

**BSA ANNUAL REPORT 2010**  
**TE MANA WHANONGA KAIPĀHO**  
**TE PŪRONGO Ā-TAU 2010**

THE INFORMATION CONTAINED IN THIS ANNUAL REPORT DESCRIBES OUR ACHIEVEMENTS DURING THE PAST YEAR IN FOUR KEY AREAS: COMPLAINTS DETERMINATION, CODES OF BROADCASTING PRACTICE, RESEARCH AND INFORMATION.

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## VISION TE MATAKITETANGA

Responsible broadcasting  
Te pāho haepapa

## MISSION NGĀ WHĀINGA

To promote fairness and freedom in broadcasting through impartial complaints determination, useful research and effective communication  
He whakatairanga i te tika me te wātea o te tangata i te ao pāpāho mā ngā mahi whakawā whakapae tōkeke, mā te rangahau whai take, me ngā mahi whakawhiti kōrero whai hua

## MEMBERS

### PETER RADICH

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

### MARY ANNE SHANAHAN

Mary Anne joined the BSA in June 2009. She obtained an LLB from Auckland University in 1980. She subsequently completed a Bachelor of Arts (BA) in 1989 and a Diploma of Business [Finance] at the University of Auckland in 1995.

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

### LEIGH PEARSON

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

### TAPU MISA

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

# CHAIR'S REPORT

The Broadcasting Act 1989 which established the Broadcasting Standards Authority came into force on 1 July 1989. This was the year in which David Lange resigned as Prime Minister and was replaced by Geoffrey Palmer, Sunday trading began, the first television *Holmes Show* was broadcast and TV3 began its operations. There were many fewer broadcasters; the World Wide Web was unknown. It is all a long time ago. The then attitude to State intervention was changing although there still remained a widespread view in New Zealand that if something was wrong it was the entitlement of us all to have someone to complain to and insist that the problem be fixed at no cost to ourselves. It was into this environment that the BSA was born.

At birth, the BSA was given a duty in life to receive and determine complaints, issue advisory opinions relating to broadcasting standards and ethical conduct to broadcasters, encourage the development and observance by broadcasters of proper standards, develop codes of practice and conduct research.

The usual BSA territory is that of traditional radio and television broadcasting. There is now the territory of the internet where new broadcasters abound and where many traditional broadcasters have gone as well. Within the BSA we have continued to carry out our duties according to the 1989 model. We have, where we have been able to do so, adjusted our practices to meet current needs and expectations but our scope to make changes is limited.

We continue, as we are required to do, to have an open door to all complainants and we continue to facilitate the making of complaints. Some of the complaints we receive are challenging. Others are less so. Under the present model, the resources of the Authority are to be made available to whomever wishes to use them. We are an entity which has to be fuelled by complaints and our marking of standards has to arise out of a process where complaints have been made that broadcasting standards have not been met.

Many of our complaints are about balance and accuracy in news broadcasts. We have been asked, for example, to determine whether particular broadcasts in relation to Middle Eastern affairs are accurate and fair, in some cases to distant political leaders. We are used by protagonists in political debates to try to give additional weight to their side of the argument. We require New Zealand broadcasters of news programmes to achieve balance and we require all broadcasters to observe appropriate standards of good taste and decency. In the news media environment and in society generally the pace and extent of change have made questions of balance and good taste and decency more challenging and complex. We are very conscious of the presence of the global internet and the influences it has particularly on younger people. We are acutely aware of the challenges involved in maintaining standards in the segment of traditional broadcasting when similar standards do not apply to internet broadcasting.

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**"WE WORK AT THE INTERFACE BETWEEN THE TECTONIC PLATES OF FREEDOM OF EXPRESSION AND GOOD TASTE AND DECENCY, FAIRNESS AND BALANCE."**

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It is time for the Broadcasting Act to be reviewed. The challenge will be to determine the extent of the review. There are many questions: what areas of broadcasting should be regulated, should there be different codes for different sectors or should there be a single code, should the scope of the codes remain the same and should the formulaic codes based approach continue. Should there continue to be an open door policy to complainants. Is the approach which we follow under the 1989 model still relevant in 2010 and beyond. These are questions to which there are no easy answers and we do not presume to suggest what the answers may be.

We work at the interface between the tectonic plates of freedom of expression and good taste and decency, fairness and balance. We cannot see there ever being no need for the presence of some fair arbiter at the rubbing face. Broadcasters are a very powerful force and they can in some cases do hurt to people and their reputations. Their powers have to be exercised responsibly and almost always they are. In some cases however there will be a need for intervention and it will not be enough to say to those who may have been damaged that the Courts, which are not accessible to most people, will give a remedy. There will continue to be cases where the line of what is acceptable is overstepped or where the line needs to be better defined.

Our time has not passed but rather the time has come for our purpose and functions and the way in which we operate to be comprehensively reassessed. The decisions that will come out of a review will not be for us to make and we shall look forward to seeing where the tides of change take us.

We are a standards authority. It is our responsibility to ensure that broadcasters within our bailiwick, but not those outside, observe proper standards. It is not for us to impose our own personal standards on broadcasters and on the community. Rather, we see it as being our duty to assess what our wider community considers should be acceptable standards and seek to have them adopted by broadcasters. This has to be a collaborative process where we listen to our communities, to broadcasters and to each other and we have regard to the changing and developing trends in New Zealand and elsewhere.

Within the Authority we are four in number but we come from different backgrounds and we interact with different sections of the wider New Zealand community. We endeavour to be in touch with contemporary values, diverse though they are. Within the Authority we undertake research and we take soundings. Ultimately there will always be a need for discretions to be exercised and judgments to be made and we will never satisfy everybody. Particularly so, in times where values are changing and some people find it difficult to come to terms with emerging values. We try to be open minded, forward looking and conscious of the importance of the fundamental right of freedom of expression.

This year has seen the coming to the end of the terms of appointment of long time Chair Joanne Morris and long time Authority members Paul France and Diane Musgrave. Jo, Paul and Di have each brought their considerable skills and experiences to the organisation and each has left valued imprints behind. The term of Tapu Misa has come to an end but she has generously continued to serve until a new appointment can be made. We have continued to receive support and advice from our CEO, Dominic Sheehan and his capable team and we have been grateful for this.

I thank my fellow members Tapu Misa, Mary Anne Shanahan and Leigh Pearson for the commitments they have each made to the exacting work of this Authority.



Peter Radich, **Chair**

# CHIEF EXECUTIVE'S REPORT

“With great power comes great responsibility.” That *Spider-Man* quote speaks volumes about the expectations that underpin our broadcasting standards system. Broadcasters, of course, have great power. We invite them into our lives and they shape the broadcast news and entertainment we view. Their responsibilities are laid out in the Codes of Broadcasting Practice – responsibilities to be accurate, fair, balanced, and to not offend good taste and decency, among others.

However, the public also bear responsibility for broadcasting standards for it is only when members of the public lodge a formal complaint that the broadcasters are required to examine their own behaviour against the standards in the Codes. And it is only when the public refer a complaint to the BSA that we become involved in adjudicating on a broadcast. We have great power too, of course, and a responsibility to act justly and fairly. We take our responsibilities very seriously and I am proud to report on another year as Chief Executive of the BSA.

## COMPLAINTS

The determination of complaints relating to alleged breaches of broadcasting standards is our key function. It has been a colourful year for complaints with decisions issued on everything from immigration policy to someone groping David Beckham's genitals. We have dealt with a variety of science-based complaints on issues like faecal coliforms, dioxins and folic acid. And animals have featured large in complaints this year with decisions featuring lions, dogs, horses, cows, ducks, hens, weka and mice (in fact, weka eating mice). A detailed discussion of complaints determination can be found in the Legal Manager's report.

## CODE REVIEWS

Our broadcasting standards system is underpinned by four Codes of Practice – Free-to-Air Television, Pay Television, Radio, and Election Programmes – each of which is reviewed every five years to ensure it remains relevant. No Code reviews fell due this year but we did spend time on working towards a review of the Pay Television Code that will be undertaken in the 2010–11 year.

## RESEARCH

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

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

### Observing Children's Media Use and Response

In 2008 the BSA published *Seen and Heard: Children's Media Use, Exposure and Response*. This was the result of a nationwide, quantitative survey conducted with 604 children aged six to 13 years plus one of their primary caregivers. In *Seen and Heard* we asked questions about how children interacted with media and how it affected them.

We then asked ourselves this question: did people actually do what they said they did? In order to get a clearer picture of actual, rather than reported, behaviour, we decided to observe behaviour in some of the households included in our original study.

This year we published *Watching the Watchers – What Children Watch on TV and How They Respond: An Observational Study*. This report details the findings of our observational study.

We chose to focus on television as it remains the central media device in the home. We also chose to focus on the dinner-time-to-bedtime period as that is when children are potentially most likely to view challenging content.

On the whole, the findings in this report appear to back up what we learned in *Seen and Heard*. TV is indeed still the central media device for families and even when the home has several TVs, children and parents mostly watch the main box, which is in the living room.

“THE BSA IS A FASCINATING PLACE TO WORK. AS YOU CAN IMAGINE WE ARE CONSTANTLY DISCUSSING, DEBATING, AND LEARNING. THE WORK WE DO IS NOT EASY, IT'S ALSO NOT NECESSARILY POPULAR, BUT WE ALL UNDERTAKE THE JOB WITH A SENSE OF COMMITMENT AND FAIRNESS.”

Viewership depended ultimately on parenting style, stricter homes watching television at certain times and supervised, and more flexible homes allowing children to watch at any time with supervision most likely only for younger children.

### Acceptable and Unacceptable Words

Every five years or so the BSA funds a national survey designed to measure how acceptable the public finds the use of swear words, blasphemies and other expletives in broadcasting. The reason we do this is because we want our decisions to reflect community attitudes and community norms. We previously carried out research in this form in 1999 and 2005.

The survey, entitled *What Not to Swear: The Acceptability of Words in Broadcasting*, was carried out among 1500 members of the general public aged 18 and over. A total of 31 words was presented to respondents, 23 that were included previously and eight new words or phrases. We tested these across 10 different contexts, adding extra contexts from the previous survey because context is key when determining complaints about acceptability.

In general, the order of the words found to be most offensive to least offensive remained largely the same as found in both 2005 and 1999. Six of the new words we added ranked in the top 12 most unacceptable words.

For 14 of the 23 words included in both the 2005 and latest surveys, there has been a statistically significant decrease in the proportion who find that word unacceptable in the context questioned. This continues a similar trend between the 1999 and 2005 surveys. While this indicates a continuing softening of attitudes to the use of certain words in broadcasting, one clear exception to this trend was the word ranked most unacceptable by New Zealanders, which actually increased in unacceptability.

### Classifications and Warnings

Classifications and warnings are important parts of the broadcasting standards system and The Broadcasting Act 1989 sets out expectations for broadcasters in this area. This year we published an investigation of the public's awareness and expectations of, and satisfaction with, classifications and warnings currently used on both free-to-air and pay television. In *Some Content May Offend: Public Attitudes to Content Classifications and Warnings on Free-to-Air TV and Pay TV* we detail the findings of this study.

The report's findings are based on focus group sessions held in Auckland with 88 people, mainly parents and guardians of children aged between five and 17. Parents and guardians were chosen because this group makes the most use of

classifications and warnings to decide what their families will watch.

Parents were clear that they did not want to be told what to do, but they do want and need enough information to make decisions affecting their households. While parents use a range of tools and criteria (including trial and error), they see classifications and warnings as important guidelines and expect they will be effectively communicated.

The study found that some classifications and warnings were not as clear as they could be, particularly with regard to pay TV. On the whole, the recommendations of the report were based around clarifying communication or simple changes that would improve the use of the classifications and warnings.

The BSA has discussed the findings with broadcasters and we will continue to do so, especially during reviews of the Codes of Broadcasting Practice.

### Other Research

We commissioned a study on 'reality' television last year. This study, which takes a 360° view of the experiences of participants, the aims of the producers and broadcasters, and the opinions of the viewing public, was due to be published by 30 June 2010. The research proved more complex than originally envisaged and will be completed and published in the upcoming year.

