



BROADCASTING STANDARDS AUTHORITY
TE MANA WHANONGA KAIPĀHO

2022 Litmus Test of BSA Accuracy Standard in Broadcast Content

Public attitudes towards accuracy standards on TV /
Radio

Final report

May 2022

KANTAR PUBLIC



Contents

01

02

03

04

05

Research
approach

Setting the
scene:
Media use /
consumption

Setting the
scene:
Attitudes towards
accuracy

BSA and
the
Standards

Evaluation
of BSA's
decisions

1

Four out of five decisions achieved the BSA Performance Measure. Participants ranked the BSA decisions as acceptable, good or very good on a five-point scale, as follows:

Apna TV Promoting false claims around COVID-19 and other issues	92%
The Project Mislabelled maps	90%
Mike Hosking Breakfast Show COVID-19 deaths in Italy	84%
AM Show COVID-19 vaccine approval	81%
Kerre McIvor Mornings COVID 'almost certainly' in the community	70%

2

Many New Zealanders are surprised the Accuracy Standard does not apply to comment or opinion

This did not align with their perceptions and experiences consuming factual content prior to learning about the standard and its application, e.g. statements following 'I think' should be treated as opinion over fact (see slide 17).

For some, it was thought this exclusion made it possible for broadcasters to work around the requirements of the accuracy standard (see slide 26).

This point continued to arise throughout the qualitative discussions, with some believing that comment/opinion should fall under the standard in some circumstances, e.g. when there is intent to mislead (see slide 48).

3

People understand and accept the BSA's decisions, generating trust and confidence in the BSA

Overall, people are happy with the BSA's decisions. Regardless of their view prior to reading a decision, most accepted the BSA's reasoning, even when they did not agree with the outcome.

Most of the decisions are clear and easy to understand, with relevant feedback mentioned throughout the report.

For some, however, questions still remain about the internal workings of the BSA and the decision making process (see slide 16).

4

Perceptions did not vary greatly across demographic subgroups regarding the application of the Accuracy Standard

Across the five decisions, there weren't any systematic differences in perceptions of how the Accuracy Standard had been applied by demographic subgroups.

This was supported by the qualitative phase, with similar findings across the five key audiences. Any notable differences are mentioned throughout the report.

01

Research approach



The **Broadcasting Standard Authority (BSA)** oversees the broadcasting standards regime in New Zealand. It provides the public with a free and independent complaints service with respect to broadcasting standards with which broadcasters must comply.

Every year, members of the public are invited to 'litmus test' up to five BSA decisions on a chosen topic or standard as specified in the BSA's Statement of Performance Expectations.

For the quantitative survey, the BSA's target for performance is that 75% or more of the participants rate the tested decisions as acceptable, good or very good on a five-point scale.



The overall objective of this research is to determine whether BSA decisions reflect community standards and are understood by members of the public.



SPECIFICALLY, BSA WANTS TO:

1

Understand current community attitudes towards the particular issue or standard(s) chosen for testing; and

2

Evaluate the BSA's:

- approach to the relevant standard and/or issue
- clarity of reasoning
- decision outcome.

The topic for this year's litmus testing focussed on decisions related to **accuracy**. We looked at five BSA decisions relating to this which were broadcast between July 2020 and December 2021. This included two TV Three programmes, one Apna Television programme, and two radio clips. The subsequent BSA decisions on complaints made against those programmes provided the basis for discussion.



Kerre McIvor Mornings – COVID 'almost certainly' in the community



Mike Hosking Breakfast Show – segment on COVID-19 deaths in Italy



The Project – maps labelled Jordanian land as Israeli



APNA TV – promoting false claims around COVID-19 and other issues



AM Show – COVID-19 medsafe approval





We spoke to a total of 580 people online.

The number of interviews with Māori, Pacific peoples and Asian New Zealanders were boosted to ensure we had a sufficient sample to analyse responses by ethnicity. See Appendix for detailed sample breakdown.

Respondents were sourced from Kantar Public's online consumer panel.



Fieldwork was conducted from the 24th of March to the 5th of April 2022.



The questionnaire was structured to present a short video clip to each person and then ask for their feedback. We asked for feedback in two ways. First, we asked for a gut reaction to the complaint – after viewing the clip each person was immediately asked if they would have upheld the complaint, or not. Second, we outlined the BSA decision and the relevant standards before asking people to rate the decision on a five point scale. It is this latter rating that reflects the KPI requirement for the BSA.



The maximum margin of error on a sample size of n=580 is +/-4%.

We post-weighted the data to ensure it is representative of the New Zealand adult population by age, gender, region and ethnicity.

Differences in the data over time are tested at the 95% confidence level, while differences between subgroups are tested at 90%.

FIVE ZOOM MINI-GROUPS

1. NZ European / Pākehā

2. Māori

3. Pacific Peoples

4. Asian

5. Young people

ACROSS ALL GROUPS

1

Spread of ages and gender

- As well as the 'young people' group, we had a spread across different age groups within the ethnicity groups (youth, adults, older).

2

Spread of life stage and household type

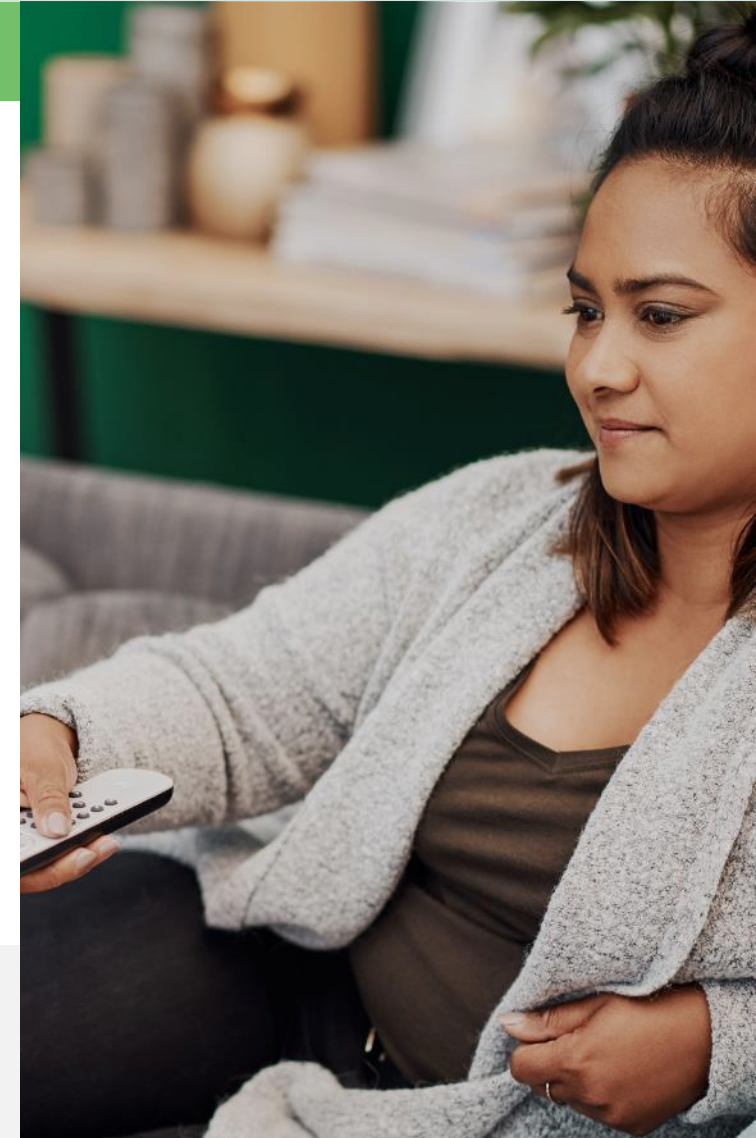
- Sole parents, two-parent households, multi-generational households, empty nesters.

3

Spread of income

Participants completed a pre-task, which included watching/listening to the five clips and completing a self-completion sheet prior to the group. Within each group, four of the five clips were discussed. These were rotated across the groups.

Fieldwork completed during **March 2022**.

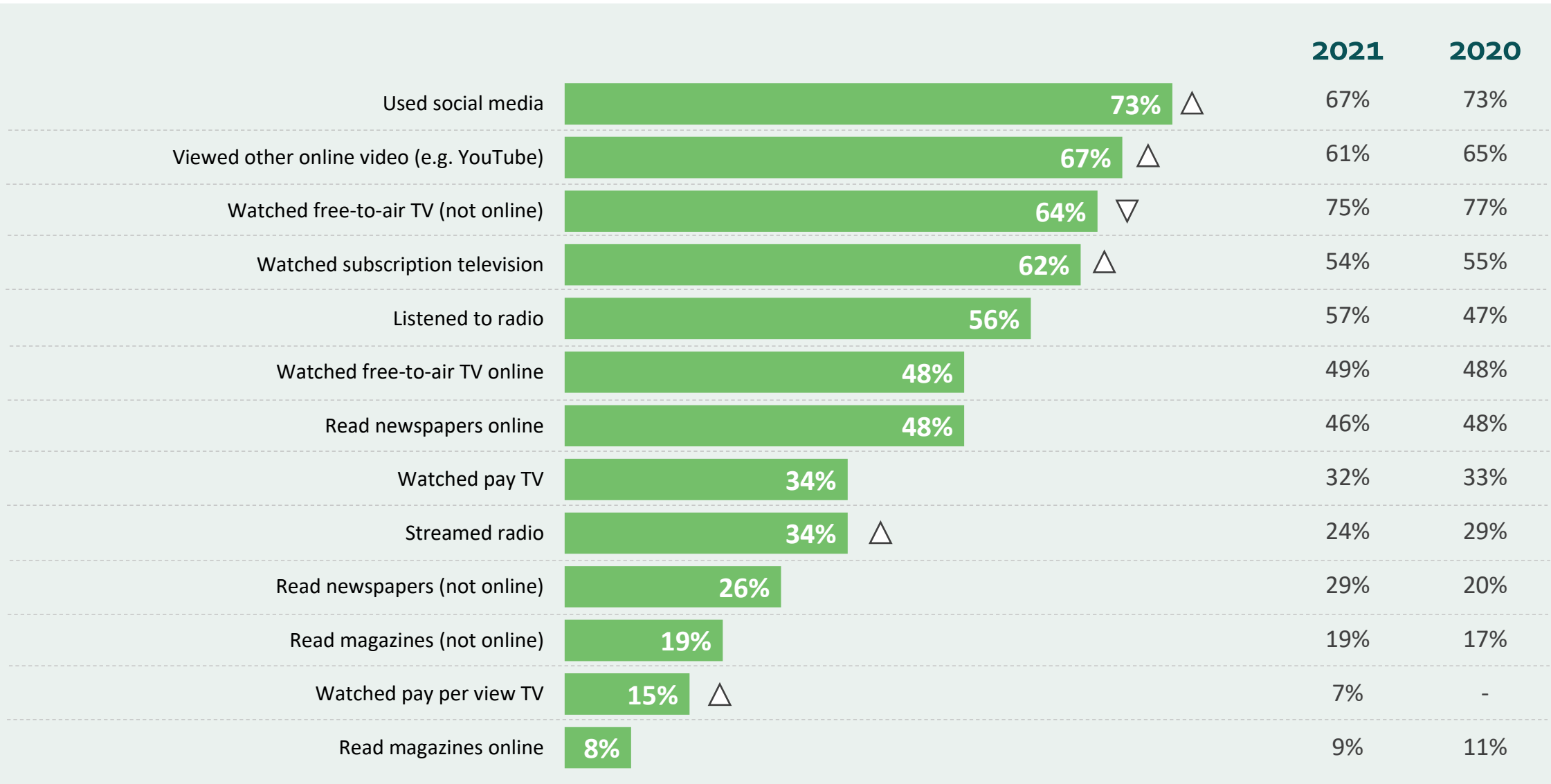


02

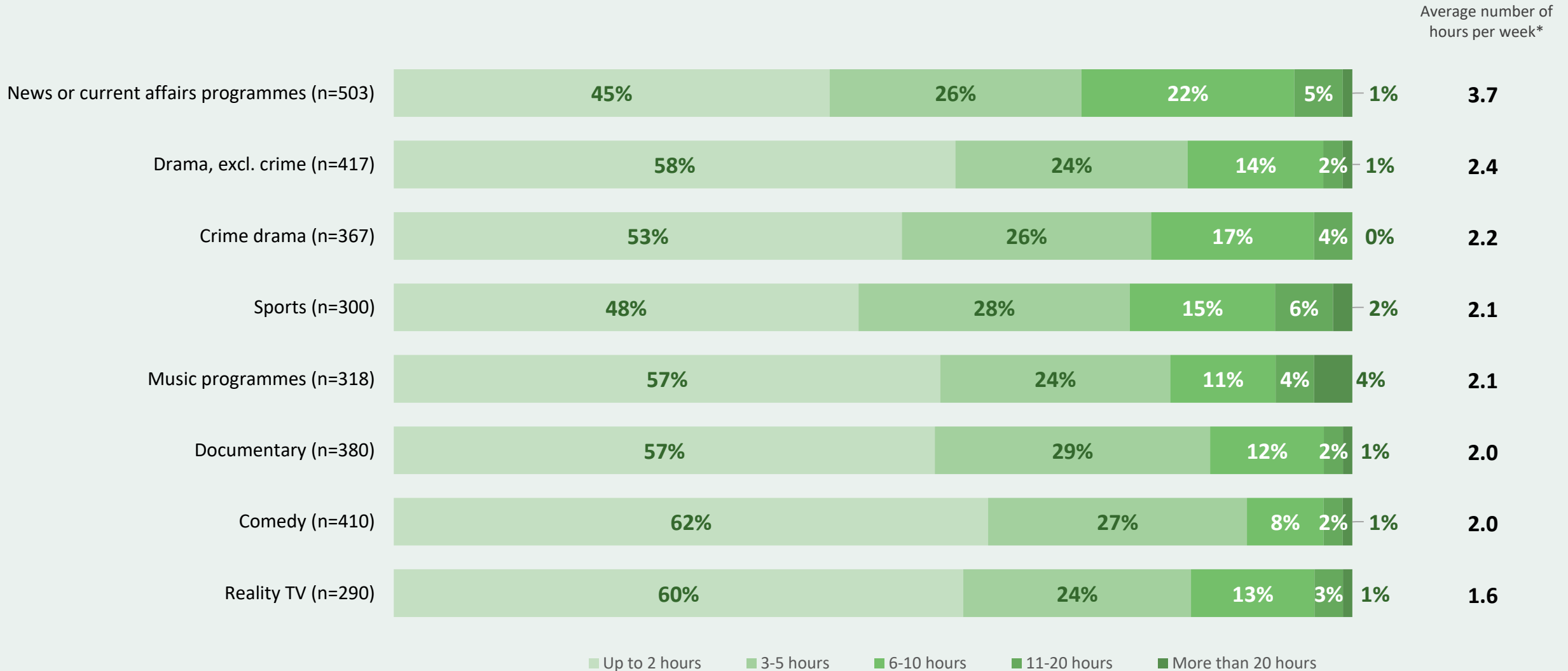
Setting the scene – media use / consumption



