BROADCASTING STANDARDS AUTHORITY STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED 30 JUNE 2015

	Note	2015 ACTUAL \$	2015 BUDGET \$	2014 ACTUAL \$
Cash Flows from Operating Activities				
Revenue from the Crown		609,000	609,000	609,000
Broadcasting levies		858,891	755,500	839,840
Interest received		76,973	40,000	69,977
Other income		-	-	-
GST (net)		4,165	-	6,092
Payments to employees & members		(592,096)	(644,350)	(581,860)
Payments to suppliers & other operating expenses		(560,174)	(575,800)	(457,503)
Net Cash Flow from Operating Activities		396,759	184,350	485,546
Cash Flows from Investing Activities				
Purchase of property, plant and equipment		(5,639)	(15,000)	(196,623)
Purchase of intangible assets		-	(5,000)	(23,090)
Receipts from sale of investments		3,800,000	100,000	2,516,831
Acquisition of investments		(4,150,000)	-	(2,404,043)
Net Cash Flow from Investing Activities		(355,639)	80,000	(106,925)
Cash Flows from Funding Activities				
Return of equity to the Crown		(203,000)	(203,000)	(203,000)
Net Cash Flow from Funding Activities		(203,000)	(203,000)	(203,000)
Net increase/(decrease) in cash held		(161,880)	61,350	175,621
Opening cash brought forward		308,325	72,789	132,704
BALANCE CARRIED FORWARD	5	146,445	134,139	308,325

Explanations of major variances against budgets are provided in Note 14.

The accompanying notes form part of these financial statements.

BROADCASTING STANDARDS AUTHORITY NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2015

1. Statement of Accounting Policies

Reporting entity

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

BSA's primary objective is to provide public services to the New Zealand public, as opposed to that of making a financial return. Accordingly, the BSA has designated itself as a public benefit entity (PBE) for the purposes of financial reporting.

The financial statements for the BSA are for the year ended 30 June 2015, and were approved by the board on 30 October 2015.

Basis of preparation

Statement of Compliance

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

The BSA has total expenditure less than \$2 million and is, therefore, eligible to report in accordance with Tier 3 PBE accounting standards. Accordingly, these financial statements have been prepared in accordance with Tier 3 PBE accounting standards, using the criteria set out in *Public Benefit Entity Simple Format Reporting – Accrual (Public Sector)* (PBE SFR-A (PS)).

These financial statements are the first financial statements presented in accordance with the new PBE accounting standards. The only adjustment to the 30 June 2014 comparative Statement of Comprehensive Revenue and Expenditure and Statement of Financial Position arising on the transition to the new PBE SFR-A (PS) standard is explained below:

- Statement of Financial Position:
Bank accounts and cash – term deposits with maturities of less than 3 months from acquisition of

\$750,000 have been reclassified to investments.

Measurement base

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

Functional and presentation currency

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

Changes in accounting policies

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

Significant accounting policies

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

Revenue

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

Revenue from the Crown

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

Broadcasting levy

Broadcasting levies are recognised on the occurrence of a recognition event, being the earlier of receipt of payment or receipt of levy return.

Interest

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

Other income

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

Leases

Operating leases

Leases that do not transfer substantially all the risks and

rewards incidental to ownership of an asset to the BSA are classified as operating leases. Lease payments under an operating lease are recognised as an expense on a straight-line basis over the term of the lease in the Statement of Comprehensive Revenue and Expenditure.

Bank accounts and cash

Bank accounts and cash held by the BSA include bank balances and on-call bank deposits.

Debtors and other receivables

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

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

Investments in bank deposits

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

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

Property, plant and equipment

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

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

Additions

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

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

Disposals

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

Subsequent costs

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

measured reliably.

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

Depreciation

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

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

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

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

Artworks are fully depreciated in the year of purchase.

Intangible assets

Software acquisition

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

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

Amortisation

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

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

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

Impairment of property, plant and equipment and intangible assets

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

as is any subsequent reversal of an impairment loss.

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

Creditors and other payables

Creditors and other payables are reflected at their face value.

Employee entitlements

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

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

Superannuation scheme

Defined contribution scheme

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

Goods and services tax (GST)

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

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

Commitments and contingencies are disclosed exclusive of GST.

Income tax

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

Budget figures

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

Cost allocation

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

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

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

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

Use of judgements, estimates and assumptions

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

2. Revenue from Crown

The BSA has been provided with funding from the Crown for the specific purposes set out in the Broadcasting Act 1989 and the scope of the relevant Crown appropriations. Apart from these restrictions, there are no unfulfilled conditions or contingencies attached to government funding. (2014: Nil)

3. Personnel costs

	2015 ACTUAL \$	2014 ACTUAL \$
Staff salaries and board remuneration	562,808	578,304
KiwiSaver employer contributions	12,359	14,350
TOTAL PERSONNEL COSTS	575,167	592,654

4. Other expenses

	2015 ACTUAL \$	2014 ACTUAL \$
Audit of financial statements	20,985	20,350
Consultancy	46,107	83,934
Research	139,925	51,013
Travel, accommodation & training	48,911	24,966
Rent	49,470	53,840
IT	76,845	61,071
Office expenses	159,944	114,943
TOTAL OTHER EXPENSES	542,187	410,117

5. Bank accounts and cash

	2015 ACTUAL \$	2014 ACTUAL \$
Cash on hand		
Petty cash	200	200
Banks		
Current accounts	29,161	6,094
Call accounts	117,084	302,031
TOTAL BANK ACCOUNTS AND CASH	146,445	308,325

6. Investments

	2015 ACTUAL \$	2014 ACTUAL \$
Term deposits	1,500,000	1,150,000
TOTAL INVESTMENTS	1,500,000	1,150,000
Weighted average effective interest rate	4.11%	4.00%

7. Debtors and prepayments

	2015 ACTUAL \$	2014 ACTUAL \$
Trade receivables	-	2,268
Accrued interest	11,694	5,973
Prepayment	6,980	2,861
TOTAL DEBTORS AND PREPAYMENTS	18,674	11,102

The carrying value of receivables approximates their fair value.

8. Creditors and accrued expenses

	2015 ACTUAL \$	2014 ACTUAL \$
Creditors	25,613	52,760
Accrued expenses	13,811	18,106
PAYE	15,502	196
TOTAL CREDITORS AND ACCRUED EXPENSES	54,926	71,062

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.

9. Employee entitlements

	2015 ACTUAL \$	2014 ACTUAL \$
Current employee entitlements are represented by:		
Accrued salaries and wages	15,186	13,333
Annual leave	12,651	21,319
Salary 'at risk'	6,250	16,364
TOTAL EMPLOYEE ENTITLEMENTS	34,087	51,016

10. Commitments

	2015 ACTUAL \$	2014 ACTUAL \$
Not later than one year	35,970	35,970
Later than one year and not later than two years	35,970	35,970
Later than two years and not later than five years	71,940	107,910
TOTAL NON-CANCELLABLE OPERATING LEASE	143,880	179,850

The operating lease is for the rental of premises on Level 2, 119 Ghuznee Street, occupied from 26 July 2013.