## INFORMATION

In the past, our primary means of communication with our stakeholders was a printed newsletter known as the *BSA Quarterly*. To improve timeliness and reduce costs, in August 2009 we replaced that publication with the *BSA Bulletin*, an electronic newsletter emailed to subscribers. The new format enables us to communicate more regularly and is kinder to the environment. Nine editions of the *BSA Bulletin* went out during the reporting period.

On 15 July 2009 we held a symposium in Auckland. It was based around issues raised in *Principles and Pragmatism: An Assessment of Broadcasting Standards Decisions from a Journalist's Perspective*, a report we published the previous year. The symposium consisted of panels primarily comprising journalists, broadcasters and academics and it covered the four key areas of the assessment – privacy, balance, fairness and accuracy. Each panel was asked to discuss points of tension raised in the assessment, followed by a general discussion by all attendees. These types of discussions are vital to ensure the Codes of Broadcasting Practice remain effective and relevant.

We made a special effort this year to begin meeting with groups who are not easily accessible by other communication. This resulted in meetings with the Muslim community in Auckland and with ethnic broadcasters in both Auckland and Christchurch. We are committed to continuing these types of discourse and will look for further opportunities to engage.

This year we have worked on upgrading our website and had planned to launch the redesigned site before 30 June 2010. However, the work required, especially in bringing thousands of decisions across from one site to another, caused the project to be delayed. We will launch the new site, and upgrade our 0800 service, sometime in the next year.

We have, of course, continued with all our usual methods of providing information, including visits to schools and community groups and responding to enquiries from the public.

### GENERAL MANAGEMENT

In the past twelve months we have experienced a large increase in complaints numbers, and a continuation of labour-intensive, complex complaints. This is the third consecutive year that complaints numbers have risen and, for us as a small organisation, any increase in numbers places stress on our ability to process complaints in a timely manner. Once again, however, we have hit our targets for the processing of complaints, we have come in under budget and our financial position is healthy.

#### Good Employer

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

#### Staff

Retention of staff is a prime concern in a specialist organisation like ours. We have had minor staffing changes this year. One was the departure of Kate Baker who had served as Communications Advisor for a year. We used that opportunity to reorganise the communications tasks, dividing them amongst other staff members and using outside contractors on an ad hoc basis. Margaret Haughey

returned to the BSA to provide administration support, replacing Zhao Xiaofeng who left the organisation just after the reporting period.

### ORGANISATIONAL OBJECTIVES AND ONGOING MEASURES TOWARDS ACHIEVING SUCCESS

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

### CONCLUSION

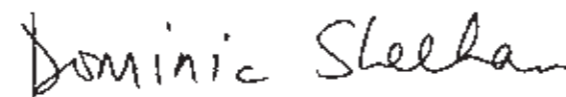
The BSA exists to serve the public and to support broadcasters in fulfilling their obligations under the Broadcasting Act 1989 and the Codes of Broadcasting Practice. As in past years, I acknowledge all those who made a complaint and all the broadcasters whose work we oversee. Thank you also to all those who have given advice, services or support to the BSA in the past twelve months.

As staff we are here to support the BSA board. We had several changes in membership recently and I want to fondly farewell those members whose terms ended during the year: Diane Musgrave, Paul France and Chair Joanne Morris. However, we welcomed three new members: Chair Peter Radich, Mary Anne Shanahan and Leigh Pearson.

The BSA is a fascinating place to work. As you can imagine, we are constantly discussing, debating, and learning. The work we do is not easy, it's also not necessarily popular, but we all undertake the job with a sense of commitment and fairness.

As ever, I want to emphasise the hard work of our outstanding staff. The BSA is very fortunate to be able to utilise the skills, experience and intellect of a group of such talented people.

We all look forward to continuing to work for you in the year ahead.



Dominic Sheehan, Chief Executive

### ORGANISATIONAL OBJECTIVES

To enhance our health and capability over the next three years we will maintain and develop the following policies.

Goals	Measures	Actual
<b>Members</b>		
Members undertake an annual self-assessment exercise.	Board self-assessment completed and recommendations actioned by 30 June 2010.	Achieved in part. Assessment completed in late 2009 and reporting letter sent to Minister on 15 February 2010.  Only one recommendation in assessment – that BSA communications be reviewed. Some work undertaken on review of communications before 30 June 2010.
Members continue to be knowledgeable both about their duties of governance and their quasi-judicial powers, and how to discharge these successfully.	Governance and questions relating to quasi-judicial functions included in annual board self-assessment, with training given as required.  Discussions on topics of governance take place on average every second board meeting.	Achieved. Issues noted in reporting letter to Minister on 15 February 2010.  Not achieved. Governance topics only discussed at two of ten meetings.
Members continue to have a clear appreciation of the diversity of community views and public attitudes towards BSA decisions.	Board undertakes a programme of community engagement and litmus testing of BSA decisions on an annual basis.	Not achieved. Changes in board members made community engagement difficult. Litmus testing of decisions not carried out in reporting year.
<b>Staff</b>		
Staff recruitment, training and retention policies focus on attracting and retaining skilled, flexible, knowledgeable and diverse team players.	Full-time staff turnover no more than one-third (two people) per annum.	Achieved. Only one staff member left during the reporting year.
Staff members possess the tools, information and training necessary to perform to a high and multi-functional level.	Each staff member has a professional development plan.	Achieved. All staff members have professional development plans. Development plans are reviewed each year during performance reviews.
<b>Office</b>		
Office space and equipment is safe and well-maintained.	Annual capital expenditure and maintenance programmes as approved by board.	Achieved.

## ONGOING MEASURES TOWARDS ACHIEVING SUCCESS

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

Goals	Measures	Actual
<b>Non-Financial</b>		
1. Maintain quality of the complaints determination processes.	At least one external review on a complaints process is commissioned, completed and reported to the board every year.  Results of reviews are used to improve BSA processes where practicable.	Achieved. Review on the Children's Interests standard completed and reported to the board during the reporting year.  Unable to report against measure in this report.
2. Each Broadcasting Code of Practice is reviewed at least once every five years.	Each Code review completed within 18 months of commencement.	Not applicable in reporting year.
3. Five-year research plan followed (and reviewed annually).	Research projects commissioned and published according to plan.	Achieved in part. Research commissioned but publishing delayed in certain cases.
4. Communications strategy executed (and reviewed annually).	Communications targets met.	Achieved. Strategy reviewed and executed.
<b>Financial</b>		
5. Apply funding from the Crown and the broadcasting levy to activities described in the prospective financial statements.	Compliance reviewed by board half-yearly.	Achieved.

# LEGAL MANAGER'S REPORT

## COMPLAINTS SUMMARY

	2005/06	2006/07	2007/08	2008/09	2009/10
<b>Complaints Received</b>	153	131	148	162	<b>210</b>
<b>Total Decisions</b>	156	125	139	151	<b>193</b>
<b>Upheld (all or in part)</b>	19	27	40	25	<b>45</b>
<b>Not Upheld</b>	127	94	95	124	<b>148</b>
<b>Interlocutory Decisions</b>	4	0	2	0	<b>0</b>
<b>Declined to Determine</b>	5	3	2	2	<b>7</b>
<b>Declined Jurisdiction</b>	1	1	0	0	<b>0</b>
<b>Orders</b>	8	13	19	6	<b>19</b>
<b>Practice Notes</b>	1	2	2	2	<b>2</b>
<b>Decisions issued within 20 working days</b>	100%	100%	100%	100%	<b>100%</b>

## DECISIONS OVERVIEW

This year the BSA issued 193 decisions (compared to 151 in the previous twelve months) and we received 210 complaints (compared to last year's 162). This 30% increase in complaints continues the upswing in referred complaints experienced since the 2006-2007 year. Our small team has continued to manage the increased number of complaints, meaning that we have remained busy and challenged.

Of the 193 decisions issued:

- 88% (170 decisions) concerned television programmes (compared with 83% or 125 in 2009)
- 12% (23) concerned radio broadcasts (17% or 26 in 2009)
- 23% of complaints (45) were upheld in full or in part (17% or 25 in 2009)
- 42 of the 45 upheld decisions concerned television broadcasts; 3 concerned radio (22 of 25 for television and 3 for radio in 2009)
- 77% of decisions concerned news, current affairs, factual programming and talk radio (66% in 2009).

On television, the majority of complaints continue to concern news and current affairs. The most complained about programmes, for example, are *One News* (25 complaints, 6 upholds), *3 News* (18 complaints, 4 upholds), *Close Up* (16 complaints, 6 upholds) and *Breakfast* (13 complaints, 1 uphold).

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

## DECISIONS OF INTEREST

As in previous years, we are receiving a high number of complex or challenging complaints and the majority of complaints concern news, current affairs and factual programmes. Within that genre we have released several decisions of particular interest in the past year, including a factually complex complaint about the *Target* programme, and several complaints about unfair treatment in current affairs programmes.

### *Target*

A *Target* hidden camera trial of six Auckland cafés resulted in the owners of one café complaining that the programme had inaccurately and unfairly stated that food from their café contained faecal coliforms (Wilkinson and Williams and TVWorks Ltd, 2009-113). The programme described the food as "contaminated" and having the potential to "make someone very sick" with symptoms such as stomach pains, vomiting and bloody diarrhoea.

Before the programme went to air on 16 June 2009, *Target* wrote to Café Cézanne's owners telling them a chicken sandwich from their café had tested positive for faecal coliforms. However, the letter contained incorrect information about the date of purchase, so the café was unable to match the purchase to their till records. The owners questioned whether the sample was from their café, but *Target* went ahead with the broadcast.

After the 16 June programme, *Target* met the owners and told them a mistake had been made in labelling the samples but said that it could not exclude the possibility that the faecal coliforms had come from Cézanne. *Target* then broadcast a statement on the 23 June programme that, "Due to a human error by a former *Target* staff member coding the results, we cannot confirm which café produced this high faecal coliform count." A media release was also issued.

The BSA decision found that, before the 23 June apology, *Target* was in possession of two documents which unequivocally exonerated Café Cézanne. These showed that the contaminated sample was collected and delivered to the laboratory on a different day from the sample that came from Café Cézanne. Therefore, it was clear that the contaminated sample definitely did not come from Café Cézanne.

The BSA said in its decision that "as a consumer affairs programme that holds others to account *Target* has the power

to seriously damage the reputations of the businesses and individuals that it puts under the microscope”.

“A damaging report of a small business was broadcast not only as a result of a significant breakdown in *Target's* processes but also because the producers of the programme apparently refused to properly consider information supplied by the complainants in the days immediately prior to the broadcast. Even a cursory examination of the information available to the production company would have highlighted that something was seriously wrong,” the decision said.

“Significant harm” had been caused “to the complainants’ reputation and to their business”.

When considering what action to take, the BSA noted that these were serious breaches of broadcasting standards. The BSA has the power to take a broadcaster off air or stop it advertising for a period. It chose in this case, however, to focus on practical measures which would provide redress for the complainants, which included ordering the broadcaster to publish statements about the breaches in different media.

Taking into account the circumstances, the BSA felt the complainants’ full legal costs should be reimbursed. It also ordered that the maximum costs to the Crown be paid, \$5,000 for each programme.

Although it has ordered apologies only rarely and the broadcaster had already apologised for the errors, there had been no acknowledgement that broadcasting standards had been breached and the BSA considered that the broadcaster needed to apologise again.

### Fairness in Current Affairs programmes

This year, the BSA upheld several complaints about unfair treatment of participants in current affairs programmes. The BSA has often said that broadcasters must give individuals and organisations a “reasonable opportunity” to respond to allegations made about them in order to meet the requirements of the fairness standard in the Free-to-Air Television Code (Standard 6).

#### Let Us Spray

Complaints were lodged by the Ministry of Health (MOH) and the Institute of Environmental Science and Research (ESR) concerning a TV3 Special Investigation entitled *Let Us Spray*. The programme discussed the production of dioxin in Paritutu and the response from MOH to the concerns of Paritutu residents and their extended families who believed that their various illnesses and birth defects were a result of exposure to 2,4,5-T or 2,4-D.

*Let Us Spray* discussed a blood serum study which MOH had released in 2005 showing that Paritutu residents on average had four times the dioxin levels of other New Zealanders. The programme alleged that the study was “seriously flawed” and said that a forensic accountant had “found that there were participants in the wrong group, different data sets merged, a potential omission of a key participant and lack of certainty because of the reduced sample size”.