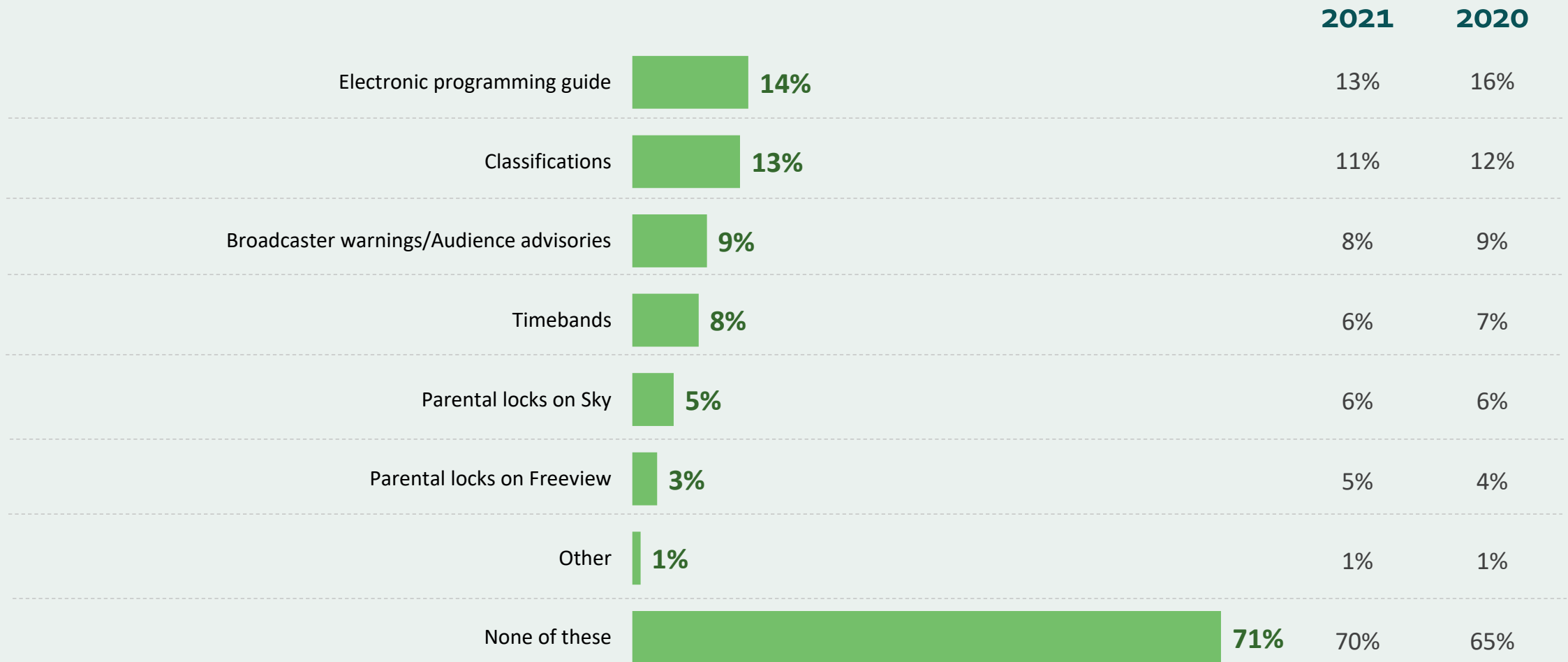
Social media has taken the top spot as the most-consumed media this year, with other online mediums also increasing in popularity in favour of free-to-air linear television.



New Zealanders spend the most time watching news or current affairs and drama programmes. They spend the least time watching reality television and comedy.



Consistent with last year, seven in ten New Zealanders do not use any of the tools we asked about to manage viewing in their household.



03

**Setting the scene – attitudes
towards accuracy**



There are many contributing factors for New Zealanders when considering accuracy in factual content

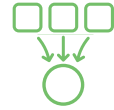


Information source influences perceptions and expectations of accuracy

- Some sources are seen as more reliable than others for broadcasting accurate information, particularly those known for verifying their sources, e.g. BBC.
- Whereas social media platforms such as Facebook, Instagram and Tiktok are seen as less reliable, tending to prioritise clickbait and internet traffic, over presenting factual information.

"I would say I would check the source of the news itself. So nowadays many people can write things on Internet and some media they don't really verify. They just pick that headline, attracting a lot of clicks."

Female, 20-29 years, Asian, Northland



Diversity of sources key to seeking accuracy

- For many New Zealanders, it is important for them to check multiple sources to be sure that what they have heard or seen is accurate or fact, rather than believing it straight away.

"I'm always aware of the fact that they're trying to sell viewership. No matter what the sources, they trying to get eyes on them. So I tend to diversify when I'm looking at things, and even the smallest opinion can make such a big difference to a wide variety of people."

Male, 40-49 years, Pākehā, Auckland



Context matters

- For some New Zealanders, inaccuracy in factual content is understandable in some contexts, e.g. reporting breaking news.
- However, there is an expectation that this would be prefaced and any reported inaccuracies would be cleared up in later broadcasts.

"I think breaking news is normally one that they can get away with, because it's a story that's happening at the moment and they are trying to relay what they are perceiving is happening. But, once it's a day or two down the line, I expect them to be very factual about it."

Male, 40-49 years, Pākehā, Auckland



The way we receive factual content has changed

- Technology has impacted New Zealanders ability in pulling apart accuracy in factual content. Misinformation can spread quickly and can no longer be monitored as easily.
- Some New Zealanders reflect on the reporting of the past, which revolved around fact.
- Now, there is much more opinion based reporting and storytelling involved, which for some prioritises engaging the audience over presenting accurate information. This evolution to opinion based reporting is confusing audiences.

"We've stepped away from the early newsreader who simply read the news into an image creator, a storyteller, someone who is designed to engage with the audience rather than simply put fact out there." Male, 40-49 years, Pākehā, Southland

"Information is easily or readily available now and it can spread quite quickly... It's very easy to spread misinformation to anyone, anywhere over different platforms... There's a lot of easy ways now to get information and unfortunately, it's hard, to pick which one is true and which one's false." Male, 40-49 years, Pasifika, Auckland



04

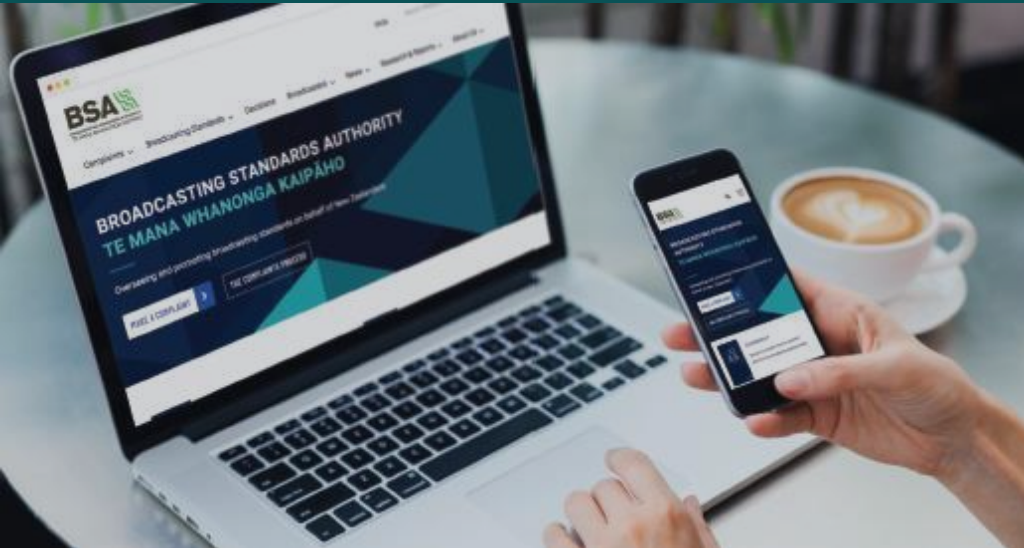
BSA and the Standards

Overall, New Zealanders are happy that the BSA exists

Broadcasters in New Zealand have codes of practice and are responsible for maintaining standards in their programmes.

The Broadcasting Standards Authority (BSA) is an independent crown entity that oversees New Zealand's broadcasting standards and provides the public with a free, independent complaints service.

The way the complaints process works is that, generally, a person must complain to the broadcaster first, and then if they're not happy with the broadcaster's decision they can have it reviewed by the BSA.



- When asked about the BSA, some New Zealanders recall the complaints process ads from TV and radio.
- Although, many know very little or nothing about who the BSA are and what their role is in upholding the broadcasting standards.
- As with 2021, some participants are left with more questions about the BSA, including:
 - Who they are (including diversity within the BSA)
 - Who is writing and making the decisions (e.g. a group or individual)
 - What happens after a decision is made, and is the process different for 'repeat offenders'
- New Zealanders are surprised that complaints go directly to the broadcaster first, as opposed to directly to the BSA.
- Understanding the BSA's decisions generates trust and confidence in the BSA and its process.

"I'm quite happy. I probably wouldn't have made those exact same decisions to start with, but then seeing how fair handed [the BSA] were with their decisions, I think they've done a very good job."

Male, 40-49 years, Pākehā, Auckland

99

Perceptions of the accuracy standard

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

is accurate in relation to all material points of fact

does not mislead.

Guidelines

- a) The requirement for accuracy does not apply to statements which are clearly distinguishable as analysis, comment or opinion, rather than statements of fact.
- b) The standard is concerned only with material inaccuracy. For example, technical or unimportant points unlikely to significantly affect the audience's understanding of the programme as a whole are not material.
- c) In the event that a material error of fact has occurred, broadcasters should correct it at the earliest appropriate opportunity.
- d) The assessment of whether the broadcaster has made reasonable efforts to ensure accuracy includes consideration of the following, where relevant:
 - a) the source of material broadcast (eg, whether the programme is produced by a reputable organisation or relies on an authoritative expert)
 - b) whether the broadcast was live or pre-recorded
 - c) whether there was some obvious reason to question the accuracy of the programme content before it was broadcast
 - d) whether the broadcaster sought and/or presented comment, clarification or input from any relevant person or organisation
 - e) the extent to which the issue of accuracy was reasonably capable of being determined by the broadcaster.

Many New Zealanders are surprised the accuracy standard does not apply to comment or opinion.

"It was surprising for me to read that there's so many things that don't come under [the accuracy standard]. I guess it explains why so many presenters can just spout their opinion and get all emotive about things without breaching [the standards]."

Female, 30-39 years, Māori/Pākehā, Canterbury

"It's almost like a safety net for people [broadcasters] in terms of what they say and what they do. I'm not saying they're going to get away with it, but it's the way you word what you are saying that makes a difference." Male, 20-29 years, Māori/Pākehā, Bay of Plenty

"Before reading about this and hearing about this [standard], you wouldn't think while listening to [a broadcaster] and hearing them say, 'I think', ... would be just their opinion and not a fact. So that's also kind of surprising and good to know. The general population probably wouldn't consider that at all, it would kind of just go over their head." Male, 20-29 years, Māori/Pākehā, Bay of Plenty

99

Perceptions of freedom of expression and public interest

HARM	FREEDOM OF EXPRESSION/ PUBLIC INTEREST
<p>Actual or potential harm to society</p> <p>e.g. Public are misled on important issues, people act based on misinformation, undue widespread offence or distress caused to general audience</p>	<p>The Broadcaster’s right to offer ideas and information through programmes</p>
<p>Actual or potential harm to individuals</p> <p>E.g. Damage to dignity/reputation of programme participants, individuals are misinformed</p>	<p>The public’s right to hear ideas and information through programmes and to receive a diverse range of programmes</p> <p>Public interest, i.e. content is of legitimate value to society or legitimate public concern</p>

There is general agreement that balancing freedom of expression/public interest and potential harm would be a difficult undertaking.

