



9 March 2026

ASA Complaints Board  
P O Box 10-675  
WELLINGTON 6140

Attention: Marion Hughes  
Via email: [marion.hughes@asa.co.nz](mailto:marion.hughes@asa.co.nz)

#### **BDO Complaint – 26/044**

Dear Marion,


1. Thank you for your letter of 5 March 2026.
2. We wish to defend the advertising as reasonable.
3. I am writing on behalf of Digital Signs (2017) Limited that placed the advertising booking with Media 5.
4. We wish to defend it as reasonable because:
  - a. BDO Auckland breached their duty of care to the company in 2020 by operating in a conflict of interest, not seeking our consent, preventing us to continue having the critical support of Nick Innes-Jones when Andy McKay was reviewing the company, resulting in Andy writing a damning and inaccurate report (as peer-reviewed by Paul Moriarity, Forensic Accountant, 3 September 2023).
  - b. We lodged a complaint with CAANZ (Chartered Accountants of Australia and New Zealand) that was upheld and the members were both sanctioned.
  - c. We only advertised in the Auckland region that these gentlemen offer their services.

[dave@digitalsigns.co.nz](mailto:dave@digitalsigns.co.nz) | [www.DigitalSigns.co.nz](http://www.DigitalSigns.co.nz)

1C Highbrook Drive, East Tamaki, 2013, Auckland | 0508 4 VIDEO (0508 484 336)

- d. I wrote to Emma Smith, BDO National Communications Manager on 9 April 2025 (copy attached), provided her a copy of the billboard ad (as it existed at that time), drawing her attention to the website [www.BDO-Complaints.co.nz](http://www.BDO-Complaints.co.nz), and expressly told her 2 billboards were going up on the Auckland motorway (and she never objected).
  - e. I wrote to the CEO of BDO Auckland (Tim Jones) on 5 December 2025 (attached) providing a copy of the billboard artwork (as it existed at that time) that it was going up on a billboard – and he never raised an objection either.
  - f. I have written 3 posts on LinkedIn about how BDO breached our rights, caused us extensive loss, and neither BDO nor messrs Innes-Jones or McKay have taken exception to the accuracy of those posts.
  - g. I have published about 50 ‘comments’ on LinkedIn also referencing that website.
  - h. All of the facts on the website can be demonstrated to be true, and all of the opinions expressed are my honestly held opinion (based on the facts also present where my opinion is expressed).
  - i. I have a right to freedom of expression.
  - j. Anyone else that has invested their life savings needs to be warned to be very careful if using the professional services of BDO Auckland and/or either of these gentlemen.
  - k. There is no lesser way (‘over-publication’) to reach our target audience (of finance professionals and entrepreneurs) than to make use of a billboard (we already have an internet presence).
  - l. The advertising is “legal, decent, honest and truthful” (though Mr McKay may feel a little wounded by being named a ‘know-it-all’).
  - m. The billboard of Mr Innes-Jones even says “nice guys get it wrong”.
5. Despite us holding the view the billboards were lawful, reasonable and required, they have done their intended purpose so we have instructed Media 5 to remove them (which was done this morning).
6. We do not wish the complaint to be upheld in these circumstances.

Yours faithfully

  
Dave Jaques  
Director