The programme included an interview with Dr Mark Jacobs from MOH, but MOH had not been given a copy of the accountant’s report or even a summary of his criticisms so he was unable to effectively answer the reporter’s questions. The BSA found that MOH was treated unfairly because the programme did not present the alternative view – held by ESR and the peer reviewers of the study – that the flaws identified by the accountant were inconsequential.

The BSA also found that ESR was treated unfairly because the accountant’s conclusions were broadcast without obtaining ESR’s response to his specific criticisms. It noted that the broadcaster was not under any time pressure which may have limited its ability to seek that perspective; the investigation had been ongoing for over a year before the broadcast.

The BSA ordered the broadcaster, TVWorks Ltd, to broadcast a comprehensive summary of the decision, and to pay legal costs of \$11,250 to ESR.

#### Sunday

A *Sunday* item which contained criticisms of a dog breeder was the subject of complaint (Willcock and TVNZ, 2009-056). An interviewee alleged that he had contacted the breeder, Hazel Willcock, about a bulldog he had purchased from her, and Mrs Willcock had dismissed his concerns. The reporter was shown driving up to Mrs Willcock’s home and being asked to leave by her husband.

The BSA noted that the item had begun as a general discussion about dog breeders’ ethics, and Mrs Willcock had been asked to comment on those issues. However, she was never informed that the broadcaster intended to broadcast specific complaints about her. The BSA said that the broadcaster had an obligation, in the interests of fairness, to inform Mrs Willcock that the focus of the programme had shifted and they now wanted her to respond to specific allegations about a dog that she had bred. It upheld the fairness complaint.

The BSA ordered TVNZ to broadcast a comprehensive summary of the decision during the *Sunday* programme.

## “WE ARE ALWAYS CAREFUL TO CHOOSE KNOWLEDGEABLE, UNBIASED ASSESSORS TO ENSURE WE RECEIVE CHALLENGING AND CONSTRUCTIVE FEEDBACK.”

#### Campbell Live

A *Campbell Live* investigation involved the Riddells, a couple who were allegedly grazing cattle along the banks of the Pahaoa River despite having been told to move them by the Greater Wellington Regional Council (Riddell and TVWorks Ltd, 2009-038). The reporter was shown approaching Mr Riddell as he drove a farm bike down a road. Mr Riddell told him to turn the camera off.

The BSA upheld the fairness complaint, finding that the broadcaster had an obligation to inform the Riddells that they would be the focus of the programme, and to give them a reasonable opportunity to respond to the specific allegations in the item. The BSA found that the Riddells were not offered that opportunity before, during or after the reporter’s approach to Mr Riddell on a public road.

The BSA ordered TVWorks Ltd to broadcast a comprehensive summary of the decision, and to pay legal costs of \$1670 to the Riddells.

### REVIEWS OF BSA DECISIONS

To ensure that its decision making is robust and relevant, the BSA regularly commissions independent critiques of its decisions. We are always careful to choose knowledgeable, unbiased assessors to ensure we receive challenging and constructive feedback. This year we published two assessments – one concerning privacy and one on children’s interests.

#### Privacy

The first assessment was called *Private Matters: A Review of the Privacy Decisions of the BSA* and was authored by Dr Nicole Moreham, a Senior Lecturer at Victoria University in Wellington. Dr Moreham has a focus on media law and, in particular, privacy. The paper is an assessment of a range of privacy-related decisions made by the BSA and examines the key issues to emerge from these decisions.

#### Children’s Interests

The second assessment analysed complaints lodged regarding children as viewers of, and participants in, television broadcasts. The assessment was authored by Dr Sue Jackson of Victoria University, Wellington. Dr Jackson is a Senior Lecturer in the School of Psychology and has a special research interest in issues pertaining to young people. Entitled *Children’s Interests: A Review of Broadcasting Standards Authority Child Complaints Decisions*, it raises key questions of how to best protect children in matters of broadcasting standards.

### PRACTICE NOTES

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

The two Practice Notes issued this year discuss the Controversial Issues (Balance) standard on television, and the Privacy standard.

### HIGH COURT APPEALS

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

#### High Court decisions released

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

##### Easton and Radio NZ (Decision No: 2008-029)

Appeal of decision by complainant.  
Result: Appeal dismissed.

##### Reekie and TVNZ (Decision No: 2009-026)

Appeal of decision by complainant.  
Result: Appeal dismissed.

#### Other High Court appeals

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

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

Appeal of decision by broadcaster.

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

Appeal of decision by complainant.



Christina Sophocleous, Legal Manager



# STAFF

**Dominic Sheehan BA, LLB (Hons)**  
Chief Executive

**Christina Sophocleous BSc, LLB**  
Legal Manager

**Matthew Dearing LLM**  
Legal Advisor

**Patricia Windle BA, LLB**  
Legal Advisor

**Julie Bath**  
Administration Manager

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

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

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

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# FINANCIAL STATEMENTS

## FOR THE YEAR ENDED 30 JUNE 2010

# STATEMENT OF RESPONSIBILITY

For the year ended 30 June 2010

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

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

In the opinion of the BSA, the Financial Statements and Statement of Service Performance for the year ended 30 June 2010 fairly reflect the financial position and operations of the BSA.



Peter Radich  
Chair

27 October 2010



Tapu Misa  
Member

27 October 2010

# AUDIT REPORT

AUDIT NEW ZEALAND  
Mana Arotake Aotearoa

TO THE READERS OF THE BROADCASTING STANDARDS AUTHORITY'S  
FINANCIAL STATEMENTS AND STATEMENT OF SERVICE PERFORMANCE  
for the year ended 30 June 2010

The Auditor General is the auditor of the Broadcasting Standards Authority (the Authority). The Auditor General has appointed me, Kelly Rushton, using the staff and resources of Audit New Zealand, to carry out the audit on her behalf. The audit covers the financial statements and statement of service performance included in the annual report of the Authority for the year ended 30 June 2010.

## Unqualified opinion

In our opinion:

- The financial statements of the Authority on pages 22 to 34:
  - comply with generally accepted accounting practice in New Zealand; and
  - fairly reflect:
    - the Authority's financial position as at 30 June 2010; and
    - the results of its operations and cash flows for the year ended on that date.
- The statement of service performance of the Authority on pages 18 to 21:
  - complies with generally accepted accounting practice in New Zealand; and
  - fairly reflects for each class of outputs:
    - its standards of delivery performance achieved, as compared with the forecast standards outlined in the statement of forecast service performance adopted at the start of the financial year; and
    - its actual revenue earned and output expenses incurred, as compared with the forecast revenues and output expenses outlined in the statement of forecast service performance adopted at the start of the financial year.

The audit was completed on 27 October 2010, and is the date at which our opinion is expressed.

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

## Basis of opinion

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

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

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

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

Audit procedures generally include:

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

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

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

## Responsibilities of the Board and the Auditor

The Board is responsible for preparing the financial statements and statement of service performance in accordance with generally accepted accounting practice in New Zealand. The financial statements must fairly reflect the financial position of the Authority as at 30 June 2010 and the results of its operations and cash flows for the year ended on that date. The statement of service performance must fairly reflect, for each class of outputs, the Authority's standards of delivery performance achieved and revenue earned and expenses incurred, as compared with the forecast standards, revenue and expenses adopted at the start of the financial year. The Board's responsibilities arise from the Crown Entities Act 2004 and the Broadcasting Act 1989.

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

## Independence

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

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



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

## Matters relating to the electronic presentation of the audited financial statements and statement of service performance

This audit report relates to the financial statements and statement of service performance of the Broadcasting Standards Authority or the year ended 30 June 2010 included on the Broadcasting Standards Authority's website. The Broadcasting Standards Authority's Board is responsible for the maintenance and integrity of the Broadcasting Standards Authority's website. We have not been engaged to report on the integrity of the Broadcasting Standards Authority's website. We accept no responsibility for any changes that may have occurred to the financial statements and statement of service performance since they were initially presented on the website.

The audit report refers only to the financial statements and statement of performance named above. It does not provide an opinion on any other information which may have been hyperlinked to or from the financial statements and statement of service performance. If readers of this report are concerned with the inherent risks arising from electronic data communication they should refer to the published hard copy of the audited financial statements and statement of service performance as well as the related audit report dated 27 October 2010 to confirm the information included in the audited financial statements and statement of service performance presented on this website.

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

# STATEMENT OF OBJECTIVES AND SERVICE PERFORMANCE 2009-2010

## OUTPUT CLASS 1: COMPLAINTS DETERMINATION

**Impacts:** The public has an effective and efficient complaints process. Complaints are determined in a principled and professional manner.

### Description

Decision making on formal complaints lodged under the Broadcasting Act 1989 is undertaken by the Board, with legal and administrative support provided by staff. Decisions are subject both to judicial review and appeal to the High Court.

### Cost:

	Budget*	Actual*
Total cost	929,706	823,051
% of total cost	65%	66%

\* Includes a portion of overheads

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

Outputs	Measures	Actual
Written acknowledgement of formal complaints.	100% of complaints acknowledged in 3 working days.	Achieved. 100% of complaints acknowledged in 3 working days. 2007-2008 – 100% of complaints acknowledged in 3 working days. 2008-2009 – 100% of complaints acknowledged in 3 working days.
Completed decisions issued.	95% of all complaints decisions issued within 20 working days after board meeting at which decision is made.	Achieved. 100% of all complaints decisions issued within 20 working days after board meeting at which decision is made. 2007-2008 – 100% of single-meeting complaints decisions and 92% of multi-meeting complaints decisions issued within 20 working days. 2008-2009 – 100% of complaints decisions issued within 20 working days.
Audit broadcaster publicity of the complaints process (including an audit of notices advertising the complaints process on each channel).	2009-2010 Audit completed by 31 December 2009. All broadcasters not complying with their obligations in the Act are notified and given information and/or assistance to comply where necessary.	Achieved. Audit completed by 18 December 2009. All broadcasters notified of findings on 15 June. Broadcasters were overwhelmingly in compliance with their obligations.
	2010-2012 A further audit shows improved compliance by broadcasters.	Further audit to be carried out in 2011-2012 year.
Survey stakeholders to assess satisfaction with the quality of the BSA processes and service.	2009-2010 Survey all broadcasters involved in a formal complaint referred to the BSA in the two previous years to assess satisfaction with BSA processes. Survey completed and published by 30 June 2010.	Achieved in part.  Survey completed on 17 December 2009 but not published before 30 June 2010. Survey will be published during the 2010-2011 year. Unable to report on findings because report not published.  2007-2008 – survey of all complainants involved in a formal complaint to the BSA in the 2006 calendar year completed by December 2007.
	2010-2012 Relevant recommendations from the survey are actioned and changes made to BSA processes or policies as required.	Recommendations, and possible changes, will be considered during the 2010-2011 year.

**Impact:** Complaints are determined in a principled and professional manner.

Outputs	Measures	Actual
Formal board meetings convened in order that due process for complaints determination is followed.	No fewer than 10 formal board meetings recorded by 30 June 2010.	Achieved. Ten meetings held and recorded by 30 June 2010. 2007-2008 – 10 meetings formally recorded. 2008-2009 – 10 meetings formally recorded.
Soundly reasoned decisions are issued.	In the event of an appeal, any advice or direction given by the Court is implemented into the appropriate procedures and practice notes within six months of the date of the decision.	No advice or direction given by Court in the year.
Externally assess the quality of BSA reasoning.	Commission an external review of the approach the BSA takes in applying the Children's Interest standard.	Achieved in part. Review commissioned and completed by 6 April 2010
	Review published by 30 April 2010.	Review published on 4 June 2010.
	Relevant findings are applied in the BSA's processes.	No findings applied in reporting year. Findings are of ongoing benefit and will be applied where relevant.

