

Media Release – 15 September 2022

Privacy and fairness breaches in RNZ reporting on child in care of Oranga Tamariki

The Broadcasting Standards Authority has upheld aspects of seven complaints under the privacy and fairness standards, regarding broadcasts by RNZ which included material stolen from the former Waikato District Health Board and released by hackers on the dark web.

The broadcasts were about a child under the care of Oranga Tamariki, who was effectively 'living' in a WDHB hospital because Oranga Tamariki was unable to find them a placement.

The BSA received seven complaints, from Oranga Tamariki, WDHB, the Privacy Commissioner and the Children's Rights Alliance, along with three members of the public.

These involved the privacy, fairness, law and order, and good taste and decency standards.

The Authority found the child was identifiable by 'jigsaw' identification* and their privacy was breached on a segment on RNZ's *Morning Report*. While there was a legitimate public interest in the story, this did not extend to all the details included in the item.

The Authority noted that care must be taken to strike an appropriate balance between matters of public interest and avoiding harm, and in this case that appropriate balance was not struck.

The *Morning Report* segment was also found to have breached the privacy of the child's family but not of the social worker involved.

The fairness standard was also breached as the broadcasts were unfair to the child and their family.

The Authority did not uphold the complaints regarding law and order, as it found the broadcasts would not have the effect of inciting or encouraging illegal or seriously antisocial behaviour. A good taste and decency complaint was also not upheld.

The BSA also concluded that it is not within its remit to consider complaints based solely on a broadcaster's information gathering methods. Its focus is on programmes and their presentation.

To protect the child's privacy interests and wellbeing, the BSA has published a summary of the decision, omitting any features that might give rise to identification of the child. This summary captures the key points of the Authority's decision making.

ENDS

For more information contact Pete Barnao on 021 623 794

* *The concept where a person's identity can be pieced together from a collection of identifying features*

FURTHER INFORMATION

The decision summary can be seen [here](#). The decision was made under the Radio Code of Broadcasting Practice (2020 edition) which applied to programmes broadcast before 1 July 2022 and is available to view on our website: <https://bsa.govt.nz/broadcasting-standards/broadcasting-code-book/>.

ABOUT THE BROADCASTING STANDARDS AUTHORITY

The BSA is an independent Crown entity that oversees the broadcasting standards regime in New Zealand. It determines complaints that broadcasts have breached standards, undertakes research and oversees the development of broadcasting standards in consultation with broadcasters.

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