“I think broadcasters have a very fine line in terms of balancing the freedom of speech and also the fact that they can also offend people. Seeing this table you can see both sides of the story and it’s in their best interests to put effort in and give information and opinion.”

Male, 20-29 years, Māori/Pākehā, Bay of Plenty

For some, presented in this way, actual or potential harm seems to be subjective to the person making the decision, raising further questions about who is making these decisions.

“Is it just one person deciding what could be actual or potential harm? I think that’s very dependent on the audience, like what one person might think can be a potential harm, another person might not even consider that at all. So how do they go about deciding what is or isn’t harmful or right?”

Female, 20-29 years, Pasifika/Māori/Pākehā, Bay of Plenty

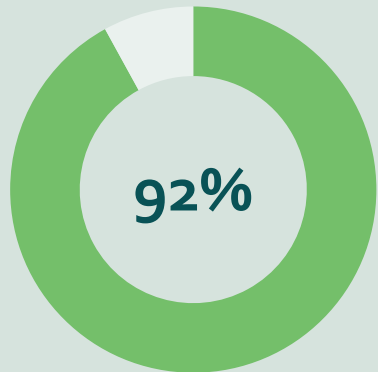
05

Evaluation of BSA's decisions

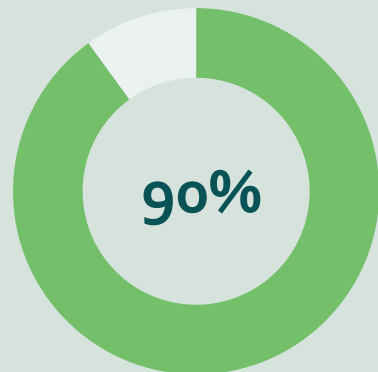


The BSA decisions achieved an average rating of 83%.

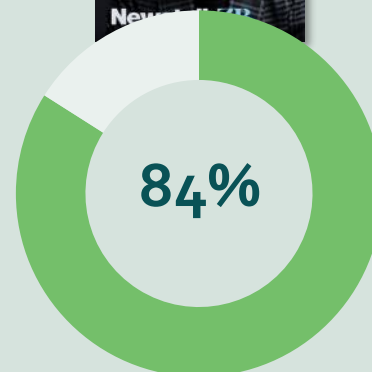
Four of the five clips surpassed the 75% performance threshold, only the clip from Kerre McIvor Mornings did not.



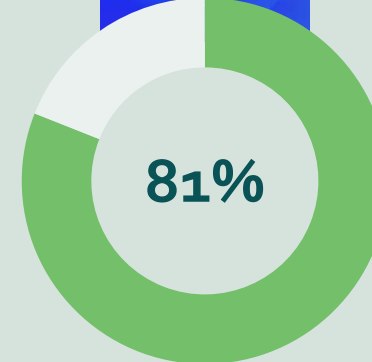
APNA TV



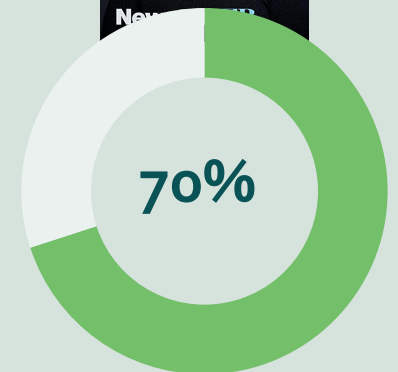
The Project




The Mike Hosking
Breakfast



AM show



Kerre McIvor
Mornings

 % who rated each decision as acceptable, good or very good

[CLICK HERE](#)

Kerre McIvor Mornings – comment on COVID ‘almost certainly’ in the community

- A complaint was made about a radio clip from a Newstalk ZB segment of Kerre McIvor Mornings. It was broadcast on 16 July 2020.
- The complaint was that McIvor's comments about COVID almost certainly having been in the community and 'nothing happened' were inaccurate.





Decision summary

The BSA did not uphold the complaint (found no breach) under the accuracy standard.

For the following reasons:

- The accuracy standard applies to the programme as a whole (i.e. It is 'news and current affairs' programming because it discusses those topics). However, the accuracy standard does not apply to statements clearly distinguishable as analysis, comment or opinion as opposed to statements of fact. Listeners are likely to interpret the relevant comments as commentary and opinion because:
 - Kerre McIvor is known for her forthright discussion of all topics. Her language is consistent with analysis and speculation drawn from her personal observations (e.g., 'chances are', 'would have', 'almost certainly').
 - She uses phrases 'I think' and 'I believe' throughout. Her statements are frequently exaggerated (using terms like 'shambolic', 'we've 'been told bodies will stack up in the streets', the Government is spreading 'reprehensible bullshit').
- Therefore the accuracy standard doesn't apply to the relevant statements.

Kerre McIvor Mornings- comment on COVID 'almost certainly' in the community

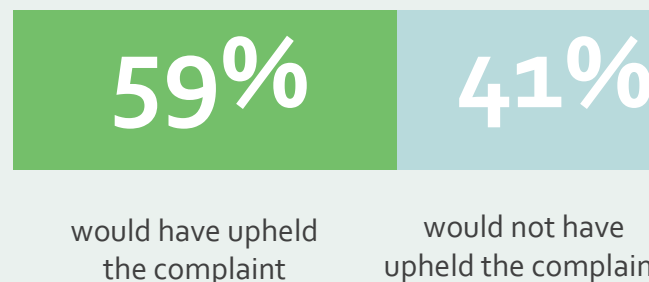
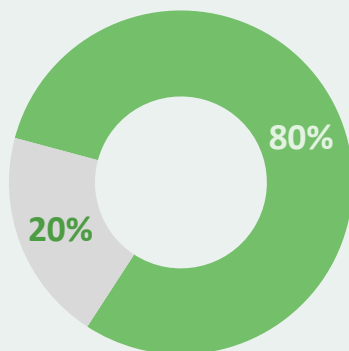


We invited 348 people to view and comment on the Newstalk ZB clip...

...their immediate reactions...

...after reading the BSA's decision...

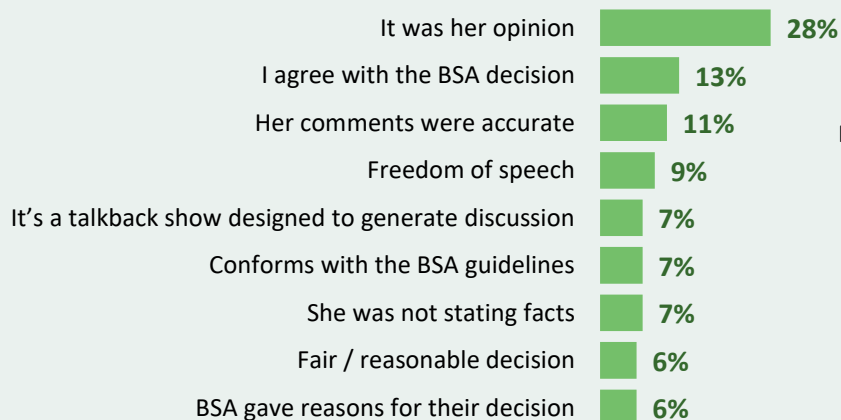
80% agreed to view and comment on the clip, 20% did not*



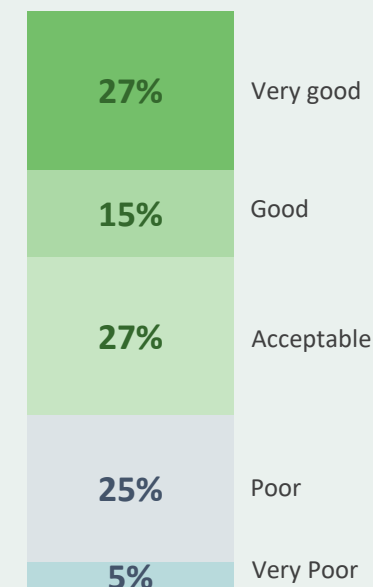
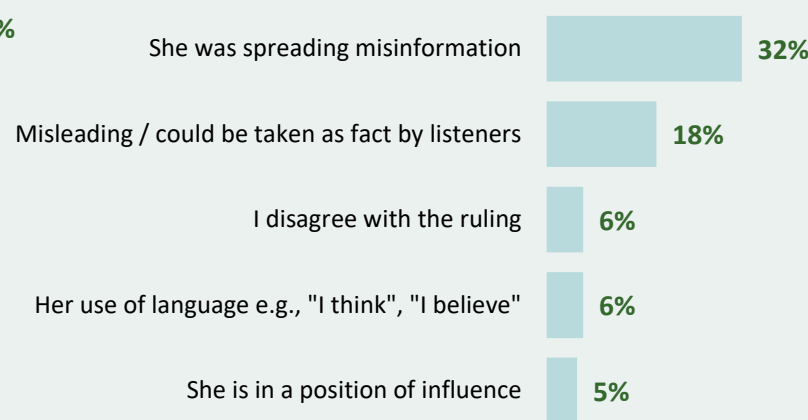
70% rated the BSA decision as very good, good or acceptable**

Why do you think the BSA decision is....

Very good or good



Very poor or poor

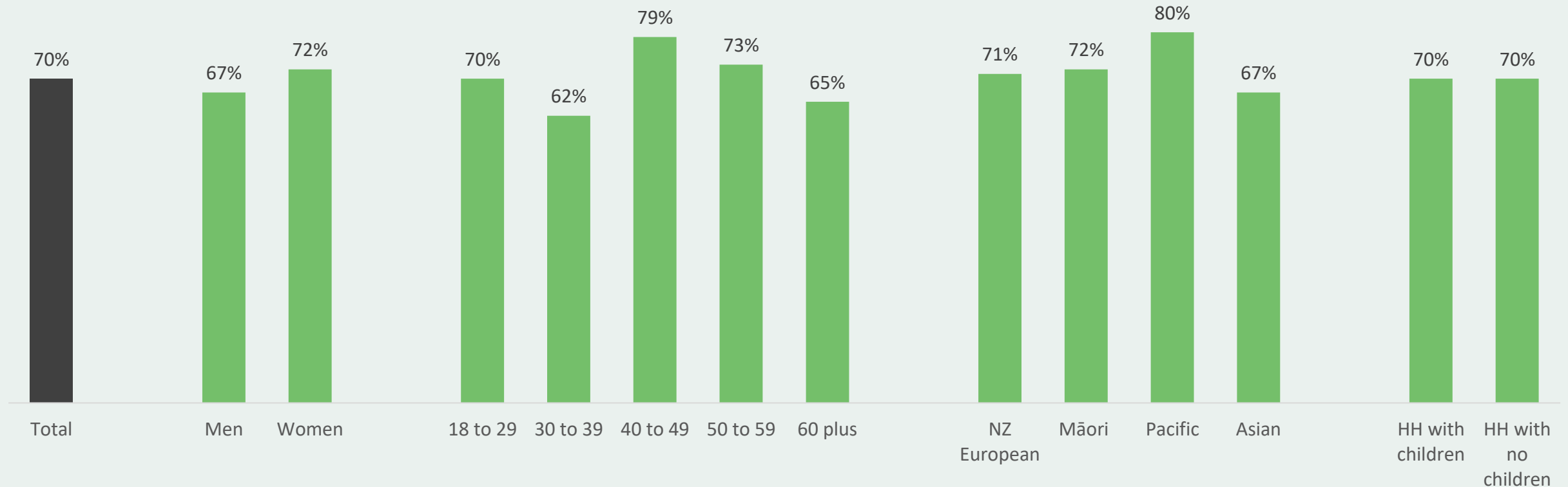


*Data is unweighted | **Note: The KPI is calculated by adding the raw numbers together and dividing by the total. The percentages in the chart are rounded to a whole number, which may result in discrepancies between the two numbers of up to 1 percentage point.

There are no significant differences in perceptions of the decision by demographic subgroup.



Demographic differences - % who rated the BSA decision as very good / good / acceptable

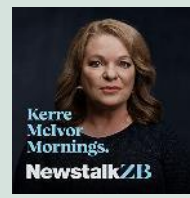


Base: All respondents who viewed the clip (n=277) | Base sizes for subgroups greater than n=30



Significantly higher / lower than the total population, at the 90% confidence level

Qualitatively, most people would uphold the complaint prior to reading the decision



Before reading the BSA's decision, New Zealanders would have upheld the complaint because:

- McIvor is sharing partial truths in a way that fits the narrative she wants to share.
- This could translate as convincing for some listeners and has the potential to negatively influence people's choices and behaviours, and spread misinformation.
- McIvor does not share any evidence to back up her claims, and was not professional in her delivery, using highly emotive language and swearing.



"They're [McIvor] saying partial truths and framing in a way that fits them. So instead of telling the whole truth, they choose bits and pieces to help to create their story. People who don't take things with a pinch of salt, they would probably agree, just believe it as it is. So I would definitely uphold the complaint."

Female, 30-39 years, Asian, Otago

"The reporter in question used emotive and highly emotionally charged phraseology in connection with information that was only partially supported. This, I believe, could create an environment of uncertainty, which would heighten the anxiety of those listening"

Male, 40-49 years, Pākehā, Southland

"Before knowing about what is considered fact or opinion [by the BSA], anyone could be misled, especially naïve or young people. The way she's speaking could be very convincing. It raises concern, I didn't know about the BSA, even myself, I wouldn't be able to pick apart what is just opinion and what is and isn't true."

