

TE PŪRONGO Ā-TAU ANNUAL REPORT 2022

TE MOEMOEĀ **VISION**

Freedom in broadcasting without harm.

TE ARONGA **PURPOSE**

Our purpose is to prevent harm to New Zealanders, while fairly balancing the broadcasters' right to freedom of expression and reflecting the values of New Zealand's liberal democratic society.

KO MĀTOU OUR VALUES



Kia tū motuhake

Tū motuhake ai mātau, a rōpū, a takitahi, noho wātea ai i ngā awenga kē.

Be independent

We are impartial and free from influence, both as an organisation and as individuals within the team.



Mahi i runga i te ngākau pono

He pono, he mārama mātau, whakapono ai ki te tika me te rite o a mātou mahi.

Act with integrity

We are honest and transparent, accountable for our actions, fair and consistent.



Awahi i te rerenga kētanga

He mea nui ki a mātau te rerenga kē o te whakaputa whakaaro, ā, ka whakanuia ngā tirohanga me ngā wheako rerekē.

Embrace diversity

We value creativity, diversity and freedom of expression, and respect different perspectives and experiences.



Ka Mahi tahi

Mahitahi ai mātau me te hunga whai pānga, ā, piri pono ana ki te wariu o te mahitahi. Noho tuwhera ai mātau, māmā ki te torotoro atu, mōhio ki te whakatau me te whakarongo.

Work collaboratively

We work in partnership with our stakeholders and value the power of teamwork. We are open, accessible, respectful and we listen.



Kia whakanuia

Pupuri ai mātau ki ngā pae rewa o a mātau mahi me o mātau mātāpono. Mā te tika o te mahi, ka riro ake te whakapono me te aro tūturu.

Earn respect

We hold ourselves to high standards both in our work and ethically. We earn trust and credibility through principled action.



Kia tū kaha

He pakari, he kakama mātau i mua i te aroaro o tēnei ao hurihuri. He pūkenga, he kaikaha mātau i roto i a mātau mahi.

Be dynamic

We are resilient and proactive in the face of a changing environment. We are versatile and progressive in our work.

NGĀ IHIRANGI

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NGĀ MEMA O TE POARI MEMBERS



Susie Staley, MNZM – Chair

Susie Staley is a partner at Staley Cardoza Lawyers in Dunedin and is an experienced director across a broad range of entities. She is currently the Chair of Save the Children NZ, retirement village operator Chatsford Management Ltd and Police Health Plan Ltd. Susie has previously been the Chair of Maritime New Zealand and ID Dunedin Fashion Inc and has been a board member of PGG Wrightson, Tower Ltd and Dunedin International Airport.

She was appointed as a Member of the New Zealand Order of Merit in December 2014 for services to governance and business.

Susie joined the BSA in October 2018.



Tupe Solomon-Tanoa'i

Tupe Solomon-Tanoa'i is Chief Philanthropic Officer of the Michael and Suzanne Borrin Foundation and a board member of Philanthropy New Zealand. She is a trustee of the Asia New Zealand Foundation and a member of the Trade for All Ministerial Advisory Group. In addition to her professional and governance roles, the Samoan/Fijian Kiwi is the co-founder of Poporazzi Productions – which tells Pacific stories through video content and music.

Tupe was recognised in 2020 as one of the University of Auckland's 40 under 40 and was the winner of the diversity category in the New Zealand Women of Influence Awards. In 2021, she was named as one of New Zealand's most Influential Lawyers by *NZ Lawyer* in the category of Human Rights, Advocacy and Criminal Justice.

Tupe joined the BSA in December 2021.



John Gillespie

John is an Auckland based self-employed communications professional. He is the former Head of News and Current Affairs at Television New Zealand. During a long and successful tenure at the state broadcaster he produced a number of award-winning news and current affairs shows. After graduating with a communications degree in Australia he began his career back home in New Zealand as a journalist in regional television.

John joined the BSA in December 2021.



Aroha Beck

Aroha Beck is a Wairarapa-based lawyer and consultant, specialising in public law and regulatory systems. Her career has included senior legal roles at the Ministry for Primary Industries, Department of Internal Affairs, the Real Estate Authority, the Environmental Protection Authority, and Te Ohu Kaimoana. She is also a past member of the New Zealand Press Council (now known as the New Zealand Media Council).

He uri ia no Tapuika.

Aroha joined the BSA in May 2022.

Paula Rose and Leigh Pearson left the BSA Board as of 30 November 2021. Former Chair Judge Bill Hastings left the Board in August 2021.

TE PŪRONGO O TE TIAMANA CHAIR'S REPORT

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

Some honesty

Our complaint levels have remained high compared to recent years and many have involved a kind of vehemence not seen before.

In dealing with 185 complaints and issuing 173 decisions, the pandemic and coverage of it has continued to generate increasingly passionate responses. In the overwhelming majority of cases, the Authority has found broadcasters have correctly and accurately covered the vicissitudes of the crisis.

Some of our complainants think otherwise and have mis-used information to support their opinions. The Authority has taken a very consistent line on this, rejecting such misrepresentations through rigorous research while trying to understand the factors behind such complaints.

There is a difference between the right to share opinions and being accurate with facts. As Emeritus Professor John Burrows has written in his review of five of our decisions (four of which were COVID-related):

“Overall, the freedom to express opinions, and the richness of debate it can engender, is an important ingredient of a democratic society. It must be preserved. Even more important, though, is the freedom to supply and receive information. To be good citizens, it is essential that we know what is going on around us. Without the media, it has been said, we would live in an invisible environment. But there is a crucial qualifier. The only useful information is accurate information. False facts are not only not useful, they can be harmful; in some contexts they can be extremely damaging.

“We currently live in a fragile world where that is the case. Seldom in living memory have we been confronted with events where falsity of information can cause such harm. Pre-eminent among those events is the COVID-19 pandemic.”



Some of our complainants have mis-used information to support their opinions. The Authority has taken a very consistent line on this, rejecting such misrepresentations through rigorous research while trying to understand the factors behind such complaints.

The Authority couldn't agree more. The co-regulatory environment in which the BSA works plays a key role in ensuring people receive accurate information from broadcasters that they can trust and use.

Our broader role

Given the above, we have had a determined focus on how we interact with broadcasters, stakeholders and complainants. We have worked hard to communicate important decisions and our research, engage more through training sessions and by making material available to audiences and broadcasters in different languages.

Our strategic approach continues to evolve, with qualitative as opposed to quantitative outcomes increasingly important.

For the first time, in 2023 broadcasters and audiences will have one, simplified code to use for pay TV, free-to-air TV and radio. This is a major change, and we thank all those who contributed to the final product. It's an important step as the review of the content regulatory sector continues and gathers pace.

The BSA is an advocate for change that reflects how audiences consume content. The regulatory system has not kept pace with audiences, resulting in fragmentation, gaps and overlaps. This will further erode people's trust in information if the burgeoning issues are not addressed. It means we will continue to play an active role in shaping a more flexible system.

Operations and our people

While the workload remains high it has been a productive year. Our backlog and timeframes for issuing decisions have been reduced to their best levels in many years. I am grateful for the efforts of our small team and my fellow members for helping make this happen.

One of our greatest challenges, and one currently shared by many employers, is the retention of staff. To aid this, we provide a flexible, supportive workplace where everyone has a voice and is rewarded for good work.

However, we do face financial headwinds. This year we will post a deficit. It is slightly higher than forecast, but declining levy revenue and the increasingly competitive market for skills is creating pressures. We have healthy reserves, which will be used in the coming years to maintain our services to meet high demand.

Again, thank you to all members of the team who have contributed so much to the year's work. To broadcasters and their audiences, we thank you too for the crucial role you play in making the co-regulatory system work so well.



Susie Staley, MNZM
Chair

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Ō MĀTOU MAHI HIRAHIRA OUR HIGHLIGHTS

COMPLAINTS RECEIVED¹

185

DECISIONS ISSUED

173

decisions responding to 185 complaints

UPHELD DECISIONS

7

decisions identifying breaches of standards by broadcasters

ENQUIRIES ADDRESSED

849

ORDERS

7

orders made in relation to 3 decisions

ENGAGEMENT

164

meetings, seminars and workshops with broadcasters and stakeholders engaging on standards and sector issues

COMPLAINANT SATISFACTION

84%

of complainants were satisfied with their interactions with the BSA

BROADCASTER SATISFACTION

85%

of Broadcasters surveyed rated BSA's processes and working relationships as Good or Very Good

BSA DECISIONS

83%

of litmus testing participants agreed with BSA decisions on average

BSA PĀNUI

13

editions of the BSA Pānui were issued providing details of BSA decisions, research and news

MEDIA RELEASES

13

media releases about decisions, insights and research commissioned by the BSA

WEBSITE

46,000

users visited the BSA website for information on complaints, standards, decisions, news, research and reports

1. 'Complaints received' is the number of complaints referred to the BSA within the year (185). Although this figure is equal to the number of complaints responded to in decisions, these figures are not referring to the same complaints. The timeframes under the Broadcasting Act, and the time the BSA takes to make a determination and issue a decision, inevitably mean there is a delay between receiving a complaint and issuing a decision.

TŌ MĀTOU HOROPAKI RAUTAKI OUR STRATEGIC CONTEXT

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The BSA is an independent Crown entity and quasi-judicial tribunal established by the Broadcasting Act 1989. We provide the public with a free and independent complaints service about whether broadcast content has breached standards.

We are governed by a four-person board, which is supported and advised by our nine staff.

The organisation is committed to reflecting the role Te Tiriti o Waitangi plays in shaping Aotearoa New Zealand. In the past year, we have continued to seek cultural advice to help inform decisions and provide staff with the opportunity to learn more about te ao Māori. In addition, we have, with feedback from the board, staff, and advice from Te Arawhiti, built a long-term plan to increase our knowledge and skills.

Our vision remains freedom of expression without harm. As per our strategic framework in **Figure 1**, we have three main areas of focus to help achieve this: complaints determination, oversight and development of the standards, and engagement and education.

The BSA is independent but operates in a co-regulatory environment, working with broadcasters to ensure the standards are clear and understood.

Our legislation is 33 years old. It is designed for a different environment than the one we experience today. Audience habits, and the platforms audiences use, have changed significantly. Broadcasters have adapted to these changes, but the legislative settings are yet to catch up. Given the reform process under way, this may finally happen within the next two to three years.

The BSA, while helping to push and provide advice with regard to this process, has continued to adapt to fulfil its mandate and to reflect New Zealand's diverse broadcasting sector and society.

This is a constant process and involves regular benchmarking and research, the review of our standards (as per the new Code) and consideration of how we engage with others.

As audience habits continue to evolve, linear listener and viewership is declining, posing greater threats to the existing model's ability to help ensure free speech without harm. As a result, the way we communicate about what we do and about important decisions has been a focus.

COVID-19-related issues have continued to dominate our complaints, and at times complainants have expressed a level of vehemence beyond what we have previously encountered.

The Authority's work in issuing reasonable, robust and well-researched responses to the misinformation presented is a sign of how well our system works.

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TE ANGA RAUTAKI STRATEGIC FRAMEWORK

Figure 1

	Sector vision	Promoting a confident and connected culture	
↑	BSA vision & purpose	<p>Our vision is freedom in broadcasting without harm</p> <p>Our purpose is to prevent harm to New Zealanders, while fairly balancing the broadcasters' right to freedom of expression and reflecting the values of New Zealand's liberal democratic society</p>	
↑	Overarching outcome/goal	<p>What we intend to achieve:</p> <p>New Zealanders can confidently engage with broadcast content that does not cause harm</p>	
↑	Impacts over time	<p>How we contribute and influence:</p> <ul style="list-style-type: none"> • Providing an efficient complaints service which is accessible, agile and modern • Making decisions about complaints that are fair, clear, robust and timely • Ensuring they reflect the culture, attitudes and values of our diverse communities • The standards and decisions are fit for purpose in a changing media environment 	<ul style="list-style-type: none"> • Engaging with and educating broadcasters so that they understand and meet their standards obligations • Engaging with and educating the public so they make informed decisions and safely manage broadcast content in their homes • Work collaboratively on regulatory sector reform which reduces the risk of harm, protects free speech and makes sense to audiences
↑	Measuring our impact	<p>How we measure our influence:</p> <ul style="list-style-type: none"> • The public are aware of the broadcasting standards system • Broadcasters and the public understand the standards • Broadcasters and the public have a high level of trust and confidence in the system • The public are aware of and use the tools available to safely manage broadcast content • Broadcaster conduct, practices, policies and/or procedures are improved following the issue of a decision • Our decisions reflect the attitudes and values of our diverse liberal democratic society 	
↑	Activities & services	<p>How we deliver:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Oversight and development of the broadcasting standards system</p> <p>We oversee the broadcasting standards regime, work with broadcasters and others to set clear broadcasting standards, keep codes under review to reflect the contemporary environment, issue guidance, and undertake research which is relevant to the broadcasting standards regime.</p> </div> <div style="width: 45%;"> <p>Complaints determination</p> <p>We make determinations on breaches of the Codes of Broadcasting Practice and aim to offer an efficient service and issue robust, soundly reasoned, timely decisions that reflect the boundaries between freedom of expression and harm.</p> </div> </div> <div style="display: flex; justify-content: center; margin: 10px 0;"> ▶ ▼ ▶ </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Engagement and education</p> <p>We engage with, and educate, the public and broadcasters so that they understand and can use the protections and guidance provided through the broadcasting standards system.</p> </div> </div>	

TŌ MĀTOU PŪRĀKAU WHATAATURANGA OUR PERFORMANCE STORY

TŌ MĀTOU PŪRĀKAU WHATAATURANGA OUR PERFORMANCE STORY

In this section we set out our achievements against the objectives in our strategic framework (Figure 1) and demonstrate how we have delivered against the impacts we are seeking to achieve through our three core activities: complaints determination, oversight and development of the broadcasting standards system, and engagement and education.

The next section reports on the measures we have set and how we know we are succeeding. The final section sets out our achievements against the performance measures and budget set out in our Statement of Performance Expectations for the period ended 30 June 2022.



Online Broadcasting Standards training session with Radio Samoa and Tongan partners

TE WHAKATAUNGA O NGĀ KŌAMUAMU COMPLAINTS DETERMINATION

Impacts

- 

An efficient, accessible, fair, agile and modern complaints service
- 

Fair, clear, robust and timely decisions on complaints, that reflect the changing media environment, and culture, attitudes and values of our diverse communities
- 

Broadcasters understand and meet their standards obligations
- 

Public make informed decisions and safely manage broadcast content at home and can access the complaints system

Dealing with complaints that broadcasters have breached the Codes of Broadcasting Practice is at the heart of our work. Most complaints go to the broadcaster first, and may be referred to the Authority if the complainant is not satisfied with the broadcaster’s decision.

We have impact through ensuring our decisions are of a high quality, and are fair, clear, robust, soundly reasoned and timely, as summarised in our strategic framework (Figure 1). Decisions must reflect appropriate boundaries between freedom of expression and harm, in the context of a changing media environment. They serve as a source of guidance to broadcasters and the public about how the standards apply and should reflect the attitudes and values of our diverse liberal democratic society.

Through our decisions we aim to maintain a high level of trust and confidence in the broadcasting standards system so New Zealanders can willingly and safely engage with content.

Overview

Work volumes have remained high by historical standards. We received 849 enquiries from the public or broadcasters and 185 formal complaints. While this represents some easing compared with last year’s near-record numbers, this year’s 173 decisions issued was up 8% on the year before. However, the percentage of decisions upheld this year fell to 4% from 9.4%.

While the workload remains heavy, a sustained effort has seen us reduce the backlog and timeframes for issuing decisions to their best levels in many years.

Complaint themes

Coverage of the pandemic, in particular, continues to generate passionate responses. In this context, it is not surprising that news and current affairs was by far the most complained-about programme genre, with 126 complaints, more than five times the number for second-place radio/talkback. While this is down slightly on last year’s 133, it has edged up slightly as a percentage (72%) of all complaints.

Complaints about talkback, factual and fictional programmes (25, 8 and 3 respectively) were all down on last year. Those involving other programmes such as sport, comedy and reality TV more than doubled to 23 but, as with last year, accounted for just one upheld decision.

Accuracy, balance, good taste and decency, fairness, and discrimination and denigration were again the most-cited standards, reflecting audiences’ focus on reliable and trustworthy content. Law and order complaints leapt from eight to 21, driven in part by coverage of high-profile COVID protests. Just one of these was upheld.

A detailed breakdown is provided in appendices 1 and 2 and the infographics on pages 14–18.

TIROHANGA WHĀNUI KI NGĀ AMUAMU COMPLAINTS OVERVIEW

WE DETERMINED

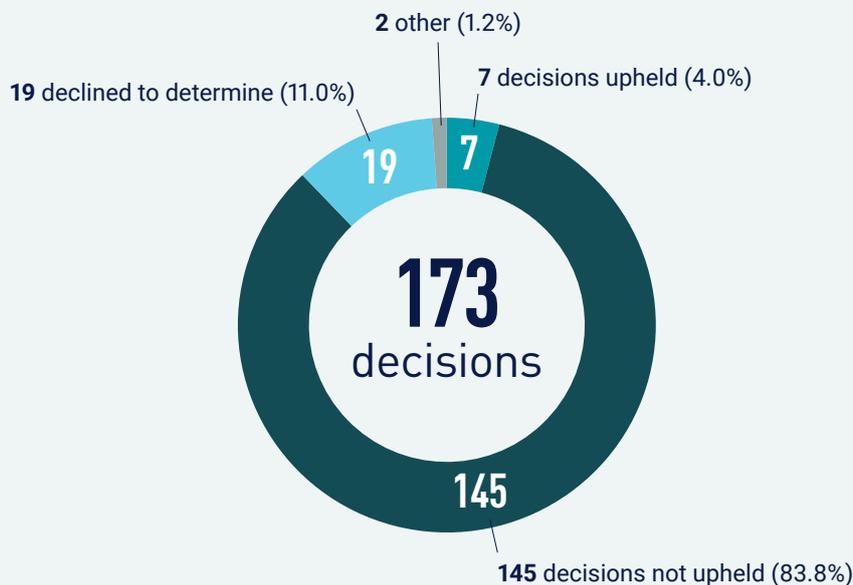
185 complaints

AND ISSUED

173 decisions

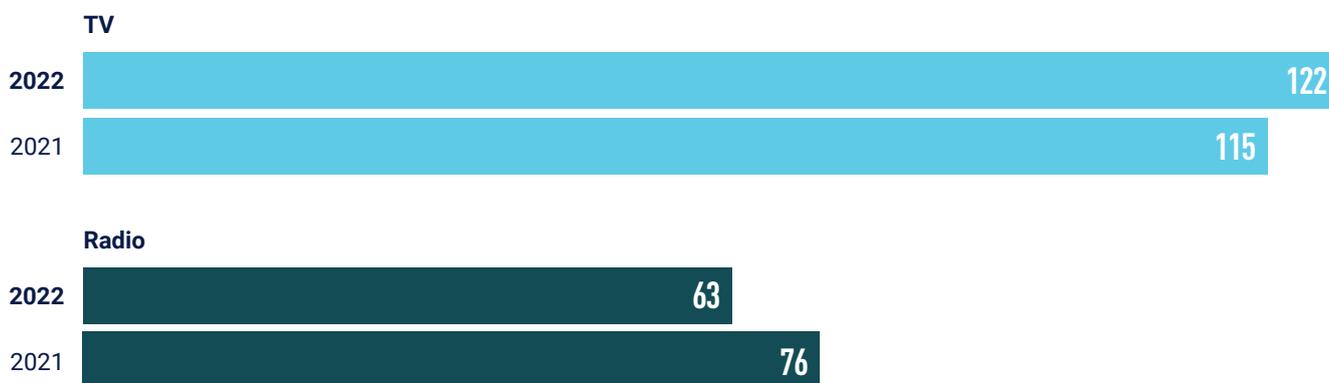
		2022	2021
TOTAL ENQUIRIES	↓ 15%	849	995
FORMAL COMPLAINTS RECEIVED ²	↓ 10%	185	206
DECISIONS ISSUED	↑ 8%	173	160
COMPLAINTS DETERMINED	↓ 2%	185	191

OVERALL DECISION OUTCOMES



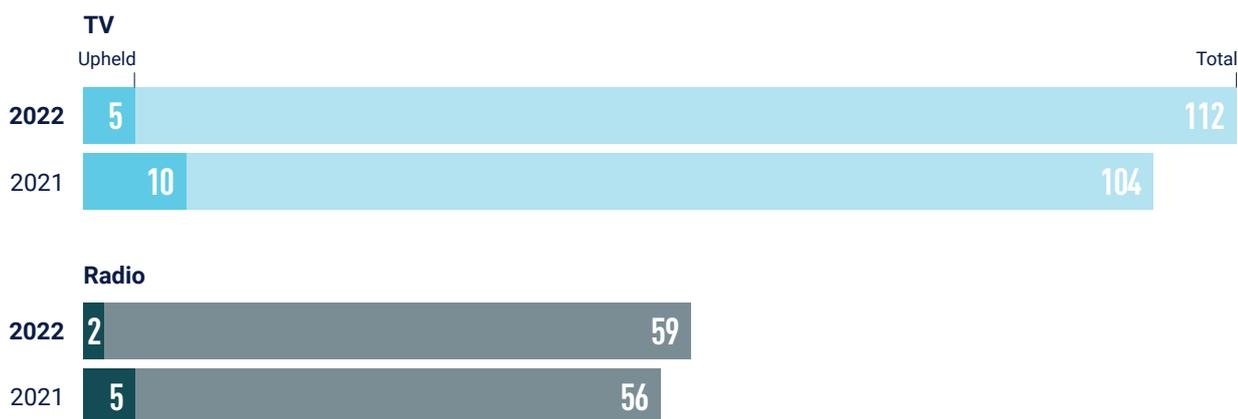
MOST COMPLAINED ABOUT BROADCASTER TYPE

By number of complaints determined in 2021/22



COMPLAINT OUTCOME BY BROADCASTER TYPE

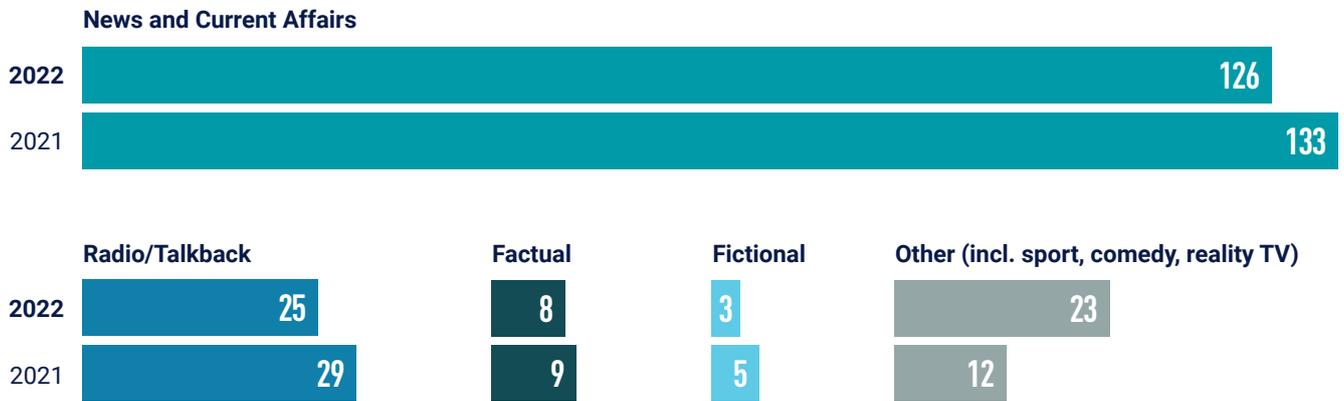
By number of decisions finding a breach of standards in 2021/22



2. 'Complaints received' is the number of complaints referred to the BSA within the year (185). Although this figure is equal to the number of complaints responded to in decisions, these figures are not referring to the same complaints. The timeframes under the Broadcasting Act, and the time the BSA takes to make a determination and issue a decision, inevitably mean there is a delay between receiving a complaint and issuing a decision.