11. Contingent assets and liabilities

Contingent assets

As at 30 June 2015 the BSA had no contingent assets. (2014: Nil)

Contingent liabilities

As at 30 June 2015 the BSA had no contingent liabilities. (2014: Nil)

12. Related party transactions & key management personnel

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

The BSA purchases goods and services from entities controlled, significantly influenced or jointly controlled by the Crown. Purchases from these government-related entities are entered into on an arms-length basis.

Key management personnel compensation

	2015 ACTUAL \$	2014 ACTUAL \$
Salaries and other short-term benefits	291,161	257,126
TOTAL KEY MANAGEMENT PERSONNEL COMPENSATION	291,161	257,126

Key management personnel include all board members and the Chief Executive. The BSA had no related party transactions. (2014: Nil)

Board member remuneration

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

	2015 ACTUAL \$	2014 ACTUAL \$
P Radich (Chair)	47,788	32,741
M Shanahan	32,441	21,161
L Pearson	25,721	18,548
T Kupenga	24,573	19,971
TOTAL BOARD MEMBER REMUNERATION	130,523	92,421

Employee remuneration

	2015 ACTUAL \$	2014 ACTUAL \$
Total remuneration paid or payable		
160,000–169,999	-	1

There was no employee remuneration above 100,000 as the only position fitting within this category is that of the Chief Executive, which saw a change in personnel during the year.

13. Events after balance date

There were no significant events after balance date.

14. Explanations of significant variations against budget

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

Statement of Comprehensive Revenue and Expenditure

Income

Broadcasting levies of \$858,891 were received against a budget of \$750,000 due to higher than expected broadcasting revenues.

Expenditure

Variances in expenditure were primarily due to general efficiencies and the positive effect of a reduced number of complaints. Personnel expenditure was less than budgeted

due to the effects of the reduced complaint numbers and one full-time staff position budgeted for remaining unfilled for much of the year.

Statement of Financial Position

Cash and cash investments

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

15. Property, plant and equipment

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

	Artworks \$	Computer equipment \$	Furniture & fittings \$	Leasehold improvements \$	Photo- copier \$	Office equipment \$	Totals \$
Cost or valuation							
Balance at 1 July 2013	9,082	56,069	64,800	-	20,399	16,260	166,610
Additions	-	38,886	27,639	124,755	-	5,343	196,623
Disposals	-	(5,449)	(38,511)	-	-	(9,931)	(53,890)
Balance at 30 June 2014	9,082	89,506	53,928	124,755	20,399	11,672	309,343
Accumulated depreciation							
Balance at 1 July 2013	9,082	24,860	59,480	-	20,399	10,582	124,403
Depreciation expense	-	25,470	6,299	24,108	-	1,750	57,627
Eliminate on disposal / reclassification	-	(4,906)	(35,296)	-	-	(6,830)	(47,032)
Balance at 30 June 2014	9,082	45,424	30,483	24,108	20,399	5,502	134,998
CARRYING AMOUNT AT 30 JUNE 2014	-	44,082	23,445	100,647	-	6,170	174,345
Cost or valuation							
Balance at 1 July 2014	9,082	89,506	53,928	124,755	20,399	11,672	309,343
Additions	-	-	5,639	-	-	-	5,639
Disposals	-	-	-	-	-	-	-
Balance at 30 June 2015	9,082	89,506	59,567	124,755	20,399	11,672	314,982
Accumulated depreciation							
Balance at 1 July 2014	9,082	45,424	30,483	24,108	20,399	5,502	134,998
Depreciation expense	-	27,780	7,271	24,951	-	1,866	61,868
Eliminate on disposal / reclassification	-	-	-	-	-	-	-
Balance at 30 June 2015	9,082	73,204	37,754	49,059	20,399	7,368	196,866
CARRYING AMOUNT AT 30 JUNE 2015	-	16,302	21,814	75,696	-	4,304	118,116

16. Intangible assets

Movements for each class of intangible asset are as follows:

	Acquired software \$
Cost of valuation	
Balance at 1 July 2013	35,970
Additions	23,090
Disposals	-
Balance at 30 June 2014	59,060
Accumulated amortisation	
Balance at 1 July 2013	33,185
Amortisation expense	3,418
Disposals	-
Balance at 30 June 2014	36,603
CARRYING AMOUNT AT 30 JUNE 2014	22,457
Cost of valuation	
Balance at 1 July 2014	59,060
Additions	-
Disposals	-
Balance at 30 June 2015	59,060
Accumulated amortisation	
Balance at 1 July 2014	36,603
Amortisation expense	8,237
Disposals	-
Balance at 30 June 2015	44,840
CARRYING AMOUNT at 30 JUNE 2015	14,220

INDEPENDENT AUDITOR'S REPORT

AUDIT NEW ZEALAND

Mana Arotake Aotearoa

To the readers of the Broadcasting Standards Authority's financial statements and performance information for the year ended 30 June 2015

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

Opinion on the financial statements and the performance information

We have audited:

- the financial statements of the Authority on pages 42 to 53, that comprise the statement of financial position as at 30 June 2015, the statement of comprehensive revenue and expenditure, statement of changes in equity and statement of cash flows for the year ended on that date and the notes to the financial statements that include accounting policies and other explanatory information; and
- the performance information on pages 12 to 15 and 27 to 40.

In our opinion:

- the financial statements of the Authority:
 - present fairly, in all material respects
 - its financial position as at 30 June 2015; and
 - its financial performance and cash flows for the year then ended; and
 - comply with generally accepted accounting practice in New Zealand and have been prepared in accordance with the Public Benefit Entity Simple Format Reporting Standard – Accrual (Public Sector).
- the performance information:
 - presents fairly, in all material respects, the Authority's performance for the year ended 30 June 2015, including:
 - for each class of reportable outputs:
 - its standards of performance achieved as compared with forecasts included in the statement of performance expectations for the financial year;
 - its actual revenue and output expenses as compared with the forecasts included in the statement of performance expectations for the financial year;
 - what has been achieved with the appropriation; and
 - the actual expenses or capital expenditure incurred compared with the appropriated or forecast expenses or capital expenditure.
 - complies with generally accepted accounting practice in New Zealand.

Our audit was completed on 30 October 2015. This is the date at which our opinion is expressed.

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

Basis of opinion

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

Material misstatements are differences or omissions of amounts and disclosures that, in our judgement, are likely to influence readers' overall understanding of the financial statements and the performance information. If we had found material misstatements that were not corrected, we would have referred to them in our opinion.

An audit involves carrying out procedures to obtain audit evidence about the amounts and disclosures in the financial

statements and the performance information. The procedures selected depend on our judgement, including our assessment of risks of material misstatement of the financial statements and the performance information, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the preparation of the Authority's financial statements and performance information in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.

An audit also involves evaluating:

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

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

We believe we have obtained sufficient and appropriate audit evidence to provide a basis for our audit opinion.

Responsibilities of the Board

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

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

The Board's responsibilities arise from the Crown Entities Act 2004 and the Public Finance Act 1989.

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

Responsibilities of the Auditor

We are responsible for expressing an independent opinion on the financial statements and the performance information and reporting that opinion to you based on our audit. Our responsibility arises from the Public Audit Act 2001.