Female, 20-29 years, Pasifika/Māori/Pākehā, Bay of Plenty

"She talks about certainty, but there's no evidence, no sources. Chances aren't facts for me, and swearing in it wasn't really professional either and didn't really help her case."

Male, 20-29 years, Māori/Pākehā, Bay of Plenty

99

After reading the decision, most New Zealanders accept the decision, but are still disappointed with the outcome



While most New Zealanders accept the BSA's decision, within the framing of the accuracy standard, they are still disappointed with the outcome.

- This decision in particular had New Zealanders questioning why the accuracy standard does not apply to opinion.
- Other factors included factoring in reputation, which for some, do not excuse the behaviour demonstrated by McIvor.

Many believe that there are too many loopholes in the standard itself, making it easy for broadcasters, like McIvor, to avoid breaching the standards.

- For some, this led to feeling that the BSA is letting McIvor off the hook.
- While others saw McIvor as knowing how to play the game.

"I see this [the decision] as acceptable. I was pretty on the fence, seeing it one or two ways. She uses the phrase 'I believe', so it could be interpreted as her opinion, but then it was more so her delivery, which led me to believe otherwise. I guess I get the reason behind it, but what I don't agree with is saying 'Kerre McIvor is known for her forthright discussion of all topics'. I don't think her character has anything to do with what she was talking about."

Male, 30-39 years, Pasifika, Auckland

"The reasoning gives me impression that they're finding all this loopholes to give her a break, because when we were listening, I personally didn't hear 'I think', 'I believe' throughout her statement. Actually gave me the impression she's making a very firm statement."

Female, 40-49 years, Asian, Christchurch

"I feel is Kerre is obviously a veteran in broadcasting. And she knew very well how to not get caught by the standard. She played that very well. Unless we would do some drastic change to the standards, we will have to accept that she probably didn't breach anything based on the current standard. The influence to the public is can be very misleading. But while she didn't actually break any rules."

Male, 40-49 years, Asian, Auckland

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Approach to freedom of expression and clarity of the decision



While the decision is clear and understandable from a technical point of view as to how McIvor did not breach the standard, many feel this decision does not consider the potential harm.

- Most participants feel this clip was more harmful than useful, as it could spread misinformation and instil fear and/or anxiety in listeners.

New Zealanders would have liked to see:

- More of the BSA's thought process and decision making represented in the summary.
- Feedback for McIvor, as included in some of the other examples.



"Sounds to me like she's trying to create a conspiracy. I don't think there's any value in her statement. I think it's more harm."
Female, 40-49 years, Asian, Christchurch

"I think there should've been a breach, but I can also see that based on the standard, they've explained that the language is important and can be interpreted as an opinion. However, I don't think they're taking into account the harm aspect of the standard. It doesn't really talk about that at all in the decision and I think that's concerning."
Male, 20-29 years, Māori/Pākehā, Wellington

"It seems like they [BSA] have a checklist. If you meet that checklist, then it's okay. Kerre does this for a living, she knows how to get around that and articulate her words in a way to meet their standards. I still think that what she's said raises concerns. I understand their decision from a technical point of view, but I still wouldn't accept this."
Female, 20-29 years, Pasifika/Māori/Pākehā, Bay of Plenty

"Out of all the decisions, it's the least clear I think. They haven't really laid out their argument very well. It's just kind of gone straight to the conclusions, so we can't really see the thought process." Male, 20-29 years, Māori/Pākehā, Wellington

"I'm surprised they [BSA] didn't give her points to try to work on or do better next time like they did with [The Project] decision. That one was really thorough and had feedback for the broadcaster, whereas this one didn't."
Female, 30-39 years, Māori/Pākehā, Canterbury

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Mike Hosking Breakfast Show – segment on COVID-19 deaths in Italy

- A complaint was made about a radio clip from a Newstalk ZB segment of Mike Hosking Breakfast. It was broadcast on 6 April 2020.
- Host Mike Hosking suggested that the Government's 'extreme' measures to contain COVID-19 did not outweigh the costs to the economy.
- The following statements were alleged to breach the accuracy standard: 'There are very few who you could argue die specifically of the [COVID] virus. 'In Italy, 99.2 percent [of those who've died of COVID] died with underlying health issues. In other words the very things that were killing them anyway, at over 1,600 per day'.





Decision summary

The BSA upheld the complaint (found a breach) under the accuracy standard.

For the following reasons:

- Hosking used the relevant statements to bolster his argument that the Government's 'extreme' measures to contain COVID did not outweigh the cost to the economy. However, the statements were misleading because Hosking:
 - Overstated the position outlined in sources he relied on (e.g. the 99.2% figure quoted was 99.2% of one group of 355 tested - not of the population, the relevant source did not state that the people were 'dying anyway' it just noted that underlying health conditions may have increased the risk, the relevant source was not focused on evaluating the cause of death in any event), made his own calculation of Italy's death rate (which disregarded significant factors), did not consider the possibility that the reported deaths may have happened a lot sooner due to COVID (and sources available online at the time of the broadcast showed Italy was experiencing a 58% deviation from its usual death rate).
 - The broadcaster did not make reasonable efforts to ensure the programme was not misleading. The full information was available within the sources Hosking relied on. The manner in which Hosking used data from the internet to bolster his views risked misleading the audience on an issue of high public importance.
- Given the potential harm, upholding the complaint places a reasonable limit on freedom of expression (Hosking is just required to express his views in a way that does not promote a selective or misleading interpretation of the facts).

Mike Hosking Breakfast - segment on COVID-19 deaths in Italy

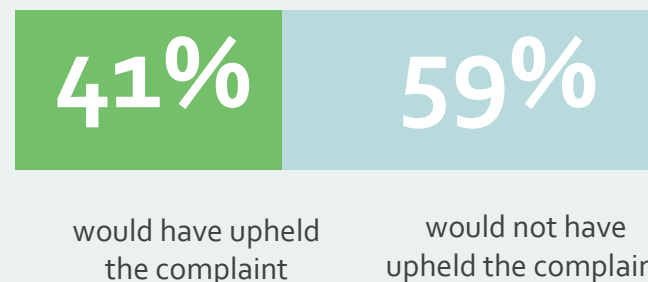
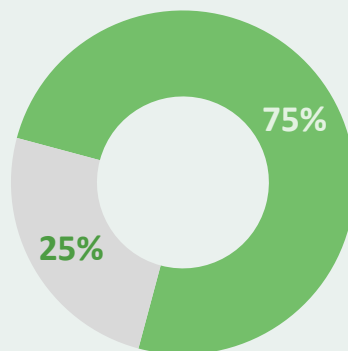


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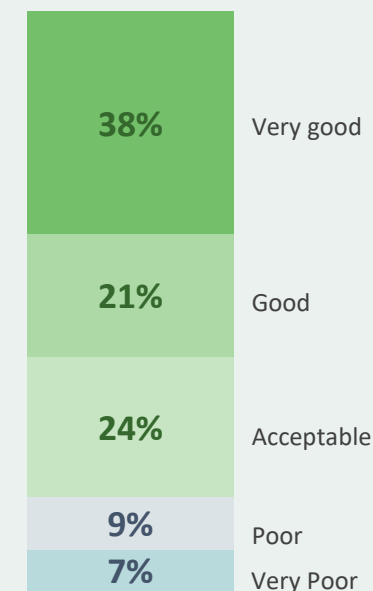
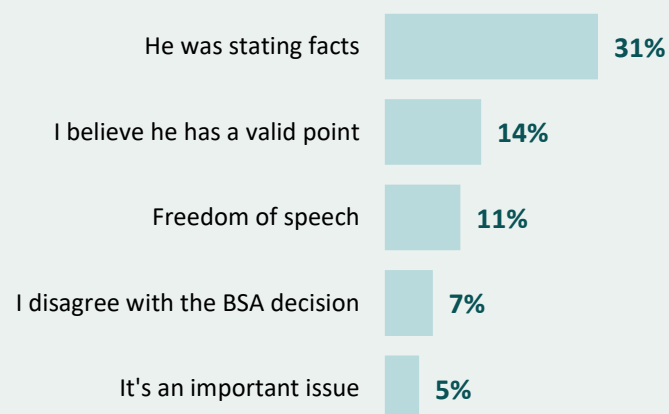
84%

rated the BSA decision as very good, good or acceptable**

Very good or good



Very poor or poor



Why do you think the BSA decision is.....

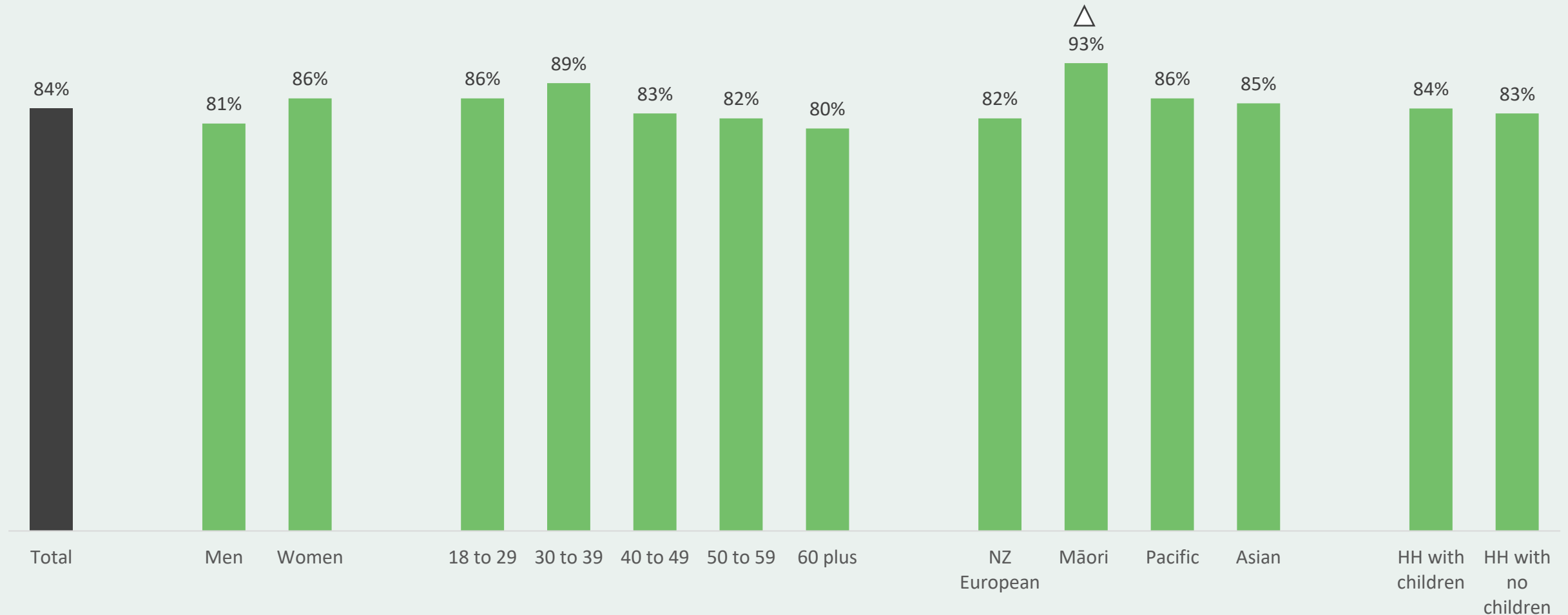
*Data is unweighted

**Note: The KPI is calculated by adding the raw numbers together and dividing by the total. The percentages in the chart are rounded to a whole number, which may result in discrepancies between the two numbers of up to 1 percentage point.

Māori are more likely to rate the decision positively compared to the total population.



Demographic differences - % who rated the BSA decision as very good / good / acceptable



Base: All respondents who viewed the clip (n=279) | Base sizes for subgroups greater than n=30

△▽ Significantly higher / lower than the total population, at the 90% confidence level

Qualitatively, most people would uphold the complaint prior to reading the decision



Before reading the BSA's decision, New Zealanders believe this clip breached the accuracy standard because:

- Hosking presented his opinion as fact.
- Hosking misrepresented the COVID-19 situation overseas.
- Hosking referred to statistics, without sourcing where he found the information, to make his argument sound more credible.
- He is misleading the public by downplaying the severity of the COVID-19 virus, which has the potential to cause harm.
- Some, particularly Māori, also note a personal distaste for Hosking.

However, this has led to some wanting to know where Hosking got his information from to determine if the accuracy standard was in fact breached.

"He's making it a fact. He's taking those cherry picked statistics and then turning them into facts by broadcasting it as news. He's even saying things like 'it's a fact, it's true'."

Male, 40-49 years, Pākehā, Auckland

"I would uphold the complaint. We all watch TV and we know what's happened overseas, so many people died and were so sick. But Michael Hosking's quoting all these stats with such a confidence, which is contrary to what we saw on the TV and what happened in other countries."

Male, 40-49 years, Asian, Auckland

"He's basically doing the same thing as [Kerre McIvor], talking 'chances', 'potentially could have'... Where are you getting the figures about the people dying with COVID or of COVID? Why bring that up to try and minimize the severity of the virus. We've seen what happens when it's left unchecked. I still would have upheld this this complaint, but I'll be 100% honest, I really hate Mike Hosking."

Male, 20-29 years, Māori/Pasifika, Auckland

"In my opinion, I would have upheld this just based off the fact that there was statements and information and statistics and evidence there, but it wasn't really sourced or cited from anything either. It could either go two ways, it could be actual facts, and he's sourced them from somewhere or he's being really numerical and just got these and it sounds really flash and people will run with it."

