

FREEDOM OF THE PRESS

New Zealand

[New Zealand](#) | [Freedom of the Press 2012](#) |

Press freedom in New Zealand is guaranteed by convention and statute rather than constitutional right, and is supplemented by freedom of information legislation passed in 1982. Seditious legislation was abolished in 2007. While the media are regarded as free and independent, there were several events in 2011 that raised concerns about press freedom in the country. The Search and Surveillance Bill, tabled in Parliament in November 2010, would force journalists to answer police questions, identify sources, and hand over notes and other documents. Breaches of the proposed law could carry penalties of up to one year in jail. However, the bill was shelved in its original form, and an amended version had yet to be introduced by the end of 2011. A proposed Video Camera Surveillance (Temporary Measures) Act was introduced in September 2011, drawing strong protests. Critics argued that the draft legislation would give the police powers that violate the rule of law and fundamental liberties.

In December 2011, New Zealand's Law Commission offered a number of preliminary suggestions for reforming the regulatory environment in which the news media operate. It proposed replacing the Broadcasting Standards Authority, which currently regulates all traditional broadcasters, and the industry-based Press Council, which regulates print media, with a new regulator that would cover all forms of media, including online outlets, and would be independent of both the government and the media industry.

Several incidents during the year raised concerns about harassment and political interference with media content. The former chairman of the New Zealand National Commission for UNESCO, Bryan Gould, warned of "insidious attacks" on press freedom. He cited police demands for news organizations to divulge information relating to the so-called secret recording of a meeting between Prime Minister John Key and a successful conservative ACT Party candidate, John Banks, during the general election campaign in 2011. The politicians involved considered that their private conversation had been illegally recorded, and the prime minister made an official complaint to the police. Warrants were issued to allow searches for copies of the recording at the *Herald on Sunday* newspaper, Television New Zealand (TVNZ), and TV3. Separately, in May, award-winning investigative journalist Jon Stephenson was forced to defend himself against a bitter attack on his credibility by Prime Minister Key and other officials regarding his investigative work on New Zealand troops handing over prisoners to U.S. forces, published in the May edition of *Metro* magazine. Four complaints against *Metro* were filed by the military over Stephenson's report, but they were later dropped. In October, in a move believed to be unprecedented, Speaker of the House Lockwood Smith subjected the *New Zealand Herald* to a 10-day ban on covering politics from its press gallery office within the parliamentary complex. The punishment came in response to the *Herald's* publication of a photograph showing guards and members of the public restraining a protester from jumping from the public gallery into the debating chamber. Smith claimed that the photograph was a breach of standing orders prohibiting any filming of protests or other disruptions in the public gallery. Despite these incidents, journalists are generally able to cover the news freely, and physical attacks or threats against

2012 SCORES

PRESS STATUS

Free

PRESS FREEDOM SCORE

17

LEGAL ENVIRONMENT

3

POLITICAL ENVIRONMENT

8

ECONOMIC ENVIRONMENT

6

the media are rare. There were no reports of physical harassment or assault against journalists during the year.

The country has two state-owned broadcasting corporations, TVNZ and Radio New Zealand, but the vast majority of print and broadcast media ownership is private. Australian-owned companies control a substantial portion of the print media sector. Fairfax Media Limited boasts almost 48 percent of daily newspaper circulation. The country's largest and most influential daily newspaper, the *New Zealand Herald*, and a string of smaller provincial and suburban newspapers are owned by APN News & Media, while ACP Magazines dominates New Zealand magazines. In September, the New Zealand Press Association cooperative closed after 132 years as the national news agency. This was a serious blow to media diversity. TVNZ faces increasing competition from the pay channel network Sky TV and its free-to-air channel, Prime TV. Another rival, TV3, part of the MediaWorks group, has met with financial setbacks, while the government-funded Māori Television continues to develop strongly, with its second channel, Te Reo, broadcasting in the indigenous Māori language.

There are no government restrictions on the internet, which was accessed by 86 percent of the population during 2011.

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