Independence

When carrying out the audit, we followed the independence requirements of the Auditor-General, which incorporate the independence requirements of the External Reporting Board. Other than the audit, we have no relationship with or interests in the Authority.



Chrissie Murray
Audit New Zealand
On behalf of the Auditor-General
Wellington, New Zealand

PART FOUR

APPENDICES



APPENDIX 1: DECISION STATISTICS

COMPLAINTS RECEIVED AND DECISIONS ISSUED

Year	Complaints Received	Decisions Issued	DETERMINATION				Appealed to High Court	ORDERS					
			Upheld	Upholds as % of total	Not Upheld	Declined to Determine*		Other**	Broadcast Statement	Costs to Crown	Legal Costs	Compensation for Breach of Privacy	Other
July 2014-June 2015	151	143	14	9.8%	120	9	0	1	1	1	6		
July 2013-June 2014	149	99	12	12.1%	74	13	2	2	2	1	1		
July 2012-June 2013	136	111	18	16.2%	86	5	1	1	-	1	2		1 Complaint directed back to broadcaster to consider
July 2011-June 2012	195	162	17	10.4%	131	10	-	1	3	4	1		
July 2010-June 2011	250	236	69	29.2%	146	13	5	6	8	4	2		
July 2009-June 2010	210	193	45	23.3%	141	7	4	11	7	7	-		
July 2008-June 2009	162	151	25	16.6%	124	2	-	4	3	3	1		
July 2007-June 2008	148	139	41	29.5%	94	2	4	13	8	3	2		1 Refrain from broadcasting
July 2006-June 2007	131	125	27	21.6%	94	3	2	10	9	7	6		
July 2005-June 2006	153	156	19	12.2%	127	10	-	6	5	4	-		
July 2004-June 2005	184	214	40	18.7%	166	7	1	11	4	6	-		1 Publication of apology in newspapers 2 Publication in newspaper/Referred back to broadcaster to review its policies
July 2003-June 2004	196	187	42	22.5%	133	5	3	10	1	3	2		
July 2002-June 2003	169	160	26	16.3%	116	8	1	7	2	2	-		
July 2001-June 2002	186	180	44	24.4%	128	8	4	12	8	2	3		1 Broadcast of apology

Year	Complaints Received	Decisions Issued	DETERMINATION				Appealed to High Court	ORDERS						
			Upheld	Upholds as % of total	Not Upheld	Declined to Determine*		Other**	Broadcast Statement	Costs to Crown	Legal Costs	Compensation for Breach of Privacy	Other	
July 2000-June 2001	197	189	41	21.7%	135	13	-	1	13	6	1	2	1	Letter of apology
July 1999-June 2000	206	239	71	29.7%	152	16	-	-	12	13	5	2	2	1 Refrain from advertising
July 1998-June 1999	204	184	33	17.9%	132	9	10	1	4	8	2	4	-	-
July 1997-June 1998	174	176	39	22.2%	122	12	3	2	2	10	-	7	1	1 Broadcast of apology
July 1996-June 1997	206	199	40	20.1%	147	10	2	-	5	-	8	1	2	2 Broadcasts of apology
July 1995-June 1996	179	171	50	29.2%	110	10	1	1	11	-	-	4	4	4 Broadcasts of apology
July 1994-June 1995	162	139	48	34.5%	84	4	3	-	7	-	1	-	2	2 Broadcasts of apology
July 1993-June 1994	168	151	53	35.1%	92	6	-	-	6	-	-	2	1	1 Broadcast of apology
July 1992-June 1993	159	144	43	29.9%	97	3	1	-	3	-	1	2	-	-
July 1991-June 1992	106	76	25	32.9%	46	4	1	-	3	-	-	1	-	-
July 1990-June 1991	52	45	19	42.2%	25	-	1	-	7	-	1	-	-	2 Broadcasts of apology/ Refrain from advertising
July 1989-June 1990	43	14	6	42.9%	6	2	-	-	-	-	-	1	-	-

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

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

DECISIONS BY PROGRAMME GENRE

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

Categories:

News/Current Affairs = programmes dedicated to news and current affairs. Eg, *ONE News, 3 News, Prime News, Seven Sharp, Campbell Live, Morning Report, Native Affairs*

Factual Programmes = programmes that are non-fiction, contain factual information, and which could be considered in relation to the accuracy and balance standards. Eg, *Water Patrol, Fair Go, Neighbours at War, Serious Crash Unit, The Claim Game*

Fictional Programmes = dramas, sitcoms, cartoon comedies, movies. May include dramatic versions of factual events. Eg, *Rake, Broadchurch, Happy Valley, The Brokenwood Mysteries*

Radio/Talkback = radio shows or talkback programmes that involve regular phone calls from listeners. Eg, *Talkback with Sean Plunket, Larry Williams Drive Show, George FM Breakfast*

Election Programmes = during the period around the September 2014 General Election, the Authority’s Election Programmes Code applied. Complaints were made directly to the BSA about election programmes, eg, political party advertisements, opening and closing addresses

Other = programmes that do not fit the other categories, including morning shows, sport, songs/music videos, stand-up comedy. Eg, *Good Morning, Ultimate Fighting Championship (UFC)*

Figures in brackets are from the previous year.

	TOTAL NUMBER OF DECISIONS	UPHELD	NOT UPHELD	DECLINED TO DETERMINE	NO JURISDICTION/ ACCEPTED JURISDICTION
News/Current Affairs	84 (48)	7 (5)	74 (36)	3 (7)	- (-)
Factual/Reality Programmes	14 (11)	3 (1)	11 (8)	- (2)	- (-)
Fictional Programmes	7 (9)	1 (2)	6 (7)	- (-)	- (-)
Radio/Talkback	31 (28)	3 (4)	28 (20)	- (4)	- (-)
Election Programmes	4 (-)	- (-)	3 (-)	1 (-)	- (-)
Other	2 (3)	- (-)	2 (3)	1 (-)	- (-)
TOTAL	143 (99)	14 (12)	124 (74)	5 (13)	- (-)

DECISIONS BY ISSUE RAISED

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

Figures in brackets are from the previous year.

	Good Taste and Decency	Accuracy	Programme Classification/Social Responsibility/ Responsible Programming	Fairness	Children's Interests/Children	Discrimination and Denigration	Balance/Controversial Issues – Viewpoints	Privacy	Law and Order	Violence	Liquor	Action Taken
TOTAL	46 (41)	56 (42)	35 (23)	52 (30)	15 (8)	36 (29)	32 (30)	25 (11)	18 (9)	9 (4)	- (-)	7 (3)
Upheld	1 (2)	5 (2)	2 (2)	7 (4)	1 (2)	- (-)	- (2)	7 (3)	- (-)	- (1)	- (-)	3 (-)
Not Upheld/ Other	45 (39)	51 (40)	33 (21)	45 (26)	14 (6)	36 (29)	32 (28)	18 (8)	18 (9)	9 (3)	- (-)	4 (3)

PROGRAMMES MOST COMPLAINED ABOUT

Figures in brackets are from the previous year.

	NUMBER OF COMPLAINTS	UPHELD	NOT UPHELD/OTHER
3 News	17 (7)	- (1)	17 (6)
ONE News	16 (21)	1 (-)	16 (21)
Seven Sharp	12 (14)	1 (1)	11 (13)
Campbell Live	8 (10)	2 (-)	6 (10)

DECISIONS RELEASED – BY MEDIUM

Figures in brackets are from the previous year.