Male, 20-29 years, Māori/Pākehā, Bay of Plenty

"Statistics or numbers, it makes it easier to believe. When you hear statistics and numbers, it makes you think 'oh yeah, they did the study and the research'. And I think that's pretty dangerous."

Female, 20-29 years, Asian, Northland

99

After reading the decision, most New Zealanders are very happy with the outcome



Most New Zealanders are very happy with the outcome of this decision and that the complaint was upheld, feeling that it addresses their concerns with the Hosking clip.

- They are glad that his misuse of statistical data was acknowledged.

For those knowing Hosking's controversial history, they are glad that he is being held responsible in this instance.

- Some people, particularly Māori and Pasifika, were pleasantly surprised that this clip was found to breach the standard, where the Mclvor one did not, as their concerns were similar for both clips.
- These reasons, in combination with negative feelings towards Hosking, could explain the quantitative trend on slide 30.

However, some question what will actually happen as a consequence of being found to have breached the standard.

"It [the decision] really unpacked those statistics, and went 'you really did cherry pick those numbers and make them into something that they weren't'. It's very hard to argue with that when somebody presents the full information that this was fundamentally incorrect."

Female, 30-39 years, Pākehā, Christchurch

"There is justice in this world! I'm pleasantly glad to see that I was wrong [thinking that this complaint wouldn't be upheld], based on the Mclvor clip. But I guess, Mike Hosking is the kind of person that has always been controversial anyway, so I'm glad to see he's been called out for his inaccurate statements and conjecture."

Male, 40-49 years, Pasifika, Christchurch

"I would definitely agree [with this decision]. I'm a bit surprised... Definitely happy that he was pulled up on his statements. It just goes to show how much you can twist information to make the viewers believe one thing. I'd give this [decision] a five [very good]."

Female, 20-29 years, Pasifika/Māori/Pākehā, Bay of Plenty

"I don't think this will be any skin off Mike Hosking's nose, he probably puts these up on his wall as a bit of a trophy."

Female, 30-39 years, Pasifika/Pākehā, Northland

Approach to freedom of expression and clarity of the decision



The potential harm of this clip is seen to outweigh the presenters freedom of expression and any value this broadcast would bring to the audience.

New Zealanders found this decision clear and easy to understand.

- Some were happy to see their concerns around the potential harm outlined in the decision summary.
- For those who were initially on the fence, they found the decision easy to follow and agreed with it.
- It was thought that this decision was better researched and and justified when compared to the Mclvor decision.

However, some question what will actually happen as a consequence to Hosking, knowing his reputation for controversy.

"I think in this kind of setting, where people have the potential to die from something or with something, to be the bearer of that kind of message, you've got to wield it responsibly and say that certain things will happen or are going to happen or are certain to happen. And for some people, that's sealing their fate and they will react accordingly. And that's not responsible and it's certainly not valuable."

Male, 40-49 years, Pākehā, Southland

"The way the decision has been written is really clear and exactly what was inaccurate has been laid out. I'm happy to see that those were all of the points that I made [earlier]."

Female, 30-39 years, Pasifika/Pākehā, Northland

"I agree with the decision. It's a little bit tricky, I feel like I sat on the fence about this one. But the BSA explained the decision and it was quite easy to interpret why and it was more a little bit more factual and justified than the previous one [Kerre Mclvor]. They made it fairly easy to understand."

Male, 20-29 years, Māori/Pākehā, Bay of Plenty

99

The Project– maps labelled Jordanian land as Israeli

- A complaint was made about a clip from The Project examining the history of violence and conflict between Israelis and Palestinians. It was broadcast on TV Three on 18 May 2021 for approximately 5 minutes.
- The complaint was that the maps displayed during the item were inaccurate by: identifying land as 'Israeli' at a time when Israel had not been created mislabelling some land as Palestinian when it's in fact Jordanian.

**THE
PROJECT**

Decision summary

The BSA did not uphold the complaint (found no breach) under the accuracy standard.

For the following reasons:

- There was evidence available to suggest the maps depicted were inaccurate, e.g. by: identifying land as 'Israeli' at a time when Israel had not been created mislabelling some land as Palestinian when it's in fact Jordanian. In addition, while recognising that issues of ownership depicted in the maps are complex, the broadcaster did not make reasonable efforts to ensure accuracy:

- The broadcaster used maps based on those from an Al Jazeera publication, and consistent with the Diplomatic Mission of Palestine in Portugal. However, the broadcast was pre-recorded (so there was time to check details) and the issue of Israeli and Palestinian entitlement to land is highly contested so there was reason to exercise caution in using such materials. Additional steps could have reasonably been taken to ensure the maps were more accurate.

- However, any inaccuracies were unlikely to significantly affect the audience's understanding of the programme as a whole: The programme explained the Israel / Palestine conflict, including McRoberts' experiences reporting on it and his views on the severity of the current violence. The item was 5 minutes with the maps appearing for only 15 seconds. An ordinary viewer could not analyse the maps (spotting any errors) in the time they were on screen. The maps weren't referred to directly. Purpose of maps was to illustrate dispossession of Palestinian land (which is consistent with United Nations information). The broadcast (explaining a complex, contentious issue in an accessible and informative way) carried high value. Any harm caused by the inaccuracies was insufficient to justify limiting the broadcaster's freedom of expression.

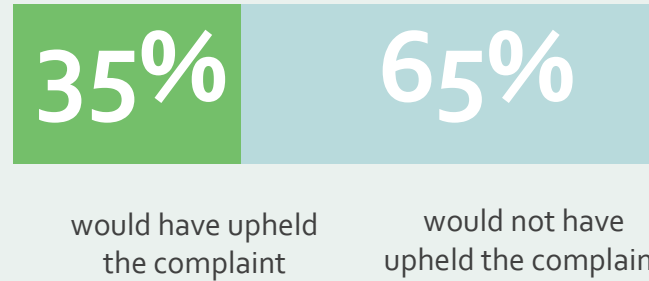
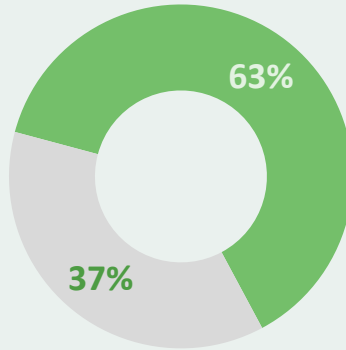
The Project– maps labelled Jordanian land as Israeli

We invited 348 people to view and comment on the Project clip...

...their immediate reactions...

...after reading the BSA's decision...

63% agreed to view and comment on the clip, 37% did not*

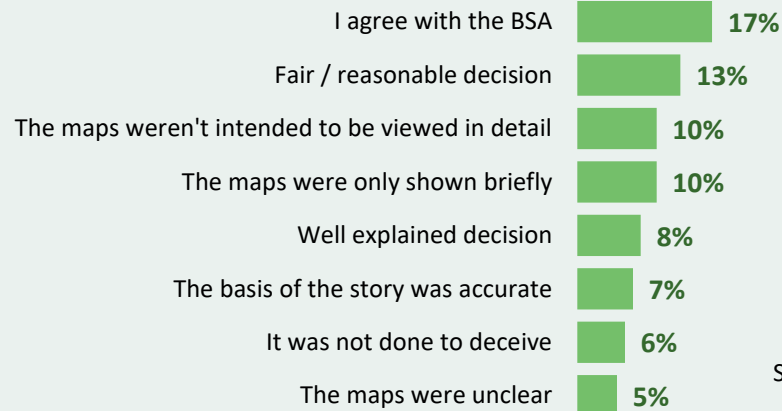


90%

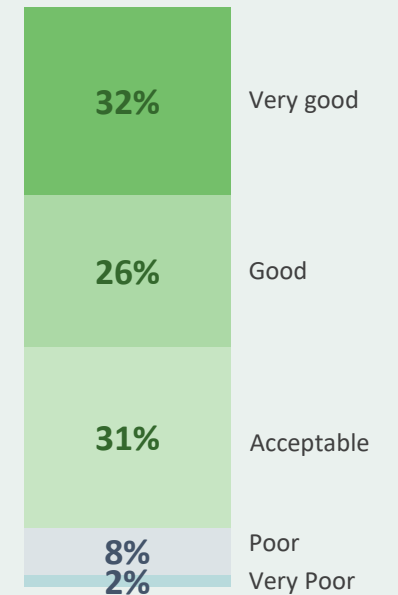
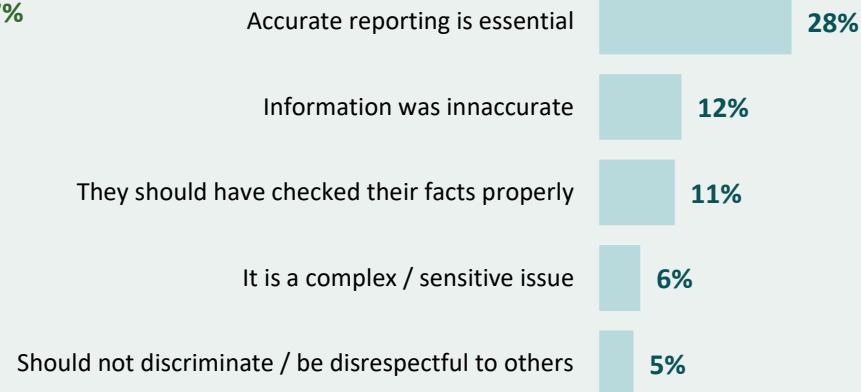
rated the BSA decision as very good, good or acceptable**

Why do you think the BSA decision is....

Very good or good



Very poor or poor***

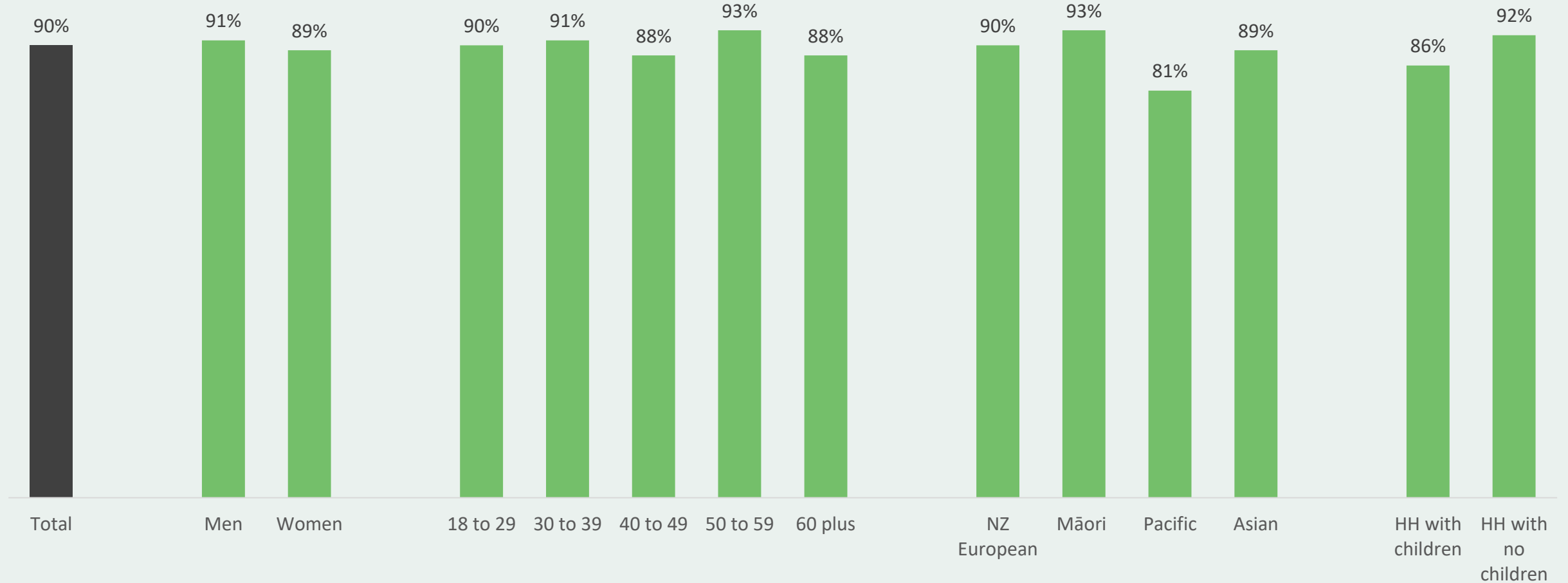


*Data is unweighted

Note: The KPI is calculated by adding the raw numbers together and dividing by the total. The percentages in the chart are rounded to a whole number, which may result in discrepancies between the two numbers of up to 1 percentage point. |* small sample (n=28), be cautious when interpreting results.

There are no significant differences in perceptions of the decision by demographic subgroup.

Demographic differences - % who rated the BSA decision as very good / good / acceptable



Base: All respondents who viewed the clip (n=254) | Base sizes for subgroups greater than n=30

△▽ Significantly higher / lower than the total population, at the 90% confidence level

Qualitatively, people can see reasons to uphold the complaint

New Zealanders believe this complaint could be upheld on the grounds that:

- Prepared factual content should be accurate, including any visuals shown.
- If the maps are proven to be incorrect, this is presenting inaccurate statistics.
- This content has the potential to harm or cause offense to Israeli people in New Zealand that view this programme.



"If something like this is going to be broadcast, it should definitely be checked before it's publicised."

