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Sarah McLeod
Address Not Provided

Via email: <fyi-request-26701-c9f3b819@requests.fyi.org.nz>

27 May 2024

Dear Sarah McLeod

Official Information Act request dated 9 May 2024

We refer to your email dated 9 May 2024 (your **Request**) requesting information under the Official Information Act 1982 (the **Act**). TVNZ's Response is set out below.

Request 1: I am writing to formally request access to all internal correspondence pertaining to the 50 formal complaints received by the state broadcaster regarding Maiki Sherman's recent report on the TVNZ political poll conducted last month. Specifically, I would like detailed information on the handling of each complaint, including the treatment afforded to each complainant by your staff. Additionally, I am requesting copies of any emails or memos exchanged among staff members involved in addressing these formal complaints.

Response 1: Internal correspondence about complaints (including information on the handling of each complaint and copies of any emails or memos exchanged among staff members involved in addressing these formal complaints) has been withheld on the basis of the following withholding grounds:

- Section 9(2)(a) of the Act: to protect the privacy of natural persons;
- Section 9(2)(b) of the Act: to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;
- Section 9(2)(g) of the Act: to maintain the effective conduct of public affairs through the free and frank expression of opinions by members of an organisation in the course of their duty; and
- Section 9(2)(h) of the Act: legal professional privilege may apply to some of this information.

Request 2: Furthermore, I am seeking data on the total number of formal complaints lodged against Maiki Sherman throughout her tenure at TVNZ, categorized by her roles as a reporter and her current position as a senior political reporter.

Section 18(e) of the Act applies to this request and the request is declined; the information does not exist in the form that you have requested. Complaints are made against TVNZ, not individuals, and are not categorised according to the individuals within each programme about which a complaint is made. Providing this information (collating information about complaints lodged against segments of TVNZ shows in which Maiki Sherman has appeared during her many years at TVNZ including a breakdown of complaints received in her various roles) would require the creation of information, which is not required by the Act. In accordance with the Act's principle



of transparency and in order to assist with your query, we note that the Broadcasting Standards Authority publishes all of its decisions in a text searchable format on its website. You may be particularly interested in the BSA's recent decision not to uphold a complaint about the *1/News* item to which your request relates: <https://www.bsa.govt.nz/decisions/all-decisions/neal-and-mundt-and-television-new-zealand-ltd-2024-022-22-may-2024>

Request 3: Similarly, I am interested in knowing the average annual number of complaints received by Jessica Mutch McKay.

Response 2: For the same reasons as set out above, section 18(e) of the Act applies to this request and the request is declined.

We trust this information assists. 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