	TOTAL NUMBER OF DECISIONS	UPHELD
Television	98 (73)	8 (8)
Radio	45 (26)	6 (4)

DECISIONS BY BROADCASTER

Figures in brackets are from the previous year.

	TOTAL DECISIONS	UPHELD	NOT UPHELD	DECLINED TO DETERMINE	NO JURISDICTION OR ACCEPTED JURISDICTION	ORDERS
APNA	1 (-)	1 (-)	- (-)	- (-)	- (-)	2 (-)
Choice TV	1 (-)	- (-)	1 (-)	- (-)	- (-)	- (-)
Free FM	1 (-)	- (-)	1 (-)	- (-)	- (-)	- (-)
Humm FM	1 (-)	1 (-)	- (-)	- (-)	- (-)	- (-)
Māori TV	2 (1)	- (-)	2 (-)	- (-)	- (-)	- (-)
MediaWorks Radio (formerly RadioWorks)	11 (5)	1 (-)	10 (5)	- (-)	- (-)	1 (-)
MediaWorks TV (formerly TVWorks)	32 (15)	5 (3)	27 (11)	- (1)	- (-)	4 (-)
NZME (formerly The Radio Network)	8 (10)	1 (-)	7 (10)	- (-)	- (-)	- (-)
Radio NZ	14 (15)	1 (1)	9 (10)	4 (4)	- (-)	- (-)
Radio Tarana	1 (-)	- (-)	1 (1)	- (-)	- (-)	- (-)
SKY TV	4 (1)	- (-)	3 (1)	1 (-)	- (-)	- (-)
TVNZ	26 (47)	3 (5)	19 (34)	4 (8)	- (-)	2 (3)

APPENDIX 2: DECISION DETAILS

UPHELD WITH ORDER

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under	Standards Upheld	Order
2012-042A	Harkema	TWWorks Ltd	Campbell Live - 30 Nov 2011	Story featuring complainant contained inaccurate and unfair allegations about her dog breeding business	Fairness, Accuracy, Privacy, Law and Order	Upheld (Fairness, Accuracy, Privacy)	\$2,000 compensation for breach of privacy; \$12,000 legal costs
2012-042B	Harkema	TWWorks Ltd	Campbell Live - 1 Dec 2011	Story featuring complainant contained inaccurate and unfair allegations about her dog breeding business	Fairness, Accuracy, Privacy, Law and Order	Upheld (Fairness, Accuracy, Privacy)	\$2,000 compensation for breach of privacy; \$12,000 legal costs
2012-042C	Harkema	TWWorks Ltd	Campbell Live - 5 Dec 2011	Story featuring complainant contained inaccurate and unfair allegations about her dog breeding business	Fairness, Accuracy, Privacy, Law and Order	Upheld (Fairness, Accuracy, Privacy)	\$2,000 compensation for breach of privacy; \$12,000 legal costs
2012-042D	Harkema	TWWorks Ltd	Campbell Live - 6 Dec 2011	Story featuring complainant contained inaccurate and unfair allegations about her dog breeding business	Fairness, Accuracy, Privacy, Law and Order	Upheld (Fairness, Accuracy, Privacy)	\$2,000 compensation for breach of privacy; \$12,000 legal costs
2012-042E	Harkema	TWWorks Ltd	Campbell Live - 8 Dec 2011	Story featuring complainant contained inaccurate and unfair allegations about her dog breeding business	Fairness, Accuracy, Privacy, Law and Order	Upheld (Fairness, Accuracy, Privacy)	\$2,000 compensation for breach of privacy; \$12,000 legal costs
2013-082	CG	TVNZ	The Claim Game	Repeat broadcast of reality series about insurance claims featured complainant's house fire, allegedly without consent	Privacy, Fairness, Accuracy, Children's Interests	Upheld (Privacy, Fairness)	\$1,000 compensation for breach of privacy
2014-033	VR	APNA	APNA 990	Segment about company allegedly owing APNA money breached company director's privacy	Privacy	Upheld (Privacy)	\$1,000 compensation for breach of privacy; \$1,000 costs to the Crown

2014-048	TD	MediaWorks TV	3rd Degree	Footage of complainant working in strip club broadcast without her consent	Privacy	Upheld (Privacy)	\$1,500 compensation for breach of privacy
2014-052	Durie	MediaWorks Radio	George FM Breakfast	On-air discussion about complainant's use of Tinder unfair to him	Fairness (Action Taken), Privacy, Accuracy, Discrimination and Denigration, Responsible Programming	Upheld (Fairness - Action Taken)	Broadcast statement including apology to complainant for unfair treatment
2014-090	PG	TVNZ	Water Patrol	Footage of complainant half-naked on his boat allegedly breached his privacy	Privacy	Upheld (Privacy)	\$1,000 compensation for breach of privacy
2014-100	WS	MediaWorks TV	3rd Degree	Item about family dispute over will showed complainant's photograph without permission and breached his privacy	Privacy	Upheld (Privacy)	\$1,500 compensation for breach of privacy

UPHELD WITH NO ORDER

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under	Standards Upheld
2013-042	Kirby	RNZ	Nine to Noon	Interview with Carmel Fisher discussed family court proceedings	Accuracy, Fairness	Upheld by majority: Accuracy
2014-030	Noble	TVNZ	Neighbours at War	Derogatory comments about complainant's behaviour as a neighbour were unfair and breached his privacy	Fairness (Action Taken), Privacy (Action Taken) Accuracy, Controversial Issues, Discrimination and Denigration, Responsible Programming, Good Taste and Decency	Fairness (Action Taken), Privacy (Action Taken), Fairness
2014-034A	Ranfurly Village Hospital Ltd	MediaWorks TV	Campbell Live - 3 Dec 2013	Item critical of Ranfurly Veterans Home following incident involving resident	Accuracy, Fairness, Privacy	Accuracy, Fairness
2014-034B	Ranfurly Village Hospital Ltd	MediaWorks TV	Campbell Live - 12 Dec 2013	Item critical of Ranfurly Veterans Home following incident involving resident	Accuracy, Fairness, Privacy	Accuracy, Fairness
2014-098	Cumin	TRN	KPMG Early Edition	Host's opinion piece contained inaccurate statement about number killed in UN school bombing	Accuracy	Accuracy
2014-119	Narayan	Humm FM	Nicki Minaj song 'Anaconda'	Song broadcast at 3.30pm contained swearing and sexually explicit language	Good Taste and Decency, Responsible Programming	Good Taste and Decency, Responsible Programming
2014-126	Zero Commission NZ Ltd	TRN	Coast FM News	News item reported Zero had been 'making low ball offers' to shareholders; allegedly unfair and misleading	Fairness, Accuracy, Controversial Issues	Upheld by majority: Fairness
2014-156	Henderson	MediaWorks TV	Promo for The Night Shift	Promo broadcast during Shrek movie contained sexual images and references	Responsible Programming, Children's Interests	Responsible Programming, Children's Interests