## OUTPUT CLASS 2: CODES OF BROADCASTING

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

### Description

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

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

### Cost:

	Budget*	Actual*
Total cost	66,553	43,756
% of total cost	5%	3%

\* Includes a portion of overheads

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

Outputs	Measures	Actual
Codes of Broadcasting Practice are promoted to the public.	2009-2010 A public survey of awareness of the Codes and the standards is undertaken to obtain baseline figures for measurement.	Achieved. Survey completed on 19 March 2010.
	2010-2012 Promotion of the Codes and standards is undertaken. A survey shows that public awareness of the Codes and the standards has increased by no less than 5% by 30 June 2012.	Promotion will be carried out in 2010-2012 years. Survey will be undertaken in 2011-2012 years.
Practice notes on aspects of code interpretation.	Two new practice notes published by 30 June 2010.	Achieved. Practice notes on the Controversial Issues standard in television and Privacy published before 30 June 2010. 2007-2008 – Two practice notes, one on liquor and one on violence, were issued by 30 April 2008. 2008-2009 – Two practice notes, one on balance in radio and one on programme classification were published by 30 June 2009.

## OUTPUT CLASS 3: RESEARCH

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

### Description

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

### Cost:

	Budget*	Actual*
Total cost	150,209	174,561
% of total cost	10%	14%

\* Includes a portion of overheads

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

Outputs	Measures	Actual
A study of 'reality' television (study was commissioned in the 2008-2009 year).	Research published by 30 June 2010.	Not achieved. Research commenced during the year but project proved more complex than first anticipated. This project will be published during the 2010-11 year.
Quantitative research on public attitudes to acceptability of swear words in broadcasting.	Results published by 30 April 2010. Relevant findings are utilised by the Authority when determining complaints.	Achieved. Report published on 28 March 2010. Findings are of ongoing benefit and will be applied where relevant.

## OUTPUT CLASS 4: INFORMATION

**Impacts:** A range of accessible information is provided. Broadcasters understand their obligations under the Broadcasting Act 1989 and their processes are assisted where necessary.

### Description

It is important for us, our stakeholders and the integrity of the standards regime, that a variety of material is available to assist the public and, when required, broadcasters.

Effective information on broadcasting standards processes and issues assists New Zealanders to understand their media environment. An informed and media-literate public is better able to control their engagement with all forms of broadcasting content.

It is in the public interest that complainants have their complaints dealt with professionally by broadcasters. Broadcast organisations that receive the majority of complaints have resources and well-developed processes in place to meet their broadcasting standards obligations. Advice on processes from the BSA is therefore rarely required. However, to ensure the robustness and consistency of the overall complaints process there is value in an ongoing dialogue with these broadcasters.

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

### Cost:

	Budget*	Actual*
Total cost	294,479	211,563
% of total cost	20%	17%

\* Includes a portion of overheads

**Impact:** A range of accessible information is provided.

Outputs	Measures	Actual
General communications to stakeholders and the public.	100% of decisions published on BSA website within 10 working days of sign-off by Chair.  Publish by 30 June 2010 no fewer than four editions of a newsletter designed to keep stakeholders informed.  Publish all newly reviewed Codes in both official languages of New Zealand – English and Te Reo Māori.  Hold two community meetings with members of groups not easily accessible.	100% of decisions given to website provider within 10 working days of sign-off by Chair. Note: There was no system for providing definitive proof of date of publishing online. 2007-2008 – 100% of decisions published on website within 10 working days of sign-off by Chair. 2008-2009 – 100% of decisions published on website within 10 working days of sign-off by Chair. Achieved. Nine editions of <i>BSA Bulletin</i> (an electronic newsletter) published during the year.  No newly reviewed Codes published during reporting period.  Achieved. Meetings held with Muslim community (7 November 2009) and with ethnic broadcasters (11 December 2009 and 27 March 2010).
Special communications projects.	BSA's website and 0800 number are upgraded by 30 June 2010 to improve accessibility and ease of use.  Hold a symposium with journalists to discuss issues relating to broadcasting standards. Symposium held by 31 December 2009.	Not achieved. Website redesigned but not launched until after 30 June 2010. 0800 number will not be upgraded until website has been launched.  Achieved. Symposium based on <i>Principles and Pragmatism</i> report held in Auckland on 15 July 2009.

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

Outputs	Measures	Actual
Meetings with the two broadcasters from which the BSA receives the most referred complaints in the preceding year (in 2008-9 this was TVNZ and Mediaworks).	Two meetings each with TVNZ and Mediaworks by 30 June 2010.	Achieved. Two meetings held each with TVNZ and Mediaworks during reporting year.
Meetings with broadcasters from which the BSA receives a significant number of referred complaints (including for the next twelve months at least, Radio NZ, The Radio Network, SKY TV and Māori TV).	At least one meeting with each of the other significant broadcasters by 30 June 2010.	Achieved. At least one meeting held with Radio NZ, The Radio Network, SKY TV and Māori TV during year.
Meetings with five additional broadcast organisations to discuss and advise on complaints process matters.	Five meetings with various broadcasters by 30 June 2010.	Achieved. Meetings held with Triangle TV, Niu FM, Vodafone, Munt FM, Telecom and Ziln.
Meet formally with broadcaster associations.	At least one meeting with each of the Television Broadcasters' Council, Radio Broadcasters Association and Regional Television Broadcasters Association by 30 June 2010.  Areas of cooperation agreed.	Achieved in part. Meetings held with the Television Broadcasters' Council, Radio Broadcasters Association.  Areas of cooperation agreed.

### Output Income and Expenditure Summary:

	SOI Income	Actual Income	SOI Expend	Actual Expend
Complaints Determination	845,680	927,939	929,706	823,051
Broadcasting Codes	54,560	49,333	66,553	43,756
Research	136,400	196,807	150,209	174,561
Information	327,360	238,525	294,479	211,563
<b>Total</b>	<b>1,364,000</b>	<b>1,412,604</b>	<b>1,440,947</b>	<b>1,252,931</b>

# STATEMENT OF COMPREHENSIVE INCOME

For the year ended 30 June 2010

	NOTES	2010 Actual \$	2010 Budget \$	2009 Actual \$
<b>REVENUE</b>				
Revenue from Crown		609,000	609,000	609,000
Broadcasting Levy		762,241	725,000	751,964
Interest Income		40,863	30,000	54,525
Other Revenue		500	-	3,313
<b>TOTAL REVENUE</b>		<b>1,412,604</b>	<b>1,364,000</b>	<b>1,418,802</b>
<b>LESS EXPENDITURE</b>				
Personnel Costs	2	676,295	792,310	716,012
Other Expenses	3	527,448	606,269	585,963
Depreciation and Amortisation	17 & 18	49,188	42,368	45,119
<b>TOTAL EXPENDITURE</b>		<b>1,252,931</b>	<b>1,440,947</b>	<b>1,347,094</b>
<b>NET SURPLUS / (DEFICIT)</b>		<b>159,673</b>	<b>(76,947)</b>	<b>71,708</b>
<b>TOTAL COMPREHENSIVE INCOME</b>		<b>159,673</b>	<b>(76,947)</b>	<b>71,708</b>

# STATEMENT OF CHANGES IN EQUITY

For the year ended 30 June 2010

	NOTES	2010 Actual \$	2010 Budget \$	2009 Actual \$
Public Equity as at 1 July		458,353	300,790	386,645
Total Comprehensive Income		159,673	(76,947)	71,708
<b>PUBLIC EQUITY AS AT 30 JUNE 2010</b>		<b>618,026</b>	<b>223,843</b>	<b>458,353</b>

The accompanying notes form part of these financial statements.

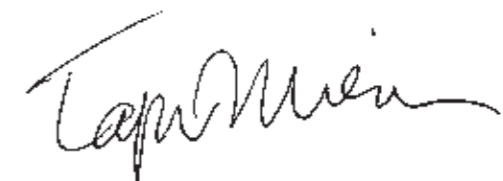
# STATEMENT OF FINANCIAL POSITION

As at 30 June 2010

	NOTES	2010 Actual \$	2010 Budget \$	2009 Actual \$
<b>CURRENT ASSETS</b>				
Cash and Cash Equivalents	4	22,273	16,964	38,842
Investments	5	610,611	370,000	500,000
Debtors and Other Receivables	6	9,771	1,800	1,814
Prepayments		16,289	3,100	11,542
Net GST		13,474	13,000	18,732
		672,418	404,864	570,930
<b>LESS CURRENT LIABILITIES</b>				
Creditors and Other Payables	7	70,721	160,000	127,762
Employee Entitlements	8	47,497	45,000	46,752
		118,218	205,000	174,514
<b>WORKING CAPITAL</b>		<b>554,200</b>	<b>199,864</b>	<b>396,416</b>
<b>NON-CURRENT ASSETS</b>				
Property, Plant and Equipment	17	59,441	21,159	57,029
Intangible Assets	18	4,385	2,820	4,908
		63,826	23,979	61,937
<b>NET ASSETS</b>		<b>618,026</b>	<b>223,843</b>	<b>458,353</b>
<b>Represented by PUBLIC EQUITY</b>		<b>618,026</b>	<b>223,843</b>	<b>458,353</b>



Peter Radich  
Chair  
Wellington  
27 October 2010



Tapu Misa  
Member  
Wellington  
27 October 2010

The accompanying notes form part of these financial statements.

# STATEMENT OF CASH FLOWS

For the year ended 30 June 2010

NOTES	2010 Actual \$	2010 Budget \$	2009 Actual \$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>Cash was provided from:</b>			
Revenue from Crown	609,000	609,000	609,000
Broadcasting Levy	761,205	725,000	751,964
Other Income	33,942	30,000	6,802
Interest Received	500	7,225	70,770
GST (Payable) / Receivable	5,257	(2,500)	(5,373)
<b>Cash was disbursed to:</b>			
Payments to Employees & Members	(675,550)	(788,310)	(713,218)
Payments to Suppliers & Other Operating Expenses	(589,236)	(594,269)	(605,369)
<b>Net Cash Flow from Operating Activities</b>	<b>145,118</b>	<b>(13,854)</b>	<b>114,576</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
<b>Cash was disbursed to:</b>			
Purchase of Property, Plant and Equipment	(47,331)	(12,000)	(8,337)
Purchase of Intangible Assets	(3,745)	30,000	-
Increase Investments	(110,611)	-	(100,000)
<b>Net Cash Flow from Investing Activities</b>	<b>(161,687)</b>	<b>18,000</b>	<b>(108,337)</b>
<b>Net (Decrease) / Increase in cash held</b>	<b>(16,569)</b>	<b>4,146</b>	<b>6,239</b>
<b>PLUS</b>			
Opening Cash brought forward	38,842	12,818	32,603
<b>BALANCE CARRIED FORWARD</b>	<b>22,273</b>	<b>16,964</b>	<b>38,842</b>

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

The accompanying notes form part of these financial statements.

# NOTES TO THE FINANCIAL STATEMENTS

For the year ended 30 June 2010

## 1 Statement of Accounting Policies

### Reporting Entity

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

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

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

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

The financial statements for the BSA are for the year ended 30 June 2010, and were approved by the Board on 27 October 2010.

### Basis of Preparation

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

### Statement of Compliance

The financial statements for the year ended 30 June 2010 are prepared in accordance with the Crown Entities Act 2004, which includes the requirement to comply with New Zealand generally accepted accounting practice ("NZ GAAP").

### Measurement Base

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

### Functional and Presentation Currency

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

### Changes in Accounting Policies

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

The BSA has adopted the following revisions to accounting standards during the financial year, which have had only a presentational or disclosure effect:

- NZ IAS 1 *Presentation of Financial Statements (Revised 2007)* replaces NZ IAS 1 *Presentation of Financial Statements (Issued 2004)*. The revised standard requires information in financial statements to be aggregated on the basis of shared characteristics and introduces a statement of comprehensive income. The statement of comprehensive income will enable readers to analyse changes in equity resulting from non-owner changes separately from transactions with owners. The BSA has decided to prepare a single statement of comprehensive income for the year ended 30 June 2010 under the revised

standard. Financial statement information for the year ended 30 June 2009 has been restated accordingly. Items of other comprehensive income presented in the Statement of Comprehensive Income were previously recognised directly in the Statement of Changes in Equity.

- Amendments to NZ IFRS 7 *Financial Instruments: Disclosures*. The amendments introduce a three-level fair value disclosure hierarchy that distinguishes fair value measurements by the significance of valuation inputs used, and requires the maturity analysis of derivative liabilities to be presented separately from non-derivative financial liability contractual maturity analysis. This new information is disclosed in note 14. The transitional provisions of the amendments do not require disclosure of comparative information in the first year of application. The BSA has elected to disclose comparative information.

