

COMPLAINT NUMBER	20/065
COMPLAINANT	A Riddell
ADVERTISER	NZL National Party
ADVERTISEMENT	NZL National Party Twitter
DATE OF MEETING	2 March 2020
OUTCOME	No Grounds to Proceed

Advertisement: The National Party Twitter advertisement said “Labour is making all kinds of excuses to get out of answering questions on skyrocketing dole numbers.” There was a video attached to this tweet featuring Minister Carmel Sepuloni and Prime Minister Jacinda Ardern speaking in Parliament and making several references to the word “dole”.

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

Complainant, A Riddell, said: This advocacy advertisement asserts that there are x number of people on the "dole".

There is no such thing as the "dole".

There are various types of income support payments made by the government, none of which are called "dole".

This purported factual claim breaches principle 1(c) -- "dole" is commonly a derogatory term; 2(b) truthful presentation -- presenting a welfare payment that does not exist; and 2(e) presenting purported factual information that cannot be substantiated because there is no "dole" for people to be on.

The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(c), Rule 2(b), Rule 2(e)

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1(c) Decency and Offensiveness: Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

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.

Rule 2(e) Advocacy advertising: Advocacy advertising must clearly state the identity and position of the advertiser. Opinion in support of the advertiser's position

must be clearly distinguishable from factual information. Factual information must be able to be substantiated.

The Chair noted the Complainant's concerns the use of the word "dole" in the advertisement was offensive and misleading.

The Chair said the likely consumer takeout of the National Party advertisement is that Labour is trying to avoid answering questions about the recent rise in the unemployment level by arguing about correct terminology. The Chair noted that the word "dole" is a colloquial term for a benefit received by people who are unemployed.

The Chair noted the advertisement was an advocacy advertisement and the advocacy principles applied in this case. Further information about this topic can be found here: <https://www.asa.co.nz/codes/code-guidance-notes/guidance-note-advocacy-advertising/>

The Chair said the use of the word "dole" in the advertisement did not reach the threshold to cause serious or widespread offence or to be regarded as misleading.

The Chair said the advertisement was not in breach of Principle 1, Rule 1(c), Principle 2, Rule 2(b) or Rule 2(e) of the Advertising Standards Code.

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.