NOT UPHELD

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2014-007	Grieve	TVNZ	ONE News	Item on climate change inaccurately summarised IPCC report	Accuracy, Responsible Programming
2014-013	Taranaki Regional Council	RNZ	Morning Report	Interview about TRC's 'land farming policy' allegedly misleading, unfair and unbalanced	Accuracy, Fairness, Controversial Issues
2014-015	QA	TVNZ	ONE News	Item on lifejacket awareness featured complainant	Privacy, Accuracy, Fairness
2014-020A	Heron	MediaWorks TV	Campbell Live	Item disclosed name and phone numbers of real estate agent who sold house infested with termites	Privacy
2014-020B	McLoughlin	MediaWorks TV	Campbell Live	Item disclosed name and phone numbers of real estate agent who sold house infested with termites	Privacy
2014-028	Scott	MediaWorks TV	Campbell Live	Item on Pike River Mine included reference to complainant's name	Privacy
2014-031	Willetts	SKY	Prime News	Item on report into Len Brown's spending while in office; allegedly inaccurate to refer to 'freebies' received at hotels	Accuracy
2014-032	Parlane	TVNZ	Seven Sharp	Valentine's Day story about woman selling former date's sunglasses	Good Taste and Decency, Law and Order, Fairness, Responsible Programming
2014-035	Samuel	TVNZ	Rake	F word close to 8.30pm watershed	Children's Interests
2014-036	Solomon	TVNZ	Seven Sharp	Presenter said he would rather shoot himself than go to the Chatham Islands	Good Taste and Decency, Law and Order, Fairness, Discrimination and Denigration
2014-037	Lowes	MediaWorks TV	3 News	News item referred to 'England' instead of 'United Kingdom'	Accuracy (Action Taken), Fairness, Discrimination and Denigration
2014-038	EP	TVNZ	Neighbours at War	Complainant's dispute with neighbour featured in programme, allegedly misleading and unfair	Fairness, Privacy, Accuracy, Good Taste and Decency, Law and Order, Discrimination and Denigration, Responsible Programming, Children's Interests
2014-040	Hashimoto	MediaWorks Radio	Talkback with Sean Plunket	Host sarcastically referred to 'damn Chinese'	Good Taste and Decency, Discrimination and Denigration
2014-042	QS	TVNZ	Women in Blue	Footage of search warrant executed at complainant's house allegedly breached privacy	Privacy
2014-043	Barratt-Boyes	TRN	Classic Hits Breakfast Show	Clip of celebrity discussing sex life on American talk show	Good Taste and Decency
2014-044	Butler	MediaWorks TV	Campbell Live	Item on John Campbell's visit to Ngāpuhi in Northland; allegedly misrepresented their economic situation and historical land loss	Controversial Issues, Accuracy

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2014-045	Martin	MediaWorks Radio	More FM Breakfast	Discussion about watching age-restricted films	Law and Order
2014-047A	Keen	TVNZ	Seven Sharp	Host's comments about IPCC report allegedly misleading	Accuracy
2014-047B	Dempsey	TVNZ	Seven Sharp	Host's comments about IPCC report allegedly misleading	Accuracy
2014-047C	Kraitzick	TVNZ	Seven Sharp	Host's comments about IPCC report allegedly misleading	Accuracy
2014-047D	Steinberg	TVNZ	Seven Sharp	Host's comments about IPCC report allegedly misleading	Accuracy
2014-049	Thompson	MediaWorks TV	3 News	Reporting of results of political poll allegedly misleading as within margin of error	Accuracy
2014-051	Woodgate	TRN	KPMG Early Edition	Guest asked host 'What room did you do him in?' referring to host's interview with Kim Dotcom	Good Taste and Decency
2014-053	Singh	Radio Tarana	Radio Tarana News	Item reported on court proceedings over rent allegedly owed by complainant	Fairness, Accuracy, Controversial Issues, Good Taste and Decency, Discrimination and Denigration
2014-054	Allardyce	TVNZ	ONE News	News item about Mana Party event showed Gareth Morgan calling himself a 'prick'	Good Taste and Decency, Responsible Programming, Children's Interests
2014-055	Du Fall	TRN	KPMG Early Edition	Host's comments about average-sized women being 'lardos' and 'heifers'	Good Taste and Decency, Discrimination and Denigration (Action Taken)
2014-056	Barron	SKY	Jungle Rain	Documentary about effects on veterans of Agent Orange in Vietnam	Accuracy, Balance
2014-057	Kumar	TRN	Larry Williams Drive Show	Host's comments about protest	Good Taste and Decency, Law and Order, Controversial Issues, Accuracy, Fairness, Discrimination and Denigration, Responsible Programming
2014-058	DP	TVNZ	Serious Crash Unit	Crash survivor allegedly did not consent to repeat broadcast	Privacy
2014-059	Scarlett	TRN	Canterbury Mornings with Chris Lynch	Host said 'for Christ's sake'	Good Taste and Decency, Responsible Programming
2014-060	Wieland	MediaWorks TV	3 News	Reported findings of latest IPCC report; allegedly propaganda and should have referred to different report by NIIPCC	Controversial Issues, Accuracy, Fairness, Responsible Programming
2014-061	Van der Kley	TVNZ	Fair Go	Roofer interviewed on his doorstep answered customer's complaints by revealing mental health issues; allegedly breached his privacy	Privacy
2014-062	Wilson	TVNZ	ONE News	Item reported that 21,000 benefits were cut for travelling overseas; allegedly unbalanced	Controversial Issues, Accuracy, Fairness, Discrimination and Denigration
2014-063	Ahern	MediaWorks Radio	The Edge Afternoons with Guy, Sharyn and Clint	Love and sex advice segment allegedly sexually explicit and discussed sexual positions	Good Taste and Decency, Responsible Programming, Controversial Issues

