

COMPLAINT NUMBER	17/426
COMPLAINANT	D. Mackessy and P. Friedrich
ADVERTISER	Foodstuffs NZ
ADVERTISEMENT	Television
DATE OF MEETING	30 November 2017
OUTCOME	No Grounds to Proceed

Advertisement: The New World television advertisement showed a boy asking a New World employee who resembles Santa Claus, “are you the real Santa?” and taking a photo, which is then circulated around the globe, including a American news channel where they report “in breaking news, has Santa been found in New Zealand?”. The New World employee is arrested for ‘breaking and entering’ and New World is forced to close before it is shown that it was just a dream.

The Chair ruled there were no grounds for the complaint to proceed.

Complainant, D Mackessy, said: “As a previous school bus driver I heard the kids on many occassions talking about Santa.The younger ones talking about santa then get very upset when the older ones tease them and say that santa is not real.now the older ones will say see on the tv he got aressted. WHAT SORT OF A person thinks that a is brillant advertisement to arrest Santa. for breaking into homes which is totally inappropriate/suggesting/ inferring that Santa is a criminal. This is also destroying childerns beliefs in Santa and the spirit of Christmas. EVEN IN THE AD A MUM HOLDS HER HAND OVER HER DAUTHERS EYES. IF I HAD ANOTHER SUPER MARKET IN MY TOWN I WOULD AVOID shopping at NEW WORLD.”

Complainant, P. Friedrich shared similar views that the advertisement portrays “Father Christmas as a criminal and this is not a good reflection for children... it also has no bearing on what New World does, except they caught Father Christmas and arrested him in New Zealand.”

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 5;

The Chair noted the concerns of the Complainants it was inappropriate to show Santa Claus being arrested, inferring he was a criminal and was likely to upset children.

The Chair acknowledged that showing Santa Claus being arrested could be alarming for some children however, she noted the advertisement played at a time when children were unlikely to a significant proportion of the viewing audience. Further, the Chair said the advertisement should be considered from the perspective of its likely audience which was the household shopper. The Chair, noting the target audience, said the advertisement was lighthearted comedic hyperbole that unlikely to cause offence to its intended audience.

The Chair said taking into account prevailing community standards, the advertisement was unlikely to cause serious and widespread offence to most people and was not in breach of Rule 5 of the Code of Ethics. The Chair said the advertisement had been prepared with a

due sense of social responsibility and was not in breach of Basic Principle 4 of the Code of Ethics.

Accordingly, the Chair said the complaints had no grounds to proceed.

Chair's Ruling: Complaint **No Grounds to Proceed**