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

Standards, amendments, and interpretations issued but not yet effective that have not been early adopted, and which are relevant to the BSA, are:

- NZ IAS 24 *Related Party Disclosures (Revised 2009)* replaces NZ IAS 24 *Related Party Disclosures (Issued 2004)* and is effective for reporting periods commencing on or after 1 January 2011. The revised standard:

i) Removes the previous disclosure concessions applied by the BSA for arms-length transactions between the BSA and entities controlled or significantly influenced by the Crown. The effect of the revised standard is that more information is required to be disclosed about transactions between the BSA and entities controlled or significantly influenced by the Crown.

ii) Clarifies that related party transactions include commitments with related parties.

The BSA expects it will early adopt the revised standard for the year ended 30 June 2011.

- NZ IFRS 9 *Financial Instruments* will eventually replace NZ IAS 39 *Financial Instruments: Recognition and Measurement*. NZ IAS 39 is being replaced through the following 3 main phases: Phase 1 Classification and Measurement, Phase 2 Impairment Methodology, and Phase 3 Hedge Accounting. Phase 1 on the classification and measurement of financial assets has been completed and has been published in the new financial instrument standard NZ IFRS 9. NZ IFRS 9 uses a single approach to determine whether a financial asset is measured at amortised cost or fair value, replacing the many different rules in NZ IAS 39. The approach in NZ IFRS 9 is based on how an entity manages its financial instruments (its business model) and the contractual cash flow characteristics of the financial assets. The new standard also requires a single impairment method to be used, replacing the many different impairment methods in NZ IAS 39. The new standard is required to be adopted for the year ended 30 June 2014. The BSA has not yet assessed the effect of the new standard and expects it will not be early adopted.

## Significant Accounting Policies

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

### Revenue

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

#### Revenue from the Crown

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

#### Broadcasting Levy

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

#### Interest

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

#### Other Income

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

### Leases

#### Operating Leases

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

#### Cash and Cash Equivalents

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

#### Debtors and Other Receivables

Accounts receivable are stated at their expected realisable value.

#### Investments in Bank Deposits

Investments in bank deposits are measured at fair value.

#### Property, Plant and Equipment

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

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

#### Additions

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

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

#### Disposals

Gains and losses on disposals are determined by comparing the proceeds with the carrying amount of the asset. Gains and losses on disposals are included in the Statement of Comprehensive Income. When revalued assets are sold, the amounts included in revaluation reserves in respect of those assets are transferred to general funds.

#### Subsequent Costs

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

#### Depreciation

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

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

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

Artworks are fully depreciated in the year of purchase.

### Intangible Assets

#### Software Acquisition

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

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

#### Amortisation

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

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

Computer Software	3 years	33% straight line
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### Impairment

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

#### Creditors and Other Payables

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

### Employee Entitlements

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

#### Superannuation Scheme

##### Defined contribution scheme

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

### Goods and Service Tax (GST)

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

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

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

Commitments and contingencies are disclosed exclusive of GST.

### Income Tax

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

### Budget Figures

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

### Cost Allocation

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

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

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

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

#### Use of Judgements, Estimates and Assumptions

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

### Commitments for Contracted Services

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

## 2 Personnel Costs

	2010 Actual \$	2009 Actual \$
Staff salaries and board remuneration	669,279	708,734
Employer contributions to defined contribution plans	7,016	7,278
<b>Total personnel costs</b>	<b>676,295</b>	<b>716,012</b>

One employee received severance pay totalling \$15,000 (2009: Nil)

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

## 3 Other Expenses

	2010 Actual \$	2009 Actual \$
Audit of Financial Statements	16,800	16,665
Audit fees for NZ IFRS transition	-	1,437
Complaints	60,626	61,449
Information	119,723	120,065
Research	78,400	132,729
Travel, Accommodation & Training	77,561	108,230
Rent	66,254	66,254
Office Expenses	108,084	79,134
<b>Total other expenses</b>	<b>527,448</b>	<b>585,963</b>

## 4 Cash and Cash Equivalents

	2010 Actual \$	2009 Actual \$
<b>Cash on hand:</b>		
Petty Cash	100	100
<b>Banks:</b>		
- Current Account	6,779	8,288
- On-line Saver Account	15,394	30,454
<b>Total cash and cash equivalents</b>	<b>22,273</b>	<b>38,842</b>

The carrying value of short-term deposits with maturity dates of three months or less approximates their fair value.

The BSA has a Mastercard facility with Westpac Bank of \$25,000 (2008: \$30,000).

## 5 Investments

Current investments are represented by:

	2010 Actual \$	2009 Actual \$
Term deposits	610,611	500,000
<b>Total investments</b>	<b>610,611</b>	<b>500,000</b>

There were no impairment provisions for investments.

	2010 Actual \$	2009 Actual \$
Term deposits with maturities of 4-6 months	610,611	500,000
Weighted average effective interest rate	4.90%	6.15%

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

## 6 Debtors and Other Receivables

	2010 Actual \$	2009 Actual \$
Trade receivables	1,559	523
Accrued interest	8,212	1,291
<b>Total debtors and other receivables</b>	<b>9,771</b>	<b>1,814</b>

The carrying value of debtors and other receivables approximates their fair value.

The ageing profile of receivables at year end is between 1-30 days. (2009: 1-30 days)

No provision for impairment has been calculated based on a review of specific overdue receivables. (2009: Nil)

## 7 Creditors and Other Payables

	2010 Actual \$	2009 Actual \$
Creditors	35,976	76,282
Accrued expenses	34,745	51,480
<b>Total creditors and other payables</b>	<b>70,721</b>	<b>127,762</b>

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



## 8 Employee Entitlements

	2010 Actual \$	2009 Actual \$
<b>Current employee entitlements are represented by:</b>		
Accrued salaries and wages	8,033	15,755
Annual leave	17,515	18,048
Salary 'at risk'	21,949	12,949
<b>Total employee entitlements</b>	<b>47,497</b>	<b>46,752</b>

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

	2010 Actual \$	2009 Actual \$
Reported Surplus / (Deficit) For The Year	159,673	71,708
Depreciation and Amortisation	49,188	45,119
<b>Add movements in other working capital items:</b>		
(Increase)/ Decrease in Debtors and other receivables	(7,957)	19,734
(Decrease) / Increase in Creditors and other payables	(57,041)	(9,949)
(Decrease)/ Increase in Employee Entitlements	745	2,794
Decrease / Increase in Net GST	5,257	(5,373)
(Increase) / Decrease in Prepayments	(4,747)	(9,457)
<b>Net cash flow from operating activities</b>	<b>145,118</b>	<b>114,576</b>

## 10 Commitments and Operating Leases

### Operating Lease

	2010 Actual \$	2009 Actual \$
Not later than one year	66,254	66,254
Later than one year and not later than five years	132,508	198,762
<b>Total non-cancellable operating lease</b>	<b>198,762</b>	<b>265,016</b>

The BSA has an operating lease for the rental of the premises comprising part of the second floor, 54-56 Cambridge Terrace, Wellington from 1 July 2008 until 30 June 2013. (2009: The operating lease commitment for 2009 was reported incorrectly and has now been rectified)

## 11 Contingent Assets and Liabilities

### Contingent Assets

As at 30 June 2010, the BSA has no contingent assets. (2009: Nil)

### Contingent Liabilities

As at 30 June 2010, the BSA had one High Court appeal lodged against its decisions.

The only financial liability that may arise from these appeals could be court costs incurred by BSA. (2009: Two High Court appeals were lodged against the BSA's decisions)

## 12 Key Management Personnel

	2010 Actual \$	2009 Actual \$
<b>Key management personnel compensation</b>		
Salaries and other short-term benefits	320,375	320,792
<b>Total key management personnel compensation</b>	<b>320,375</b>	<b>320,792</b>

Key management personnel includes all board members and the Chief Executive. The BSA had no related party transactions. (2009: Nil)

### Board Remuneration

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

	2010 Actual \$	2009 Actual \$
J Morris	34,668	66,422
P Radich	21,711	-
T Misa	38,265	42,046
D Musgrave	2,214	34,409
P France	22,206	44,133
M Shanahan	34,713	2,637
L Pearson	16,260	-
<b>Total board member remuneration</b>	<b>170,037</b>	<b>189,647</b>

### Employee Remuneration

	2010 Actual \$	2009 Actual \$
Total remuneration paid or payable		
120,000 - 130,000	-	1
130,000 - 140,000	1	-
<b>Total employees</b>	<b>1</b>	<b>1</b>

(2009: The Chief Executive's remuneration band was \$120,000 - \$130,000)

## 13 Events after Balance Sheet Date

There were no significant events after the balance sheet date.

## 14 Financial Instruments

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

### Loans and Receivables

	2010 Actual \$	2009 Actual \$
Cash and cash equivalents	22,273	38,842
Debtors and other receivables	9,771	1,814
Investments - term deposits greater than 3 months	610,611	500,000
<b>Total loans and receivables</b>	<b>642,655</b>	<b>540,656</b>

### Financial Liabilities at Fair Value

	2010 Actual \$	2009 Actual \$
Creditors and other payables	70,721	127,762
<b>Total financial liabilities at fair value</b>	<b>70,721</b>	<b>127,762</b>

## 15 Financial Instrument Risks

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

### Market Risk

#### Currency risk

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

#### Interest risk

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

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

#### Credit risk

Credit risk is the risk that a third party will default on its obligation to the BSA, causing the BSA to incur a loss.

In the normal course of its business, credit risk arises from debtors and deposits with banks.

#### Liquidity risk

Liquidity risk is the risk that the BSA will encounter difficulty raising liquid funds to meet commitments as they fall due.

In meeting its liquidity requirements, the BSA closely monitors its forecast cash requirements.

The BSA does not use derivative financial instruments.

## 16 Explanations of Significant Variations against Budget

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

### Statement of Comprehensive Income

#### Income

BSA has two revenue streams: revenue from the Crown which is a fixed amount received on a quarterly basis and the annual broadcasting levy return which is variable. When the budget was set broadcasters were indicating large reductions in advertising revenue, and a conservative approach was taken as to the level of expected income for the financial year. An increase in broadcasting levy returns, as well as higher than expected interest rates, increased income overall.

#### Expenditure

Reductions in expenditure were made in the areas of office expenses, outside legal advice and personnel costs.

## 17 Property, Plant and Equipment

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

	Artworks	Computer Equipment	Furniture and Fittings	Leashold Improvements	Photocopier	Office Equipment	Totals
<b>Cost or valuation</b>							
Balance at 1 July 2008	9,082	112,403	69,729	149,937	27,995	35,881	405,027
Additions	-	-	2,010	2,860	-	3,467	8,337
Disposals	-	-	-	-	-	(1,559)	(1,559)
Balance at 30 June 2009	9,082	112,403	71,739	152,797	27,995	37,789	411,805
<b>Accumulated depreciation</b>							
Balance at 1 July 2008	9,082	78,796	51,710	119,757	26,399	28,924	314,668
Depreciation expense	-	13,476	6,861	16,969	1,596	2,765	41,667
Eliminate on disposal / reclassification	-	-	-	-	-	(1,559)	(1,559)
Balance at 30 June 2009	9,082	92,272	58,571	136,726	27,995	30,130	354,776
<b>Balance at 30 June 2009</b>	<b>-</b>	<b>20,131</b>	<b>13,168</b>	<b>16,071</b>	<b>-</b>	<b>7,659</b>	<b>57,029</b>
<b>Cost or valuation</b>							
Balance at 1 July 2009	9,082	112,403	71,739	152,797	27,995	37,789	411,805
Additions	-	4,526	11,176	7,955	20,399	3,276	47,332
Disposals	-	(59,421)	(12,121)	-	(27,995)	-	(99,537)
Balance at 30 June 2010	9,082	57,508	70,794	160,752	20,399	41,065	359,600
<b>Accumulated depreciation</b>							
Balance at 1 July 2009	9,082	92,272	58,571	136,726	27,995	30,130	354,776
Depreciation expense	-	14,662	7,332	16,364	3,366	3,196	44,920
Eliminate on disposal / reclassification	-	(59,421)	(12,121)	-	(27,995)	-	(99,537)
Balance at 30 June 2010	9,082	47,513	53,782	153,090	3,366	33,326	300,159
<b>Carrying amount 30 June 2010</b>	<b>-</b>	<b>9,995</b>	<b>17,012</b>	<b>7,662</b>	<b>17,033</b>	<b>7,739</b>	<b>59,441</b>