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2014-064	Kennedy	MediaWorks TV	The Paul Henry Show	Presenter's comments about Parliamentary officer derogatory and unfair; action taken insufficient	Fairness (Action Taken)
2014-065	Smyth	TVNZ	Seven Sharp	Item on alleged Raglan cat killers allegedly breached their child's privacy	Privacy
2014-067	Riwai-Couch	MediaWorks TV	Wanted	Sex scene close to 8.30pm watershed	Children's Interests
2014-069	Jeffries	RNZ	Checkpoint	Quote misattributed to Lombard Finance director; actually quote from the judge in court case	Accuracy
2014-070	Burrows	TVNZ	Seven Sharp	Footage of Beyoncé's sister attacking Beyoncé's husband in a lift; allegedly denigrated men as victims of female violence	Law and Order, Discrimination and Denigration, Violence
2014-071	Soper	MediaWorks TV	3 News	Incident between policewoman and taxi driver resulting in charge of offensive language	Fairness, Accuracy, Law and Order
2014-072	Foster	MediaWorks Radio	More FM Breakfast	Joke about Kim Dotcom's wife following break-up	Good Taste and Decency
2014-073	Moodie	MediaWorks TV	The Paul Henry Show	Rodents on turntables internet video allegedly animal cruelty	Good Taste and Decency
2014-074	Hagger	TRN	Hauraki Breakfast Show	Satirical interview with 'sex therapist' discussed inter-racial sex, 'big-on-small' sex	Good Taste and Decency
2014-075	Knyazev	MediaWorks TV	The Paul Henry Show	Host swore in Russian and commented about new laws and 'butt plugs'	Good Taste and Decency, Responsible Programming
2014-076A	Grylls	MediaWorks TV	3rd Degree	Debate about popular but controversial high fat diet allegedly unbalanced	Controversial Issues, Accuracy, Fairness
2014-076B	Dietitians NZ	MediaWorks TV	3rd Degree	Debate about popular but controversial high fat diet allegedly unbalanced	Controversial Issues, Accuracy, Fairness
2014-078	Sabin	MediaWorks TV	Campbell Live	Interview with American advocate about legalisation of cannabis allegedly unbalanced on issue of tax benefits	Controversial Issues
2014-079	Fleming	TVNZ	Promo for Broadchurch	PGR promo allegedly contained sinister content disturbing to children	Children's Interests
2014-082	Worthington	SKY	Ultimate Fighting Championship	Fighting disguised as sport and too violent to screen on television	Children, Violence, Law and Order
2014-084A	Askin	Māori Television	Native Affairs	Item about Allan Titford's 'fight with Te Roroa' allegedly unfair and unbalanced	Accuracy, Controversial Issues, Fairness, Discrimination and Denigration, Good Taste and Decency, Responsible Programming, Violence
2014-084B	Bolton	Māori Television	Native Affairs	Item referred to complainant as a supporter of Allan Titford	Accuracy (Action Taken)
2014-085	RD	MediaWorks TV	Campbell Live	Item on convicted fraudster showed image of complainant, allegedly in breach of privacy	Privacy

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2014-086	O'Shaughnessy	MediaWorks TV	The Paul Henry Show	Sexually suggestive and offensive remarks in fan's letter, by host and by woman who burst in front of the camera during live cross	Good Taste and Decency, Responsible Programming
2014-087	Eddy	TVNZ	Seven Sharp	Item about beech mast event allegedly unbalanced as did not present anti-1080 view	Controversial Issues, Fairness
2014-088	McGuckian	TRN	Newstalk ZB News	Reference to 'tens of thousands' of victims of clerical sexual abuse allegedly inaccurate	Accuracy, Fairness
2014-089	Emirates Team NZ	TRN	The Devlin Radio Show	Host made comments about chief designer resigning from Team New Zealand	Accuracy
2014-091	Butler	Māori Television	Native Affairs	Item on Allan Titford and race relations allegedly biased, inaccurate and unfair	Controversial Issues, Accuracy, Fairness, Discrimination and Denigration
2014-093	Easte	MediaWorks TV	The Paul Henry Show	Segment called 'Council Watch' scrutinised cost of Auckland tram service; allegedly unbalanced and misleading	Controversial Issues, Accuracy, Fairness, Responsible Programming
2014-094	Morse	RNZ	Morning Report	Item about NZDF exercise and army personnel visiting schools allegedly propaganda	Controversial Issues
2014-095	Popa	MediaWorks TV	Campbell Live	Item allegedly unfair to Dead Sea Spa employees and racist towards immigrants	Discrimination and Denigration, Fairness, Privacy, Accuracy, Controversial Issues, Responsible Programming, Good Taste and Decency, Law and Order
2014-096	Hawthorne	MediaWorks Radio	Talkback with Karyn Hay and Andrew Fagan	Host allegedly made 'veiled death threat' against complainant	Law and Order, Good Taste and Decency, Discrimination and Denigration
2014-097	Appleby	MediaWorks TV	3 News	Reference to Labour Party policy as an 'election year bribe' allegedly biased and unfair	Fairness
2014-099	Wallbank	TVNZ	Seven Sharp	Vladimir Putin described as 'homophobic' after he outlawed adoptions by New Zealand parents because of marriage equality legislation	Accuracy
2014-101A	Richards	TVNZ	ONE News	Item's explanation of how banks make money allegedly inaccurate	Accuracy
2014-101B	Vickers	TVNZ	ONE News	Item's explanation of how banks make money allegedly inaccurate	Accuracy
2014-101C	Waterhouse	TVNZ	ONE News	Item's explanation of how banks make money allegedly inaccurate	Accuracy
2014-101D	Hamill	TVNZ	ONE News	Item's explanation of how banks make money allegedly inaccurate	Accuracy
2014-102	Burrows	TVNZ	Q&A	Item on domestic violence allegedly portrayed men as only perpetrators	Controversial Issues, Discrimination and Denigration
2014-104	Harre	TVNZ	Seven Sharp	Item about cheese 'made with human toe jam and belly button bacteria' offensive	Good Taste and Decency
2014-105	Kilpatrick	MediaWorks TV	The Paul Henry Show	Host asked guest scientist if she had sex with Richard Branson	Good Taste and Decency, Discrimination and Denigration

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2014-106	Allen	MediaWorks TV	National Party advertisement	John Key said National will 'start paying debt off'; allegedly misleading as Treasury forecast debt increase	Election Programmes Subject to Other Codes (Accuracy, Fairness, Responsible Programming), Distinguishing Factual Information from Opinion or Advocacy, Misleading Programmes
2014-107	Feral	TVNZ	The ITM Fishing Show	Live baiting allegedly animal abuse	Good Taste and Decency, Fairness, Discrimination and Denigration, Violence
2014-108	Walker	RNZ	The Panel	Panelists joked about whether study into cognition explained a 'man's look' or why men don't replace toilet rolls; allegedly denigrated men	Discrimination and Denigration
2014-109	Edwards	TVNZ	ONE News	Footage of attack on liquor store worker showed gratuitous violence	Good Taste and Decency, Violence, Responsible Programming
2014-110	DD	TVNZ	Fair Go	Report on elderly man with denture trouble allegedly unfair to complainant who was his dentist	Fairness, Privacy, Controversial Issues, Responsible Programming
2014-111	Lace	RNZ	Sunday Morning	Coverage of Dirty Politics issues allegedly biased	Controversial Issues, Fairness, Responsible Programming
2014-112	Macedo	RNZ	Rural News	Interview about foreign ownership of farmland allegedly unbalanced and misleading	Controversial Issues, Accuracy, Fairness
2014-113	Ironside	MediaWorks TV	The Paul Henry Show	Host said 'Jesus' and 'Jesus Christ'	Good Taste and Decency
2014-114	Insley	TVNZ	Seven Sharp	Host allegedly politically biased and treated Nicky Hager unfairly when discussing Dirty Politics book	Controversial Issues, Accuracy, Fairness
2014-115A	Chand	Radio Tarana	Radio Tarana	Comments about medical fund allegedly inaccurate and unfair	Controversial Issues, Fairness, Accuracy, Discrimination and Denigration, Responsible Programming
2014-115B	Kumar, Asheelta	Radio Tarana	Radio Tarana	Comments about medical fund allegedly inaccurate and unfair	Controversial Issues, Fairness, Accuracy, Discrimination and Denigration, Responsible Programming
2014-115C	Kumar, Ashok	Radio Tarana	Radio Tarana	Comments about medical fund allegedly inaccurate and unfair	Controversial Issues, Fairness, Accuracy, Discrimination and Denigration, Responsible Programming
2014-115D	Prasad	Radio Tarana	Radio Tarana	Comments about medical fund allegedly inaccurate and unfair	Controversial Issues, Fairness, Accuracy, Discrimination and Denigration, Responsible Programming
2014-116	Pekepo	MediaWorks Radio	National Party advertisement	Reference to 'Labour, the Greens and Dotcom' allegedly misleading as no Dotcom Party	Election Programmes Subject to Other Codes (Accuracy)
2014-117	Kumar	TRN	National Party advertisement	Reference to 'Labour, the Greens and Dotcom' allegedly misleading as no Dotcom Party; policy costs allegedly inaccurate	Election Programmes Subject to Other Codes (Accuracy, Discrimination and Denigration), Denigration, Misleading Programmes
2014-120	CE	TVNZ	My Kitchen Rules	Footage showed complainant working in Countdown supermarket which breached her privacy	Privacy

