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| COMPLAINT NUMBER | 20/032 |
| COMPLAINANT | J Bent |
| ADVERTISER | Stuff Limited |
| ADVERTISEMENT | Stuff, Print |
| DATE OF MEETING | 17 February 2020 |
| OUTCOME | No Grounds to Proceed |

Advertisement: The newspaper advertisement for Stuff and its news mastheads had the heading "Our story should be told...Because journalism doesn't ignore the truth. Uncover the story behind our story at stuff.co.nz/because-journalism." The photo in the advertisement showed a group of people performing kapa haka.

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

Complainant, J Bent, said:

The advertorial about which I complain was published on 12 November 2019 ((copy attached) and subsequently repeated on November 24 2019) in "The Dominion Post"

I agree that "OUR STORY SHOULD BE TOLD", however the statement "BECAUSE JOURNALISM DOESN'T IGNORE THE TRUTH" is not realised in their reporting on the Ihumatao conflicts.

I find this 'ignoring' of the truth best illustrated in the editorial of 21 November 2019. (copy attached) Wherein, "There was also a reasonable view that iwi should not have to pay for land that had been confiscated". Yes, the land in question had been confiscated for lawful cause. See the attached public notices of 9 July 1863 and in Te Reo Maori dated 17 July 1863...

A letter coincidentally in the 12 November edition (copy attached) concludes with "To engage in our history through story, questions must ask: why? how?".

It is my complaint that this advertorial is wilfully misleading because 'The Dominion Post' does not tell the whole truth by way of omitting the why in it's editorial material.

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

Principle 2: Truthful Presentation: Advertisements must be truthful, balanced and not misleading.

Rule 2 (b) Truthful Presentation: Advertisements must not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise. Obvious hyperbole identifiable as such is not considered to be misleading.

The Chair noted the Complainant's concern the advertisement was misleading because the claim "Journalism doesn't ignore the truth" is not realised in Stuff's reporting on the Ihumatao conflicts.

The Chair referred to a precedent decision 19/427, which was also ruled No Grounds to Proceed. That decision concerned a complaint about a New Zealand Herald advertisement which said "We don't agree with everything we publish. See Every Perspective in New Zealand's Herald."

The Decision said in part:

"The Chair noted the Complainant's concern the advertisement was misleading to claim the New Zealand Herald delivers its readers "every perspective", when, in the Complainant's view the publication often only presents one perspective and there is a lack of contrary opinions published.

The Chair considered the statements "See Every Perspective" and "Your Devil's Advocate" were aspirational sentiments from the Advertiser. The Chair said the likely consumer takeout of these statements would be the New Zealand Herald publishes views from different perspectives – including those it does not agree with."

The Chair said the precedent was relevant to the case before her. The statement "Journalism doesn't ignore the truth" is an aspirational statement from the Advertiser promoting its commitment to good journalism. The Chair noted Stuff describes it as a "campaign focused on the valuable role our quality local journalism plays in society".

The Chair said the advertisement did not reach the threshold to be considered misleading. The Chair said there was no breach of Principle 2 or Rule 2(b) of the Advertising Standards Code.

The Chair said the New Zealand Media Council is the forum for resolving complaints about the editorial content of newspapers and in this case, the editorial headed "Ihumātao needs to be resolved".

The Chair ruled 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 calendar days of receipt of this decision.