

COMPLAINT NUMBER	19/069
COMPLAINANT	A Penfold
ADVERTISER	Speak up for Women
ADVERTISEMENT	Speak up for Women, Poster
DATE OF MEETING	18 February 2019
OUTCOME	No Grounds to Proceed

Advertisement: The poster for the group ‘Speak up for Women’s Rights’ warns that certain rights for women and girls “will be undermined by the introduction of the sex self-ID provision in the BDMR (Births, Deaths, Marriages and Relationships) Bill.” The advertisement encourages people to write to their Member of Parliament about this issue and included a website address.

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

Complainant, A Penfold, said: The ad implies that transgender women are not people by saying: Strengthening women's rights doesn't weaken anyone else's. Strengthening women's rights in the way that Speakupforwomen seeks will weaken the rights of transgender women. Hence the pamphlet implies that transgender women are not people or are people with no rights or is intentionally misleading

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b), Rule 2(e);

The Chair noted the Complainant’s concerns the advertisement is saying that transgender women are not people or are people with no rights.

The Chair said the advertisement fitted the definition of an advocacy advertisement. She noted that advocacy advertising is permitted under the Advertising Standards Code, as long as the identity and opinion of the advertiser is clear, and any factual information is substantiated.

The Chair said one consumer takeout of the advertisement is that proposed changes to transgender policies, especially the introduction of sex self-identification, could have an impact on the rights of women and girls.

The Chair noted the Births, Deaths, Marriages and Relationships Bill contains a clause which provides for replacing the current Family Court process for changing a person’s registered gender with an administrative process based on self-identification.

The Chair said noted the Complainant’s takeout of the advertisement, but said in the context of advocacy, the advertisement does not contain anything that is likely to mislead consumers, abuse their trust or exploit their lack of knowledge.

The Chair ruled the advertisement was not in breach of the Advertising Standards Code and there were no grounds for the complaint to proceed.

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

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.