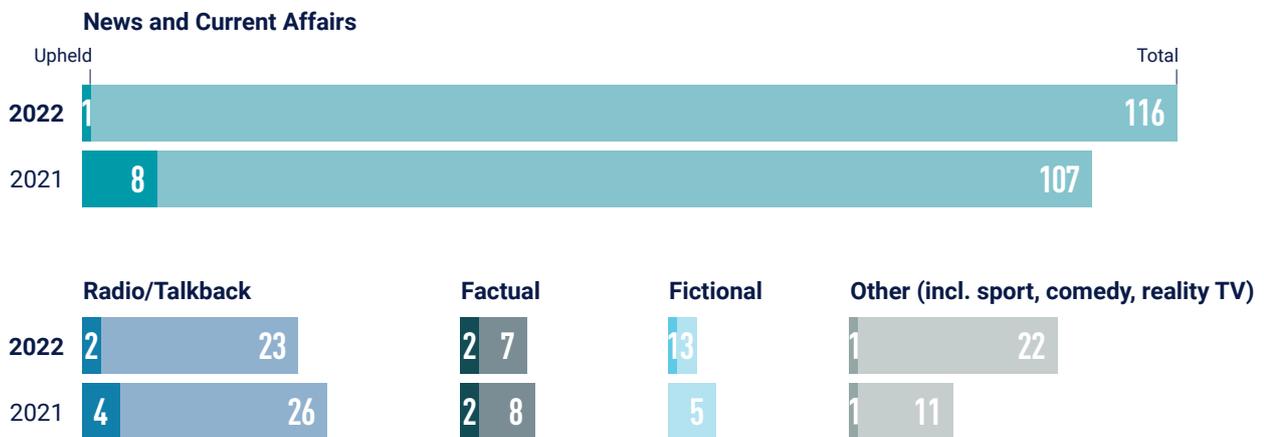
MOST COMPLAINED ABOUT PROGRAMME GENRE

By number of complaints determined in 2021/22



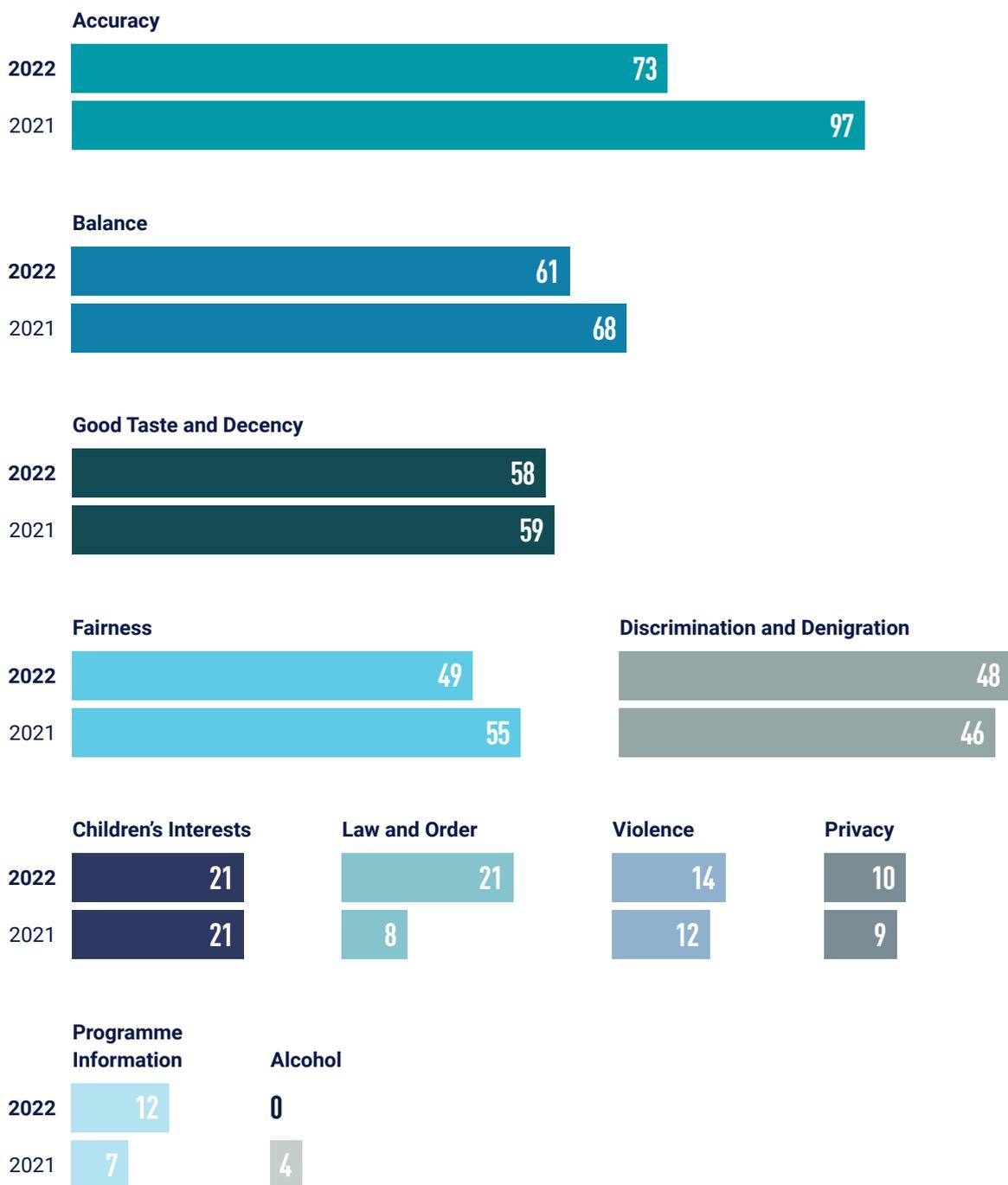
COMPLAINT OUTCOME BY PROGRAMME GENRE

By number of decisions finding a breach of standards in 2021/22



MOST COMPLAINED ABOUT STANDARD³

By number of complaints determined in 2021/22

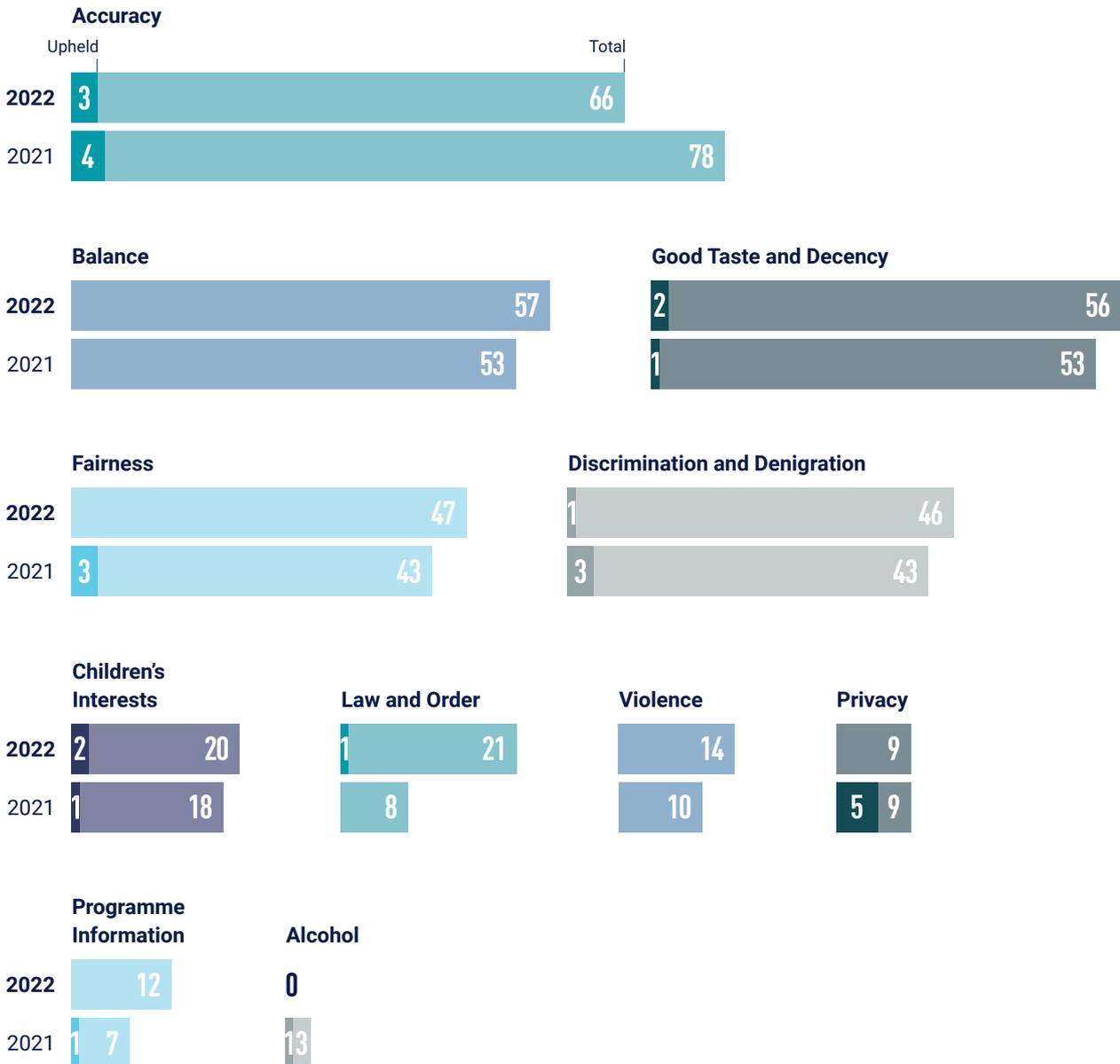


Tō Mātou Pūrākau Whataaturanga

3. Not including election code standards raised: Election Programmes Subject to Other Standards (Accuracy) (1); Election Programme Advocacy - Distinguishing Factual Information from Opinion or Advocacy (2); Election Programmes Subject to Other Codes (Law and Order, Good Taste and Decency, Accuracy) (1)

COMPLAINT OUTCOME BY STANDARD⁴

Number of decisions finding a breach of the standard in 2021/22



4. Not including election code standards raised: Election Programmes Subject to Other Standards (Accuracy) (1); Election Programme Advocacy - Distinguishing Factual Information from Opinion or Advocacy (2); Election Programmes Subject to Other Codes (Law and Order, Good Taste and Decency, Accuracy) (1)

Decisions reflecting our changing media environment and culture, values and attitudes of diverse communities

In this section we review the complexity of some of the major issues and themes the BSA has tackled this year.

COVID-19 complaints – Strong opinions a sign of the times

The pandemic has, understandably, evoked strong responses, contributing to the increasing polarisation of society. In this environment, audiences found much to complain about. Over a quarter of complaints determined this year were related to COVID. These spanned a wide variety of issues and multiple broadcasting standards. We saw:

- numerous accuracy complaints (eg *Westbrook and Television New Zealand Ltd* (2021-126), *Love and Discovery NZ Ltd* (2021-157), *Miliša and NZME Radio Ltd* (2022-014), *Anderson and Discovery NZ Ltd* (2021-122), *Gilchrist and Discovery NZ Ltd* (2021-130)), including many challenging statements on vaccine safety (*NZDSOS Inc and Television New Zealand Ltd* (2022-005), *Brevoort, Pridham & Stone and Television New Zealand Ltd* (2021-154), *Bright and Discovery NZ Ltd* (2021-152), *Marshall and Television New Zealand Ltd* (2021-138))
- good taste and decency and children's interests standard complaints (eg regarding images of needles and vaccinations being performed – *Maysmor and Discovery NZ Ltd* (2021-048))
- privacy complaints (eg about hidden camera footage of a doctor accused of inappropriately issuing medical certificates for vaccine exemptions – *Winyard & Goodwin and Discovery NZ Ltd* (2021-155) and about the disclosure of someone's vaccination status (*Nightingale and NZME Radio Ltd* (2021-129))
- fairness complaints (eg that reporting regarding a celebrity's use of ivermectin was unfair (*Brennan and Discovery NZ Ltd* (2022-020))
- discrimination complaints (eg surrounding comments made about the unvaccinated – *Donald and Television New Zealand Ltd* (2021-033), and about New Zealanders stuck in India due to COVID-19 travel restrictions – *Thwaites and Radio New Zealand Limited* (2021-078))

- law and order complaints (eg over the depiction of content which might breach COVID-19 restrictions – *McDonald and Discovery NZ Ltd* (2021-119)).

Many alleged that comments broadcast about those who chose not to be vaccinated were unfair or offensive. These included comments suggesting such individuals: should 'jump on a ferry and go to the Auckland Islands for a few years' (*Donald and Television New Zealand Ltd* (2021-033)); could be set up in a 'pup tent out the back' at dinner parties (*Laroche & Breed and Television New Zealand Ltd* (2021-132)); were 'idiots' (*Oluwole and NZME Radio Ltd* (2021-146)), or 'covidiot's' (*Walls and Radio New Zealand Ltd* (2022-025)) and comments to the effect that anti-mandate gridlock protestors would get a 'tyre iron through' their car windows (*Curran and NZME Radio Ltd* (2021-165)).

Some complaints challenged the Authority (the 'tyre iron' complaint, while not upheld, led to a split decision with the minority finding any value in the broadcast was outweighed by its potential harm). Generally, however, such complaints did not reach thresholds justifying regulatory intervention and restriction of the right to freedom of expression. The importance of freedom of expression, especially during times of social turbulence, is such that at times the exercise of it will cause offence to be taken, or harm to be felt, by some.

Ultimately, the Authority's job in determining complaints is to balance the value of freedom of expression against any potential harm. In the current environment, where opinions can be seen as dividing groups and as attacks on people and values, this may require acceptance that broadcasting will not always reflect individuals' personal perspectives, no matter how strongly felt.

Ensuring accuracy in a polarised society

While freedom of expression is the bedrock of what we do, it is not an unlimited right. Decisions on some COVID-related complaints have involved dealing with misinformation and disinformation on significant public health issues – situations where the harm generated exceeds any public interest.

Misinformation is widespread and, as the Classification Office | Te Mana Whakaatu has found, most New Zealanders think misinformation is influencing

‘There is no audience to which it is appropriate to target inaccurate, misleading or unbalanced news, current affairs or factual information – particularly in relation to critical matters of public health.’

(Decision 2021-103)

people’s views about politics, public health, and environmental issues.⁵ The prevalent use of online news sources contributes to the problem. However, New Zealanders continue to have confidence in the accuracy of traditional news reporting. The Classification Office considered this confidence is due, at least partly, to the regulation of broadcasting and obligation to abide by industry standards, specifically the requirement for accuracy. Broadcasters and the BSA accordingly play a vital role in the provision of accurate public health and safety information during the pandemic.

Two BSA decisions illustrate the harm in misinformation. In *Naughton and Mainland Television & Daystar Television* (2021-103), the programme *Marcus and Joni* included interviews with Drs Judy Mikovits and Lawrence Palevsky to discuss the pandemic. Comments made in the broadcast suggested: COVID-19 vaccines were unsafe and the cause of illnesses; COVID-19 is part of a conspiracy or hidden agenda by elite/leaders; and sunshine, vitamins and alternative medicines are effective treatments/preventatives for COVID-19. While it will often be reasonable for broadcasters to rely on experts appearing on a programme (see, eg *NZDSOS Inc and Television New Zealand Ltd* (2022-005)) both of these doctors were known for spreading vaccine misinformation. Dr Mikovits appeared in the COVID-19 conspiracy documentary *Plandemic*, and Dr Palevsky is a ‘leading proponent of the discredited conspiracy theory that vaccines are related to autism’. In light of widely accessible resources identified in the decision, the broadcasters could have reasonably known the doctors’ statements were inaccurate and could not be relied upon.

The Authority upheld the complaint regarding each inaccuracy and ordered each broadcaster to pay \$500 to the Crown, with Daystar Television also being required to broadcast a correction statement. In its decision, the BSA

also emphasised that the target audience’s background, understanding or perspective cannot justify the broadcast of misinformation.

Clark & Sallee and APNA Television Ltd (2021-081) concerned an episode of *Talanoa Sa’o* on APNA Television targeting a Pasifika audience. A panel discussion between the hosts and guest Damien de Ment included comments suggesting that social housing would only be provided to COVID-19 vaccinated residents, hydroxychloroquine was an effective COVID-19 treatment and the Government deliberately prevented its access; and a baby was born after an attempted abortion and left to die. In upholding the accuracy complaint, the Authority acknowledged the important and influential roles broadcasters and presenters have in our society and that: ‘This carries a level of responsibility with it, especially with regard to issues like COVID-19 when there are considerable impacts on the public when standards are not observed.’

The Authority ordered APNA to pay \$500 costs to the Crown and broadcast a correction statement.

In *Marshall and Television New Zealand Ltd* (2021-138), the Authority addressed misinformation from another perspective – examining the evidence relied on by a complainant to challenge a broadcast’s assertion that the vaccine was safe for pregnant people.

In dismissing the complaint, the Authority emphasised the importance of care in drawing conclusions from data: ‘We consider the data relied upon by the complainant does not support the safety concerns identified. This situation demonstrates the dangers of drawing conclusions from specific extracts of information or raw data without careful review or an understanding of the relevant context. We caution against such behaviour which runs the very real risk of contributing to misinformation on a significant issue of public safety.’

5. *The Edge of the Infodemic: Challenging Misinformation in Aotearoa, 2021*

Ongoing concerns with discrimination

Discrimination and denigration continues to be a subject of public concern, with a high number of complaints under this standard during the reporting period. This is reflective of the BSA's 2021 litmus testing survey, which suggested discrimination was increasingly troubling New Zealanders, particularly younger people. It is also consistent with our *Language that may offend in broadcasting 2022* research, which found decreasing tolerance for racial and cultural insults.

'Discrimination' under the standard is defined as encouraging the different treatment of the members of a particular section of the community to their detriment, and 'denigration' as devaluing the reputation of a section of the community. The standard applies only to recognised 'sections of the community', on account of sex, sexual orientation, race, age, disability, occupational status or as a consequence of legitimate expression of religion, culture or political belief. The BSA is bound by the Broadcasting Act 1989 in deciding what constitutes a protected section of society under this standard, and may only assess complaints that relate to those groups.

