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Adam Irish
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Via email: <fyi-request-25742-9e57b789@requests.fyi.org.nz>

6 March 2024

Dear Mr Irish

Official Information Act request dated 27 February 2024

We refer to your email dated 27 February 2024 (your **Request**) requesting follow up information under the Official Information Act 1982 (the **Act**). Responses to your Request are set out below.

As background, we note your Request relates to the appearance by Nikki Hart on TVNZ's Breakfast show and is a follow up to concerns previously raised by way of a request under the Act.

Request 1:

Why wasn't her conflicts of interest and employment status declared on the TV show?

Response 1:

This is not a request for information under the Act.

However, to assist, we refer you to our letter to you of 23 February 2024 which states that Nikki Hart's role as an industry professional and nutritional adviser to Fonterra is disclosed in the online article containing the interview on the Inews.co.nz site: <https://www.inews.co.nz/2024/02/09/is-oat-milk-better-for-you-not-everyone-is-convinced/>.

The broadcast segment introduced Ms Hart as a nutritionist. That was re-stated at the end of the interview. Information about her 30-year career and her 2023 appointment to Fonterra's Global Expert Nutrition Panel as well as her many other advisory roles (including to UNA NZ in relation to sustainability goals) is available on Ms Hart's website.

For completeness, we note that the interview was largely about the level of protein in various milks, and the the latter part of the segment discussed the benefits of soy milk over cows' milk.

Request 2:

How did TVNZ decide on that topic to be discussed? Did it just by accident decide to put out pro milk industry propropaganda and challenge the international consensus on health and the environment, while running down oat milk and not even mentioning animal welfare out of the complete blue?

Request 3:

If Fonterra is paying for advertising then how can TVNZ maintain its independence and journalists integrity if it is trying to maintain positive relationships with industry that's paying to run commercials?

Request 4:

How were the questions and topic formulated and how was this subject chosen?

Request 5:

Who pare [sic] reviews these questions and what is the guidance given, if there is an advertising account and employee being interviewed then do account managers make sure the interviewers ask paty questions?

Request 6:

Who determines the scope of the interview questions, why is animal welfare never covered? It's clear most consumers don't like and aren't necessarily aware of the killing of bobby cows, that results from milk production.

Responses 2 - 6:

For the most part, these questions are not requests for official information under the Act and answering these questions would require TVNZ to create information. These Requests are therefore declined in accordance with section 18(e) of the Act.

However, to assist, we note: Interview topics and questions are formulated by the journalists and editorial team for each programme, in accordance with TVNZ's NCA Handbook, the relevant sections of which are enclosed with this letter. As set out in that handbook: *Editorial decisions in NCA must be made freely, based solely on recognised principles of objective journalism ... The principle of editorial independence recognises the vital importance of separating control of editorial content from commercial or political interference, whether inside or outside TVNZ.*

In addition, and per our previous response, TVNZ adheres to the broadcasting standards established under the Broadcasting Act 1989. Should you consider TVNZ has breached one of the Broadcasting Standards (for example, in relation to the complaints you have set out in your Request about TVNZ's coverage of animal welfare issues), you are able to make a formal complaint at the following link: <https://corporate.tvnz.co.nz/contact/make-a-formal-complaint/>

Finally, and as you may know, if you are dissatisfied with this response section 28 of the Act provides you with the right to make a complaint to the Ombudsman in order to seek an investigation and review.

Yours sincerely,

Official Information Requests Team
TVNZ