



28 October 2022

By email: fyi-request-20728-bb34bd90@requests.fyi.org.nz

Tēnā koe

Official Information request and response

Thank you for your request under the Official Information Act ("OIA") dated 3 October 2022.

You have requested:

1. *In unredacted form, all meeting minutes, or emails relating to the application for funding, including all applications, proposals or grant submissions made by Stuff Limited for the production of Fire and Fury.*
2. *internal policies or criteria that are used by PIJF to review applications for funding. This is to include the conditions or reasons for why funding is declined or granted.*
3. *In unredacted form all meeting minutes, emails relating to the approval of funding by PIJF to Stuff Limited for the production of Fire and Fury. Including all contracts, agreements, conditions finalised as part of funding.*
4. *Internal policies or criteria about how PIJF qualitatively reviews, or safety checks the content that its funding has created.*
5. *In unredacted form all meeting minutes, emails, forms, or resources used to qualitatively review and safety check the Fire and Fury 'documentary' before it was approved to be published publicly*

Please see below our response:

1. Please find attached a copy of the *Stuff Circuit 2021* funding application that was submitted to NZ On Air in December 2020.

To clarify, this application was not funded via the Public Interest Journalism Fund (“PIJF”). *Fire & Fury* was funded as part of the *Stuff Circuit 2021* application, which was awarded funding through the NZ Media Fund in December 2020 prior to the establishment of the PIJF.

Whilst the application was approved under the NZ Media Fund, once PIJF came into existence and took over funding of investigative journalism applications from July 2021 onwards, all *Stuff Circuit* content was branded and accredited as being funded through the PIJF. Despite this use of accreditation, we can confirm that *Stuff Circuit 2021* is not required to meet PIJF-specific criteria and was not assessed against the criteria referenced in paragraph 2 of our response.

Furthermore, at the time of application and due to the nature of investigative journalism, both the production team making the application and NZ On Air staff who assessed the application and approved it for funding were unaware of the future investigative topics that might be covered as part of the project. This is not at all unusual with journalism applications, and in fact, is desirable given it is important to maintain an arms’ length as funder from the journalism itself.

2. Public Interest Journalism Fund applications are assessed against the PIJF general guidelines as well as round specific guidelines, all of which can be found [here](#). However, as stated above, these are not the relevant guidelines the *Stuff Circuit 2021* application (which your request largely concerns) was assessed against. Therefore, we have attached the December 2020 NZ Media Fund round guidelines under which *Stuff Circuit 2021* was submitted.
3. Please find attached a copy of the funding agreement (and subsequent contract variation) for *Stuff Circuit 2021* and the funding recommendation paper that was submitted to the NZ On Air Staff Investment Committee in November 2020.

The following redactions have been made to these documents:

- Redactions made under section 9(2)(a) of the OIA to protect the privacy of natural persons; and
 - Redactions made under section 9(2)(b) of the OIA to protect information where the making available of the information—
 - (i) would disclose a trade secret; or
 - (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
4. All content is required to meet, where applicable, the principles of the NZ Media Council and/or the Broadcasting Standards Authority. However, it is also noted that under [Section 42](#) of the Broadcasting Act, NZ On Air is prohibited from giving any editorial direction to any successful funding applicant.

5. As stated above, under [Section 42](#) of the Broadcasting Act, NZ On Air is prohibited from giving any editorial direction to any successful funding applicant. NZ On Air does not view any content it funds prior to publication of the content and has no right of review. The editorial oversight in addition to the pre-release viewing and approval of any funded content is the responsibility of the platform that publishes the content. Considering this, we decline this part of your request under section 18(g) of the OIA as the information requested is not held by NZ On Air and we have no grounds for believing that the information is either held by another department or is connected more closely with the functions of another department.

For your information, funding provided by NZ On Air for all successful projects is [searchable](#) on our website. You can also [sign up](#) to receive our regular industry newsletter via our website.

You have the right to refer this response to the Ombudsman if you are dissatisfied with it. More information on how to do this is [here](#). NZ On Air proactively releases information in accordance with the Government's commitment to the Open Government Partnership National Action Plan. This includes publishing responses to requests for information under the OIA. Please note that this response (with your name removed) will be published on the NZ On Air website shortly and will remain on our website for 12 months.

Thank you for your interest in our work.

Yours sincerely



Sharon Kerry
HEAD OF CORPORATE SERVICES

Attachments:

1. An excerpt of the funding recommendation paper submitted to the NZ On Air Staff Investment Committee in November 2020
2. A copy of the funding agreement for *Stuff Circuit 2021*
3. A copy of a variation made to the *Stuff Circuit 2021* funding agreement
4. A copy of the *Stuff Circuit 2021* funding proposal
5. A copy of the December 2020 funding round guidelines under which *Stuff Circuit 2021* was submitted