## 18 Intangible Assets

Movements for each class of intangible asset are as follows:

	Acquired software
<b>Cost or valuation</b>	
Balance at 1 July 2008	27,826
Additions	-
Disposals	-
Balance at 30 June 2009	27,826
<b>Accumulated amortisation</b>	
Balance at 1 July 2008	19,466
Amortisation expense	3,452
Disposals	-
Balance at 30 June 2009	22,918
<b>Carrying amount at 30 June 2008</b>	<b>4,908</b>
<b>Cost or valuation</b>	
Balance at 1 July 2009	27,826
Additions	3,745
Disposals	-
Balance at 30 June 2010	31,571
<b>Accumulated amortisation</b>	
Balance at 1 July 2009	22,918
Amortisation expense	4,268
Disposals	-
Balance at 30 June 2010	27,186
<b>Carrying amount at 30 June 2010</b>	<b>4,385</b>

# APPENDIX I

## DECISION STATISTICS

## COMPLAINTS RECEIVED AND DECISIONS ISSUED

July 1990-June 2010

Year	Complaints Received	Decisions Issued	Upheld	Not Upheld	Declined to Determine	Other
July 2009 – June 2010	210	193	45	141	7	-
July 2008 – June 2009	162	151	25	124	2	-
July 2007 – June 2008	148	139	41	94	2	2
July 2006 – June 2007	131	125	27	94	3	1
July 2005 – June 2006	153	156	19	127	10	-
July 2004 – June 2005	184	214	40	166	7	1
July 2003 – June 2004	196	187	42	133	5	7
July 2002 – June 2003	169	160	26	116	8	10
July 2001 – June 2002	186	180	44	128	8	-
July 2000 – June 2001	197	189	41	135	13	-
July 1999 – June 2000	206	239	71	152	16	-
July 1998 – June 1999	204	184	33	132	9	10
July 1997 – June 1998	174	176	39	122	12	3
July 1996 – June 1997	206	199	40	147	10	2
July 1995 – June 1996	179	171	50	110	10	1
July 1994 – June 1995	162	139	48	84	4	3
July 1993 – June 1994	168	151	53	92	6	-
July 1992 – June 1993	159	144	43	97	3	1
July 1991 – June 1992	106	76	25	46	4	1
July 1990 – June 1991	52	45	19	25	-	1
July 1989 – June 1990	43	14	6	6	2	-

Note: An audit of previously reported figures was carried out this year. Any minor differences from previous tables are a result of this review.

## DECISIONS RELEASED – BY MEDIUM

Figures in brackets are from previous year.

	Television	Radio
<b>Total Decisions</b>	170 (125)	23 (26)
<b>Upheld Decisions</b>	42 (22)	3 (3)

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

	Total Decisions	TV Decisions	Radio Decisions	Upheld	Not Upheld	Declined to Determine
<b>News /Current Affairs</b>	128	126	2	28	94	6
<b>Factual Programmes</b>	15	13	2	9	6	-
<b>Talkback</b>	6	-	6	1	5	-
<b>Total</b>	<b>149</b>	<b>139</b>	<b>10</b>	<b>38</b>	<b>105</b>	<b>6</b>

## DECISIONS BY STANDARD COMPLAINED UNDER

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

	Accuracy	Good Taste and Decency	Fairness	Balance / Controversial Issues – Viewpoints	Children's Interests / Children	Privacy	Law and Order	Violence	Programme Classification / Content Classification, Warning and Filtering	Programme Information / Social Responsibility / Responsible Programming	Denigration and Discrimination	Liquor	Action Taken
<b>Upheld</b>	18 (5)	10 (3)	14 (5)	8 (3)	14 (6)	4 (2)	- (1)	1 (5)	1 (4)	3 (-)	- (-)	4 (-)	- (1)
<b>Not Upheld</b>	61 (46)	49 (43)	54 (35)	38 (32)	16 (20)	25 (14)	14 (15)	4 (6)	1 (5)	17 (7)	26 (6)	2 (1)	4 (4)
<b>Declined to</b>	4 (1)	2 (-)	- (-)	1 (-)	- (-)	2 (1)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
<b>Total</b>	<b>83 (52)</b>	<b>61 (46)</b>	<b>68 (40)</b>	<b>47 (35)</b>	<b>30 (26)</b>	<b>31 (17)</b>	<b>14 (16)</b>	<b>5 (11)</b>	<b>2 (9)</b>	<b>20 (7)</b>	<b>26 (6)</b>	<b>6 (1)</b>	<b>4 (5)</b>

## DECISIONS BY STANDARD COMPLAINED UNDER: PERCENTAGE COMPARISONS

Standard	Number of Complaints Under Standard	Upheld	Not Upheld	Declined to Determine
<b>Accuracy</b>	83	22%	73%	5%
<b>Fairness</b>	68	21%	79%	-
<b>Good Taste and Decency</b>	61	17%	80%	3%
<b>Balance/Controversial Issues</b>	47	17%	81%	2%
<b>Privacy</b>	31	13%	81%	6%
<b>Children's Interests</b>	30	47%	53%	-
<b>Discrimination and Denigration</b>	26	-	100%	-
<b>Responsible Programming</b>	20	15%	85%	-
<b>Law and Order</b>	14	-	100%	-
<b>Liquor</b>	6	67%	33%	-
<b>Violence</b>	5	20%	80%	-
<b>Programme Classification</b>	2	50%	50%	-

## DECISIONS BY BROADCASTER

Figures in brackets are from previous year.

	Decisions	Upheld	Not Upheld	Declined to Determine	Orders
Apna 990	1 (1)	- (-)	1 (1)	- (-)	- (-)
Māori TV	6 (1)	1 (1)	4 (-)	1 (-)	1 (-)
RadioWorks	9 (7)	3 (2)	6 (5)	- (-)	- (2)
Radio NZ	8 (8)	1 (1)	5 (7)	2 (-)	- (-)
Radio Tarana	1 (-)	- (-)	1 (-)	- (-)	- (-)
Radio Wanaka	1 (-)	- (-)	1 (-)	- (-)	- (-)
SKY TV	2 (6)	1 (-)	1 (6)	- (-)	- (-)
The Radio Network	2 ( 11)	- (-)	2 (11)	- (-)	- (-)
TVNZ	102 (84)	25 (18)	73 (64)	4 (2)	8 (2)
TVWorks	60 (33)	15 (3)	45 (30)	- (-)	10 (2)
UPFM	1 (-)	- (-)	1 (-)	- (-)	- (-)

## PROGRAMMES MOST COMPLAINED ABOUT

Figures in brackets are from previous year.

	Number of Complaints	Upheld	Not Upheld
One News	25 (24)	6 (2)	19 (22)
3 News	18 (13)	4 (1)	14 (12)
Close Up	16 (12)	6 (2)	10 (10)
Breakfast	13 (11)	1 (1)	12 (10)
Sunday	10 (-)	4 (-)	6 (-)
TVNZ promos	7 (5)	1 (3)	6 (2)
Nightline	6 (-)	1 (-)	5 (-)
Campbell Live	5 (3)	1 (1)	4 (2)
Sunrise	4 (1)	-(-)	4 (1)
Target	4 (3)	2 (-)	2 (3)
60 Minutes	4 (2)	1 (1)	3 (1)

# APPENDIX II

## DECISION DETAILS

## UPHELD WITH ORDER

Decision Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards Complained Under	Standards Upheld	Order
2007-012	Ministry of Health	TWorks Ltd	Let Us Spray	Documentary about effects of dioxin on the people of Paritutu	Balance, fairness, accuracy	Balance, fairness, (accuracy subsumed)	Broadcast statement
2007-013A	Ministry of Health	TWorks Ltd	3 News	Item criticised Ministry of Health referring to Let Us Spray documentary	Balance, fairness, accuracy	Accuracy, fairness, (balance subsumed)	Broadcast statement, \$2,500 costs to Crown
2007-013B	ESR	TWorks Ltd	3 News	Item criticised Ministry of Health referring to Let Us Spray documentary	Balance, fairness, accuracy	Accuracy, fairness, (balance subsumed)	Broadcast statement, \$2,500 costs to Crown, \$3000 legal costs
2007-015	ESR	TWorks Ltd	Let Us Spray	Documentary about effects of dioxin on the people of Paritutu	Balance, fairness, accuracy	Balance, fairness	Broadcast statement, \$11,250 legal costs
2009-038	Riddell	TWorks Ltd	Campbell Live	Item about Wairarapa couple who grazed cattle in river, "door-stepped" husband for interview	Balance, accuracy, fairness	Accuracy, fairness	Broadcast statement, \$1,670 legal costs
2009-056	Willcock	TVNZ	Sunday	Item on dog breeders made specific complaints about breeder	Fairness	Fairness	Broadcast statement
2009-066A	Attorney General of Samoa	TVNZ	One News	Item on guns and drugs in Samoa	Balance, accuracy, fairness, law and order	Balance, accuracy, fairness	Broadcast statement, \$5000 legal costs, \$2000 costs to Crown
2009-066B	Attorney General of Samoa	TVNZ	Tagata Pasifika	Item on guns and drugs in Samoa	Balance, accuracy, fairness, law and order	Balance, accuracy, fairness	Broadcast statement, \$2000 costs to Crown, \$5000 legal costs,
2009-069B	Lion Nathan Ltd	TVNZ	Close Up	Item on duck hunters, liquor mixed with shooting, man interacting with blow-up doll	Law and order, liquor	Liquor	Broadcast statement, \$3,500 costs to Crown, \$1,500 legal costs
2009-069C	Fish & Game NZ	TVNZ	Close Up	Item on duck hunters, liquor mixed with shooting, man interacting with blow-up doll	Good taste and decency, law and order, accuracy, children's interests, liquor	Liquor, children's interests, good taste and decency	Broadcast statement, \$3,500 costs to Crown
2009-069D	O'Neil	TVNZ	Close Up	Item on duck hunters, liquor mixed with shooting, man interacting with blow-up doll	Balance, children's interests, good taste and decency	Liquor, children's interests, good taste and decency	Broadcast statement, \$3,500 costs to Crown
2009-069E	Hadfield	TVNZ	Close Up	Item on duck hunters, liquor mixed with shooting, man interacting with blow-up doll	Good taste and decency, children's interests, liquor	Liquor, children's interests, good taste and decency	Broadcast statement, \$3,500 costs to Crown
2009-074A	ACC	TWorks Ltd	3 News	Item said ACC was "legally obliged" to inform clients about tax credit	Accuracy, balance	Accuracy	Broadcast statement
2009-074B	ACC	TWorks Ltd	Nightline	Item said ACC was "legally obliged" to inform clients about tax credit	Accuracy, balance	Accuracy	Broadcast statement
2009-088	Hastings District Council	TWorks Ltd	60 Minutes	Item on girl gangs in Hawke's Bay showed faces of 4 girls	Balance, accuracy, fairness, law and order, privacy, children's interests	Privacy, fairness	Broadcast statement, \$2,500 costs to Crown, \$3,540.12 legal costs
2009-113A	Williamson	TWorks Ltd	Target	Incorrectly alleged that food from Café Cézanne contained faecal coliforms	Accuracy, fairness	Accuracy, fairness	Broadcast statement, \$10,000 costs to Crown, \$28,068.75 legal costs
2009-113B	Williams	TWorks Ltd	Target	Incorrectly alleged that food from Café Cézanne contained faecal coliforms	Accuracy, fairness	Accuracy, fairness	Broadcast statement, \$10,000 costs to Crown, \$28,068.75 legal costs
2009-140	Newton	TVNZ	Real Crime: Interview with a Serial Killer promo	Man said he had snapped a woman's neck	Children's interests	Children's interests	\$2000 costs to Crown
2010-005	Tahere	Māori TV	Te Kaea	Report on benefits of colostrum	Controversial issues, accuracy	Controversial issues, accuracy	Broadcast statement, \$1000 costs to Crown