A significant discrimination complaint was *McAulay and MediaWorks Radio Ltd* (2021-015). This concerned the endorsement, by *Magic Morning* guest host John Banks, of comments from a caller including that Māori were 'genetically predisposed to crime, alcohol and underperformance educationally', and were a 'stone age' people. This provoked considerable community backlash. MediaWorks upheld the complaint in the first instance, however, the complainant referred it to the BSA on the basis the action taken by MediaWorks was insufficient.

The BSA agreed. In upholding the complaint, it noted: 'The breach in this case was not a simple slip-up where MediaWorks personnel failed to identify and respond to an isolated discriminatory comment before it could be broadcast. The way the talkback topic was framed by Mr Banks as part of his introduction created an environment in which such discriminatory comments were foreseeable and practically inevitable.'

The Authority emphasised that the public platform enjoyed by broadcasters puts them in a unique position to influence public views, effectively 'normalising' certain behaviours and potentially causing significant harm to Māori. The broadcaster was ordered to pay \$3,000 costs to the Crown and issue a broadcast statement.

The importance of freedom of expression means that, usually, a high level of condemnation, often with an element of malice, will be necessary to find a breach of the discrimination and denigration standard. *McAulay* was the only complaint upheld under this standard in 2021/22. This is not to say that other complainants were not right to find segments offensive or discriminatory, but the

comments complained about generally did not reach the threshold of harm to justify restricting the broadcaster's freedom of expression.

Complaints about race-based discrimination that did not reach this threshold included *Cant and Television New Zealand Ltd* (2021-030) which considered the use of the word 'gypsy' by an interviewee to describe his state of homelessness; and *Oluwole and NZME Radio Ltd* (2021-023) which addressed a caller's suggestion the entire African continent was a place of 'poverty' and 'sheer nothingness'. The Authority acknowledged the complainants' concerns in both cases. However, in light of the context, it did not uphold them. In particular, it observed the comments were made by interviewees rather than the hosts, there was no malice by the interviewees, and the hosts did not endorse the comments.

The BSA also received multiple complaints relating to discrimination against other sections of society, including people with disabilities in *Mosen and Radio New Zealand Ltd* (2021-044), and the elderly in *Olsen and Discovery NZ Ltd* (2021-055). In *Mosen*, the Authority considered the use of the word 'blind' as a descriptor of being unaware of something. It found that while its use in this manner might be considered offensive, it did not contain the level of malice or aggression required for uphold. In *Olsen*, the complaint related to the treatment of an elderly interviewee in a *New Zealand Today* episode. The BSA found the comments about the interviewee were based on his individual actions, rather than his status as 'elderly', and the standard is not intended to prevent genuine comment, legitimate humour or satire.

With rising concern about discrimination and denigration, there have also been numerous complaints alleging discrimination against individuals, or groups, who the BSA found were not 'sections of society' protected under the discrimination and denigration standard. These groups included the unvaccinated (*Donald and Television New Zealand Ltd* (2021-033)); international students (*Soh and NZME Radio Ltd* (2021-075) and *Abdul-Rahman and Radio New Zealand Ltd* (2022-026)); immigrants (*Kane and Television New Zealand Ltd* (2021-031)); individuals and organisations (*Matekohi & Rolleston and Māori Television Service* (2021-069)); cyclists (*Cycling Action Network and NZME Radio Ltd* (2021-092)); and the Australian cricket team (*Wilson and Sky Network Television Ltd* (2022-007)).

With increased awareness and concern over discriminatory words and statements, complaints about matters that do not meet the relevant harm threshold, or about groups not covered by the standard, are to be expected. The BSA's decisions (and website guidance) are designed to help the public understand how standards apply. Regardless, the Authority expects and welcomes the growing numbers of discrimination and denigration complaints, as it cannot act with respect to a broadcast unless there is a complaint.

New Zealanders making the effort to express their views through the complaints system help the Authority to ensure broadcasters are responsive to evolving societal concerns, and that harms to protected sections of society are addressed.

Complainants' satisfaction survey

A key measure of our success is the provision of a high-quality complaints service. We survey complainants to help us understand their experience and seek continuous improvement based on their feedback.

Our 2021/22 survey of complainants identified that:

87%

were satisfied with BSA's staff professionalism

86%

were satisfied with BSA's telephone contact

81%

were satisfied with BSA's written correspondence

Based on survey feedback, we have reinforced our focus on areas such as resolving complaints in good time while keeping complainants updated, and making sure our complaints service is accessible to diverse communities.

Litmus testing – accuracy

We conduct litmus testing research to help ensure our decisions are robust and well understood.

This year's survey looked at accuracy, a standard at the heart of maintaining trust in broadcast media as a reliable information source amid rising concerns over misinformation. This is consistently the most complained-about standard, accounting for some 40% of all complaints we received this year. Our survey explored public views towards accuracy in broadcasting, and how well these are reflected in BSA decisions.

Four of the decisions we tested related to the accuracy of material involving COVID-19 and vaccines, the largest subject area of complaints this year. The fifth related to a broadcast including inaccurate maps of Israeli and

Palestinian territory. An average of 83% of those surveyed agreed with the five decisions.

The research found New Zealanders are worried a shift to online platforms is fuelling the spread of misinformation and making it harder to identify the truth. This comes as social media overtakes free-to-air TV as the country's most consumed media, according to this year's survey.

Other insights include that:

- The source of information is a key influence on perceptions of accuracy, with greater trust in media that check their sources than social platforms such as Facebook, Instagram and TikTok.
- Access to multiple sources is seen as key when seeking accuracy, with many reluctant to accept something as fact without checking more than one source.

- An evolution to more ‘opinion-based reporting’ and storytelling is causing some confusion. Some see this as prioritising audience engagement over presenting accurate information.
- There is some tolerance for factual inaccuracy in certain contexts, eg reporting breaking news, but an expectation this would be cleared up in later broadcasts.

Survey responses reflect an appreciation of the challenge to be met in balancing freedom of expression and the public interest against potential harm, and a broad consensus around how we determine what is accurate broadcasting. We will use the findings to inform future decisions.

External review of decisions – accuracy

Given the prevalence of accuracy complaints, this year’s external review also focused on this standard. To assess how soundly the Authority is applying the accuracy standard we invited media law expert Emeritus Professor John Burrows to independently review five BSA decisions. His findings complemented the public views on accuracy explored in the litmus testing research outlined above.

Overall, Prof Burrows found the reviewed decisions were ‘sound and realistic’ and that the BSA was doing a ‘difficult

job well’. He considered the style of decision writing was generally appropriate for a diverse audience.

Prof Burrows stressed the need, when dealing with issues of high public importance ‘in times of unrest and dissension’, for rigorously researched and reasoned decisions which convincingly answer the parties’ arguments. He considered this was being done well.

He emphasised the value of citing previous cases in decisions, ensuring consistency and saving time. The Authority was encouraged to compile a manual or index of readily accessible ‘leading decisions’, an initiative we have put into action.

Prof Burrows also noted the value of returning to the issue of freedom of expression at the end of a decision to show how it influenced the final determination. He observed that appropriate statements about freedom of expression can also help inform readers about the limitations on free speech.

We will take the review feedback into account in future decisions.

To see the specific deliverables and targets relevant to this activity, refer to ‘Output: Complaints Determination’ on page 41.

To Mātou Pūrākau Whataaturanga



NZ School of Radio students try their hand at some BSA complaint scenarios

TE WHAKAHAERE ME TE WHANAKETANGA O TE PŪNAHA WHANONGA PĀPĀHO OVERSIGHT AND DEVELOPMENT OF THE BROADCASTING STANDARDS SYSTEM

Impacts



Broadcasting standards which are fit for purpose in a changing media environment



Broadcasters understand and meet their standards obligations



Public make informed decisions and safely manage broadcast content at home and can access the complaints system

We oversee the standards regime, work with broadcasters and others to set clear broadcasting standards and review codes so they reflect the modern media and audience environment.

We undertake research and, where appropriate, provide resources to support broadcasters to understand their obligations. We work co-operatively and openly with other regulators and provide advice to policy officials on reform issues.

Our research enables us to understand the changing attitudes and expectations of our diverse community, so these can be reflected in our decisions and the standards. Maintaining public awareness of the BSA, the standards and complaints system is critical.

Making our codes accessible and understandable for the public and broadcasters is key to our ongoing impact, and in the past year we have finalised a review. It will bring a major change for 2023 – a single code for pay TV, free-to-air TV and radio.

The process, which started in early 2021, involved a detailed survey of broadcaster and stakeholder views, commissioning external legal expertise to compare our system with others, a probe of recent legislative changes, conducting a review of recent decisions, discussions with broadcasters and other stakeholders, and public consultation. The new code is available in seven languages and is about a third of the length of the previous incarnation.

It is an excellent achievement with the broader review of the regulatory sector gathering pace. We have long advocated for such a process, and have committed a lot of effort in the past year to helping it move along (see case study on page 25).

We will continue to provide our expertise to help fashion a more modern and adaptable system. In the meantime, we are constantly communicating with similar bodies, broadcasters, officials and audiences to ensure knowledge is shared to improve the existing framework.

In the past year, we also issued new guidance around complaints which are unlikely to succeed. This simple advice was welcomed by broadcasters and we often use it to help inform complainants.

Finally, we addressed two High Court appeals. While by year's end we were still awaiting the result of one, the first was dismissed but the complaint referred back to the Authority after new evidence was produced. The Court's decision emphasised this was a result of the broadcaster not presenting the appropriate information when the Authority asked for it.

Case study: Playing an active part in the regulatory reform process

One of our goals is to be an agent for change in relation to the regulatory sector review. We believe this is best achieved through working collaboratively with others.

We have been an active participant in sessions organised by the Department of Internal Affairs (DIA) and Ministry for Culture and Heritage (MCH). We also proactively provided briefings about our role, along with advice, and ensured we were able to talk regularly with those leading the process.

This has included close to 40 discussions about the review with officials from the above entities and the Department of Prime Minister and Cabinet, stakeholders and broadcasters. As part of this, we organised monthly catch ups with DIA's project lead and MCH's media

policy manager. Officials talk to our Board regularly and we have provided a wide range of introductions to different stakeholders.

A perfect example of our working to bring people together is a session hosted by InternetNZ on the review, which we suggested, helped organise and took part in. This included a range of organisations and people with an interest in this area. Moreover, we have played an important role in helping officials understand how the sector may feel about potential change, shared some of our research with them and talked to broadcasters about the review's ongoing progress.

We believe the BSA's 33 years of expertise in this space means it is well placed to help shape the future.

Tō Mātou Pūrākau Whataaturanga

Broadcaster satisfaction survey

An effective co-regulatory framework calls for professional and constructive relationships with broadcasters. In meeting our responsibility to determine complaints referred to us, while also supporting broadcasters to meet their obligations, we endeavour to strike an appropriate balance. Our broadcaster satisfaction survey helps us understand how broadcasters find our processes, services and working relationships.

In this year's survey, ratings of all aspects of interactions with the BSA remained positive and were generally higher than in the previous year.

Our 2021/22 survey of broadcasters found that:



Based on feedback, we will focus on continuing to include more te reo Māori on our website, meeting ongoing broadcaster training needs and inviting input on future research topics.

6. See page 28 of the 2022 Broadcaster Satisfaction Survey available at www.bsa.govt.nz
 7. See page 8 of the 2022 Broadcaster Satisfaction Survey available at www.bsa.govt.nz
 8. See page 19 of the 2022 Broadcaster Satisfaction Survey available at www.bsa.govt.nz

Case study: Complaints unlikely to be upheld

With complaints levels soaring during the pandemic, broadcaster complaints teams have been under pressure. The BSA was asked to produce a resource, to which broadcasters could direct complainants, outlining common types of complaints that are not typically upheld. In response, the Authority published the 'Complaints that are unlikely to succeed' guide, which was published on our website (in English, te reo Māori and several other languages). This was created by examining previous categories of complaints the Authority did not uphold or declined to determine. The guide includes a brief discussion of each, along with links to previous decisions (spanning the period from 2012 through to the 2021/22 financial year) to show the Authority's determinations of these matters.

It focusses on complaints concerning:

- the inclusion of te reo Māori in broadcasts
- low-level language
- blasphemy
- balance (over time)

- personal preference
- fairness applied to politicians/public figures
- content not appropriate for children being aired after 8.30pm.

One key area was complaints about the use of te reo Māori in broadcasts. Broadcasters and the Authority continue to receive complaints and feedback regarding this. However, the Authority has found that use of te reo Māori, an official language, in broadcasts does not raise any issues of broadcasting standards and it will decline to determine such complaints.

The guide gives clear responses for broadcasters to several types of complaints, making them easier and more efficient to resolve. It also provides guidance to complainants who are considering making a complaint that is unlikely to succeed. Broadcasters have referenced this guidance when dismissing complaints in these categories, such as *Joubert-Buys and Discovery NZ Ltd (2021-156)*. The Authority also refers people seeking guidance about the complaints procedure to this resource, when it is relevant to their issue.

Survey on language that may offend

The BSA this year published new findings from research it carries out from time to time to track evolving public attitudes towards language that may offend on TV and radio.

This helps us understand which expressions are considered most offensive and how the broadcasting context influences acceptability levels. We and broadcasters use this information to help ensure programmes and BSA decisions reflect current community attitudes. The previous survey was in 2018.

Participants were questioned on their attitudes towards 31 terms spanning swear words, racial and gender-based terms and blasphemy (including some te reo Māori and Samoan terms).

The survey found that:

- Audiences have a shrinking tolerance for racial and cultural insults. These dominated the top seven most unacceptable terms across all broadcasting contexts.

- Attitudes towards blasphemy and terms using the F-word are softening.
- Pacific peoples are generally least accepting of offensive language. Racial and gender-based terms are the least acceptable to Māori.
- Younger people are generally more accepting of offensive language than those aged 55-plus. However, they have less tolerance for terms relating to gender or sexual orientation.
- Offensive language is seen as least acceptable in more fact-based broadcasting settings with a host/presenter, in sports commentary, talkback radio, reality TV shows and programmes before 8.30pm.
- Its use by stand-up comedians after 8.30pm, in music and/or rap videos on TV or songs on the radio is seen as more acceptable.

These insights on shifting community attitudes will help inform future BSA decisions involving language that may offend. Refer to the 'Output: Oversight and Development' section on page 43 to see the specific deliverables and targets relevant to this activity.

Case study: Application of the balance standard – vaccine safety

During 2021 and 2022 the Authority received numerous complaints about broadcasts which suggested the COVID-19 vaccine was ‘safe’. Complainants argued that the balance standard required broadcasters to present alternative perspectives regarding the vaccine’s safety. The Authority’s first determination of how the balance standard applies to the issue of vaccine safety was *Donald and Television New Zealand Ltd (2021-033)*.

This case addressed comments made on *Seven Sharp*, including: ‘[Vaccinologist Helen Petousis-Harris] is very confident that the vaccine is both safe and effective and that we all should have it.’ The complainant considered the comments ‘show unacceptable and unsatisfactory [imbalance] on...an important topic’ and ‘The way she suggested that the safety of this vaccination is almost without question [never] gave a fair opportunity to opponents’.

For the balance standard to apply, a controversial issue of public importance must have been discussed. This is the first hurdle complaints under this standard must clear in order to be considered further. An issue

of public importance is something that would have a significant potential impact on or concern members of the New Zealand public. A controversial issue will be one which is topical and creates conflicting opinion or ongoing public debate. In its decision, the Authority found that the safety of the COVID-19 Pfizer vaccine had been established by medical safety and health science authorities both in New Zealand and around the world. On this basis, while some people may hold different views, the issue of vaccine safety was not controversial and the balance standard did not apply.

Broadcasters can use precedent-setting decisions such as *Donald* to succinctly and efficiently deal with complaints that repeatedly raise the same or similar issues. Broadcasters making decisions on similar complaints throughout 2021 and 2022 were able to use the reasoning in this case. The Authority saw this in action in the broadcasters’ decisions in connection with complaints such as *Laroche & Breed and Television New Zealand Ltd (2021-132)* and *Marshall and Television New Zealand Ltd (2021-138)*.

Tō Mātou Pūrākau Whataaturanga



Case study: Application of discrimination and denigration standard – COVID-19 vaccination status

During 2021 and 2022, the numerous COVID-related complaints also included allegations of discrimination against people with anti-vaccine or anti-mandate beliefs.

For the discrimination and denigration standard to apply, the broadcast must concern a 'recognised section of the community'. The standard prohibits discrimination against sections of the community on the basis of sex, sexual orientation, race, age, disability, occupational status or as a consequence of legitimate expression of religion, culture or political belief.

Building on a previous decision regarding the standard's application to those who oppose vaccines generally (*Gray, Scott, Vickers and Vink and Mediaworks TV Ltd* (2019-020)), the Authority found the standard does not apply to those who specifically oppose COVID-19 vaccines, as this group is not a 'recognised section of the community' (*Donald and Television New Zealand Ltd* (2021-033)).

A similar finding was subsequently made regarding 'the unvaccinated' in the context of vaccine mandates introduced by the New Zealand Government (*Boyce and Radio New Zealand Ltd* (2021-143)). After the publication of these decisions, the Authority did not uphold or declined to determine multiple complaints made about discrimination towards those with anti-vaccine views, such as *Laroche & Breed and Television New Zealand Ltd* (2021-132) and *Morgan and NZME Radio Ltd* (2021-131).

The Authority's clear reasoning published in decisions on how broadcasting standards apply to complaints about vaccination and related issues allowed broadcasters to provide consistent and succinct responses to this type of complaint. Having clear precedents for programming regarding COVID-19 issues has been key throughout the pandemic, as the freedom of expression for broadcasters to impart public health information and discuss other pandemic issues has been an important way to combat misinformation and disinformation.



NGĀ MAHI PĀHEKOHEKO EDUCATION AND ENGAGEMENT

Impacts



Broadcasters understand and meet their standards obligations



Public make informed decisions and safely manage broadcast content at home and can access the complaints system

By engaging with and educating broadcasters and the public on the standards and how they apply we help to ensure the broadcasting standards system is effective for all New Zealanders.

We seek to raise awareness of the Authority, standards and the complaints system through activities using multiple channels, including our website, *BSA Pānui*, social media, media releases, research, seminars, our partners and public consultation processes.

Our aim is that people from different cultures and backgrounds can access the broadcasting standards system and benefit from our vision of free speech without harm.

We are focused on reaching a broader range of New Zealanders, while acknowledging this is challenging given diverse and changing audience habits and our small scale. To this end, we have this year stepped up our efforts to make our services accessible to diverse communities through greater engagement and by making more of our resources available in other languages.

Highlights in the past year include:

- Embedding our refreshed strategy for how we use a range of platforms to communicate.
- Focusing communication on important BSA guidance on subjects such as COVID-19 coverage, misinformation and complaints unlikely to succeed.
- Conducting public consultation leading to a new broadcasting Codebook.
- Sharing and explaining key research, such as our litmus testing and survey on language that may offend, with broadcasters and audiences.
- Adding a range of new and updated resources in te reo Māori.
- Simplifying language across our website and adding multilingual translations of several key resources.
- A campaign to raise awareness of tools parents/ caregivers can use to prevent children straying into inappropriate viewing while at home during COVID-19 lockdowns.
- 13 editions of our *BSA Pānui* and 13 media releases.
- 164 meetings, workshops and seminars with broadcasters, broadcasting students, stakeholders, officials, community groups and others providing information, insights and guidance on the standards system.
- Continuing to interact with broadcasters, other regulators and government officials over the review of media content regulation.

Refer to the 'Output: Education and Engagement' section on page 45 to see the specific deliverables and targets relevant to this activity.

Case study: Communication of standards guidance

One of our measures of success is that we effectively communicate information that provides guidance on the application of standards. We aim to achieve this by reaching a range of stakeholders, broadcasters and audience groups via targeted communications channels.

This year we communicated the results of our latest research on language that may offend in broadcasting (see page 26). This provides a snapshot of current community attitudes which broadcasters can use to ensure programmes meet the evolving expectations of New Zealand audiences. It also highlights the value of tools such as audience advisories and timebands, which audiences can use to make informed viewing and listening choices.

We made use of all the BSA's major channels to communicate the survey results, including a media release issued to diverse media in seven languages, media interviews and a national opinion piece from our Chief Executive, a Pānui to stakeholders, an email to all broadcasters and social media posts. All communications provided a link enabling people to see the full survey report on our website.

As a result, the report generated wide discussion and coverage in media including in a number of national broadcast, online and print outlets, Māori, Pasifika, regional and student media and high-profile blogsites. It was rated the most useful BSA research in this year's broadcaster satisfaction survey. Some 55% of participating broadcasters said they had read the report, with more than half of these rating it as 'very valuable'.



TE TĀTARI I TŌ TĀTAU WHAI KIKO

MEASURING OUR IMPACT

To assess our impact over time we have identified six measures. These give an indication of how effectively and efficiently the broadcasting system is working, and whether we are achieving our aim of preventing harm while fairly balancing broadcasters' right to freedom of expression and reflecting the values of New Zealand's liberal democratic society.

