

COMPLAINT NUMBER	18/019
COMPLAINANT	S Walsh
ADVERTISER	Friends of Science
ADVERTISEMENT	Friends of Science, Out of Home
DATE OF MEETING	18 January 2018
OUTCOME	No Grounds to Proceed

Advertisement: The billboard advertisement for Friends of Science showed an image of the surface of the sun with solar flares and the earth in the distance. The billboard stated “The sun is the main driver of climate change. Not you. Not CO2.”

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

Complainant, S Walsh, said: Advertisement is Scientifically inaccurate and presents climate change as something that people can do nothing about. Ad is deliberately misleading and doesn't represent the current scientific consensus of the status of climate change. Advertisement also misrepresents the scale of solar flares apparently showing them reaching earth, which is not correct.

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 11, Rule 2.

The Chair noted the Complainant's concern the billboard advertisement gave misleading information about climate change.

The Chair confirmed the advertisement for Friends of Science was an advocacy advertisement intended to highlight their particular opinion about the cause of climate change.

The Chair acknowledged such opinions could be polarising, however, advocacy advertising is provided for under Rule 11 of the Code of Ethics, and allows robust expression of opinion as long as the advertiser is clearly identified.

Also applicable were the Advocacy Principles, developed by the Complaints Board in previous Decisions for the application of Rule 11. These said:

1. That Section 14 of the Bill of Rights Act 1990, in granting the right of freedom of expression, allows advertisers to impart information and opinions but that in exercising that right what was factual information and what was opinion, should be clearly distinguishable.
2. That the right of freedom of expression as stated in Section 14 is not absolute as there could be an infringement of other people's rights. Care should be taken to ensure that this does not occur.
3. That the Codes fetter the right granted by Section 14 to ensure there is fair play between all parties on controversial issues. Therefore in advocacy advertising and particularly on political matters the spirit of the Code is more important than

technical breaches. People have the right to express their views and this right should not be unduly or unreasonably restricted by Rules.

4. That robust debate in a democratic society is to be encouraged by the media and advertisers and that the Codes should be interpreted liberally to ensure fair play by the contestants.
5. That it is essential in all advocacy advertisements that the identity of the advertiser is clear.

The Chair ruled the advertisement had clearly displayed the identity of the Advertiser in the form of a website address, meaning consumers could obtain more information if required.

The Chair also noted that the advertisement had not made any explicit claims around the size or strength of solar flares.

The Chair said taking into account the provision for advocacy, the advertisement had been prepared with a due sense of social responsibility to consumers and there was no apparent breach of the Code of Ethics.

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

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