Female, 40-49 years, Asian, Christchurch

"I mean, I don't know enough about the conflict I guess. But if the maps inaccurate, it's inaccurate and that probably should be upheld." Female, 30-39 years, Māori/Pākehā, Canterbury

"It can come off as insensitive and offensive to an Israeli that might be watching it. Because they will know, they might know their history really well. And, just seeing it being broadcasted incorrectly is harmful." Female, 20-29 years, Asian, Northland

But also the reasons not to, causing a mixed reaction

But, on the other hand:

- It was just a supporting graphic, shown for a short amount of time, it was not referred to by McRoberts.
- There was no intent to deceive.
- This programme has public value, covering a complex issue in an approachable way.

Other reasons people struggled with this clip included a lack of understanding about the conflict in general and the potential harm the inaccuracies may have caused.

- For Māori in particular, if a similar situation happened with the labelling of Māori land and New Zealand land, they could see more reason to uphold the complaint, however, in this context, it lacks relevance.

"The map part, to be honest, I really didn't pay attention at all. It's just some pictures flashed during that interview. It's quite fast as well. So, unless you are expert of that topic, you need to actually take some screenshots and compare the year and the map of that country at that time to figure out it's accurate or not."

Male, 30-39 years, Asian, Wellington

"It is a shame that they made the made a mistake with the maps, because I thought they made a good attempt at summing something up a massive, complex issue, and they did an admirable job of trying. And for a complaint to be about the maps, which were shown 15 or 20 seconds worth of screen time, it seems a shame. But, I think the intentions behind it were to explain it in a very simplified manner."

Male, 30-39 years, Pākehā, Northland

"I personally think that the whole item is really useful for New Zealanders to see and to learn about. There are not many sources in New Zealand that we would be able to learn about the conflict. I think the overall usefulness for the public, overpowers the inaccuracies of the maps."

Male, 20-29 years, Māori/Pākehā, Wellington

"If it were an instance where they were displaying New Zealand land and Māori land and there was misinformation shown about that I would find that more of a reason to uphold that complaint. I find it hard to see the harm caused when it's not personal."

Female, 20-29 years, Pasifika/Māori/Pākehā, Bay of Plenty

Most New Zealanders are satisfied with the decision

Most New Zealanders are satisfied with the decision as it aligns with the audiences perceptions.

- The maps are only shown briefly and are not referred to directly. For this reason, it is unlikely the general audience noticed the error.
- Some even questioned how the person who lodged the complaint picked up on this error, due to the short time that the maps are shown on screen.

Some New Zealanders are not completely satisfied with this decision as it did not mention the potential harm or offense that this inaccuracy could have caused Palestinian and Israeli people.

"[BSA's] reasoning was exactly the same as everything we said. The maps were out for a very small amount of time. The whole focus wasn't on the maps themselves. It just explained a little tiny, part of the whole article." Female, 50+ years, Pākehā, Auckland

"I agree [with this decision]. 15 seconds out of a 5 minute clip is insignificant. I don't even know how they got a complaint if it was 15 seconds, flashing on the screen. Someone would have had to watch that in freeze frame to actually get the complaint...It said that there was time to check the details so possible they should've got it right but then it was an Al Jazeera map, so if anyone's gonna get it right, it's gonna be Al Jazeera."
Male, 30-39 years, Māori/Pākehā, Waikato

"I read this decision as poor decision because the decision maker from the authority is clearly disregarding any reaction from Palestinian, or [other] people from the Middle East."
Male, 40-49 years, Asian, Auckland

Approach to freedom of expression and clarity of the decision

New Zealanders think that this decision is balanced and well explained.

- The decision acknowledges that while the inaccuracies could have been avoided, the value that this news piece offers to the general public outweighs the potential of harm.
- And mentions what the broadcaster can do to avoid making the mistake again in future.

This decision in particular outlines for some how difficult the decision making process can be for the BSA, and they appreciate being able to follow their thought process in this decision summary.

"I thought it did a really good job of explaining that this one small aspect of the overarching piece didn't greatly impact the understanding of the viewers. I felt like it explained really well, the reasoning, whilst still acknowledging that the broadcaster could have done better." Female, 30-39 years, Pākehā, Christchurch

"I agree with this [decision] and they [BSA] made it very clear their reasoning as to why they didn't uphold the complaint and the reasoning makes sense as well. Like, it was only up for 15 seconds out of a 5 minute piece. There was more of a focus on the actual dispossession of land over the labelling of land." Male, 20-29 years, Pasifika/Māori, Auckland

"I did give it a positive rating because having that as a breach of accuracy will take away from the actual point of the programme being told, which is the actual conflict between Palestine and Israel. If they take it down because it's a breach of accuracy, you're taking away that story that was actually pretty well informed and well communicated because the map wasn't right." Male, 20-29 years, Asian, Auckland

"It just outlines that these complaints aren't black and white, and there is a lot of thought that goes into making that decision. I think they mentioned that the ordinary viewer would not analyse these maps, so thinking about how it's going to be perceived and stuff. I really like how they've laid it out. And they've considered ways where the broadcaster can do better next time." Female, 30-39 years, Māori/Pākehā, Canterbury

APNA TV– promoting false claims around COVID-19 and other issues

- Complaints were made about an episode of Talanoa Sa'o, broadcast on APNA Television on 24 June 2021. It featured Damien de Ment as a panel guest with hosts Leao Tildsley, and Fuiavailili Ala'ilima. The complaint was that De Ment made false or misleading claims and panellists were promoting false information around COVID-19 and other issues. Specifically:
- - He Puapua report will lead to the destruction of people's private assets to create social housing.
 - Social housing will only be provided to citizens who are vaccinated against COVID-19.
 - Hydroxychloroquine is an effective COVID-19 treatment and Government has deliberately prevented New Zealanders from accessing it.



Decision summary

The BSA upheld the complaint (found a breach) under the accuracy standard.

For the following reasons:

The accuracy standard applies to the programme as a whole: Panel discussions can constitute 'news and current affairs and factual' programming. Although the panellists say they're providing a particular perspective (suggesting their comments are just opinion), they speak authoritatively on current events and refer to themselves as speaking 'the truth'.

Alleged inaccuracy 1 (no breach) - He Puapua report will lead to the destruction of people's private assets to create social housing: This is the panellist's view of what must happen for the He Puapua strategy to be implemented. That is comment / opinion so accuracy standard does not apply.

Alleged inaccuracy 2 (breach) - Social housing will only be provided to citizens who are vaccinated against COVID-19: In its context it appears as a genuine allegation against the Government (rather than comment / opinion) so the accuracy standard applies. When discussing serious issues, it is important to avoid scaremongering or misleading assertions. As at date of broadcast, there were no such requirements and such rules seemed unlikely. Because the true position was readily identifiable through reasonable efforts, the standard was breached.

Alleged inaccuracy 3 (breach) - Implication hydroxychloroquine is an effective COVID-19 treatment and Government has deliberately prevented New Zealanders from accessing it: Authorities around the world have confirmed hydroxychloroquine is not an effective COVID-19 treatment. If the broadcaster had made reasonable efforts, such clear inaccuracies could have been avoided.

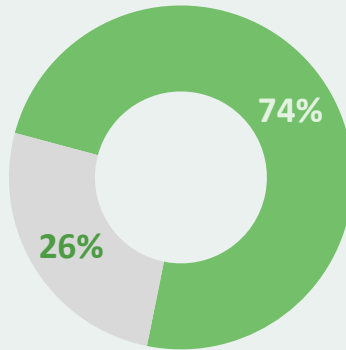
APNA TV– promoting false claims around COVID-19 and other issues

We invited 348 people to view and comment on the APNA TV clip...

...their immediate reactions...

...after reading the BSA's decision...

74% agreed to view and comment on the clip, 26% did not*



would have upheld the complaint

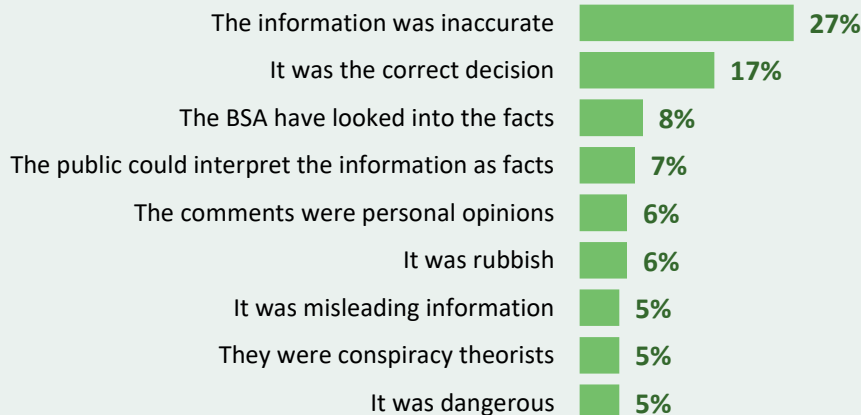
would not have upheld the complaint

92%

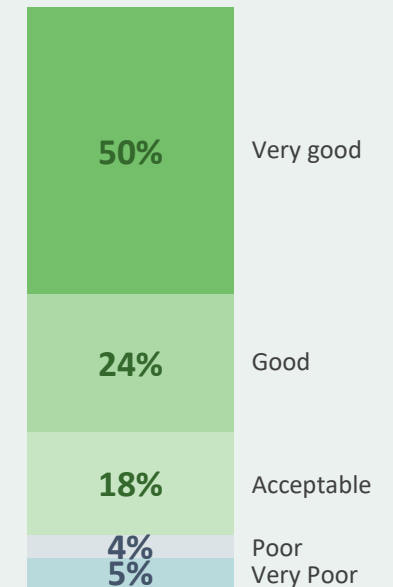
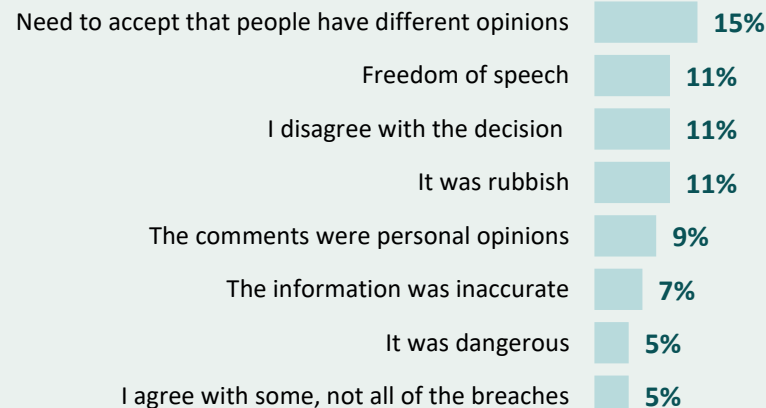
rated the BSA decision as very good, good or acceptable**

Why do you think the BSA decision is....

Very good or good



Very poor or poor***



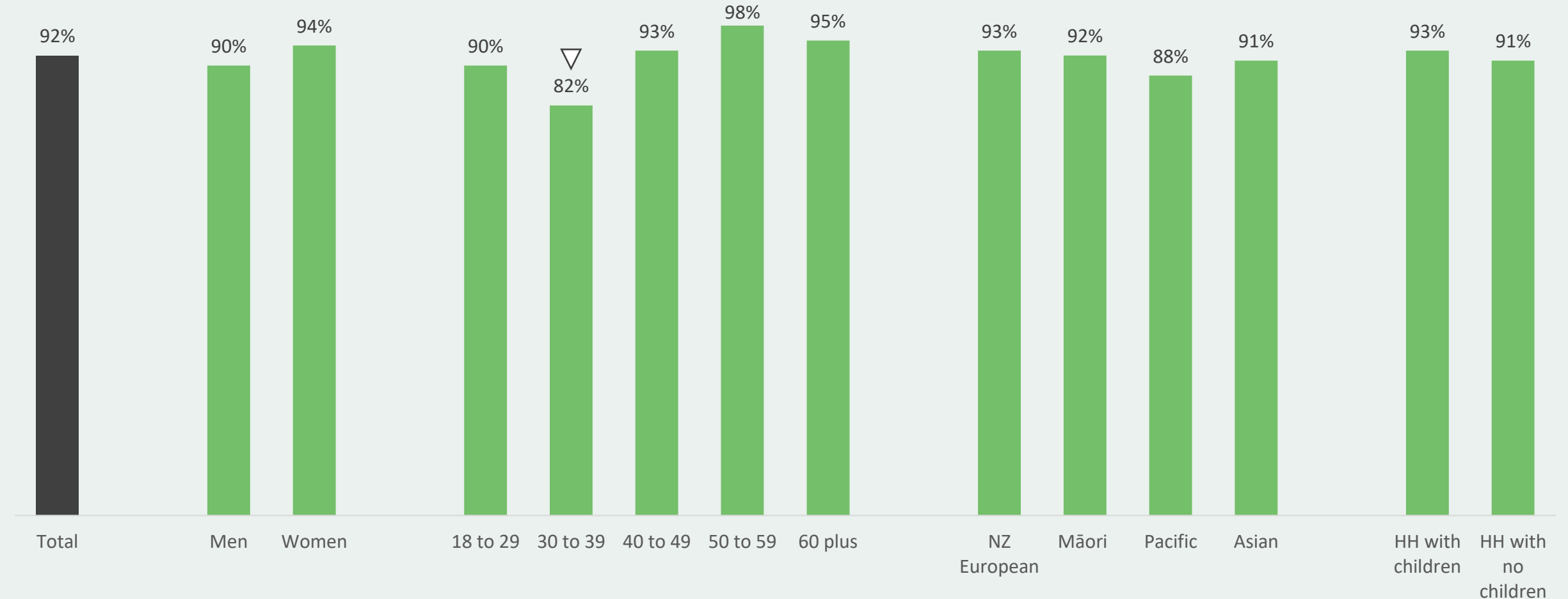
*Data is unweighted

Note: The KPI is calculated by adding the raw numbers together and dividing by the total. The percentages in the chart are rounded to a whole number, which may result in discrepancies between the two numbers of up to 1 percentage point. | * small sample (n=28), be cautious when interpreting results.