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2014-121A	Feral	Choice TV	Catch and Cook US - 20 Aug 2014	Fishing, hunting and cooking with animal products is barbaric and cruel	Good Taste and Decency, Law and Order, Controversial Issues Fairness, Discrimination and Denigration, Responsible Programming, Children's Interests, Violence
2014-121B	Feral	Choice TV	Best of Fishing NZ	Fishing, hunting and cooking with animal products is barbaric and cruel	Good Taste and Decency, Law and Order, Controversial Issues, Fairness, Discrimination and Denigration, Responsible Programming, Children's Interests, Violence
2014-121C	Feral	Choice TV	Fishing Addiction	Fishing, hunting and cooking with animal products is barbaric and cruel	Good Taste and Decency, Law and Order, Controversial Issues, Fairness, Discrimination and Denigration, Responsible Programming, Children's Interests, Violence
2014-121D	Feral	Choice TV	Catch and Cook US - 21 Aug 2014	Fishing, hunting and cooking with animal products is barbaric and cruel	Good Taste and Decency, Law and Order, Controversial Issues, Fairness, Discrimination and Denigration, Responsible Programming, Children's Interests, Violence
2014-121E	Feral	Choice TV	Paul and Nick's Big Food Trip	Fishing, hunting and cooking with animal products is barbaric and cruel	Good Taste and Decency, Law and Order, Controversial Issues, Fairness, Discrimination and Denigration, Responsible Programming, Children's Interests, Violence
2014-121F	Feral	Choice TV	Cheese Slices	Fishing, hunting and cooking with animal products is barbaric and cruel	Good Taste and Decency, Law and Order, Controversial Issues, Fairness, Discrimination and Denigration, Responsible Programming, Children's Interests, Violence
2014-121G	Feral	Choice TV	Nigel Slater's Simple Suppers	Fishing, hunting and cooking with animal products is barbaric and cruel	Good Taste and Decency, Law and Order, Controversial Issues, Fairness, Discrimination and Denigration, Responsible Programming, Children's Interests, Violence
2014-122	Family First NZ	MediaWorks TV	3 News	News item showing footage of political press secretary saying 'shit' should have been censored	Good Taste and Decency, Children's Interests
2014-123	Goffin	MediaWorks TV	3 News: Firstline	Item about Israel-Palestine conflict allegedly anti-Israel and misleading	Controversial Issues, Accuracy
2014-125	Scott	TRN	Hauraki Breakfast Regurgitated	Host had to argue that free-range eggs were 'penis' (absurd or stupid)	Good Taste and Decency
2014-127	Duncan	MediaWorks TV	Campbell Live	Reporter took viewers on a tour of former Justice Minister's home in breach of her privacy	Privacy
2014-128	BC	MediaWorks Radio	Jay-Jay, Mike & Dom	Stating that Louise Nicholas was 'raped by a pack of cops' was inaccurate	Accuracy
2014-129	McCabe	MediaWorks Radio	More FM Breakfast with Si and Gary	Lily Allen song 'Smile' did not adequately censor the word 'fucking'	Good Taste and Decency
2014-130	Rawcliffe	NZME	Larry Williams Drive Show	The Huddle panelists referred to politicians needing their 'throat cut'	Good Taste and Decency

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2014-131	Chaney	TVNZ	The Chase	Comments about Bing Crosby's death were disrespectful	Good Taste and Decency
2014-132	Bloem	TVNZ	Vote 2014	Election coverage host's use of the word 'jeez' and 'gee' was inappropriate	Good Taste and Decency, Discrimination and Denigration
2014-133A	Howe	MediaWorks TV	3 News	Complainant's name shown on a list of former parliamentary staff in association with story on sex offences breached privacy	Privacy
2014-133B	Kingi	MediaWorks TV	3 News	Complainant's name shown on a list of former parliamentary staff in association with story on sex offences breached privacy	Privacy
2014-133C	Boreham	MediaWorks TV	3 News	Complainant's name shown on a list of former parliamentary staff in association with story on sex offences brought reputation into disrepute	Privacy, Fairness
2014-134	June	Free FM	Environment Matters	Comments critical of conventional medicine were unbalanced and irresponsible	Controversial Issues, Responsible Programming, Discrimination and Denigration
2014-135	Boyce	MediaWorks TV	3 News	Reporter allegedly harassed political party leader on election night	Fairness
2014-136	Grimshaw	NZME	Hauraki Breakfast Show	Use of phrase 'great rack' in relation to a woman and the word 'pissing' was offensive	Good Taste and Decency
2014-137	Gray	TVNZ	Promo for Embarrassing Bodies Downunder	Reference to the effect of pineapple on the taste of semen was inappropriate for the timeslot	Good Taste and Decency, Children's Interests
2014-138	McIntyre	TVNZ	ONE News	Election coverage logo colour was politically biased	Fairness
2014-139	O'Connor	TVNZ	Vote 2014	Election coverage cut away from Māori Party co-leader because he was speaking to reo which was unfair and discriminatory	Discrimination and Denigration, Fairness
2014-140	Waddington	SKY	The Brokenwood Mysteries	Portrayal of a character with Asperger Syndrome encouraged discrimination and denigration	Discrimination and Denigration, Accuracy, Fairness
2014-141	Taranaki Regional Council	RNZ	Rural News	Item on TRC and landfarms allegedly inaccurate and misleading	Accuracy
2014-142	Chaney	TVNZ	Promo for Seven Sharp	Promo showing a pit bull owner describing the dogs as 'loving teddy bears' allegedly misleading	Accuracy
2014-143A	Feral	MediaWorks TV	Big Angry Fish	Fishing programme barbaric and cruel	Good Taste and Decency, Law and Order, Controversial Issues, Fairness, Discrimination and Denigration, Responsible Programming, Children's Interests, Violence
2014-143B	Feral	TVNZ	The ITM Fishing Show - 13 Sep 2014	Programme showing fishing, hunting and cooking barbaric and cruel	Good Taste and Decency, Law and Order, Controversial Issues, Fairness, Discrimination and Denigration, Responsible Programming, Children's Interests, Violence