Impact 1:

The public are aware of the broadcasting standards system

- The large volume of complaints received this year (185) and enquiries (849) gives a positive indication of public awareness of the broadcasting standards system.
- We issued 13 media releases and 13 Pānui newsletters promoting awareness of the standards system and access to it.
- Some 46,000 users visited the BSA website for information on complaints, standards, decisions, news, research and reports – a similar volume to last year, when user numbers leapt 20% from the year before.
- Litmus testing with 580 New Zealanders exploring attitudes to BSA decisions on accuracy in broadcasting revealed broad awareness of the BSA and the standards system.

Impact 2:

Broadcasters and the public understand the standards

- The number of complaints received fell to 185, from 206 the previous year. While this number remains relatively high compared with earlier years, the number of complaints upheld fell to seven, compared with 16 and 15 in 2020 and 2021. This gives a positive indication that broadcasters are maintaining standards in their content.
- We promoted our new guidance on complaints unlikely to succeed to broadcasters and the public. This seeks to improve understanding of how we apply standards

so broadcasters can better meet their obligations and fewer unjustified complaints arise. Complaints under the balance standard, flagged as one category that is seldom upheld, fell by more than 10% this year.

- Litmus testing research exploring public views towards BSA decisions on accuracy found on average 83% agree with the outcomes of five decisions tested, rating them as very good, good, or acceptable. This is a positive indicator that the decisions provide effective guidance to support broadcaster and community understanding of how the standards apply.
- We have provided multiple interactive sessions with broadcasters, broadcasting training providers and other interested groups to raise awareness of the standards.

Impact 3:

Broadcasters and the public have a high level of trust and confidence in the standards system

- One appeal, filed in 2021, was dismissed in part with some specific issues referred back to the Authority in light of new evidence (resulting in an amended decision). Another appeal, filed during the financial year was ongoing at the end of the reporting period.
- An independent review of accuracy decisions found them 'sound and realistic'. The reviewer saw the style of decision writing as generally appropriate for a diverse audience. He considered the BSA was doing well in meeting the need for rigorously researched and reasoned decisions that convincingly answer the parties' arguments. The Authority has put into action a suggestion to compile a file of readily accessible 'leading decisions'.
- Both complainants and broadcasters rate their interactions with the BSA highly. Some 81% of broadcasters rate their working relationship with the BSA positively, with 89% of those who had a complaint determined in the past year rating the process very good or good. Complainants' satisfaction averages over 84% across written correspondence, phone contact and staff professionalism.
- The positive litmus testing results referred to above also reflect public confidence in the BSA's decision-making.

Impact 4:

The public are aware of and use the tools available to safely manage broadcast content

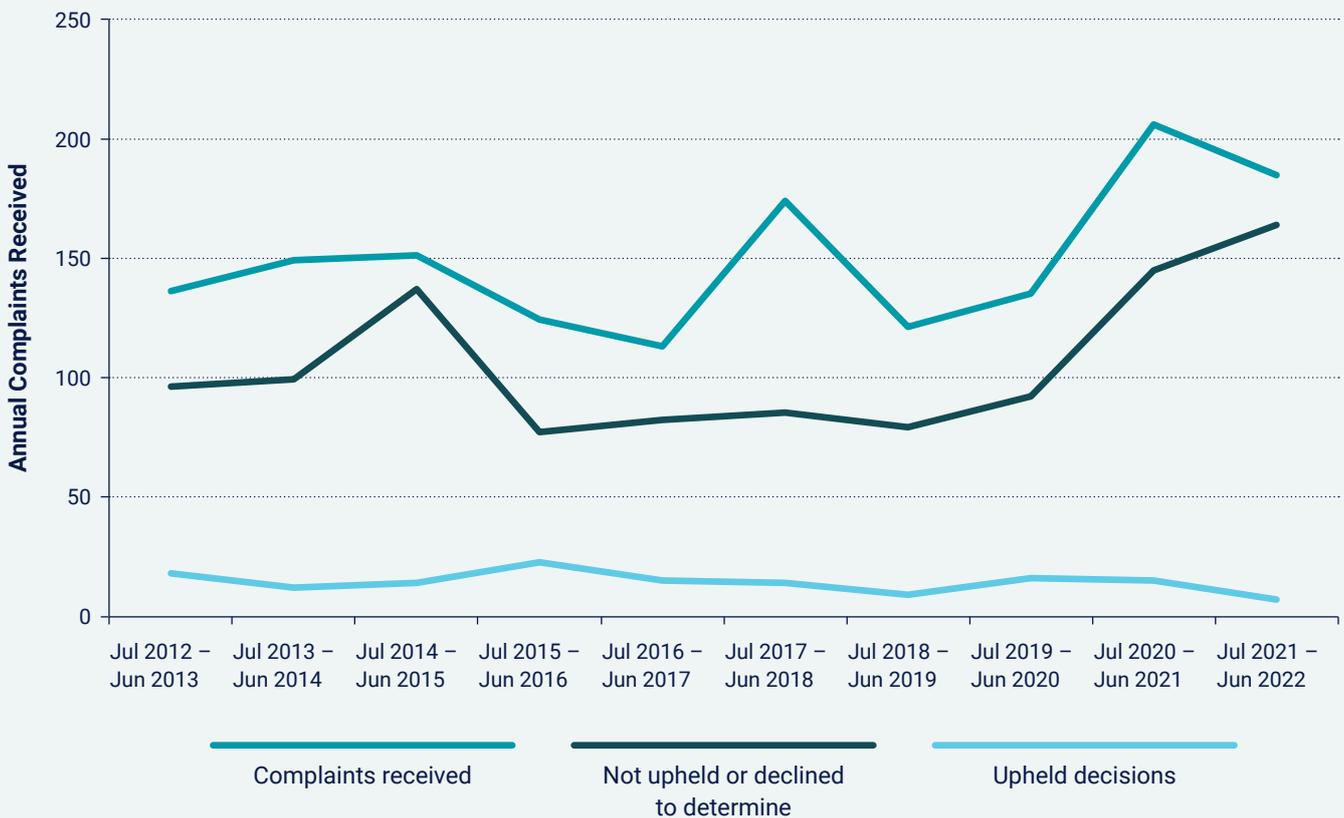
- Our litmus testing survey this year showed that 29% of New Zealanders currently use available tools to manage TV viewing.
- This level remains similar to last year, despite free-to-air TV being overtaken this year by social media and other online video as the most-consumed media. Those saying they had watched free-to-air TV within the past week has fallen from 75% to 64% since last year’s survey.
- Electronic programming guide (used by 14%), classifications (13%), broadcaster warnings/audience advisories (9%) and timebands (8%) are the most used tools, with use of each higher this year than in 2021.

Impact 5:

Broadcaster conduct, practices, policies and/or procedures are improved following the issue of a decision

- The percentage of decisions upholding complaints this year was 4%, down from 9% and 14% in the previous two years, indicating a general improvement in the way broadcasters are exercising their right to freedom of expression within the standards.
- The case studies included under ‘Oversight and Development of the Broadcasting System’ in this report demonstrate our impact on the improvement of broadcaster conduct, practices, policies and/or procedures.
- All of our decisions are publicly available, and we promote awareness of key decisions and any learnings for broadcasters via media releases, Pānui newsletters, social media and direct communications with broadcasters.

Figure 2 – BSA system performance indicators



Impact 6:

Our decisions reflect the attitudes and values of our liberal democratic society

- The case summaries in Appendix 2 illustrate the broad scope of complaints brought to us this year. This required us to consider issues including public health information on COVID-19 and vaccines, concerns over misinformation, the rights and limits associated with public protests, the privacy of vulnerable people, gender stereotypes and diversity issues, discrimination and denigration and issues of importance to ethnic communities.
- To assist our decision-making, we continue to use translations of broadcasts and to seek out expertise and views from cultural advisors when determining complaints concerning relevant communities.
- This year’s research on language that may offend, including terms in Māori and Samoan and expressions relating to other cultural groups, is a further resource to help ensure our decisions reflect current attitudes.
- We have made documents such as our guide to complaints unlikely to succeed available in several languages to ensure wide access to our resources.
- Our litmus testing indicates that an average of 83% of participants, reflecting a representative sample of New Zealand society, agreed with BSA decisions and reasoning.

Figure 3 – High Court appeals



NGĀ MAHI WHAKAHAERE OPERATIONS

Operational overview

Despite the ongoing high level of complaints and declining revenue, we have provided a cost-effective, efficient service. Our deficit is slightly higher than forecast and primarily the result of decreasing levy revenue, recruitment costs and the addition of an FTE to help with the workload. However, we are always alert to savings and in the past year trimmed some costs, including via removing the need for reception services.

Revenue and resourcing

This year we posted a \$234,576 deficit reflecting a decline in levy revenues and the need to spend more on resourcing. Levy revenues declined for the sixth year in a row and salary costs were close to budget.

We are forecasting further declines in levy revenues and expect these to accelerate further. We continue to hold relatively strong reserves. They will sustain our operations and high-quality performance, notwithstanding the ongoing impacts of COVID-19 and structural changes in the broadcasting sector affecting levy revenue.

The decline in linear broadcast audience and movement of advertising spend to digital platforms will continue to test the industry and our funding model. However, we are comfortable that with the right level of Crown support and resources, our operations are suitably resilient to withstand future challenges.

Operational services and infrastructure

Our systems and processes responded well to the ongoing COVID-19 pandemic restrictions in the past year, with all of our services 100% operational and staff working remotely when needed. We continue to share offices and other costs with NZ On Air.

Risk

Managing risk is an important part of our governance and operational management approach. We have a risk management framework and schedule that is reviewed and updated regularly by our Board and staff. Our pandemic plan has continued to help us respond well to the changing situation. We have robust systems and processes which support our operations and effectiveness. Key risks continue to include funding decline, uncertainty arising from the reform environment and changes in personnel at the Board and staff level. These are managed by engaging with officials with oversight of the reform agenda and through a renewed focus on retention. We also ensure that our information management and induction programmes are robust.

The decline in linear broadcast audience and movement of advertising spend to digital platforms will continue to test the industry and our funding model. However, we are comfortable that with the right level of Crown support and resources, our operations are suitably resilient to withstand future challenges.

Figure 4 – Overall performance and cost analysis



Tō Mātou Pūrākau Whataaturanga



Former BSA Chief Executive Glen Scanlon with the team at Radio Kahungunu

TE ORANGA ME TE ĀHEINGA O TE TŌPŪTANGA

ORGANISATIONAL HEALTH AND CAPABILITY

The BSA is a small entity with nine staff, the majority based in our Wellington office. We are committed to being a good employer and promote equal employment opportunities (EEO) to ensure our approach to people capability is in line with these obligations.

Our EEO policy underpins the positive and collaborative environment that we foster, which enables individual needs and circumstances to be acknowledged in a fair and flexible way. We encourage staff involvement in all EEO matters and we review our policies and procedures annually to look for any enhancements that can be made.

Workplace profile

Our people, who bring specialist expertise to our operations, are critical to our success. We continue to attract capable staff, but the market is increasingly tight. With a focus on retention, we work hard to provide training and development opportunities and an excellent workplace environment, while also having to ensure pay remains competitive amid an environment of rising salaries. Increased staffing has enabled us to get a significant backlog of complaints under control and maintain high service levels, as demonstrated by this year's improved complainant and broadcaster survey results, through a year in which complaint volumes remained high.

Our culture is collaborative, with the Board and team enjoying a unique relationship. Our staff profile is set out in the table below. For the 2021/22 year, all staff employed as at 30 June 2022 were surveyed and 100% responded.

Disability profile

No staff members reported having a disability.

Pay gap information

Remuneration is based on ability and role size without any bias, including as to gender or ethnicity. Due to staff changes in the reporting period, and the potential for any pay gap data to be misleading and/or to give rise to privacy issues, we have not reported gender pay gap data.

Health and safety

We take a proactive approach to health and safety and are committed to providing a healthy working environment for our staff. Our office building is well-maintained and has a good seismic rating. We regularly test our evacuation procedures and earthquake drills. We revise our health and safety risk register regularly to include new risks we have discovered. A work resumption team is led by the Chief Executive in the event of a catastrophic emergency.

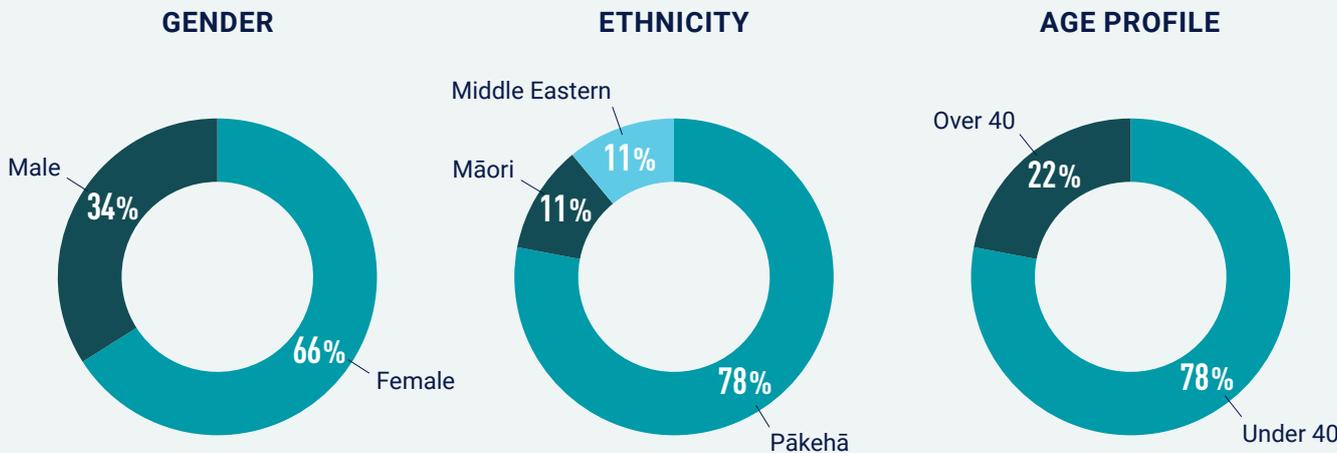
COVID-19 health and safety response

Our pandemic plan has continued to allow us to respond well to COVID-19. Our team worked from home during alert levels 2 or higher. During such times, staff were able to effectively perform their roles remotely with no disruption to services. We continue to be vigilant and require staff to take leave or work from home when unwell. All have been vaccinated and boosted.

At a general level, we have regular health and safety meetings with our co-tenant NZ On Air and work together to prevent accidents and illnesses. This information is communicated to staff. We provide Employment Assistance Programme (EAP) counselling sessions on a confidential basis and encourage staff to use this service when needed. As we are a complaints entity, we provide preventative health and safety training to assist staff in dealing with external threats. There were no minor or major incidents to report on for the reported period.

Maihi Karauna

We are committed to Maihi Karauna and increasing our own internal te ao Māori capability. We have demonstrated this through provision of te reo Māori language learning for staff and embedding use of karakia to open and close our meetings. We acknowledge that these are small steps, so to further develop our skills we have, with advice from Te Arawhiti, developed a Whāinga Amorangi plan.



Being a good employer

We have a keen focus on being a good employer, enhancing our capability, and providing a high-performing, supportive work environment. Our main aim is to develop and retain talent, integrate work practices that promote or enhance work/life balance among our employees and encourage professional development and a wide range of experiences within the scope of our activities.

Health and capability performance measures

Goal	Measure	Actual
Our people are skilled and professional	Individual staff training needs are assessed and a range of options developed.	Achieved
	Staff are offered lessons in te reo Māori.	Achieved
	Staff feedback is regularly sought using a range of tools.	Achieved
	Equal employment opportunity principles are incorporated in staff selection and management, to achieve as diverse a workforce as possible within the limits of our small size.	Achieved
We maintain, seek and develop ongoing opportunities for collaboration and engagement	Work with agencies which also have a role in the oversight of content standards to increase understanding, share ideas and reduce cost and complication.	Achieved
	Maintain regular contact with broadcasters and stakeholder groups.	Achieved
Our infrastructure is fit for purpose and helps us work efficiently	New ways of working are explored and implemented where appropriate.	Achieved
	We have the right mix of flexible technology to help this happen.	Achieved
	Where possible we share resources, for example through our relationship with NZ On Air.	Achieved

NGĀ TAUĀKĪ NOHONGA HAEPAPA ACCOUNTABILITY STATEMENTS

Statement of Responsibility

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

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

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

In the opinion of the Board, the Financial Statements and Statement of Performance for the year ended 30 June 2022 fairly reflect the financial position and operations of the BSA.



Susie Staley

Chair

16 November 2022



Tupe Solomon-Tanoa'i

Member

16 November 2022

TE TAUĀKĪ MŌ TE HUA O TE MAHI TAE ATU KI 30 PIPIRI 2022

STATEMENT OF PERFORMANCE FOR THE YEAR ENDED 30 JUNE 2022

The statements in this section provide detailed results against targets, budgets and performance measures for the year ended 30 June 2022 as set out in our Statement of Performance Expectations for the year ended 30 June 2022. There are three activities: complaints determination, oversight and development of the broadcasting standards system, and education and engagement.

	Budget Income \$	Actual Income \$	Budget Expenditure \$	Actual Expenditure \$
Complaints determination	711,700	742,672	840,632	871,689
Oversight and development of broadcasting standards system	323,500	337,578	382,560	396,222
Education and engagement	258,800	270,063	302,048	316,978
Total	1,294,000	1,350,313	1,525,240	1,584,889

OUTPUT: COMPLAINTS DETERMINATION

Description

One of our core activities is the determination of complaints that broadcasters have breached the Codes of Broadcasting Practice. Our complaints service is free, independent and accessible to the public. We strive to issue high quality, fair, clear, robust, soundly reasoned, timely decisions that reflect current community attitudes and an appropriate boundary between freedom of expression and harm. Decisions can be appealed to the High Court. Our performance against our measures is reported here.

Impact over time

- An effective, efficient, accessible, fair, agile and modern complaints service
- Fair, clear, robust and timely decisions on complaints, that reflect the changing media environment, and culture, attitudes and values of our diverse communities

- Broadcasters understand and meet their broadcasting obligations
- Public make informed decisions and safely manage broadcast content at home and can access the complaints system

Impact measures

- Understanding of standards by broadcasters and the public is improved
- A high level of trust and confidence in the system is maintained
- Broadcaster conduct, practices, policies and/or procedures are improved following the issue of a decision

Cost	Actual 2021/22	Budget 2021/22	Actual 2020/21	Actual 2019/20	Actual 2018/19
Total cost	871,689	840,632	875,742	771,113	727,704
% of total cost	55%	55%	66%	53%	53%

Output	Measure	Target 2021/22	Actual 2021/22	Actual 2020/21	Actual 2019/20
1.1 Complaints are acknowledged in a timely manner	Number of complaints and enquiries received	An estimated 115-130 formal complaints 800-950 enquiries	Achieved: 185 formal complaints 849 enquiries	N/A (new measure)	N/A (new measure)
1.2 Decisions are issued in a timely manner	Timeliness	(a) 95% of complaints acknowledged within 3 working days	(a) Achieved – 100%	(a) Achieved – 100%	(a) Achieved – 98%
		(b) 90% of decisions issued within 20 working days of the board meeting at which the final decision is made	(b) Achieved – 100%	(b) Achieved – 100%	(b) Achieved – 100%

Output	Measure	Target 2021/22	Actual 2021/22	Actual 2020/21	Actual 2019/20
1.3 Decisions are soundly reasoned	(a) Quality	External assessor agrees that the BSA's reasoning, process and/or interpretation in up to 5 decisions are appropriate and reasonable	Achieved An external review was undertaken on the BSA's reasoning and interpretation of the accuracy standard	Achieved An external review was undertaken on the BSA's reasoning and interpretation of the balance standard	Achieved An external review was undertaken on the BSA's reasoning and interpretation of the accuracy standard
	(b) Quality	High Court judgments on appeals taken against BSA decisions are analysed and applied in subsequent decisions to enable improvements to the BSA's reasoning and process	Achieved One appeal determined – dismissed in part with some specific issues referred back to the Authority in light of new evidence (resulting in amended decision) A second appeal (which is ongoing) notified to the BSA in July 2021	Achieved Two appeals (filed in previous financial years) determined in BSA's favour A third appeal was notified to the BSA in June 2021 This appeal is ongoing	Achieved One appeal filed in 2018/19 is ongoing
1.4 Level of service		In an annual survey an average of 70% of complainants are satisfied with BSA's service, including telephone contact, written correspondence and staff professionalism	Achieved Average of: 86% rated BSA's telephone contact as good or very good ⁹ 87% rated BSA's staff professionalism as good or very good ¹⁰ 81% rated BSA's written correspondence as good or very good ¹¹	Achieved Average of: 81% rated BSA's telephone contact as good or very good 84.5% rated BSA's staff professionalism as good or very good 76% rated BSA's written correspondence as good or very good	Achieved Average of: 79% rated BSA's telephone contact as good or very good 80.5% rated BSA's staff professionalism as good or very good 76% rated BSA's written correspondence as good or very good

9. Average of ratings across five aspects of telephone contact where respondents were asked the extent to which they agreed (on a 5-point scale) with statements including: *Answered my questions about the complaints process well; and Returned my calls or got in contact with me within an acceptable timeframe*. Percentage reflects number of answers at the top of the scale (ie respondents agreed or strongly agreed).