## UPHELD WITH NO ORDER

Decision Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards Complained Under	Standards Upheld
2007-014	Ministry of Health	TWorks Ltd	3 News	Item criticised Ministry of Health referring to Let Us Spray documentary	Balance, fairness, accuracy	Accuracy, fairness (balance subsumed)
2009-023	Lotriet	TWorks Ltd	Back of the Y	Programme contained swearing, simulated masturbation, skits involving urination and defecation	Good taste and decency	Good taste and decency
2009-054	Ministry of Social Development	TVNZ	Close Up	Item about man who had been made redundant, claimed he was not eligible for assistance	Accuracy	Accuracy
2009-058	NZ Chiropractors' Association	TVNZ	Breakfast	Interview with medical researcher about effectiveness of chiropractic treatment	Accuracy	Accuracy
2009-061	Harrison	TVNZ	Criminal Minds promo	Promo featured adult themes of prostitution and murder	Programme classification, children's interests, good taste and decency, accuracy	Programme classification, children's interests
2009-063A	Butler	TVNZ	Sunday	Item on economist's investigation into global warming	Balance, accuracy	Accuracy
2009-063B	Dunleavy	TVNZ	Sunday	Item on economist's investigation into global warming	Balance, accuracy	Accuracy
2009-063C	Prior	TVNZ	Sunday	Item on economist's investigation into global warming	Balance, accuracy	Accuracy
2009-078	Stockwell	TVNZ	A Man Apart	Movie contained graphic violence	Programme classification, children's interests, violence, good taste and decency, law and order	Children's interests, violence
2009-095	Tashkoff	TVNZ	Illegal New Zealand	Covert footage of ACT Party representative at gun show	Fairness, privacy, controversial issues	Fairness
2009-097	Bolton	RNZ	Sunday with Chris Laidlaw	Sociologist alleged that named person was an active Holocaust denier	Accuracy	Accuracy
2009-100	Thomson	TVNZ	One News	Footage of murder accused describing brutal attack	Good taste and decency	Good taste and decency
2009-108A	Quayle	TWorks Ltd	Dexter promo	Contained themes of murder and torture	Responsible programming, good taste and decency, children's interests, law and order	Responsible programming, children's interests
2009-108B	Henderson	TWorks Ltd	Dexter promo	Contained themes of murder and torture	Responsible programming, good taste and decency, children's interests, law and order	Responsible programming, children's interests
2009-116A	Coates	TVNZ	One News	Footage of murder accused describing brutal attack	Good taste and decency, children's interests, violence, fairness, discrimination/denigration, responsible programming	Children's interests, good taste and decency
2009-137	Lord	SKY	Amazon with Bruce Parry	Presenter said "fuck"	Good taste and decency, children's interests	Good taste and decency, children's interests
2009-139	Gordon	TWorks Ltd	7 Days	Comedians' jokes about child's drawing	Good taste and decency, children's interests	Good taste and decency
2009-142	Christini	RadioWorks Ltd	The Edge	Song called "Fuck You"; "f" bleeped out but word recognisable; host spelled out "f, u, c, k"	Good taste and decency, responsible programming	Good taste and decency, responsible programming
2009-144	Broughton	RadioWorks Ltd	Michael Laws talkback	Host made comments about complainant's views on smoking	Fairness, accuracy, privacy	Fairness

2009-155B	Taylor	TVNZ	Close Up	Scene from Yintner's Luck showing man putting his head under woman's dress	Good taste and decency, children's interests	Good taste and decency, children's interests
2009-162A	Nelson	TVNZ	Birdland	Live pet mice fed to weka	Children's interests, good taste and decency	Children's interests
2009-162B	Irwin	TVNZ	Birdland	Live pet mice fed to weka	Children's interests, good taste and decency	Children's interests
2009-162C	Robertson	TVNZ	Birdland	Live pet mice fed to weka	Children's interests, good taste and decency	Children's interests
2010-007A	Schaare	TVNZ	One News	Showed family of man pronounced dead by ambulance officers after drowning on public beach	Privacy	Privacy
2010-007B	Turley	TVNZ	One News	Showed family of man pronounced dead by ambulance officers after drowning on public beach	Privacy	Privacy
2010-007C	Rae	TVNZ	One News	Showed family of man pronounced dead by ambulance officers after drowning on public beach	Privacy, good taste and decency	Privacy

## NOT UPHELD

Decision Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards Complained Under
2009-036	Moore	TWWorks Ltd	3 News	Item showed pixelated face of hostage victim	Privacy, fairness
2009-039	Taylor	RNZ	Nine to Noon	Item about violence towards staff working with dementia patients	Accuracy, fairness, controversial issues
2009-041	Mitchell	Radio Wanaka	Talk	Host's comment that local resident who complained about school ball theme should be "bulleted out of town"	Fairness
2009-042	O'Neill	TWWorks Ltd	3 News	Report on bonuses paid to SOEs	Accuracy, fairness, good taste and decency
2009-044A	Liu	TVNZ	Fair Go	Item alleged that motor-home company overcharged for cancelled booking	Accuracy, fairness
2009-045	Memelink	TWWorks Ltd	Campbell Live	Showed Chinese rugby team drinking beer after game	Liquor
2009-046	Jones	TVNZ	One News at 4.30pm	Report on suicide bombing showed footage of explosion	Children's interests, violence
2009-047	Harrison	TVNZ	Scrubs promo	Promo contained sexual references in dialogue	Programme classification, children's interests, good taste and decency, accuracy
2009-048	Moshims Discount House Ltd	Apna 990	Apna Talkback	Allegations that expired food was sent as flood relief to Fiji	Accuracy, fairness, discrimination/denigration, responsible programming
2009-049	Brown	TVNZ	Breakfast	Host commented that interviewees was a "lady with a moustache"	Fairness - action taken
2009-050	Parata	TWWorks Ltd	New Zealand's Next Top Model	Fashion judge wore military medals on his lapel	Law and order
2009-052	Bell	TVNZ	Beyond the Darklands	Case study of convicted murderer William Bell	Accuracy, fairness, privacy
2009-053	Egg Producers Federation	TWWorks Ltd	Sunrise	Item about woman running sanctuary for ex-battery hens	Balance, fairness, accuracy
2009-055	Institute of Directors	TVNZ	One News	Item inaccurately said that former chairman of Bridgecorp was past president of the Institute of Directors	Accuracy, privacy, programme information
2009-057	Williams	TVNZ	One News	Item on Transmission Gully said American Army offered to build road in 1940s	Balance, fairness, accuracy

2009-059	Bragg	TVNZ	Breakfast	Host's comments about use of public toilets	Good taste and decency
2009-060	Martin	TVNZ	Breakfast	Host's derogatory comments about campervan owners	Good taste and decency, accuracy, fairness
2009-062	Nicholson	TVNZ	Breakfast	Host's comments about "virtually blind" executive producer	Good taste and decency
2009-064	McLean	RNZ	Checkpoint	Interview with person watching hostage situation gave details of police movements	Law and order
2009-067	Paranjape	TVNZ	One News	Report about MPs with business links in India showed street scenes	Good taste and decency
2009-068	Young	TWWorks Ltd	South Park	Episode satirised stereotypes of racist white police force targeting rich black men	Law and order
2009-069A	Cottilinis	TVNZ	Close Up	Item on duck hunters, liquor mixed with shooting, man interacting with blow-up doll	Balance, accuracy, fairness
2009-070	Nugent	TWWorks Ltd	60 Minutes	Item about CCTV in New Zealand	Privacy
2009-071	Green Cabs	TWWorks Ltd	Target	Hidden camera trial of taxi drivers	Balance, accuracy, fairness
2009-072	Harrison	TVNZ	The Erin Simpson Show	Song lyrics in children's show	Good taste and decency, accuracy
2009-073	Walter	TVNZ	Close Up	Item about man accused of knowingly infecting others with HIV	Privacy, fairness
2009-077	Harrap	SKY	Sex and the City	Sex scenes in programme rated 16 screened at 7.30pm on Play TV	Children's interests
2009-080	Sime	TWWorks Ltd	3 News	Item about prank at MTV awards showed man's buttocks	Good taste and decency, children's interests
2009-081	Thomas	TWWorks Ltd	Blender	Music video showing distressed child	Good taste and decency, children's interests, violence
2009-082	Easton	RNZ	Nine to Noon	Item on dowry abuse	Controversial issues, accuracy, discrimination/denigration
2009-083	QM	TVNZ	Coastwatch	Showed couple being issued with fishing infringement notices	Fairness, privacy
2009-084	Rickard	RNZ	Morning Report	Interview with proponent of citizens-initiated referendum on smacking	Good taste and decency, controversial issues, accuracy, fairness, discrimination/denigration
2009-085	Brown	TVNZ	Q+A	Host asked panellist about result of syphilis test	Good taste and decency, privacy, children's interests
2009-086	Gartick	TVNZ	Close Up	Clip from Underbelly showed balaclava-clad man shooting at people in car	Good taste and decency, children's interests, violence, fairness, programme information
2009-087	Bladen	TVNZ	Breakfast	Host read out email from complainant and criticised him	Privacy
2009-089	Singh	Radio Tarana	Zindagi Forever	Host referred to Hindu religion in discussion about Christianity	Discrimination/denigration, responsible programming
2009-090	LK	TVNZ	Real Crime: The Investigator	Analysed conviction of a man who murdered his wife, showed picture of daughters	Privacy
2009-091A	Halliwell	TVNZ	One News	Discussed evidence suppressed in David Bain trial but released by Supreme Court	Balance, fairness, accuracy
2009-091B	Halliwell	TVNZ	Sunday	Discussed evidence suppressed in David Bain trial but released by Supreme Court	Balance, fairness, accuracy
2009-092	WP	TVNZ	One News	Showed face of interpreter for murder accused	Privacy

## NOT UPHELD (Continued)

2009-093	Crawford	TVNZ	Back Benches	Mt Albert by-election special did not feature candidate from Aotearoa Legalise Cannabis party	Balance, fairness
2009-094	Denham	TWWorks	Futurama	Sexual references in animated PGR show	Good taste and decency, children's interests
2009-096	McDonald	TVNZ	One News	Item gave odds of winning Big Wednesday draw	Accuracy
2009-098A	Reid	Māori TV	Te Kaea	Item about Ngati Porou Foreshore and Seabed deed of agreement	Balance
2009-098B	Reid	Māori TV	Te Kaea	Item about Ngati Porou Foreshore and Seabed deed of agreement	Balance, accuracy
2009-099	Whitfield	Māori TV	Homai Te Pakipaki	Karaoke programme allowing audience voting	Fairness, programme information, children's interests
2009-101	Helim	TVNZ	Sunday	Examined attitudes of boy racers	Accuracy
2009-102	Roy	TVNZ	One News	Report referred to "Polish death camp", upheld by broadcaster	Action taken (accuracy)
2009-103	Hutt	TVNZ	Trinity & Susannah: The Great British Body	Showed large group of naked people with full frontal nudity	Good taste and decency
2009-104A	Rikys	TVNZ	Breakfast	Interview about choosing Māori flag to fly on Waitangi Day	Controversial issues, discrimination and denigration, accuracy, fairness, good taste and decency, law and order, responsible programming
2009-104B	Broughton	TVNZ	Breakfast	Interview about choosing Māori flag to fly on Waitangi Day	Controversial issues, discrimination and denigration, accuracy, fairness, good taste and decency, law and order, responsible programming
2009-105	Howard	TWWorks Ltd	Skins	Drama about British teens showed drinking, drug use, sexual material, coarse language and violence	Good taste and decency, children's interests, violence, law and order, responsible programming, liquor
2009-106	Oswald	TVNZ	One News	Footage of murder accused giving details of relationship with murdered girl	Good taste and decency, privacy
2009-109	Cavill	TWWorks Ltd	3 News	Item about effect of recession on adult entertainment industry, showed footage of stripper, topless woman and Boobs on Bikes parade	Good taste and decency, children's interests
2009-112	FD	TWWorks Ltd	Campbell Live	Story about man whose conviction for defrauding ACC was overturned	Balance, accuracy
2009-114	Galbraith	TVNZ	One News	Described man as "paranoid and depressive"	Privacy
2009-115	McDonald	RNZ	News	Report on whether New Zealanders would take up the titles of "sir" or "dame"	Accuracy
2009-116B	Coates	TVNZ	One News	News item showed prosecutor in murder trial using the word "fucking" three times	Action taken (good taste and decency)
2009-118	Prendergast	TVNZ	Close Up	Item discussed "war" between mayor and councillor	Accuracy, fairness
2009-119	Heppel-Pukehika	TVNZ	Illegal New Zealand	Presenter shown holding shotgun up to camera	Law and order
2009-120	Simpson	TWWorks Ltd	Home and Away	Storyline involved school children being filmed having sex	Responsible programming, good taste and decency
2009-121	McKay	TWWorks Ltd	3 News at Midday	Headline said "immigration scam" when accused had not been tried	Accuracy, balance, fairness, law and order
2009-122	Pauling	TVNZ	Island Wars promo	Contestant said "ready to kick some New Zealand arse"	Good taste and decency, children's interests