People aged in their thirties are less likely to rate this decision positively compared to the total population.



Demographic differences - % who rated the BSA decision as very good / good / acceptable



Base: All respondents who viewed the clip (n=277) | Base sizes for subgroups greater than n=30

△▽ Significantly higher / lower than the total population, at the 90% confidence level

Qualitatively, most New Zealanders would uphold this complaint prior to reading the decision

New Zealanders would uphold this complaint for a number of reasons:

- A key reason being the potential and actual harm that a number of the statements could cause the audience, particularly the Pasifika community, especially those related to the COVID-19 vaccine and unsafe alternative treatments.
- The panellists are presenting their views as facts, claiming to be speaking the truth, and representing a Pasifika view.

The initial broadcaster message raises questions as to why the broadcaster is airing content that they may not agree with.

This clip was upsetting for some Pasifika to view, considering the negative impacts this kind of content could have for their communities, particularly fuelling government mistrust.

“You've got people who are tuned in to these sort of things, who are perhaps coming at it from a different perspective. They're hearing words like 'truth', and they're hearing faith based people talking about it, and they're saying 'I'm going to believe this, no matter how left field it sounds, I'm going to believe it because these people are talking from a higher level than I've got'. And that's what scares me, it's aiming at a particular heartstring within a group of people in society.”

Male, 40-49 years, Pākehā, Southland

“There was a [notification that] some of the opinions in this piece do not represent the views of the broadcaster. I'm like 'why showing it then?'. If they don't back it, why show it? Where is the integrity?” Female, 30-39 years, Pākehā, Christchurch

“This grates me because these are reasons that our Pasifika community don't trust the government, don't trust the services, don't trust the frontline workers that are trying to support our communities because of such things [as this clip]... Just from a data perspective, there was nothing to go by. It was just conjecture. Anyone could get in front of a screen and just say things off the top of their head, mentioned PHARMAC and Medsafe, and it would sound like they know what they're talking about.” Male, 40-49 years, Pasifika, Christchurch

“Your [the panellists] opinions, and they are opinions, but presented as facts, they are yours alone. They don't represent all Pasifika. I thought, if I stumbled across this on TV I would actually be quite hōhā. That was so full of so many inaccurate points that I would be annoyed that I wasted time watching it and worried about who else is watching it.”

Female, 30-39 years, Pasifika/Māori/Pākehā, Waikato

99

After reading the decision, most New Zealanders are satisfied

Most New Zealanders are satisfied with the decision and feel it was well explained.

- It acknowledged their initial concerns about the clip, in particular the panellists dangerous use of language.

Others, particularly those 30-39 years, did not understand why the first complaint was not upheld, despite being categorised as an opinion by the BSA.

- Some believe that if broadcasters have the intent to persuade and mislead their viewers with their opinions, this should fall under the accuracy standard.
- It could be for this reason that those from this age bracket were less satisfied with the decision in the quantitative results (see slide 44).

When compared to the other decisions, one participant suggested to ensure that direct language is quoted to make it easy to understand why something was or was not breached.

"[The BSA has] said every reason pretty much what we said about how they're saying it and what the words, the language they were choosing to use and how dangerous that language is for that target audience." Female, 50+ years, Pākehā, Auckland

"They made the reasoning for why they are upholding the complaint very clear in this one. You [the panellists] were wrong. You tried to pump out misinformation as fact, and especially when you're qualifying it but saying you're speaking truth, you need to be held to a certain standard when you're going to say that." Male, 20-29 years, Pasifika/Māori, Auckland

"The first inaccuracy, they [BSA] say it's their comment or opinion, so essentially you can say whatever you like, within reason, as long as you make it clear that it is your opinion... They had one thing in mind and it was to lead and persuade people to their way of thinking, no matter whether that's your opinion or not, I don't think that should be shared." Male, 30-39 years, Pasifika, Auckland

"Because the language wasn't quoted like in the other decisions, I didn't understand why the first statement wasn't a breach. I think quoting the language that makes that distinction is really helpful, but I'm glad it was upheld." Female, 30-39 years, Pasifika/Pākehā, Northland

AM show – COVID-19 vaccine given the same approval as Panadol and Neurofen by Medsafe

- A complaint was made about a television clip from the AM show, broadcast on 1 October 2021 on Three.
- The complaint was that Mr Bridge stated the COVID vaccine was given the same approval as Panadol and Neurofen by Medsafe, implying it is as safe as these everyday medicines.
- This was alleged to breach the accuracy standard (e.g. Because the vaccine had 'provisional consent' under the Medicines Act with conditions relating to its long term review, whereas Panadol has 'full consent' without those conditions).





Decision summary

The BSA did not uphold the complaint (found no breach) under the accuracy standard.

- The accuracy standard is concerned only with material inaccuracy. The presenter's statement regarding the vaccine having 'the same approval as everyday medicines like Panadol and Nurofen' was materially accurate.
- The point of this statement was to reflect the safety of the vaccine (as suggested by context and preceding question 'you've had both doses and you're still here aren't you?') There is a consensus about the vaccine's safety by authorities around the world.
- The technical inaccuracies are unlikely to significantly affect a viewer's understanding of the segment as a whole: Vaccine has 'provisional consent', Panadol has 'full consent'. Provisional consent means some conditions imposed. Conditions here are about continuously reviewing safety and effectiveness in the long term. Conditions are not due to any safety risk, essentially administrative, so approval (by Medsafe) is similar to Panadol.

AM show– COVID-19 vaccine given the same approval as Panadol and Neurofen by Medsafe

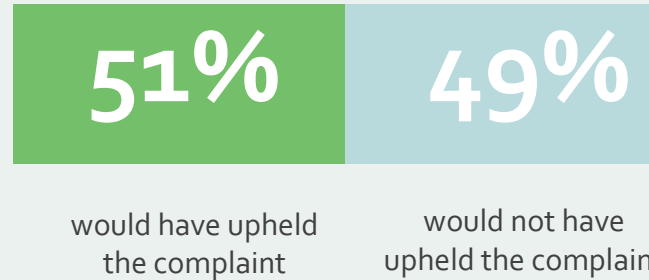
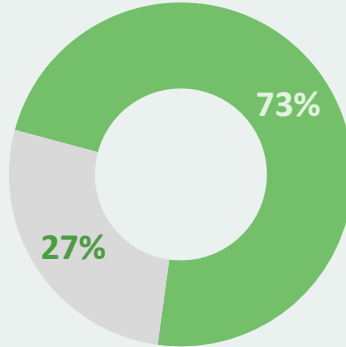


We invited 348 people to view and comment on the AM show clip...

...their immediate reactions...

...after reading the BSA's decision...

73% agreed to view and comment on the clip, 27% did not*

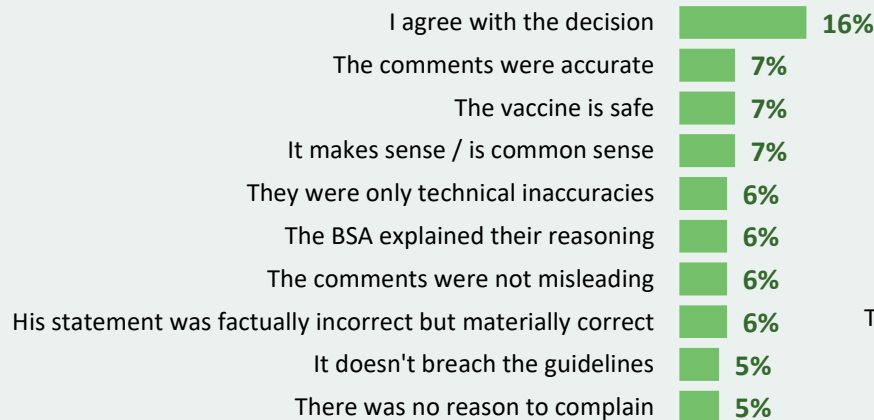


81%

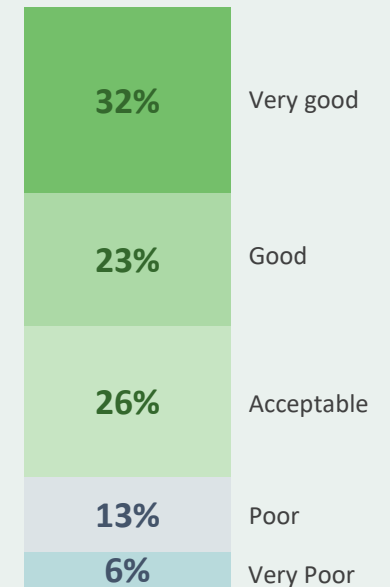
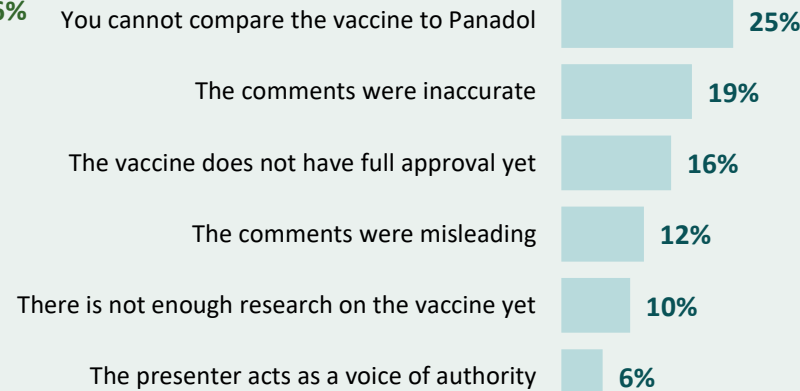
rated the BSA decision as very good, good or acceptable**

Why do you think the BSA decision is....

Very good or good



Very poor or poor



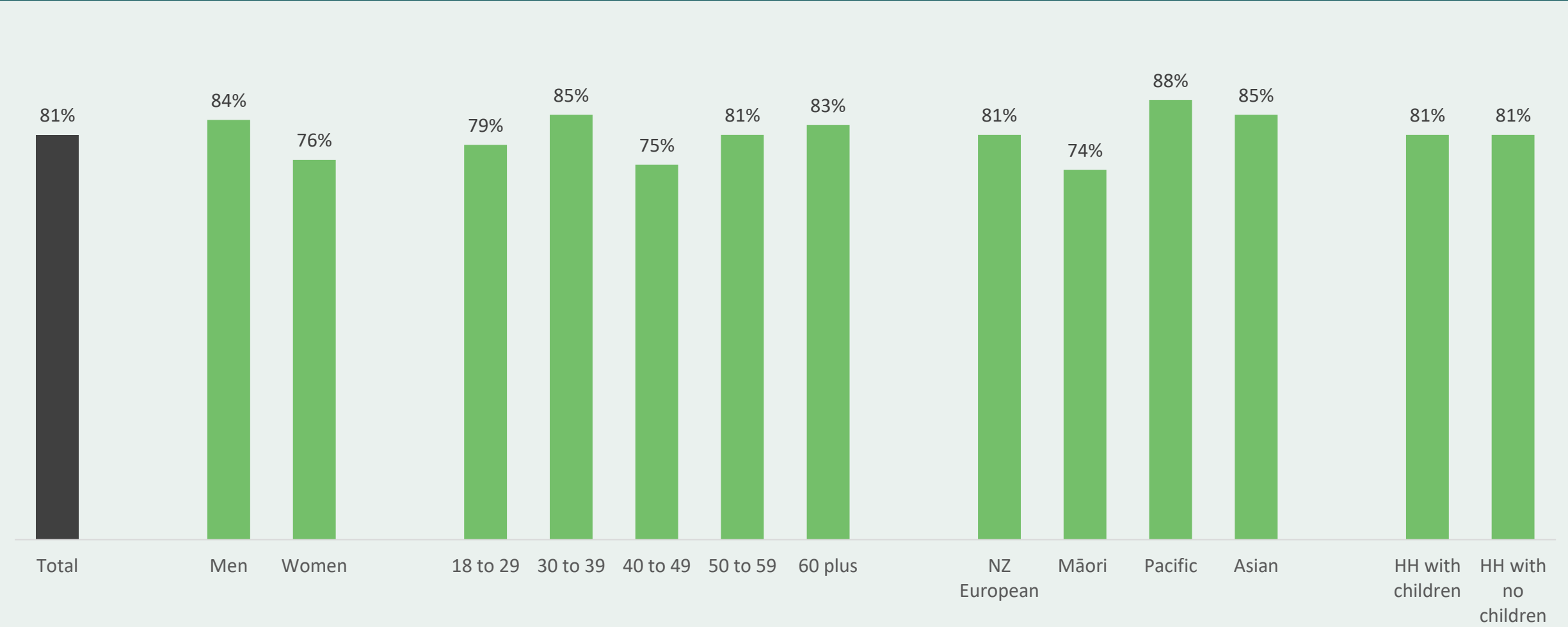
*Data is unweighted

**Note: The KPI is calculated by adding the raw numbers together and dividing by the total. The percentages in the chart are rounded to a whole number, which may result in discrepancies between the two numbers of up to 1 percentage point.