10. Average of ratings across two measures where respondents were asked the extent to which they agreed (on a 5-point scale) with the following statements: *BSA's written correspondence (letters and emails) were professional; and BSA phone contact was professional*. Percentage reflects number of answers at the top of the scale (ie respondents agreed or strongly agreed).

11. Average of ratings across six aspects of written correspondence where respondents were asked the extent to which they agreed (on a 5-point scale) with statements including: *BSA's written correspondence (letters and emails) were clear and easy to understand; and BSA's written correspondence (letters and emails) arrived within an acceptable timeframe*. Percentage reflects number of answers at the top of the scale (ie respondents agreed or strongly agreed).

Output	Measure	Target 2021/22	Actual 2021/22	Actual 2020/21	Actual 2019/20
1.5 BSA decisions reflect community standards and are understood by the public		75% of a diverse group we litmus test decisions on relating to a particular standard, rank them as acceptable, good or very good on a 5-point scale in terms of how well they understand the reasoning and support the complaint outcome	Achieved – 83% 5 decisions relating to accuracy tested	Achieved – 78% 5 decisions relating to discrimination and denigration tested	Achieved – 85% 4 decisions relating to violence litmus tested

OUTPUT: OVERSIGHT AND DEVELOPMENT OF THE BROADCASTING STANDARDS SYSTEM

Description

We oversee the broadcasting standards regime, work with broadcasters and others to set clear broadcasting standards and review codes so they reflect the modern media environment to which they apply. We undertake research relevant to broadcasting standards and community attitudes, and issue guidance to support broadcasters to meet their obligations. We work co-operatively with other content standards regulators and provide advice, when required, to policy officials on issues about the content standards system and reform. Our performance against our measures is reported here.

Impacts over time

- Broadcasting standards are fit for purpose in the modern media environment
- Broadcasters understand and meet their broadcasting obligations

- Public make informed decisions, safely manage broadcast content at home and can access the complaints system
- Regulatory sector reform reduces risks of harm, protects free speech and makes sense to audiences

Impact measures

- Understanding of standards by broadcasters and the public is improved
- A high level of trust and confidence in the system is maintained
- Broadcaster conduct, practices, policies and/or procedures are improved following the issue of a decision

Cost	Actual 2021/22	Budget 2021/22	Actual 2020/21	Actual 2019/20	Actual 2018/19
Total cost	396,222	382,560	280,447	509,227	370,717
% of total cost	25%	25%	21%	35%	27%

Output	Measure	Target 2021/22	Actual 2021/22	Actual 2020/21	Actual 2019/20
2.1 Codes remain relevant to the media environment to which they apply	Quality	Codes reviewed every two years against media and societal developments and revised if necessary. 2021/22: Codes reviewed and final version released by 30 June 2022	Achieved Final version of new Code released in June to take effect 1 July 2022	Achieved Codebook review commenced	Achieved Refreshed Election Programmes Code was published in March 2020 Refreshed Free-to-Air Television Code and Commentary was published in May 2020
2.2 Research is commissioned that is relevant to ensuring that standards are contemporary and community expectations are understood		One research and/or public consultation project is undertaken. It can be in conjunction with another entity and may contribute to the development of standards or a future regulatory system. Five stakeholders provided feedback that research is valuable	Achieved Language that may offend in broadcasting report published in March 2022 Annual broadcaster survey indicates that 94% of the (18) broadcasters who reported having read the report found it valuable or very valuable.	Achieved Stakeholder Codebook survey completed to explore participants' views regarding issues subject to Codebook review We had 33 responses to the survey, with the valuable results then being used by our broadcast consultation group to help recommend changes to the codes – a practical example of the survey's worth	Achieved Children's Media Use research commissioned jointly with NZ On Air, published in June. Feedback that research is valuable provided by stakeholders, media and other agencies following publication and in an online workshop hosted by the BSA and NZ On Air
2.3 Awareness of BSA and complaint process	Impact	N/A this year: 75% of New Zealanders are aware of the BSA and that they can make a formal complaint. Survey undertaken every two years	N/A (every two years)	Achieved in part 75% of New Zealanders are aware of the BSA and 68% aware they can make a formal complaint	N/A (every two years)
2.4 Broadcasters are satisfied with the BSA's processes, services and working relationships		80% or more of broadcasters surveyed annually rank BSA processes and working relationships as good or very good on a 5-point scale. Issues raised are analysed and addressed	Achieved 81% – working relationships rated good or very good (N = 31) 88.9% rank processes good or very good (N=9 broadcasters who had a complaint determined by the BSA in the previous 12 months)	Achieved in part 80% – working relationships rated good or very good (N=56) 77.8% – processes rated good or very good (N=9 broadcasters who had a complaint determined by the BSA in the previous 12 months)	Achieved in part 76% – working relationships rated good or very good (N=58) 62.5% – processes rated good or very good (N=8 broadcasters who had a complaint determined by the BSA in the previous 12 months) Other results 96% – staff professionalism 88% – emails 85% – staff responsiveness

Output	Measure	Target 2021/22	Actual 2021/22	Actual 2020/21	Actual 2019/20
2.5 Broadcasters understand the standards and meet their obligations		Broadcaster conduct, practices, and/or procedures are improved following issue of a decision. Assessed via 3 case studies	Achieved 3 case studies detailed in section: Oversight and Development of the Broadcasting Standards System	Achieved 3 case studies detailed in section: Oversight and Development of the Broadcasting Standards System	N/A (new measure)
2.6 An agent for change in relation to the regulatory sector		Advice on regulatory sector reform is provided to and considered by officials. Evidence of collaborative work with others in the sector. Assessed via case study	Achieved Case studies detailed in section: Oversight and Development of the Broadcasting Standards System	N/A (new measure)	N/A (new measure)

OUTPUT: EDUCATION AND ENGAGEMENT

Description

We provide clear, user-friendly information about broadcasting standards, the complaints system and processes, and our decisions to broadcasters and the public through a variety of channels. We raise awareness and educate broadcasters and the public about the BSA, broadcasting standards, and the complaints system, with the aim to prevent harm, and to assist broadcasters to meet the standards. Effective engagement and education help New Zealanders understand their media environment and how the standards apply to the right to freedom of expression. Our performance against our measures is reported here.

Impacts over time

- An effective, efficient, accessible, fair, agile and modern complaints service
- Broadcasters understand and meet their broadcasting obligations
- Public make informed decisions, safely manage broadcast content at home and can access the complaints system

Impact measures

- Public awareness of the broadcasting standards system is maintained
- Understanding of standards by broadcasters and the public is improved
- A high level of trust and confidence in the system is maintained
- Public awareness and use of the tools available to safely manage broadcast content is increased
- Broadcaster conduct, practices, policies and/or procedures are improved following the issue of a decision
- Our decisions reflect the attitudes and values of our liberal democratic society

Cost	Actual 2021/22	Budget 2021/22	Actual 2020/21	Actual 2019/20	Actual 2018/19
Total cost	316,978	302,048	165,007	174,592	274,606
% of total cost	20%	20%	13%	12%	20%

Output	Measure	Target 2021/22	Actual 2021/22	Actual 2020/21	Actual 2019/20
3.1 Success of communication and engagement	Impact	Decisions and issues of high public interest or that provide particular guidance on the application of the standards are communicated effectively – whether via feedback to broadcasters; media releases; newsletters or social media. Assessed via a case study	Achieved Case study detailed in section: Education and Engagement	N/A (new measure)	N/A (new measure)
3.2 Broadcasters understand the standards and meet their obligations		The BSA meets with, provides workshops and/or seminars 15 times annually to broadcasters or training institutions on issues relating to broadcasting standards so they understand them and meet their obligations	Achieved 53 meetings with broadcasters 12 seminars provided to broadcasters 4 seminars provided to training institutions	N/A (new measure)	N/A (new measure)

Output	Measure	Target 2021/22	Actual 2021/22	Actual 2020/21	Actual 2019/20
3.3 Māori, Asian, and Pasifika community awareness of the BSA and the ability to make a complaint is increased	(a) Quality	(a) N/A in this year: 75% of Māori, Asian and Pasifika communities surveyed are aware of the BSA and the ability to make a complaint. Assessed every two years	(a) N/A	Not Achieved Aware of the BSA: 70% – Māori 57% – Pasifika 40% – Asian Aware they can make a formal complaint: 72% – Māori 54% – Pasifika 44% – Asian	N/A (every two years)
	(b) Quality	(b) BSA provides 5 meetings, workshops or translated written guidance to Māori, Asian, and/or Pasifika groups	Achieved 19 meetings/ workshops with Māori, Asian and/or Pasifika groups Codebook in te reo Māori available in June 2022 The following guidance released in multiple languages: <ul style="list-style-type: none"> • Complaints Unlikely to Succeed guidance • Media release on Language that May Offend in Broadcasting Survey • Classifications and Timebands guide 	Achieved 12 meetings and/or presentations with Māori, Asian and/or Pasifika groups Stakeholder survey (and associated correspondence) made available in te reo Māori 2 media releases about BSA decisions issued in te reo Māori	Achieved in part Election Programmes Code translated into te reo Māori, Mandarin, Hindi, Punjabi and Samoan and printed copies produced and distributed Refreshed Codebook translated into te reo Māori Publicity Notices Guidance translated and issued in te reo Māori Remaining actions deferred due to lockdown restrictions in 2020
3.4 Complainants and broadcasters indicate high satisfaction with the usability and clarity of the website		At least 70% of broadcasters or complainants surveyed rate the BSA website as good or very good on a 5-point scale	Achieved 84% – Broadcasters 74% – Complainants	Achieved in part 74% – Broadcasters 66% – Complainants	Achieved 92% – Broadcasters 71% – Complainants

NGĀ TAUĀKĪ PŪTEA

FINANCIAL STATEMENTS

STATEMENT OF FINANCIAL PERFORMANCE

FOR THE YEAR ENDED 30 JUNE 2022

	Note	2022 Actual \$	2022 Budget \$	2021 Actual \$
Revenue				
Revenue from the Crown	2	609,000	609,000	609,000
Broadcasting levies		708,989	650,000	756,958
Interest income		26,368	35,000	35,609
Other revenue		5,956	-	8,650
Total Revenue		1,350,313	1,294,000	1,410,217
Less Expenditure				
Personnel costs	3	1,043,806	971,790	807,287
Other expenses	4	518,792	533,450	511,413
Depreciation and amortisation	8 & 9	22,291	20,000	7,496
Total Expenditure		1,584,889	1,525,240	1,326,196
SURPLUS/(DEFICIT)		(234,576)	(231,240)	84,021

STATEMENT OF CHANGES IN EQUITY

FOR THE YEAR ENDED 30 JUNE 2022

	2022 Actual \$	2022 Budget \$	2021 Actual \$
Public equity as at 1 July	2,422,648	2,327,126	2,338,627
Return of equity to the Crown ¹²	-	-	-
Surplus/(deficit) for the year ended 30 June	(234,576)	(231,240)	84,021
PUBLIC EQUITY AS AT 30 JUNE	2,188,072	2,095,886	2,422,648

12. Each year the BSA considers the appropriate amount of surplus that ought to be paid to the Crown pursuant to s165 of the Crown Entities Act. This year a portion of surplus was returned proportional to the Crown's contribution to BSA's annual revenue.

Explanations of major variances against budgets are provided in Note 16.
The accompanying notes form part of these financial statements.

STATEMENT OF FINANCIAL POSITION

AS AT 30 JUNE 2022

	Note	2022 Actual \$	2022 Budget \$	2021 Actual \$
Assets				
Current assets				
Bank accounts and cash	5	208,205	147,186	439,274
Investments	6	2,055,404	1,950,000	2,052,416
Debtors and prepayments	7	40,399	47,500	38,247
GST		11,789	30,000	22,472
Total current assets		2,315,797	2,174,686	2,552,409
Non-current assets				
Property, plant and equipment	8	16,614	47,100	15,833
Intangible assets	9	39,396	100	6,242
Total non-current assets		56,010	47,200	22,075
Total assets		2,371,807	2,221,886	2,574,484
Liabilities				
Current liabilities				
Creditors and accrued expenses	10	131,432	95,000	119,063
Employee entitlements	11	52,303	31,000	32,773
Total liabilities		183,735	126,000	151,836
Total assets less total liabilities		2,188,072	2,095,886	2,422,648
REPRESENTED BY PUBLIC EQUITY		2,188,072	2,095,886	2,422,648

The accompanying notes form part of these financial statements.

STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED 30 JUNE 2022

	Note	2022 Actual \$	2022 Budget \$	2021 Actual \$
Cash Flows from Operating Activities				
Revenue from the Crown		609,000	609,000	609,000
Broadcasting levies		718,293	651,000	769,084
Interest received		22,841	37,500	47,533
GST (net)		10,682	(2,000)	2,266
Payments to employees & board members		(1,022,067)	(968,790)	(808,303)
Payments to suppliers & other operating expenses		(510,605)	(533,450)	(477,826)
Net Cash Flow from Operating Activities		(171,856)	(206,740)	141,754
Cash Flows from Investing Activities				
Purchase of property, plant and equipment		(10,186)	(50,000)	(10,080)
Purchase of intangible assets		(46,039)	-	(6,860)
Acquisition of investments		(2,988)	-	-
Proceeds from investments		-	250,000	197,849
Net Cash Flow from Investing Activities		(59,213)	200,000	180,909
Net Increase/(decrease) in cash held		(231,069)	(6,740)	322,663
Opening bank accounts and cash		439,274	153,926	116,611
CLOSING BANK ACCOUNTS AND CASH	5	208,205	147,186	439,274

Explanations of major variances against budgets are provided in Note 16.
The accompanying notes form part of these financial statements.

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2022

1. Statement of accounting policies

Reporting entity

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

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

The financial statements for the BSA are for the year ended 30 June 2022, and were approved by the board on 16 November 2022.

Basis of preparation

Statement of Compliance

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

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

Measurement base

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

Functional and presentation currency

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

Changes in accounting policies

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

Significant accounting policies

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

Revenue

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

Revenue from the Crown

This revenue is restricted in use for the purpose of BSA meeting its objectives specified in the Broadcasting Act 1989 and the scope of the relevant appropriation of the Crown. BSA considers there are no conditions attached to the funding and it is recognised as revenue at the point of entitlement.

Broadcasting levy

Broadcasting levies are recognised on the occurrence of a recognition event, being the earlier of receipt of payment or receipt of levy return. Levies are paid by broadcasters in accordance with the Broadcasting Act 1989 and are based on broadcaster revenue for the qualifying period. The amount of levies collected each year is influenced by timing of receipt of payment or the levy return and changes in broadcaster revenue on which the levy is based. Consequently, there may be variances on the total amount collected as revenue each year.

Interest

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

Other income

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

Leases

Operating leases

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

Bank accounts and cash

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

Debtors and prepayments

Debtors and prepayments are initially recorded at the amount owed. When it is likely the amount owed (or some portion) will not be collected, a provision for impairment is recorded and the loss is recognised as a bad debt expense. Impairment of a receivable is established when there is objective evidence that the BSA will not be able to collect amounts due according to the original terms of the receivable. Significant financial difficulties of the debtor, probability that the debtor will enter into bankruptcy, and default in payment are all considered indicators that the debtor is impaired.

Investments in bank deposits

Investments comprise investments in term deposits with banks.

Deposits with banks are initially recorded at the amount paid. If it appears that the carrying amount of the investment will not be recovered, it is written down to the expected recoverable amount. Significant financial difficulties of the bank, probability that the bank will enter into bankruptcy, and default in payment are all considered indicators that the deposit is not recoverable.

Property, plant and equipment

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

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

Additions

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

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

Disposals

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

Subsequent costs

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

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

Depreciation

Depreciation is provided on a straight-line basis on all fixed assets at a rate which will write off the cost 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	3-5 years
Furniture and fittings	5 years
Leasehold improvements	5 years
Computer equipment	3 years

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

Artworks are fully depreciated in the year of purchase.

Intangible assets

Software acquisition

Computer software licenses of more than one year will be capitalised on the basis of the costs incurred to acquire and use the specific software. Computer software licenses of less than one year will be recognised as an expense when incurred.

Amortisation

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

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

Computer software	3 years
Copyright	3 years

Impairment of property, plant and equipment and intangible assets

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

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

Creditors and accrued expenses

Creditors and accrued expenses are reflected at the amount owed.

Employee entitlements

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

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

Superannuation scheme

Defined contribution scheme

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

Goods and services tax (GST)

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

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

Commitments and contingencies are disclosed exclusive of GST.

Income tax

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

Budget figures

The budget figures are derived from the Statement of Performance Expectations as approved by the board at the beginning of the financial year. The budget figures have been prepared in accordance with Tier 3 PBE framework, using accounting policies that are consistent with those adopted by the board in preparing these financial statements.

Cost allocation

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

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

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

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

Use of judgements, estimates and assumptions

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

2. Revenue from the Crown

The BSA has been provided with funding from the Crown for the specific purposes set out in the Broadcasting Act 1989 and the scope of the relevant Crown appropriations. Apart from these restrictions, there are no unfulfilled conditions or contingencies attached to government funding. (2021: Nil)

There has been no impact of COVID-19 on revenue from the Crown.

3. Personnel costs

	2022 Actual \$	2021 Actual \$
Staff salaries	882,226	680,106
Board remuneration	135,669	106,922
KiwiSaver employer contributions	25,728	20,259
TOTAL PERSONNEL COSTS	1,043,806	807,287

The increase in salaries is due to increases in accordance with the BSA's reward and remuneration framework and recruitment of additional staff in response to workload demands. Pursuant to s47 of the Crown Entities Act, former Chair Judge Bill Hastings, who left the Board in August 2021, was not entitled to remuneration from the BSA in addition to his remuneration as a Judge.

4. Other expenses

	2022 Actual \$	2021 Actual \$
Audit fees	27,353	24,996
Consultancy	70,780	88,431
Research	109,500	97,045
Travel, accommodation & training	23,604	16,566
Rent	51,489	49,956
IT	56,728	61,716
Office expenses	179,338	172,703
TOTAL OTHER EXPENSES	518,792	511,413

Consultancy costs decreased from the prior year as a result of no major projects being completed in this financial year.

5. Bank accounts and cash

	2022 Actual \$	2021 Actual \$
Cash on hand		
Petty cash	-	4
Bank		
Current accounts	59,199	55,500
Call accounts	149,006	383,770
TOTAL BANK ACCOUNTS AND CASH	208,205	439,274

6. Investments

	2022 Actual \$	2021 Actual \$
Term deposits	2,055,404	2,052,416
TOTAL INVESTMENTS	2,055,404	2,052,416
Weighted average effective interest rate	1.87%	0.93%

All the term deposits for the year are between 6 and 12 months and interest rates vary between 1.50% and 2.45%.

7. Debtors and prepayments

	2022 Actual \$	2021 Actual \$
Trade receivables	-	4,269
Other receivables	920	-
Accrued interest	8,414	4,886
Prepayment	31,065	29,091
TOTAL DEBTORS AND PREPAYMENTS	40,399	38,247

The carrying value of debtors approximates their fair value.

There has been no significant impact of COVID-19 on debtors and prepayments.

8. Property, plant and equipment

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

	Artworks \$	Computer equipment \$	Furniture and fittings \$	Leasehold improve-ments \$	Office equipment \$	Totals \$
Cost or valuation						
Balance at 1 July 2020	9,082	137,591	59,567	124,755	20,922	351,917
Additions	-	5,587	4,228	-	-	9,815
Disposals	-	(102)	-	-	-	(102)
Balance at 30 June 2021	9,082	143,076	63,795	124,755	20,922	361,630
Accumulated depreciation						
Balance at 1 July 2020	9,082	125,463	59,567	124,755	20,420	339,287
Depreciation expense	-	6,054	70	-	386	6,510
Eliminate on disposal / reclassification	-	-	-	-	-	-
Balance at 30 June 2021	9,082	131,517	59,637	124,755	20,806	345,797
CARRYING AMOUNT AT 30 JUNE 2021	0	11,559	4,158	0	116	15,833
Cost or valuation						
Balance at 1 July 2021	9,082	143,076	63,795	124,755	20,922	361,630
Additions	-	6,609	3,577	-	-	10,186
Disposals	-	(57,282)	-	-	(6,664)	(63,946)
Balance at 30 June 2022	9,082	92,403	67,372	124,755	14,258	307,870
Accumulated depreciation						
Balance at 1 July 2021	9,082	131,517	59,637	124,755	20,806	345,797
Depreciation expense	-	7,847	1,442	-	116	9,405
Eliminate on disposal	-	(57,282)	-	-	(6,664)	(63,946)
Balance at 30 June 2022	9,082	82,082	61,079	124,755	14,258	291,256
CARRYING AMOUNT AT 30 JUNE 2022	0	10,321	6,293	0	0	16,614

There has been no significant impact of COVID-19 on plant, property and equipment.