2009-123	Batchelor	TVNZ	Breakfast	Item on puppies being euthanised by Invercargill City Council	Controversial issues, accuracy, fairness
2009-124B	Stevens	TVNZ	One News promo	Report that actor was "gunned down" by police	Accuracy, fairness
2009-124C	Stevens	TVNZ	One News promo	Report that actor was "gunned down" by police	Accuracy, fairness
2009-125	Cage	TVNZ	Breakfast	Host commented on homosexual couples adopting children	Discrimination and denigration
2009-126	Molan	TVNZ	Close Up	Item on manuka honey industry	Controversial issues
2009-127	James	TWWorks Ltd	3 News	Footage of bare-breasted women in street parade	Good taste and decency, children's interests
2009-128	Sharp	TWWorks Ltd	3 News at Midday	Report on English matador	Good taste and decency
2009-130A	Howe	TWWorks Ltd	3 News	Footage of bare-breasted women in street parade	Good taste and decency
2009-130B	Torrey	TWWorks Ltd	3 News	Footage of bare-breasted women in street parade	Good taste and decency
2009-131A	NZORD	TVNZ	Q+A	Item discussed mandatory fortification of bread with folic acid	Controversial issues, accuracy, fairness, responsible programming
2009-131B	NZORD	TVNZ	Breakfast	Item discussed mandatory fortification of bread with folic acid	Controversial issues, accuracy, fairness, responsible programming
2009-131C	NZORD	TVNZ	Close Up	Item discussed mandatory fortification of bread with folic acid	Controversial issues, accuracy, fairness, responsible programming
2009-131D	NZORD	TVNZ	One News	Item discussed mandatory fortification of bread with folic acid	Controversial issues, accuracy, fairness, responsible programming
2009-133	Clancy	TWWorks Ltd	Sunrise	Interview with climate change activist	Controversial issues
2009-134	de Villiers	TVNZ	Close Up	Report on sale of horse meat for human consumption	Law and order
2009-135A	Dibble	TWWorks Ltd	60 Minutes	Showed old family photograph during story about woman abused in state care	Privacy, accuracy
2009-135B	Wardle	TWWorks Ltd	60 Minutes	Showed old family photograph during story about woman abused in state care	Privacy, accuracy
2009-135C	Dibble	TWWorks Ltd	3 News	Showed old family photograph during story about woman abused in state care	Privacy, accuracy
2009-135D	Wardle	TWWorks Ltd	3 News	Showed old family photograph during story about woman abused in state care	Privacy, accuracy
2009-136	Towl	RadioWorks Ltd	Solid Gold FM	Joke that Chris Carter was the most powerful lesbian on the planet	Discrimination/denigration, good taste and decency, accuracy, fairness
2009-138A	Carter	TWWorks Ltd	Nightline	Satirical item on Māori TV's bid for coverage of the Rugby World Cup	Controversial issues, discrimination and denigration
2009-138B	Adair	TWWorks Ltd	Nightline	Satirical item on Māori TV's bid for coverage of the Rugby World Cup	Good taste and decency, controversial issues, accuracy, fairness, discrimination and denigration, responsible programming
2009-138C	Oldfield	TWWorks Ltd	Nightline	Satirical item on Māori TV's bid for coverage of the Rugby World Cup	Good taste and decency, fairness
2009-138D	Hunt	TWWorks Ltd	Nightline	Satirical item on Māori TV's bid for coverage of the Rugby World Cup	Discrimination and denigration
2009-141	Chisholm	TVNZ	South	Anecdote about death at Dog Island lighthouse	Accuracy
2009-143	Fowles	TVNZ	Eyewitness: The Danielle Cable Story	Coarse language	Action taken (good taste and decency)



**NOT UPHELD (Continued)**

2009-145	Rainey	TVNZ	Breakfast	Host used term "schizos"	Discrimination/denigration, good taste and decency, fairness
2009-146	van Helmond	TWWorks Ltd	3 News	Door-stepped man accused of making threat against Sue Bradford	Privacy, accuracy, fairness
2009-147	Gibbs	TVNZ	Media 7	Discussion about BSA's decision on Let Us Spray documentary	Controversial issues, accuracy, law and order, fairness, discrimination/denigration
2009-148	Gunasekara	TVNZ	One News	Item on UN General Assembly meeting	Accuracy, fairness
2009-149A	Cooke	TWWorks Ltd	3 News	Presenter used words "tough" and "disconnect"	Good taste and decency, law and order, privacy
2009-149B	Cooke	TWWorks Ltd	Sports Tonight	Presenter used words "tough" and "disconnect"	Good taste and decency, law and order, privacy
2009-151	Hardie	TRN	Easy Mix news	Details about murderer having sex with dead bodies	Good taste and decency
2009-152	Phillips	RadioWorks Ltd	The Graeme Hill show	Commentary by atheist	Good taste and decency, discrimination and denigration, controversial issues
2009-153	Jordan	TWWorks Ltd	Sports Tonight	Reference to English team as "Poms"	Discrimination and denigration
2009-155A	Painter	TVNZ	Close Up	Reporter's reference to Yntner's Luck being about "drinking and rooting"	Good taste and decency, children's interests
2009-156	Tobin	Māori TV	Native Affairs	Item about ERO report on Māori immersion school	Controversial issues, accuracy, fairness
2009-157	Burnby	TVNZ	Close Up	Item on animal neglect featured woman who did not work at farm	Fairness, accuracy
2009-158	Foreman	TRN	Radio Sport	Reference to "pommy git"	Discrimination/denigration
2009-159	Sutton	TVNZ	The Take	Scene showing man and woman having sex on a chair	Good taste and decency
2009-160	Goulstone	TWWorks Ltd	Target	Hidden camera trial showed logo of wrong business	Fairness
2009-161	Girvan	TWWorks Ltd	3 News	Report on Polish refugees	Accuracy
2009-163	de Villiers	TVNZ	Sunday promo	Reference to "Jew against Arab"	Discrimination/denigration, fairness, controversial issues
2009-165	Saxe	TVNZ	Close Up	Item on woman's care at medical centre	Fairness, accuracy, privacy
2010-003	Duff	TWWorks Ltd	7 Days	Comedian's joke about punching a person with Down syndrome	Good taste and decency, discrimination/denigration
2010-004	de Villiers	RadioWorks Ltd	The Edge Morning Madhouse	Prank phone calls to Australians at 3.30am	Good taste and decency, privacy
2010-006	Nyhane	TWWorks Ltd	Nightline	Report on shooting of policeman showed street and driveway	Privacy
2010-008	Taylor	TWWorks Ltd	Campbell Live	Showed reporter riding Yike Bike with no helmet	Law and order
2010-011	Lee	UPFM	The Toast Breakfast Show	Presenter referred to "stupid Filipino operators"	Discrimination/denigration, good taste and decency
2010-012	Rupa	TVNZ	Breakfast	Mention of the anniversary of the Declaration of Independence	Controversial issues, accuracy
2010-013	Johnsson	TWWorks Ltd	3 News	Item disclosed that police officer who had been dragged under car was a transsexual	Privacy

2010-014	Healey	TVNZ	One News	Item included interviews that would be shown later on Sunday	Responsible programming
2010-016A	NZMRA Inc	TVNZ	Sunday	Item about war crime in Suralend	Accuracy, controversial issues, fairness, discrimination/denigration
2010-016B	NZMRA Inc	TVNZ	Sunday	Item about war crime in Suralend	Accuracy, controversial issues, fairness, discrimination/denigration
2010-017	Grieve	TVNZ	One News	Item on Emissions Trading scheme	Accuracy
2010-018	Cooper	TVNZ	The Mother	Film with sex scenes	Good taste and decency
2010-019	Dexter	TWWorks Ltd	Sunrise	Discussion about 19-year-old girl auctioning off her virginity	Children's interests
2010-020	Gibson	RadioWorks Ltd	The Edge Morning Madhouse	Reference to George Michael being a "homo"	discrimination/denigration
2010-021	Mazer	RadioWorks Ltd	Talkback with Michael Laws	Host promoted sterilisation of child abusers	Fairness, good taste and decency, controversial issues, accuracy, discrimination/denigration, responsible programming
2010-022	Kake	TVNZ	One Land	Re-enactment of man stepping boy's head	Law and order
2010-023	Bowie	TWWorks Ltd	3 News	Report on death of Olympic luger showed footage of fatal crash	Good taste and decency, privacy
2010-024	O'Brien	TVNZ	One News	Report on homicide involving Rotorua high school principal	Accuracy, fairness
2010-025	Milnes	TWWorks Ltd	Fast Times at Ridgmont High	Female characters simulated oral sex on carrots	Good taste and decency, children's interests, fairness
2010-026	Lees	TVNZ	Sunday	Interview with Frank Bainimarama	Accuracy, fairness
2010-027	Ward	TVNZ	Campbell Live	Item on Zon Wildlife Gardens	Accuracy, fairness
2010-028	Manahi	TVNZ	Te Karere	Report that manager of a marae had been accused of stealing \$250,000	Privacy
2010-029	Marriott	TVNZ	One News	Report on groping of David Beckham	Discrimination/denigration
2010-031	Lothead	RadioWorks Ltd	Talkback with Michael Laws	Host referred to "underclass" among Far North Māori communities	Good taste and decency, discrimination/denigration
2010-032	NZ Timber Preservation Council	TVNZ	Is Your House Killing You?	Featured Australian family who used CCA-treated timber	Controversial issues, accuracy
2010-034A	Brooking	TVNZ	One News	Item interviewed woman whose husband was killed by drunk driver	Controversial issues, accuracy
2010-034B	Brooking	TVNZ	One News	Item spoke to youths appearing on charges of drink-driving	Controversial issues, accuracy
2010-035	Brooks	TVNZ	Sunday	Item looking at disputed territory of East Jerusalem	Controversial issues, accuracy, fairness
2010-038	O'Neill	TVNZ	One News	Item on death of Georgian luger	Good taste and decency
2010-039	Radojkovich	TWWorks Ltd	Sunrise	Comments about Destiny Church	Controversial issues, fairness
2010-040	Hind	TWWorks Ltd	Nestle New Zealand's Hottest Home Baker	Presenter's use of sexual innuendo in G-rated programme	Good taste and decency, responsible programming
2010-047	Minchington	TWWorks Ltd	Bro' Town	Use of the word "bastard"	Discrimination/denigration, good taste and decency
2010-050	McMillan	RadioWorks Ltd	Devlin on Sport	Host read out list of swear words, ineffectively masked	Good taste and decency

## DECLINED TO DETERMINE

Decision Number	Complainant	Broadcaster	Programme	Nature of complaint	Standards Complained Under	Reason
2009-150	McDonald	RNZ	All Night	Host used phrase "50 times less power"	Accuracy	Complaint was vexatious and trivial
2009-164	McDonald	RNZ	News	Reference to "government superannuation"	Accuracy	Complaint was trivial
2010-002A	Cooke	TVNZ	One News	Reporter allegedly said "line of fools"	Good taste and decency, privacy	Material complained about was not in broadcasts
2010-002B	Cooke	TVNZ	One News	Reporter allegedly said "line of fools"	Good taste and decency, privacy	Material complained about was not in broadcasts
2010-009	Rupa	Māori TV	Native Affairs	Programme did not cover anniversary of Declaration of Independence	Controversial Issues	Complaint related to a matter of editorial discretion
2010-015	McDonald	TVNZ	One News	Reporter said average difference between men and women's weekly pay was 31 percent	Accuracy	Complaint was vexatious and trivial
2010-033	McDonald	TVNZ	One News	Reference to "wind chill factor"	Accuracy	Complaint was vexatious and trivial

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