There are no significant differences in perceptions of the decision by demographic subgroup.



Demographic differences - % who rated the BSA decision as very good / good / acceptable



Base: All respondents who viewed the clip (n=273) | Base sizes for subgroups greater than n=30

△ ▽ Significantly higher / lower than the total population

Qualitatively, there is also a mixed initial response regarding this complaint



Prior to reading the decision, some New Zealanders would not uphold the complaint because:

- There is a tendency to be more forgiving of the inaccuracy because it was well intentioned and recorded live.
- To some, it lacks significant harm.

However, others would have upheld the complaint because they believe this information could lead to harm and impact some viewers judgement when making vaccine decisions.

- For Pasifika, there is concern that this inaccuracy could impact the effectiveness of the story shared by the Tongan guest, which they view as important for the public and the Pasifika community in particular.

"Quite a good piece and a well-intended piece. It's a shame that they made a mistake that was on a live broadcast. Hopefully before the end of the show, maybe they came back and said 'oh, sorry, we've mucked that one up'. I think the piece itself, and the intention behind it, was valuable and was of public interest. So it's a shame that he then got his facts wrong at the very end." Male, 30-39 years, Pākehā, Northland

"I won't uphold this complaint. I don't see any harm that message can deliver. It maybe not super accurate, but it's still your choice. You can go to get your vaccine or not. It doesn't really enforce you to get that." Male, 30-39 years, Asian, Wellington

"The host is doing this on purpose by drawing comparisons between Panadol and the vaccine, which we all know is totally different thing. He is just trying to promote the vaccine by saying that with confidence, with charisma. And so, this information can be misleading to people who do not have the time to do research." Male, 40-49 years, Asian, Auckland

"This [clip] annoyed me. We have a beautiful young Tongan woman who has been asked to come on and basically represent the community about her particular story of her [vaccine] decision journey. I feel like she would have not known about the statement that was going to come after her speaking, she had no opportunity to agree or not, yet she is pulled into that whole segment." Female, 30-39 years, Pasifika/Pākehā, Northland

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Most New Zealanders are satisfied with the decision



Most New Zealanders are satisfied with this decision, as the inaccuracy does not change the meaning of the entire piece.

- They believe the decision is easy to understand, and appreciate the inclusion that provisional approval is not due to any safety risks, therefore is of similar safety to everyday medicines like Panadol.

However, some do not agree with the decision, believing that the host should not have drawn the comparison in the first place between the COVID-19 vaccine and Panadol.

- Qualitatively, Pasifika are amongst the more likely to disagree with this decision.
- Although, their key concerns with this clip did extend beyond the original inaccuracy related to the provisional and full approval, regarding the implication of the guest in the presenters statements.

"At the end of the day, it wasn't changing the story that it was being told. It wasn't changing the meaning of the story. It was a faux pas." Male, 40-49 years, Pākehā, Auckland

"I agree that it shouldn't have been a breach, so I'm happy to hear that they didn't uphold that. I liked that they said that the conditions are not due to any safety risks, so provisional approval by Medsafe is similar to Panadol. That was interesting to have in there." Female, 30-39 years, Māori/Pākehā, Canterbury

"I just didn't agree. They shouldn't use that as an analogy, because it's a disease of a significantly different level. Panadol is just a pain killer whereas Covid is still unknown. And you could die, in a worst case scenario, from COVID." Female, 40-49 years, Asian, Christchurch

"I'm surprised... Although it could be deemed as immaterial, the inaccuracy, even though it seems like quite a small thing, we all identified that that's not really the issue here. Our issue was the fact that they put a brown face on the screen and used that to push their agenda, but that's not what the complaint was about, was it..." Female, 30-39 years, Pasifika/Māori/Pākehā, Waikato

"The fact that they said it was similar. Well, similar is not the same... The presenter still made that comment, it felt like a very justified excuse and response. It felt poor in terms of what they assessed their decision on." Male, 30-39 years, Pasifika, Auckland

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Appendix



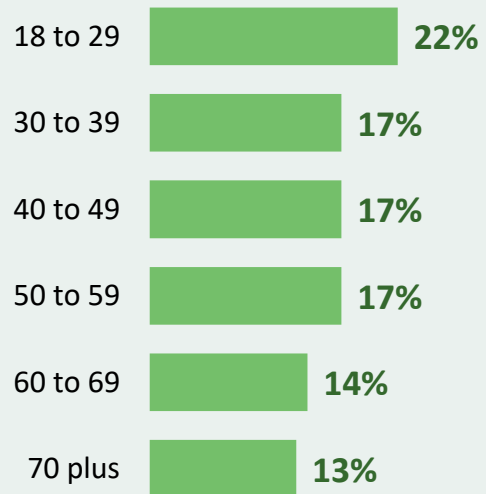
Demographics*



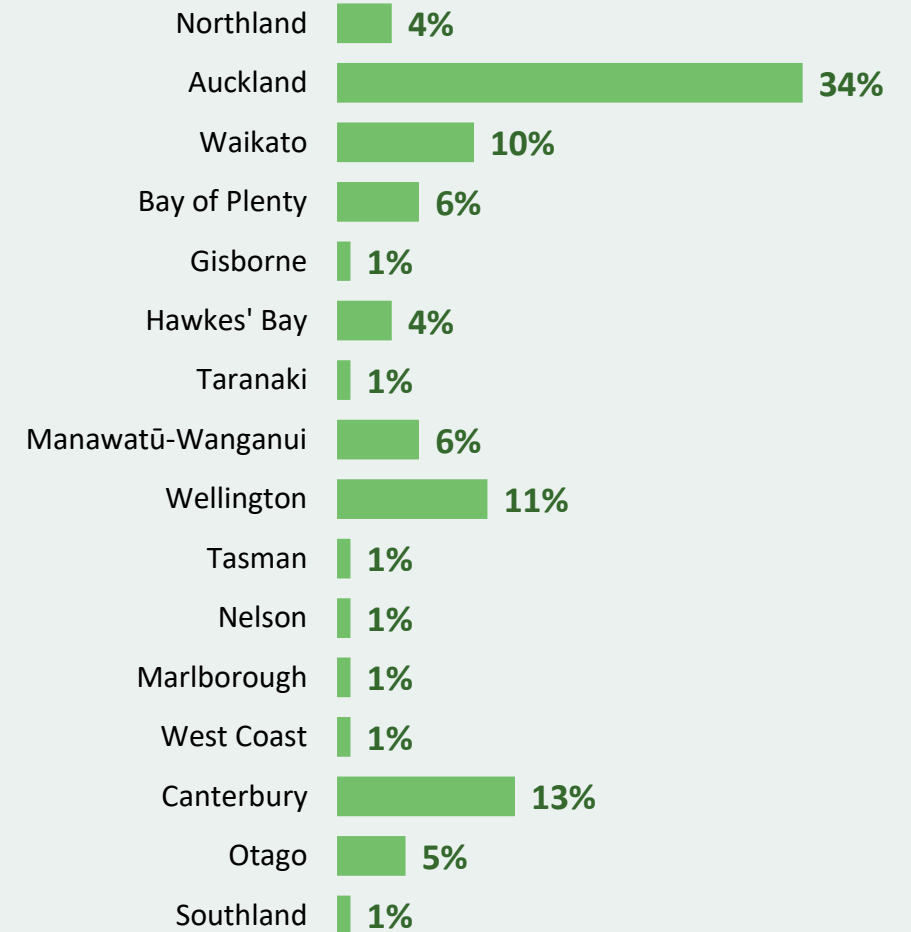
GENDER



AGE



LOCATION

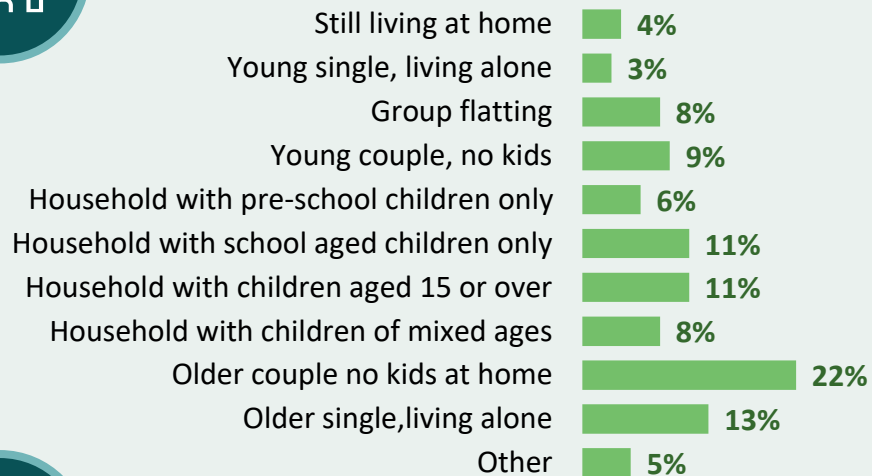


*Please note demographic data is unweighted

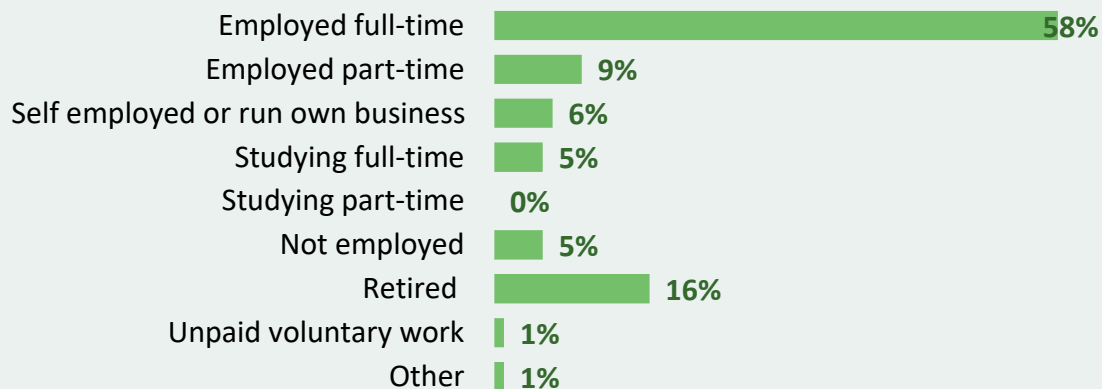
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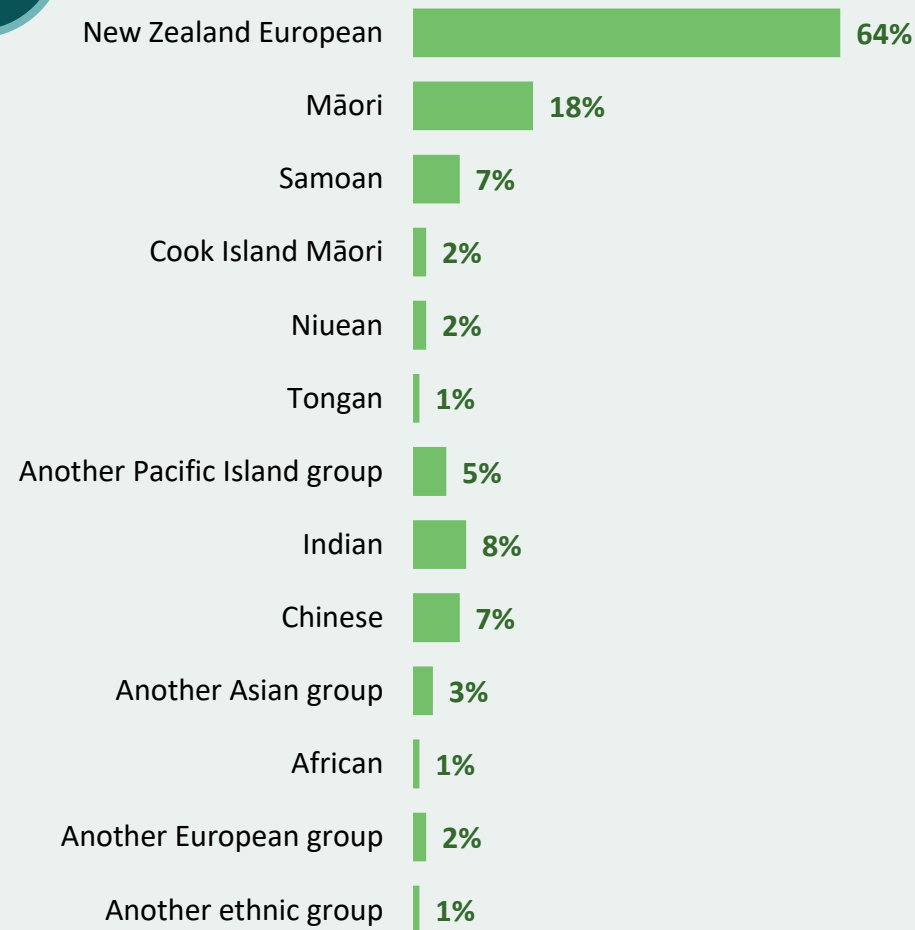
HOUSEHOLD



EMPLOYMENT



ETHNICITY



*Please note demographic data is unweighted

Qualitative Sample Composition



AGE

20-29: 8
30-39: 9
40-49: 8
50+: 2



GENDER

Female: 13
Male: 14



ETHNICITY

Pākehā: 7
Māori: 7
Pasifika: 7
Asian: 6



LOCATION

Auckland: 5
Wellington: 2
Canterbury: 3
Northland: 3
Bay of Plenty: 1
Otago: 1
Southland: 1



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