9. Intangible assets

Movements for intangible asset is as follows:

	Copyright and software
Cost	
Balance at 1 July 2020	68,758
Additions	6,860
Balance at 30 June 2021	75,618
Accumulated amortisation	
Balance at 1 July 2020	68,493
Amortisation expense	883
Balance at 30 June 2021	69,376
CARRYING AMOUNT AT 30 JUNE 2021	6,242
Cost	
Balance at 1 July 2021	75,618
Additions	46,040
Balance at 30 June 2022	121,658
Accumulated amortisation	
Balance at 1 July 2021	69,376
Amortisation expense	12,886
Balance at 30 June 2022	82,262
CARRYING AMOUNT AT 30 JUNE 2022	39,396

There has been no significant impact of COVID-19 on intangible assets.

10. Creditors and accrued expenses

	2022 Actual \$	2021 Actual \$
Creditors	42,012	101,854
Accrued expenses	80,678	10,515
Kiwisaver employees contribution payable to IRD	549	411
PAYE	8,193	6,122
Income in advance	-	161
TOTAL CREDITORS AND ACCRUED EXPENSES	131,432	119,063

Creditors and accrued expenses are non-interest bearing and are normally settled on 30-day terms, therefore, the carrying value of creditors and accrued expenses approximates their fair value. There has been no significant impact of COVID-19 on creditors and accrued expenses.

11. Employee entitlements

	2022 Actual \$	2021 Actual \$
Accrued salaries and wages	20,463	15,874
Annual leave	31,840	16,899
TOTAL EMPLOYEE ENTITLEMENTS	52,303	32,773

COVID-19 had an impact on annual leave balances being higher due to the level three lockdown periods and current traffic light system during the year and less opportunity for travel as annual leave.

12. Commitments

	2022 Actual \$	2021 Actual \$
Commitments are represented by:		
Not later than one year	48,732	52,113
Later than one year and not later than two years	48,425	4,343
Later than two years and not later than five years	52,460	-
TOTAL NON-CANCELLABLE OPERATING LEASE	149,617	56,456

The operating lease is for the rental of premises on Level 2, 119 Ghuznee Street, occupied from 26 July 2013. The lease was renewed in July 2022 for a further three year term.

There has been no significant impact of COVID-19 on commitments

13. Contingent assets and liabilities

Contingent assets

As at 30 June 2022 the BSA had no contingent assets. (2021:Nil)

Contingent liabilities

As at 30 June 2022 the BSA had no contingent liabilities. (2021:Nil)

14. Related party transactions & key management personnel

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

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

The BSA receives levy payments pursuant to the Broadcasting Act 1989, from government-related broadcasters.

Key management personnel compensation

	2022 Actual \$	2021 Actual \$
Salaries and other short-term benefits	316,779	242,323
TOTAL KEY MANAGEMENT PERSONNEL COMPENSATION	316,779	242,323

Key management personnel includes all board members and the Chief Executive.
The BSA had no related party transactions. (2021: Nil)

Board member remuneration

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

	2022 Actual \$	2021 Actual \$
A Beck appointed in May 2022	4,759	-
J Gillespie appointed in December 2021	23,794	-
L Pearson responsibilities concluded in November 2021	15,804	33,753
P Rose responsibilities concluded in November 2021	14,746	38,496
T Solomon-Tanoa'I appointed in December 2021	15,381	-
S Staley (Chair)	61,185	34,673
TOTAL BOARD MEMBER REMUNERATION	135,669	106,922

Pursuant to s47 of the Crown Entities Act, former Chair Judge Bill Hastings, who left the Board in August 2021, was not entitled to remuneration from BSA in addition to his remuneration as a Judge.

Employee remuneration

	2022 Actual	2021 Actual
Total employee remuneration paid or payable		
100,000 – 109,999	1	-
120,000 – 129,999	1	-
130,000 – 139,999	1	2
170,000 – 179,999	1	-

There has been no significant impact of COVID-19 on related party transactions & key management personnel.

15. Events after balance date

There were no significant events after the balance date.
(2021: Nil)

16. Explanations of significant variations against budget

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

Statement of Financial Performance

Revenue

Revenue was above budget this year due to a higher amount of broadcasting levies received than anticipated. Other revenue of \$5,956 was received from the Ministry for Culture & Heritage to compensate for the time the CE was participating on a MCH panel.

Expenditure

Personnel costs are above budget as a result of increase in salaries due to changes in staff appointments during the year.

Other expenses are below budget due to underspending on research and legal expenses.

Statement of Financial Position

Bank accounts and cash/investments

Bank accounts and cash are higher than budgeted due to the higher amount of broadcasting levies received and less spending throughout the year.

Debtors and prepayments

The increase in accrued interest reflects the higher interest rates on offer. Prepayments have remained consistent when compared to prior years.

Non-current assets

Property, plant and equipment is below budget due to disposals during the period and minimal additions. Intangibles are above budget due to the purchase of new computer software.

17. COVID-19

There has been no significant impact of COVID-19 on the operations of BSA. Some minor changes to business systems and processes were required to enable remote working during the lockdown period.

Meetings and processes shifted to online during this period, allowing for cost savings in business operations meetings and travel costs. Research costs were lower than budgeted due to cost savings achieved by a shift to online methodology in both litmus testing and children's media use research.

Planned upgrade of IT equipment, and purchase of mobile phones for two staff, was brought forward to facilitate remote working.

Annual and other leave balances also increased during this period. Staff members were encouraged to take leave after the lockdown period, but less opportunity to travel saw these balances remain higher than usual.

TE PŪRONGO A TE ŌTITA MOTUHAKE

INDEPENDENT AUDITOR'S REPORT

To the readers of Broadcasting Standards Authority's financial statements and performance information for the year ended 30 June 2022

The Auditor-General is the auditor of the Broadcasting Standards Authority (the Authority). The Auditor-General has appointed me, Grant Taylor, using the staff and resources of Ernst & Young, to carry out the audit of the financial statements and the performance information, of the Authority on his behalf.

Opinion

We have audited:

- the financial statements of the Authority on pages 48 to 61, that comprise the statement of financial position as at 30 June 2022, the statement of comprehensive revenue and expenses, statement of changes in equity and statement of cash flows for the year ended on that date and the notes to the financial statements including a summary of significant accounting policies and other explanatory information; and
- the performance information of the Authority on pages 39 to 47.

In our opinion:

- the financial statements of the Authority on pages 48 to 61:
 - present fairly, in all material respects:
 - its financial position as at 30 June 2022; and
 - its financial performance and cash flows for the year then ended; and
 - comply with generally accepted accounting practice in New Zealand in accordance with the Public Benefit Entity Reporting Standards; and
- the performance information on pages 39 to 47:
 - presents fairly, in all material respects, the Authority's performance for the year ended 30 June 2022, including:

- for each class of reportable outputs:
 - its standards of delivery performance achieved as compared with forecasts included in the statement of performance expectations for the financial year; and
 - its actual revenue and output expenses as compared with the forecasts included in the statement of performance expectations for the financial year; and
 - what has been achieved with the appropriations; and
 - the actual expenses or capital expenditure incurred compared with the appropriated or forecast expenses or capital expenditure.
- complies with generally accepted accounting practice in New Zealand.

Our audit was completed on 16 November 2022. This is the date at which our opinion is expressed.

The basis for our opinion is explained below. In addition, we outline the responsibilities of the Board and our responsibilities relating to the financial statements and the performance information, we comment on other information, and we explain our independence.

Basis for our opinion

We carried out our audit in accordance with the Auditor-General's Auditing Standards, which incorporate the Professional and Ethical Standards and the International Standards on Auditing (New Zealand) issued by the New Zealand Auditing and Assurance Standards Board. Our responsibilities under those standards are further described in the Responsibilities of the auditor section of our report.

We have fulfilled our responsibilities in accordance with the Auditor-General's Auditing Standards.

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



Responsibilities of the Board for the financial statements and the performance information

The Board is responsible on behalf of the Authority for preparing financial statements and performance information that are fairly presented and comply with generally accepted accounting practice in New Zealand. The Board is responsible for such internal control as it determines is necessary to enable it to prepare financial statements and performance information that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements and the performance information, the Board is responsible on behalf of the Authority for assessing the Authority's ability to continue as a going concern. The Board is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless there is an intention to merge or to terminate the activities of the Authority, or there is no realistic alternative but to do so.

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

Responsibilities of the auditor for the audit of the financial statements and the performance information

Our objectives are to obtain reasonable assurance about whether the financial statements and the performance information, as a whole, are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit carried out in accordance with the Auditor-General's Auditing Standards will always detect a material misstatement when it exists. Misstatements are differences or omissions of amounts or disclosures, and can arise from fraud or error. Misstatements are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of readers, taken on the basis of these financial statements and the performance information.

For the budget information reported in the financial statements and the performance information, our procedures were limited to checking that the information agreed to the Authority's statement of performance expectations.

We did not evaluate the security and controls over the electronic publication of the financial statements and the performance information.

As part of an audit in accordance with the Auditor-General's Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. Also:

- We identify and assess the risks of material misstatement of the financial statements and the performance information, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- We obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.
- We evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Board.
- We evaluate the appropriateness of the reported performance information within the Authority's framework for reporting its performance.
- We conclude on the appropriateness of the use of the going concern basis of accounting by the Board and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements and the performance



information or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Authority to cease to continue as a going concern.

- We evaluate the overall presentation, structure and content of the financial statements and the performance information, including the disclosures, and whether the financial statements and the performance information represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Board regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Our responsibilities arise from the Public Audit Act 2001.

Other information

The Board is responsible for the other information. The other information comprises the information included on pages 1 to 38 and 65 to 88, but does not include the financial statements and the performance information, and our auditor's report thereon.

Our opinion on the financial statements and the performance information does not cover the other information and we do not express any form of audit opinion or assurance conclusion thereon.

In connection with our audit of the financial statements and the performance information, our responsibility is to read the other information. In doing so, we consider whether the other information is materially inconsistent with the financial statements and the performance information or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on our work, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Independence

We are independent of the Authority in accordance with the independence requirements of the Auditor-General's Auditing Standards, which incorporate the independence requirements of Professional and Ethical Standard 1: *International Code of Ethics for Assurance Practitioners* issued by the New Zealand Auditing and Assurance Standards Board.

Other than in our capacity as auditor, we have no relationship with, or interests, in the Authority.

A handwritten signature in blue ink, appearing to read 'Grant Taylor', with a long horizontal flourish extending to the right.

Grant Taylor
Ernst & Young
Chartered Accountants

On behalf of the Auditor-General
Wellington, New Zealand

TĀPIRITANGA APPENDICES

TĀPIRITANGA 1: NGĀ KŌAMUAMU ME NGĀ WHAKATAU APPENDIX 1: COMPLAINTS RECEIVED AND DECISIONS ISSUED

Year	Complaints Received	Decisions Issued	Determination				Appealed to High Court	Orders						
			Upheld	Upholds as % of total	Not Upheld	Declined to Determine ¹³		Other ¹⁴	Broadcast Statement	Costs to Crown	Legal Costs	Compensation for Breach of Privacy	Other	
July 2021 – June 2022	185	173 ¹⁵ (relating to 185 complaints)	7 (relating to 8 complaints)	4.10%	145 (relating to 157 complaints)	19 (relating to 20 complaints)	2 (relating to 2 complaints)	1	3	4				1 (interlocutory) order regarding submission of evidence and key facts in issue
July 2020 – June 2021	206	160 (relating to 191 complaints)	15 (relating to 16 complaints)	9.40%	135 (relating to 160 complaints)	9 (relating to 14 complaints)	1 (relating to 1 complaints)	1	2	6	2			1 order for provision of broadcast material
July 2019 – June 2020	135	111 (relating to 130 complaints)	16 (relating to 22 complaints)	14.40%	84 (relating to 98 complaints)	8 (relating to 8 complaints)	3 (relating to 4 complaints) ¹⁶		2	2				2 costs to the broadcaster 2 complaints directed back to the broadcaster
July 2018 – June 2019	121	90 (relating to 131 complaints)	9 (relating to 11 complaints)	10%	76 (relating to 115 complaints)	3 (relating to 3 complaints)	2 (relating to 2 complaints)	2	3	4	1	1		1 Online statement 1 Print statement
July 2017 – June 2018	174	103 (about 148 complaints)	14 (about 52 complaints)	13.60%	83 (about 89 complaints)	2 (about 2 complaints)	4 (about 5 complaints)	-	5 (including one statement published online)	3	1	3		1 Complaint directed back to the broadcaster

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

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

15. As at 30 June 2022, 41 complaints were still to be determined. As at 30 June 2021, 58 complaints were still to be determined.

16. 2 of the 4 complaints relate to the same matter and were the subject of 1 BSA decision accepting jurisdiction to consider the complaints. The 2 complaints were later upheld in the BSA's substantive decision. Therefore they are recorded under both 'Upheld' and 'Other' in the Determinations section, but counted as 2 complaints (not 4) of the total 130 complaints determined in 111 decisions.

Year	Complaints Received	Decisions Issued	Determination				Appealed to High Court	Orders					
			Upheld	Upholds as % of total	Not Upheld	Declined to Determine ¹³		Other ¹⁴	Broadcast Statement	Costs to Crown	Legal Costs	Compensation for Breach of Privacy	Other
July 2016 – June 2017	113	102 (about 113 complaints)	15 (about 15 complaints)	14.70%	82 (about 93 complaints)	1	4	4	-	4	1	4	1 Complaint directed back to broadcaster to consider
July 2015 – June 2016	124	101	23	22.80%	73	4	1	2	5	1	4	4	-
July 2014 – June 2015	151	143	14	9.80%	120	9	-	1	1	1	6	6	-
July 2013 – June 2014	149	99	12	12.10%	74	13	-	2	2	1	1	1	-
July 2012 – June 2013	136	111	18	16.20%	86	5	2	1	-	1	2	2	1 Complaint directed back to broadcaster to consider
July 2011 – June 2012	195	162	17	10.40%	131	10	4	-	3	4	1	1	-
July 2010 – June 2011	250	236	69	29.20%	146	13	8	5	8	4	2	2	-
July 2009 – June 2010	210	193	45	23.30%	141	7	-	4	7	7	-	-	-
July 2008 – June 2009	162	151	25	16.60%	124	2	-	-	3	3	1	1	-
July 2007 – June 2008	148	139	41	29.50%	94	2	2	4	8	3	2	2	1 Refrain from broadcasting
July 2006 – June 2007	131	125	27	21.60%	94	3	1	2	9	7	6	6	-
July 2005 – June 2006	153	156	19	12.20%	127	10	-	-	5	4	-	-	-
July 2004 – June 2005	184	214	40	18.70%	166	7	1	1	4	6	-	-	1 Publication of apology in newspapers
July 2003 – June 2004	196	187	42	22.50%	133	5	7	3	1	3	2	2	2 Publication in newspaper/Referred back to broadcaster to review its policies
July 2002 – June 2003	169	160	26	16.30%	116	8	10	1	2	2	-	-	-

Year	Complaints Received	Decisions Issued	Determination				Appealed to High Court	Orders					
			Upheld	Upholds as % of total	Not Upheld	Declined to Determine ¹³		Other ¹⁴	Broadcast Statement	Costs to Crown	Legal Costs	Compensation for Breach of Privacy	Other
July 2001– June 2002	186	180	44	24.40%	128	8	-	4	12	8	2	3	1 Broadcast of apology
July 2000– June 2001	197	189	41	21.70%	135	13	-	1	13	6	1	2	1 Letter of apology
July 1999– June 2000	206	239	71	29.70%	152	16	-	-	12	13	5	2	1 Refrain from advertising
July 1998– June 1999	204	184	33	17.90%	132	9	10	1	4	8	2	4	-
July 1997– June 1998	174	176	39	22.20%	122	12	3	2	2	10	-	7	1 Broadcast of apology
July 1996– June 1997	206	199	40	20.10%	147	10	2	-	5	-	8	1	2 Broadcasts of apology
July 1995– June 1996	179	171	50	29.20%	110	10	1	1	11	-	-	4	4 Broadcasts of apology
July 1994– June 1995	162	139	48	34.50%	84	4	3	-	7	-	1	-	2 Broadcasts of apology
July 1993– June 1994	168	151	53	35.10%	92	6	-	-	6	-	-	2	1 Broadcast of apology
July 1992– June 1993	159	144	43	29.90%	97	3	1	-	3	-	1	2	-
July 1991– June 1992	106	76	25	32.90%	46	4	1	-	3	-	-	1	-
July 1990– June 1991	52	45	19	42.20%	25	-	1	-	7	-	1	-	2 Broadcasts of apology/ Refrain from advertising
July 1989– June 1990	43	14	6	42.90%	6	2	-	-	-	-	-	1	-

DECISION STATISTICS

In the reporting period we issued 173 decisions in relation to 185 complaints.¹⁷ The tables below provide details of the broadcasters and programmes complained about, the standards raised and outcomes of the complaints determined in the decisions issued in the reporting period.

Most complained about medium by number of decisions (171 decisions issued)

	Total number of decisions	Upheld
Television	112 decisions about 122 complaints (104 decisions about 115 complaints)	5 decisions about 6 complaints (10 decisions about 10 complaints)
Radio	59 decisions about 63 complaints (56 decisions about 76 complaints)	2 decisions about 2 complaints (5 decisions about 6 complaints)

Figures in brackets are from the previous year.

Most complained about broadcaster by number of decisions (173 decisions issued)

	Total decisions	Upheld	Not upheld	Declined to determine	Interlocutory decision	Orders
Television						
TVNZ	52 (56)	- (7)	46 (48)	6 (1)	- (-)	- (3)
Discovery NZ ¹⁸	51 (29)	3 (1)	41 (26)	7 (2)	- (-)	- (1)
SKY TV	6 (1)	- (1)	6 (-)	- (-)	- (-)	- (-)
Māori Television Whakaata Māori	1 (3)	(0)	1 (2)	- (-)	- (-)	- (1)
APNA Networks	1 (-)	1 (-)	- (-)	- (-)	- (-)	2 (-)
Daystar Television	1 ¹⁹ (-)	1 (-)	- (-)	- (-)	- (-)	1 (-)
Mainland Television	1 (-)	1 (-)	- (-)	- (-)	- (-)	2 (-)
Radio						
RNZ	32 (27)	- (1)	25 (23)	5 (2)	2 (-)	- (1)
NZME	22 (15)	1 (1)	20 (12)	1 (2)	- (-)	- (-)
MediaWorks Radio	4 (10)	1 (3)	3 (6)	- (-)	-(1 ²⁰)	2 (3)
95bFM	1 (-)	- (-)	1 (-)	- (-)	- (-)	- (-)
Access Radio Otago	1 (-)	- (-)	1 (-)	- (-)	- (-)	- (-)
RDU 98.5FM	1 (-)	- (-)	1 (-)	- (-)	- (-)	- (-)
TOTAL	173 (160)	7 (15)S	145 (135)	19 (9)	1 (1-)	7 (10)

Figures in brackets are from the previous year.

17. Two of the 173 decisions were interlocutory decisions regarding procedural issues.

These decisions are not counted where they do not affect the relevant variable

18. Previously MediaWorks TV

19. Decision grouped with Mainland Television decision

20. Order to provide broadcast material

Most complained about programme by number of complaints (total 185 complaints determined in 171 decisions)

	Number of complaints	Upheld	Not upheld/other
1 News	29 (30)	- (4)	29 (26)
Newshub Live at 6pm	25 (22)	- (1)	25 (21)
Morning Report	13 (14)	- (-)	13 (14)
Seven Sharp	9 (6)	- (-)	9 (6)
The Project	8 (5)	1 (-)	7 (5)
Mike Hosking Breakfast	8 (8)	- (1)	8 (7)
Breakfast	6 (2)	- (-)	6 (2)
AM	6 (5)	- (-)	5 (5)
Midday Report	4 (4)	- (-)	4 (4)

Figures in brackets are from the previous year.

Most complained about programme genre by number of decisions (173 decisions issued)

	Number of decisions	Upheld	Not upheld	Declined to determine	Interlocutory decision
News/Current Affairs ²¹	118 (107)	1 (8)	99 (94)	16 (5)	2 (-)
Radio/Talkback ²²	23 (26)	2 (4)	20 (20)	1 (1)	- (1)
Fictional Programmes ²³	3 (5)	1 (-)	1 (5)	1 (-)	- (-)
Other ²⁴	22 (11)	1 (1)	20 (10)	1 (-)	- (-)
Factual Programmes ²⁵	7 (8)	2 (2)	5 (6)	- (-)	- (-)
TOTAL	173 (160)	7 (15)	145 (135)	19 (9)	1 (1)

Figures in brackets are from the previous year.