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2014-143C	Feral	TVNZ	The ITM Fishing Show - 18 Oct 2014	Programme showing fishing, hunting and cooking barbaric and cruel	Good Taste and Decency, Law and Order, Controversial Issues, Fairness, Discrimination and Denigration, Responsible Programming, Children's Interests, Violence
2014-144	Keren	RNZ	Morning Report	Item covering Gaza truce gave more time to Palestinian perspective and was unbalanced	Controversial Issues
2014-145	Grieve	MediaWorks TV	3 News	Item about ACT's proposed policy to arm shopkeepers inaccurate and unfair to ACT and its leader Jamie Whyte	Accuracy, Fairness
2014-147	Green	MediaWorks TV	3 News	Item about Labour Party leadership rules allegedly inaccurate	Accuracy
2014-148	Sampurno	MediaWorks TV	3 News	Reference to Indonesia as 'the biggest Muslim country' allegedly inaccurate and discussion of terrorism denigrated Muslims and Indonesians	Accuracy, Discrimination and Denigration
2014-152	Coffey	RNZ	Afternoons with Jim Mora	Panelist comments about wolf-whistling allegedly condoned and encouraged sexual harassment	Discrimination and Denigration, Good Taste and Decency, Law and Order
2014-153	Larsen	SKY	Midsomer Murders	Murder mystery violence would have disturbed children	Responsible Programming, Children's Interests
2014-154	Gregory	TVNZ	Happy Valley	Police officer shown being run over; violence allegedly gratuitous and offensive	Good Taste and Decency, Violence
2014-155A	Malone	TVNZ	ONE News	Footage of UFC fight allegedly offensively violent and inappropriate during children's viewing times	Good Taste and Decency, Children's Interests, Violence
2014-155B	Sadd	TVNZ	ONE News	Footage of UFC fight allegedly offensively violent and inappropriate during children's viewing times	Responsible Programming, Children's Interests, Violence
2014-157	Leyland	RNZ	Mediawatch	Item reviewing complainant's appearance on Breakfast denying climate change allegedly unfair to him	Fairness
2014-161	Moffat	TVNZ	Seven Sharp	Mike Hosking read letter from viewer containing expletives; allegedly inadequately censored	Good Taste and Decency, Children's Interests, Responsible Programming
2014-162	Malakouti	MediaWorks TV	Campbell Live	Used interview footage without complainant's consent	Privacy
2015-001	Peet	MediaWorks TV	The Paul Henry Show	Item about 'tourist' who had reportedly driven with a kayak attached width-ways to his car allegedly denigrated tourists and used offensive language	Good Taste and Decency, Discrimination and Denigration, Responsible Programming, Controversial Issues, Fairness
2015-003	Right to Life NZ Inc	MediaWorks TV	Campbell Live	Item about terminally ill man's advocacy for voluntary euthanasia allegedly unbalanced	Controversial Issues
2015-004	Davies	MediaWorks TV	3 News	Alleged association of Show Circuit magazine with story of disgraced equestrian	Accuracy, Fairness, Responsible Programming

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2015-005	Van Iersel	TVNZ	ONE News	Reference to 'right to choose' in relation to abortion clinic allegedly misleading	Accuracy
2015-006	Dodds	MediaWorks TV	3 News	News update showing security footage of a man with a metal rod in his head allegedly harmful to children	Children's Interests
2015-008	Violeti	MediaWorks Radio	Selectah	Host made unfair comments naming complainant's business; broadcaster upheld Fairness complaint	Fairness (Action Taken), Law and Order, Accuracy
2015-009A	Wilson	MediaWorks Radio	Talkback with Sean Plunket	Sean Plunket comments about author Eleanor Catton allegedly bullying and unfair	Fairness, Good Taste and Decency, Discrimination and Denigration, Controversial Issues, Accuracy
2015-009B	Parlane	MediaWorks Radio	Talkback with Sean Plunket	Sean Plunket comments about author Eleanor Catton allegedly bullying and unfair	Fairness, Good Taste and Decency, Discrimination and Denigration, Controversial Issues, Accuracy
2015-012	Cranston	TVNZ	ONE News	References to and footage of ISIS in item about Charlie Hebdo killings allegedly glamorised and promoted terrorism	Law and Order
2015-013	Green	MediaWorks TV	3 News	Item about Labour Party leader's knowledge of OECD unemployment rates allegedly misleading and unfair	Accuracy, Fairness
2015-014	Elborn	TVNZ	Seven Sharp	Item showed images of Christchurch 'office couple' having sex; allegedly in breach of their privacy	Privacy
2015-015	Wallbank	TVNZ	ONE News	Item stating that the gay community makes 'up to 10%' of population allegedly inaccurate	Accuracy
2015-017	Golden	RNZ	Morning Report	Item about Mark Lundy's retrial allegedly inaccurate and unfair	Accuracy, Fairness, Law and Order, Responsible Programming
2015-018	Olsen-Reeder	TVNZ	Breakfast	Presentation of Ngāi Whatua re closing Okahu Bay allegedly inaccurate, unfair and denigrating	Accuracy, Fairness, Discrimination and Denigration
2015-019	Williams	NZME	Crowd Goes Wild Breakfast	Host said 'ram it up your arse'	Responsible Programming

DECLINED TO DETERMINE

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under	Reason
2014-077	Moore	TVNZ	Good Morning	Presenter allegedly called women 'coo coo things' and attacked mentally disabled people	Discrimination and Denigration	Section 11(b): comments identified by the complainant did not appear in the broadcast
2014-083A	Rice	SKY	Prime News	Item alleged to have inaccurately used rail terminology	Accuracy	Section 11(a): trivial

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2014-083B	Rice	TVNZ	ONE News	Item alleged to have inaccurately used rail terminology	Accuracy	Section 11(a): trivial
2014-124	Curtis	TVNZ	National Party closing address	National Party's closing address illegally contained footage of Queen Elizabeth and President Obama	Election Programmes Subject to Other Codes	Section 11(a): trivial
2014-150A	McDonald	TVNZ	ONE News - 29 Oct 2014	News item about eruption of Mount Kilauea in Hawaii allegedly inaccurately reported temperature of lava	Accuracy	Section 11(a): trivial
2014-150B	McDonald	TVNZ	ONE News - 31 Oct 2014	News item about eruption of Mount Kilauea in Hawaii allegedly inaccurately reported temperature of lava	Accuracy	Section 11(a): trivial
2014-158	McDonald	TVNZ	Seven Sharp	Item about Guy Fawkes celebrations and fireworks allegedly inaccurately reported temperature of sparklers	Accuracy	Section 11(a): trivial
2014-159	Golden	RNZ	Checkpoint: Market Update	Allegedly inappropriate for RNZ to use Forsyth Barr and First NZ Capital as business advisors	Law and Order, Fairness, Responsible Programming	Section 11(a): vexatious
2015-002	Golden	RNZ	Nine to Noon	Allegedly inappropriate for RNZ to interview Joan Withers	Accuracy, Fairness, Responsible Programming	Section 11(a): vexatious
2015-010	Golden	RNZ	Mediawatch	Senior member of media community allegedly 'corrupt' and should not have been interviewed	Good Taste and Decency, Accuracy, Fairness, Discrimination and Denigration, Responsible Programming	Section 11(a): vexatious
2015-016	McDonald	TVNZ	ONE News	Item about Cadbury chocolate bars 'shrinking 10%' allegedly inaccurate	Accuracy	Section 11(a): trivial

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