21. **News/Current Affairs:** programmes dedicated to news and current affairs. Eg, *1 News*, *Newshub*, *The AM Show*, *The Project*, *Seven Sharp*, *Morning Report*

22. **Radio/Talkback:** radio shows or talkback programmes that may involve regular phone calls from listeners. Eg, *Magic Afternoons with Sean Plunket, Dom, Meg and Randell*

23. **Fictional Programmes:** dramas, sitcoms, cartoon comedies, movies. May include dramatic versions of factual events. Eg, *Shortland Street*

24. **Other:** programmes that do not fit the other categories, including comedy, sport, reality TV, songs or music videos. Eg, *The Block*

25. **Factual Programmes:** programmes that are non-fiction, contain factual information, and which could be considered in relation to the accuracy and balance standards. Eg, *Fair Go*, *20/20*

Most frequently complained about standard by number of complaints (185 complaints determined)²⁶

	Accuracy	Balance	Good Taste and Decency	Fairness	Discrimination and Denigration	Children's Interests	Law and Order	Violence	Programme Information	Privacy	Alcohol	Action Taken (about any standard)
TOTAL	73 (97)	61 (68)	58 (59)	49 (55)	48 (46)	21 (21)	21 (8)	14 (12)	12 (7)	10 (9)	0 (4)	2 (2)
Upheld	4 (4)	- (-)	2 (1)	- (3)	1 (4)	2 (1)	1 (-)	- (-)	- (1)	- (5)	- (1)	- (1)
Not Upheld/ Other	69 (93)	61 (68)	56 (58)	49 (52)	47 (42)	19 (20)	20 (8)	14 (12)	12 (7)	10 (4)	- (3)	2 (1)

Figures in brackets are from the previous year.

Most upheld standard by decisions issued

- Accuracy:** 3 upheld decisions about 4 complaints
- Good Taste and Decency:** 2 upheld decisions about 2 complaints
- Children's Interests:** 2 upheld decisions about 2 complaints
- Law and Order:** 1 upheld decision about 1 complaint
- Discrimination and Denigration:** 1 upheld decision about 1 complaint

26. This table reflects the number of times a standard has been raised across the 185 complaints addressed in the 173 decisions issued. Action Taken refers to complaints about the action taken by the broadcaster to remedy the breach when a complaint about a standard was upheld in full or in part by the broadcaster.

TĀPIRITANGA 2: NGĀ TAIPIITOPIITO MŌ NGĀ WHAKATAU

APPENDIX 2: DECISION DETAILS

The following tables contain a breakdown of the 185 complaints that made up the 173 decisions issued by the BSA in the 2021/22 year, by outcome (upheld with order; upheld with no order; not upheld; declined to determine; and jurisdiction considered).

Upheld with order

When a complaint is upheld (the BSA finds a breach of standards), the BSA may only make the orders set out in sections 13 and 16 of the Broadcasting Act 1989. Orders which may be made include: a broadcast or publication of statement; costs to the Crown of up to \$5,000 (may be imposed where the conduct of the broadcaster is serious); a contribution to legal costs reasonably incurred by a successful complainant; and compensation to an individual whose privacy has been breached by a broadcast, of up to \$5,000.

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under	Standards Upheld	Order
2021-015	McAulay	MediaWorks Radio Ltd	Mornings with John Banks in for Peter Williams	John Banks made 'clearly racist statements' and broadcaster has not acknowledged its role 'in paying for these views to be aired'	Good Taste and Decency, Discrimination and Denigration	Discrimination and Denigration, Good Taste and Decency	s13(1)(a) –broadcast statement; s16(4) –\$3000 costs to Crown,
2021-081A	Clark	APNA Networks Limited	Talanoa Sa'o	Guest Damien de Ment made 'a number of false or misleading claims' re He Puapua, COVID-19 treatment, abortion, 9-11, US election tampering	Accuracy	Accuracy	s13(1)(a) –broadcast statement; s16(4) – \$500 costs to the Crown
2021-081B	Sallee	APNA Networks Limited	Talanoa Sa'o	Guest Damien de Ment made 'a number of false or misleading claims' re He Puapua, COVID-19 treatment, abortion, 9-11, US election tampering	Accuracy	Accuracy	s13(1)(a) –broadcast statement; s16(4) – \$500 costs to the Crown
2021-103	Naughton	Mainland Television Ltd	Daystar	Misinformation and 'falsehoods' regarding COVID-19 vaccines	Accuracy, Programme Information, Balance	Accuracy	Daystar: s13(1)(a) –broadcast statement; s16(4) – \$500 costs to the Crown; Mainland: s16(4) – \$500 costs to the Crown

Upheld with no order

In some cases, the Authority may uphold a complaint (find a breach of standards) but may decide not to make any order. This may be because the Authority considers that the seriousness of the breach is low; and/or because the publication of the decision, and any resulting media coverage, will adequately censure the conduct; and/or because it considers the decision gives adequate guidance to broadcasters about maintaining standards.

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under	Standards Upheld
2021-011	Preston	Discovery NZ Ltd	SAS Australia	Violent and psychological content shown too early in the evening when children would be watching	Good Taste and Decency, Children's Interests, Violence	Good Taste and Decency, Children's Interests
2021-162	Black	Discovery NZ Ltd	The Project	Clip from social media showing child pressing face against electric fence after bribe from parent (who filmed & uploaded it to social media)	Law and Order	Law and Order
2022-019	Jones	NZME Radio Ltd	Heather du Plessis-Allan Drive	Using Bay of Plenty DHB COVID-19 vaccination numbers when referring only to the Ōpōtiki region was misleading as Ōpōtiki has lower vaccination rate than BOP as a whole	Accuracy, Balance	Accuracy
2022-035	Morgan	Discovery NZ Ltd	Believe Me: The Abduction of Lisa McVey	M-VS movie broadcast on Bravo at 7.30pm exceeded classification boundaries	Children's Interests	Children's Interests

Not upheld

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2021-008	Collie	NZME Radio Ltd	Mike Hosking Breakfast	Report that Sky News staff were flouting COVID-19 restrictions allegedly inaccurate	Accuracy
2021-024	New Zealand Defence Force	Radio New Zealand Ltd	Midday Report	Interview with Nicky Hager discussing results of Australian enquiry into its Defence force and implications for NZDF one-sided and unfair to NZDF	Balance, Fairness
2021-028	Palestine Solidarity Network Aotearoa	Television New Zealand Ltd	1 News	Report on different countries' COVID-19 vaccination rates showed Israel at 36.57% but ignored the fact Israel is refusing vaccinations to Palestinians living under Israeli occupation	Accuracy, Discrimination and Denigration, Balance
2021-029	Hawkes Bay Regional Council	Radio New Zealand Ltd	Morning Report	Groundwater issues in Hawke's Bay allegedly misrepresented	Balance

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2021-030	Cant	Television New Zealand Ltd	1 News	Use of the word 'gypsy' by interviewee derogatory and evoked prejudicial bias towards Roma community	Discrimination and Denigration
2021-017	Climie	Television New Zealand Ltd	1 News	Allegedly inaccurate coverage of heatwave incorrectly suggesting caused by climate change	Accuracy
2021-018	Grimwood	Radio New Zealand Ltd	Election Night Coverage	RNZ election night coverage failed to discuss climate change	Accuracy
2021-022	Higgins	Television New Zealand Ltd	Breakfast	The word "hell" is unacceptable language for families with children	Good Taste and Decency
2021-023	Oluwole	NZME Radio Ltd	Tim Roxborough	Caller referred to Africa as 'poor and dislikeable' country	Discrimination and Denigration
2021-026	Wilson	Discovery NZ Ltd	Newshub Live at 6pm	Item about sex worker sharing on social media during prime family hours	Good Taste and Decency, Children's Interests, Programme Information
2021-031	Kane	NZME Radio Ltd	Saturday Morning with Jack Tame	Allegedly misleading to say Māori are entitled to special treatment under the Treaty	Accuracy, Fairness, Discrimination and Denigration, Balance
2021-034	Scarlett	Television New Zealand Ltd	Seven Sharp	The use of the word 'bejesus' belittles the name of Jesus Christ	Discrimination and Denigration
2021-036A	Bell	NZME Radio Ltd	Mike Hosking Breakfast	Mike Hosking referred to Meghan Markle as 'hussy'	Good Taste and Decency
2021-036B	Wolters	NZME Radio Ltd	Mike Hosking Breakfast	Mike Hosking referred to Meghan Markle as 'hussy'	Discrimination and Denigration
2021-040	Maharey	Television New Zealand Ltd	Sunday	Item about online platform enabling people to access provocative images of women breaches good taste and decency	Good Taste and Decency
2021-041	Stranaghan	NZME Radio Ltd	Kate Hawkesby Early Edition	Coverage of vigil for Sarah Everard in UK anti-police and did not discuss non-compliance with Covid-19 requirements	Law and Order, Fairness, Balance
2021-048A	Maysmor	Discovery NZ Ltd	Newshub Live at 6pm	Images of needles during reports on Covid-19 vaccine could cause stress to people afraid of needles	Good Taste and Decency, Balance
2021-048B	Maysmor	Discovery NZ Ltd	Newshub Live at 6pm	Images of needles during reports on Covid-19 vaccine could cause stress to people afraid of needles	Good Taste and Decency, Balance
2021-032	Winkler	Television New Zealand Ltd	1 News	Item suggesting groundswell of support for removal of right to silence allegedly unbalanced	Balance
2021-033	Donald	Television New Zealand Ltd	Seven Sharp	Disparaging and unfair comments about those with concerns regarding COVID-19 vaccinations	Good Taste and Decency, Accuracy, Fairness, Discrimination and Denigration, Balance

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2021-044	Mosen	Radio New Zealand Ltd	Morning Report	Language (being 'blind' on state of contamination) discriminatory against those with eyesight disabilities	Discrimination and Denigration
2021-046	Family First NZ	Radio New Zealand Ltd	Morning Report	Coverage of the Open Letter regarding decriminalization of all drugs was 'atrociously biased'	Balance
2021-052A	Hector	Radio New Zealand Ltd	Morning Report	Report on statement by Willow Jean Prime about 'short skirts' by National Party members allegedly inaccurate	Accuracy, Fairness, Balance
2021-052B	Casey	Radio New Zealand Ltd	Morning Report	Report on statement by Willow Jean Prime about 'short skirts' by National Party members allegedly inaccurate	Accuracy, Fairness, Balance
2021-054	Right to Life NZ Inc.	Discovery NZ Ltd	AM	Reports on proposed changes to safe zones around abortion clinics allegedly lacked sufficient perspectives	Accuracy, Fairness, Balance
2021-060	Wightman	Discovery NZ Ltd	Newshub Live at 6pm	Complainant shown talking to police officer outside apartment building created risk to safety	Privacy
2021-027	Armstrong	Radio New Zealand Ltd	The Detail	Item on water quality and swimmability of Auckland beaches lacked other perspectives or proper critique of Council interviewees	Accuracy, Fairness, Balance
2021-035	Foster	RDU 98.5 FM Ltd	When Tony met Sosa	Use of 'n*gger' and racial slurs in song allegedly breached multiple standards	Good Taste and Decency, Law and Order, Privacy, Discrimination and Denigration, Violence, Programme Information
2021-037	Connolly	Discovery NZ Ltd	Newshub Live at 6pm	Comment during interview that 'white supremacists were responsible for problems affecting Māori and Pacific Island women' was discriminatory	Discrimination and Denigration
2021-038	United Fire Brigades' Association	Radio New Zealand Ltd	Nine To Noon	Item about UFBA allegedly inaccurate, unfair and unbalanced, gave undue prominence to interviewees with vested interest in discrediting UFBA	Privacy, Accuracy, Fairness, Balance
2021-042	Vette	Television New Zealand Ltd	Renters	Inspection and filming of property breaches privacy of tenants	Privacy
2021-043	Terris	Television New Zealand Ltd	Seven Sharp	Host was age-ist for referring to slow-drivers as 'grandpa'	Discrimination and Denigration
2021-039	Evans	95bFM	Publicity Notice/Promotion	Publicity notice on broadcasting complaints process followed by expletives ('fuck-knuckles, cock and piss, balls') which were allegedly offensive	Good Taste and Decency
2021-056A	VanPeurseem	Discovery NZ Ltd	The Project	Host's comment that 'happily we don't have many Americans in New Zealand' discriminatory	Discrimination and Denigration

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2021-056B	Fox	Discovery NZ Ltd	The Project	Host's comment that 'happily we don't have many Americans in New Zealand' discriminatory	Discrimination and Denigration
2021-057	Harris	Discovery NZ Ltd	AM	Questions to woman stuck in India suggested how she could circumvent the COVID-19 pandemic travel ban into NZ	Law and Order
2021-058	Hehir	Television New Zealand Ltd	1 News	Item on Easter trading puts forward views of retailers repeatedly without putting forward point of view of the Councils being criticised	Accuracy, Balance
2021-059	East	Television New Zealand Ltd	Popstars	Driving scene not clearly 'Hollywood driving' and therefore demonstrated dangerous driving	Law and Order
2021-064	Millar	Discovery NZ Ltd	New Zealand Today	Discussion of a sex act in a car was 'completely repulsive'	Good Taste and Decency, Discrimination and Denigration, Children's Interests, Violence
2021-070	Grammer	Discovery NZ Ltd	Newshub Live at 6pm	Allegedly misleading/false claims about the HSNO Act in NZ	Accuracy, Balance
2021-045	Francis	Television New Zealand Ltd	1 News	Protester (at protest against increasing rates of sexual violence) holding a placard reading 'don't fuckin touch me' on news report	Good Taste and Decency, Children's Interests
2021-051	Hall	Discovery NZ Ltd	Seven Days	Joke about Spanish man driving dead wife around referencing Prince Philip and his photo disrespectful and inappropriate given he recently passed	Good Taste and Decency
2021-050	Beaumont Bell	Radio New Zealand Ltd	RNZ Concert	Reference to composer as 'coloured' allegedly discriminatory	Good Taste and Decency, Discrimination and Denigration
2021-055	Olsen	Discovery NZ Ltd	New Zealand Today	Couple featured were poked fun at and treated unfairly, it was unclear if they gave informed consent and were aware they would be mocked	Fairness, Discrimination and Denigration
2021-066	Cochran	Radio New Zealand Ltd	Promo for Checkpoint	Promo for Checkpoint unnecessarily sensationalised yesterday's news about stabbing	Good Taste and Decency, Children's Interests, Violence, Balance, Programme Information
2021-075	Soh	NZME Radio Ltd	9am News Bulletin	Statement 'a herd of international students about to stampede into New Zealand' is demeaning, insulting, offensive and denigrating	Discrimination and Denigration
2021-076	Johnston	NZME Radio Ltd	The Nutters Club	Interview with former meth manufacturer and former user contained repeated profanities (variations of 'fuck', 'shit' and 'arse')	Good Taste and Decency, Programme Information

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2021-077	Edgewell Personal Care	Television New Zealand Ltd	Fair Go	Item on five-year-old boy's sunburn despite use of Banana Boat sunscreen allegedly misleading and may discourage use of sunscreen	Accuracy, Fairness
2021-073	Garrett	Radio New Zealand Ltd	Midday Report	item on Ombudsman findings regarding 'undignified and barren' prison conditions allegedly unbalanced as only interviewed prison reform advocate	Balance
2021-074	Judge	Television New Zealand Ltd	Have You Been Paying Attention – Promo	Comment about shooting ducks and shooting Trevor Mallard not in good taste	Good Taste and Decency, Violence, Law and Order
2021-078	Thwaites	Radio New Zealand Ltd	Morning Report	Reporter mentioned the descent of a kiwi stuck in India in a manner that suggests their Māori descent elevates the importance of getting them home during COVID-19 pandemic	Discrimination and Denigration, Fairness
2021-082	Britten	Radio New Zealand Ltd	Nine to Noon	Segment about truancy crisis in school not balanced and inaccurate as it did not acknowledge the variation in delivery and practice models nationally	Balance
2021-083	Drinnan	Radio New Zealand Ltd	Morning Report	Interview on selection of transgender woman on NZ Olympic weightlifting team allegedly one-sided and reflected interviewer's personal views	Accuracy, Balance
2021-084	Kehoe	Television New Zealand Ltd	Police Ten 7	Scene where woman called 'nosey motherfucking white c*nt' (censored) was racist	Discrimination and Denigration
2021-068	Cumin	Discovery NZ Ltd	The Project	Allegedly inaccurate maps delegitimise state of Israel and encourage anti-Semitism	Accuracy
2021-085	Meridian Energy	Radio New Zealand Ltd	Morning Report	Report that energy companies caused a spike in prices and were cleared on a technicality allegedly inaccurate	Accuracy, Fairness
2021-086	Ong	Radio New Zealand Ltd	Midday Report	Interviewer not balanced or fair in interviews with Protect Pūtiaki occupation spokesperson Emily Weiss compared to Kennedy Point Boatharbour director Kitt Littlejohn	Fairness, Balance
2021-087	Wills	Discovery NZ Ltd	Newshub Nation	Tova O'Brien is biased and one-sided in interviews and reports	Accuracy, Balance, Fairness
2021-091	Lerner	MediaWorks Radio Ltd	Magic Afternoons with Danny Watson and Leah Panapa	Remark 'Hollywood was run by Jewish people' was anti-semitic and reflected trope of Jewish people controlling the media	Discrimination and Denigration
2021-069	Matekahi & Rolleston	Māori Television Service	Te Ao Māori News	Story on Tuhoē denigrates Tuhoē leadership, cultural integrity, values and views to a public ill-equipped to judge fairly	Accuracy, Fairness, Discrimination and Denigration, Balance

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2021-094	Quirke	Discovery NZ Ltd	Promo for Hustlers	Promo had mildly explicit content not suitable for broadcast during a children's movie	Good Taste and Decency, Children's Interests
2021-096	Gibson	Discovery NZ Ltd	Killer Couple (Promo)	Promo inappropriate for PG classification of host programme	Good Taste and Decency, Children's Interests, Violence
2021-097A	Summerfield	Discovery NZ Ltd	AM	Michael Baker's statement he is not aware of any serious side effects to the COVID-19 vaccine is inaccurate	Accuracy
2021-097B	Summerfield	Discovery NZ Ltd	AM	Chris Hipkins's statement he is not aware of any serious side effects to the COVID-19 vaccine is inaccurate	Accuracy
2021-098	Frame	SKY Network Television Ltd	ICC WTC Final IND vs NZ: Test Wrap	Reference to NZ cricket team as 'nice guys' denigrates other teams who have won in the past, implying they were not 'nice guys'	Discrimination and Denigration
2021-099	Sharland	SKY Network Television Ltd	Euro Final 2020	Footage of spectators fighting each other during half time break at EURO Final 2020 inappropriate	Violence
2021-100	Sullivan-Brown	Discovery NZ Ltd	Promo for Rambo Last Blood	Violent promo shown during children's movie, Despicable Me 3	Children's Interests, Violence
2021-101	Johnson	Television New Zealand Ltd	1 News	The reporter said the accused was carrying a bible when he was carrying a Quran	Accuracy, Fairness
2021-102	Scott	NZME Radio Ltd	Canterbury Mornings with John Macdonald	Hon Judith Collins's comment 'I think a lot of people want to bottle her' re Poto Williams incites violence	Law and Order
2021-104	Zacharias	Television New Zealand Ltd	The Simpsons	The Simpsons unsuitable for children as it contains bad language and is likely to make children more violent	Good Taste and Decency, Children's Interests, Violence
2021-089	Hogan	Television New Zealand Ltd	NewsHub Live at 6pm	Misrepresentation of Prime Minister's comments on proposed hate speech legislation	Accuracy
2021-092	Cycling Action Network	NZME Radio Ltd	Kerre McIvor Mornings	Host denigrated cyclists with statements such as 'nice in lycra and on bikes'	Fairness, Discrimination and Denigration, Balance
2021-106	Buchanan	SKY Network Television Ltd	Olympic Boxing Coverage	Mispronunciation of boxer Uladzislau Smialhikau's last name	Good Taste and Decency
2021-107	Brown	NZME Radio Ltd	Mike Hosking Breakfast	Host stated Ashley Bloomfield is a 'liar'	Accuracy, Fairness
2021-108	Chambers	Discovery NZ Ltd	NewsHub Live at 6pm	The report about the leaked 'They Are Us' script contained statements derogatory against Americans	Discrimination and Denigration
2021-119	McDonald	Discovery NZ Ltd	NewsHub Live at 6pm	Broadcast of Lisa Adams hugging sister Dame Valerie after Lisa won a gold medal at the Paralympics allegedly in breach of COVID-19 physical distancing restrictions	Good Taste and Decency, Children's Interests, Law and Order

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2021-088	McGee	Radio New Zealand Ltd	The Detail	Comment Hon Judith Collins made donations to National MPs, followed by correction, allegedly inaccurate	Accuracy
2021-101	HJ	Discovery NZ Ltd	Newshub Live at 6pm	A news item on the Tamaru accident included clips of scene that were disturbing and traumatic to complainant	Good Taste and Decency, Privacy, Accuracy, Fairness, Programme Information, Balance
2021-113A	Carswell	Television New Zealand Ltd	TVNZ My Life is Murder Promo	Promos played during times children may be watching contained inappropriate content	Good Taste and Decency, Children's Interests
2021-113B	Carswell	Television New Zealand Ltd	Taskmaster Promo	Promos played during times children may be watching contained inappropriate content	Good Taste and Decency, Children's Interests
2021-117A	Grant	NZME Radio Ltd	Mike Hosking Breakfast	Mike Hosking interview with Associate Health Minister Ayesha Verrall allegedly inconsiderate and mocking	Good Taste and Decency, Fairness, Discrimination and Denigration
2021-117B	Findlay	NZME Radio Ltd	Mike Hosking Breakfast	Mike Hosking interview with Associate Health Minister Ayesha Verrall allegedly inconsiderate and mocking	Accuracy, Fairness, Balance
2021-118	Engleby	Discovery NZ Ltd	Patrick Gower: On Hate	Use of images of members of Action Zealandia and its flag allegedly unfair in associating organisation with terrorism and violence	Fairness
2021-120	Clarke	NZME Radio Ltd	Early Edition with Kate Hawkesby	'Unrelenting character assassination' of Director-General of Health during segment discussing his performance re COVID-19 response	Accuracy, Fairness, Discrimination and Denigration
2021-121	Kudin	Television New Zealand Ltd	Olympic Games coverage	Rhyming comment 'insane for the Ukraine, left hook to the brain' regarding men's middleweight boxing final inappropriate	Good Taste and Decency
2021-122	Anderson	Discovery NZ Ltd	newshub Live at 6pm	News item saying Ivermectin not effective treatment for COVID-19 allegedly inaccurate	Accuracy, Fairness
2021-123	Arps	Discovery NZ Ltd	Patrick Gower: On Hate	Complainant was not given opportunity to comment as part of broadcast which makes reference to him	Fairness
2021-124	Wayman	Television New Zealand Ltd	1 News	Allegedly racist to say 'Pasifika people feel more comfortable receiving healthcare from clinicians that look like them'	Discrimination and Denigration
2021-109	Derleth	Discovery NZ Ltd	Newshub Live at 6pm	Report on community reaction to sentencing of Ofa He Mooni Folau following assault conviction unbalanced	Balance
2021-125	Carran	Television New Zealand Ltd	Breakfast	Interview with Hon Judith Collins around National Party's objection to virtual Parliament and COVID-19 related issues allegedly unbalanced, uninformed and biased	Accuracy, Balance

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2021-127	Powell	Television New Zealand Ltd	1 News	Item on COVID-19 misinformation trends referred to Ivermectin as a horse drug when it has been approved for human consumption for specific conditions	Accuracy
2021-128	Glen	MediaWorks Radio Ltd	The Edge Breakfast	Sexual language (when discussing constipation post childbirth) broadcast at time when children were listening	Good Taste and Decency, Children's Interests
2021-129	Nightingale	NZME Radio Ltd	Callum & P	Disclosing a person's COVID-19 vaccination status on-air	Privacy
2021-130	Gilchrist	Discovery NZ Ltd	AM	Statement COVID-19 Pfizer vaccine had the same approval as everyday medicines like Panadol and Nurofen allegedly inaccurate	Good Taste and Decency, Accuracy, Fairness, Programme Information, Balance
2021-135	Jarvis	Television New Zealand Ltd	1 news – Covid Update	Alleged COVID-19 modelling presented by Professor Shaun Hendy during a government COVID-19 briefing was inaccurate and unbalanced	Fairness, Balance
2021-126	Westbrook	Television New Zealand Ltd	Sunday	Item on Delta strain of COVID-19 contained inaccuracies regarding patient's background	Accuracy
2021-136	O'Hagan	MediaWorks Radio Ltd	Magic Talk	Comments by a caller celebrated police shooting of perpetrator at Lynn Mall terror attack	Good Taste and Decency, Law and Order, Children's Interests, Violence
2021-138	Marshall	Television New Zealand Ltd	Seven Sharp	Allegedly incorrect statement on safety / efficacy of COVID-19 vaccine for pregnant / breastfeeding people	Accuracy, Fairness, Balance
2021-133	Robinson	Discovery NZ Ltd	NewsHub Live at 6pm	News item on the Mood of the Boardroom report lacked balance and fairness as it focused on negative comments about Hon Judith Collins and not Rt Hon Jacinda Ardern	Fairness, Balance
2021-137	Kearins	Discovery NZ Ltd	NewsHub Live at 6pm	Video of partygoers dry humping each other was inappropriate and not necessary for the broadcast	Children's Interests
2021-139	Jones	Radio New Zealand Ltd	Morning Report	Interviewing style of Kim Hill during interview with John Tamihere allegedly rude and aggressive	Good Taste and Decency, Fairness, Balance
2021-140	Danes	Discovery NZ Ltd	Promo for Naked And Afraid Of Love	Nudity in promo shown during Aussie Gold Hunters.	Good Taste and Decency, Children's Interests
2021-141	Cribb	SKY Network Television Ltd	Prime News	Interviewee wearing t-shirt which read 'good c*nt'	Good Taste and Decency (action taken)
2021-145	Findlay	NZME Radio Ltd	Simon Barnett and James Daniels Afternoons	Alleged inaccuracy as to when Prime Minister said COVID-19 vaccine passports would be available at 1pm briefing	Accuracy

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2021-149	Davis	Television New Zealand Ltd	Seven Sharp	Segment showing cyclists riding on pavement	Law and Order
2021-152	Bright	Discovery NZ Ltd	The Project	Allegedly inaccurate for Siouxsie Wiles to say the COVID-19 vaccine is safe for pregnant people	Accuracy
2021-153	Bergin	Television New Zealand Ltd	1 News	Colourful language in sports news item ('they can shove it up their arse')	Good Taste and Decency, Law and Order, Violence
2021-157	Love	Discovery NZ Ltd	Newshub Live at 6pm	Reference to 8% of population being COVID-unvaccinated doesn't clarify proportion of 'eligible' population	Accuracy, Programme Information
2021-093	Young	Television New Zealand Ltd	1 News	Report cut off President Xi Jin Ping's quote leaving viewers with an impression of a threatening message that is inaccurate and out of context	Accuracy, Balance
2021-143	Boyce	Radio New Zealand Ltd	Various	Statements related to COVID-19 unvaccinated people not being allowed to congregate inside shows systemic discrimination	Law and Order, Discrimination and Denigration, Balance
2021-144	Boyce	Discovery NZ Ltd	Newshub Live at 4.30	Coverage of Prime Minister's Northland press conference allegedly lacked balance; and inappropriate depiction of female handball players	Good Taste and Decency, Balance
2021-148	O'Mahony	Television New Zealand Ltd	Breakfast	Newsreader laughed leading into sensitive subject, Remembrance Day in UK	Good Taste and Decency
2021-151	Joughin	Television New Zealand Ltd	1 News	Clip from heavyweight boxing bouts was brutal and upsetting	Good Taste and Decency, Violence
2022-007	Wilson	SKY Network Television Ltd	Prime News	Description of Australian cricket team 'mugging' New Zealand was 'extremely inappropriate and prejudicial'	Fairness, Discrimination and Denigration, Balance
2022-004	Waters	SKY Network Television Ltd	Andalucia Masters	In reference to the difficulty of golf course, commentators said 'Charles Manson put this [flag] in'; and 'Whoever set that flag, I can just picture him in his room at night catching flies and pulling the wings off them and watching them suffer'	Law and Order
2021-163	Millward	Television New Zealand Ltd	1 News	Reporter described Simon Bridges MP as a 'political mongrel'	Good Taste and Decency, Fairness, Discrimination and Denigration, Balance, Accuracy
2021-147	Frost	Television New Zealand Ltd	1 News	Item covering COVID-19 vaccine mandates for teachers showed professor holding sign stating vaccine was an 'experimental trial until 2023' without dismissing or clarifying the sign	Balance
2021-164	Thorp	Radio New Zealand Ltd	Morning Report	Interview with Christopher Luxon MP where he was asked about his religion allegedly discriminatory to Christians	Discrimination and Denigration

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2022-010	Williamson	Television New Zealand Ltd	1 News	Person getting COVID-19 test visibly shocked at experience	Good Taste and Decency, Law and Order, Accuracy, Balance
2021-146	Oluwole	NZME Radio Ltd	Mike Hosking Breakfast	Reference to yet to be COVID-19 vaccinated New Zealanders as idiots	Good Taste and Decency
2021-154A	Brevoort	Television New Zealand Ltd	1 News	Comments about risk of transmission of COVID-19 between vaccinated people being 200x lower were allegedly inaccurate	Accuracy
2021-154B	Pridham	Television New Zealand Ltd	1 News	Comments about risk of transmission of COVID-19 between vaccinated people being 200x lower were allegedly inaccurate	Accuracy
2021-154C	Stone	Television New Zealand Ltd	1 News	Alleged that describing recipients of the COVID-19 vaccine as being 'fully immune' was inaccurate	Accuracy
2021-160	DX	Television New Zealand Ltd	1 News	Coverage of a crash involving complainant's family member	Privacy, Fairness, Accuracy, Law and Order
2021-165	Curran	NZME Radio Ltd	Weekend Sport	Talkback host allegedly encouraged violence against COVID-19 vaccination protestors causing traffic gridlock	Good Taste and Decency, Violence, Law and Order
2022-009	Barron	Radio New Zealand Ltd	Sunday Morning	Interview with Dr Maxime Taquet incorrectly portrayed long Covid as a psychological rather than physiological condition	Accuracy, Balance, Discrimination and Denigration
2022-013	Benge	NZME Radio Ltd	Kerre McIvor Mornings	During discussion of COVID-19 restrictions, host allegedly disrespectful to caller saying they're a 'sad pathetic creature'	Fairness, Balance
2022-014	Miliša	NZME Radio Ltd	Heather du Plessis-Allan Drive	Description of deaths from COVID-19 as 'preventable' rather than 'potentially preventable' was allegedly misleading	Accuracy
2022-018	Wade	Discovery NZ Ltd	NewsHub Live at 6pm	Host laughing during news item on cars catching fire in Australia was inappropriate	Good Taste and Decency
2022-020	Brennan	Discovery NZ Ltd	The Project	Alleged a report referencing Joe Rogan using Ivermectin to treat COVID-19 was unfair as it referred only to the animal uses of the drug	Fairness, Accuracy, Discrimination and Denigration
2022-021	Edwards	Television New Zealand Ltd	1 News	Allegedly biased news report on National party conference in Queenstown said party was out of touch	Fairness, Balance
2022-005	NZDSOS Inc.	Television New Zealand Ltd	Seven Sharp	Alleged inaccuracies of COVID-19 vaccine composition and safety in interview	Accuracy

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2022-022	The New Zealand Forest Owners Association Inc.	Discovery NZ Ltd	Newshub Live at 6pm	Item on forestry mistakenly conflated carbon farming with production forests and did not contain perspectives about the benefits of forestry on communities	Balance, Accuracy
2022-024	Taylor	Discovery NZ Ltd	Newshub Live at 6pm	Alleged that it was inappropriate to conduct a live interview with a visibly inebriated man, which included coarse language ('fuck')	Good Taste and Decency
2021-155A	Winyard	Discovery NZ Ltd	Newshub Live at 6pm	Item where undercover reporters filmed doctor issuing COVID-19 vaccination exemption certificates allegedly breached privacy	Privacy
2021-155B	Goodwin	Discovery NZ Ltd	Newshub Live at 6pm	Item where undercover reporters filmed doctor issuing COVID-19 vaccination exemption certificates allegedly breached privacy, was illegal	Law and Order, Privacy
2022-012	Kane	Television New Zealand Ltd	1 News	Item on Tross Publishing books ('anti-Māori' books) being removed from school was allegedly biased, unfair and 'anti-white'	Accuracy, Fairness, Discrimination and Denigration, Balance
2022-023A	Yates	Access Radio Otago (Hills Radio Trust)	OARsome Morning Show	Segment encouraging people to get COVID-19 vaccine allegedly ignored adverse reactions	Accuracy, Balance
2022-023B	Yates	Access Radio Otago (Hills Radio Trust)	Afrocarribean Show	Segment encouraging people to get COVID-19 vaccine allegedly ignored adverse reactions	Accuracy, Balance
2022-025	Walls	Radio New Zealand Ltd	Mediawatch	Alleged 'demonisation' of people who have concerns of COVID-19 vaccine or pandemic	Discrimination and Denigration, Balance, Fairness
2022-027	Blomfield	New Zealand Media and Entertainment (NZME.)	Roman Travers – Overnight Talk	Discussion about Parliament anti-mandate (COVID-19) protest contained swearing, degraded callers and was racist towards Māori	Good Taste and Decency, Accuracy, Fairness, Discrimination and Denigration, Programme Information, Balance
2022-037	Carswell	Television New Zealand Ltd	Breakfast	Use of phrase 'fussy puss' in reference to cat food allegedly sexual	Good Taste and Decency, Children's Interests
2022-044	Yuan	Discovery NZ Ltd	Newshub Live at 6pm	Host's commentary the crash of Chinese Eastern Airlines flight might have been deliberate allegedly inaccurate, insensitive, unfair and xenophobic	Discrimination and Denigration, Accuracy, Fairness
2022-015	Robertson	Television New Zealand Ltd	1 News	Waka Kotahi reducing use of glyphosate, but not saying how, didn't mention safety of chemical	Balance

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under
2022-031	Sharplin	Television New Zealand Ltd	1 News	Boxing match was violent and outside audience expectations, allegedly resembling a criminal assault	Good Taste and Decency, Violence, Law and Order
2022-052	Wicks	Television New Zealand Ltd	1 News	Reconsideration of privacy complaint following High Court appeal	Privacy
2022-026	Abdul-Rahman	Radio New Zealand Ltd	Morning Report	Overdubbing of foreign students speaking in English was discriminatory	Discrimination and Denigration
2022-028	Mitchell	NZME Radio Ltd	The Big Show	Alleged that a conversation about touching testicles and making a joke about a speech titled 'the Dilworth Way' was inappropriate	Good Taste and Decency, Children's Interests
2022-034	Hamilton	Radio New Zealand Ltd	Morning Report	Report that COVID-19 protestors at parliament were asking for 'reinforcements' allegedly encouraged a breach of the law	Law and Order
2022-036	Miller	Television New Zealand Ltd	1 News	Item on war in Ukraine reporting that a Russian tank drove deliberately into a Ukrainian car allegedly inaccurate as tank wasn't Russian and it was an accident	Accuracy
2022-038	West	Discovery NZ Ltd	NewsHub Live at 6pm	Map showed Crimea as part of Russia, didn't indicate it is annexed by Russia	Programme Information, Law and Order, Accuracy, Fairness
2022-039	Serfontein	Discovery NZ Ltd	NewsHub Live at 6pm	Alleged that footage of a rugby player vomiting next to the field was not in good taste or decent	Good Taste and Decency
2022-041	Brown	Radio New Zealand Ltd	1pm News Bulletin	News item on Christopher Luxon MP's tax policy only had the views of an expert supporting the policy (when earlier programme had expert opposing policy as well)	Balance
2022-045	Redshaw	Discovery NZ Ltd	The Project	Alleged it was inaccurate to suggest Joe Rogan took the animal version of the drug Ivermectin to treat COVID-19	Accuracy
2022-046	Shields	Discovery NZ Ltd	AM	Reporting of COVID-19 Parliament protest allegedly misleading and one-sided, did not reflect views of all protesters	Discrimination and Denigration, Accuracy, Fairness
2022-048A	Stone	Television New Zealand Ltd	1 News	The way a segment of one MP asking questions in the House was edited was misleading as it removed the Speaker's interjections	Balance, Accuracy
2022-048B	Maynard	Television New Zealand Ltd	1 News	The way a segment of one MP asking questions in the House was edited was misleading as it removed the Speaker's interjections	Balance, Accuracy
2021-008	Collie	NZME Radio Ltd	Mike Hosking Breakfast	Report that Sky News staff were flouting COVID-19 restrictions allegedly inaccurate	Accuracy

Declined to determine

Under section 11 of the Broadcasting Act 1989, the BSA may decline to determine a complaint if it considers that: a) the complaint is frivolous, vexatious or trivial; or b) in all the circumstances of the complaint, it should not be determined. If the Authority declines to determine a complaint under section 11(a), the Authority may make an order of costs against the complainant in accordance with the order provisions in section 16(2)(a) of the Act.

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under	Reason
2021-049	Harter	Discovery NZ Ltd	Promo – The Project	Host's comments about an actor with shirt off was inappropriate and offensive	Good Taste and Decency, Discrimination and Denigration, Children's Interests	s11(b) – in all the circumstances
2021-062	Stewart	Discovery NZ Ltd	Newshub Late	Reporter's use of the words 'bombshell' and 'blasted' in an item immediately following a report on Gaza was inappropriate	Good Taste and Decency	s11(b) – in all the circumstances
2021-072	Spring	Radio New Zealand Ltd	Morning Report	Report Trump lied about election defeat inconsistent with reporting on other lying politicians	Accuracy, Fairness, Discrimination and Denigration, Balance, Programme Information	s11(b) – in all the circumstances
2021-063	O'Halloran	Television New Zealand Ltd	Breakfast	Interaction between male reporter and male interviewee allegedly pornographic	Good Taste and Decency	s11(b) – in all the circumstances
2021-080	Stark	Discovery NZ Ltd	Newshub Live at 6pm	In a clip where English football fans were rejoicing winning against Denmark a member of the public cried out 'Jesus Christ'	Good Taste and Decency	s11(b) – in all the circumstances
2021-111	Parvomai	Radio New Zealand Ltd	Our Changing World	Use of England and the UK interchangeably	Accuracy	s11(a) – trivial
2021-114	Francis	Television New Zealand Ltd	Seven Sharp	Comedian described himself in 4 letter word, spelling 'CUTE', implied a profanity	Good Taste and Decency, Children's Interests	s11(a) – trivial
2021-105	Greenslade	Discovery NZ Ltd	The Hui	Programme encouraged Māori-centric racism through comments throughout programme and use of te reo Māori without subtitles	Discrimination and Denigration	s11(b) – in all the circumstances
2021-115	Frewen	Discovery NZ Ltd	Newshub Live at 6pm	Analysis of poll including statement Labour 'no longer governs alone' allegedly inaccurate	Accuracy	s11(a) – trivial
2021-131	Morgan	NZME Radio Ltd	Mike Hosking Breakfast	Coverage of COVID-19 vaccine rollout encourages discrimination against health workers in Bay of Plenty and Canterbury	Discrimination and Denigration	s11(b) – in all the circumstances
2021-132A	Laroche	Television New Zealand Ltd	Seven Sharp	Hilary Barry commented she would have people not vaccinated against COVID-19 in a pup tent outside at her dinner parties	Discrimination and Denigration	s11(b) – in all the circumstances

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Standards Complained Under	Reason
2021-132B	Breed	Television New Zealand Ltd	Seven Sharp	Hilary Barry commented she would have people not vaccinated against COVID-19 in a pup tent outside at her dinner parties	Accuracy, Fairness, Discrimination and Denigration, Balance	s11(b) – in all the circumstances
2021-156	Joubert-Buys	Discovery NZ Ltd	The Project	Jeremy Corbett said that he hated something with the passion of a 1000 Christs, then said, "For the love of God...."	Good Taste and Decency	s11(b) – in all the circumstances
2021-158	Jones	Television New Zealand Ltd	Breakfast	Referring to Auckland being in COVID-19 Level 3 Alert Level settings as 'lockdown' is inaccurate	Accuracy, Programme Information	s11(a) – trivial
2022-008	Mochnecki	Radio New Zealand Ltd	Midday Report	Selection of stories relating to Māori issues	Law and Order, Accuracy, Fairness, Discrimination and Denigration, Balance	s11(b) – in all the circumstances
2022-001	Cole	Radio New Zealand Ltd	Saturday Storytime	Character in story allegedly described milk as 'snot slop'	Good Taste and Decency, Children's Interests, Accuracy	s11(a) – trivial
2022-011	Mackenzie	Television New Zealand Ltd	1 News	Coverage of New Years honours recipients did not include sufficient coverage of certain persons	Balance, Fairness	s11(b) – in all the circumstances
2022-003	Lindsay	Radio New Zealand Ltd	Nine to Noon	Interview with Christopher Luxon MP was biased and disrespectful as interviewer interrupted and expressed own political views	Good Taste and Decency, Fairness, Balance	s11(b) – in all the circumstances
2022-040	McKinley	Discovery NZ Ltd	R&R	Māori programme allegedly racist towards white people	Good Taste and Decency, Accuracy, Fairness, Discrimination and Denigration	s11(b) – in all the circumstances
2022-054	Dennehy	Television New Zealand Ltd	1 News	Allegedly inaccurate to describe Maria Sharapova as a 'grand slam' winner	Accuracy	s11(a) – trivial

Other interlocutory decisions

Other decisions record on interlocutory matters.

Decision Number	Complainant	Broadcaster	Programme	Nature of Complaint	Finding
ID2021-090D	Privacy Commissioner	Radio New Zealand Ltd	Morning Report	Interlocutory decision on process issues	Jurisdiction accepted
ID2021-090G	Waikato District Health Board	Radio New Zealand Ltd	Morning Report	Interlocutory decision on process issues	Directions to parties on submission of evidence and key facts

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