

<b>COMPLAINT NUMBER</b>	20/144
<b>ADVERTISER</b>	Kidscan Charitable Trust
<b>ADVERTISEMENT</b>	Kidscan Television, Facebook
<b>DATE OF MEETING</b>	9 April 2020
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Kidscan television and social media advertisement has the number “19” on screen. The words and voiceover say: “19 has made us afraid; 19 has made us sick; 19 has left shelves empty; but if we all donate just \$19, kids won’t go hungry during COVID-19. We urgently need to raise \$500,000 to feed families during lockdown. The advertisement ends with a call to action: “Give \$19 for COVID-19 / donate at 19for19.co.nz and the Kidscan logo.

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

**Two complaints were received.**

**Complaint One:** In the recent 19 for 19 ad from Kidscan on TV, they make the statement of “19 has left shelves empty” and “19 has made us sick.” This seems extremely misleading by making people feel like it is 19 people have left the shelves empty and made us sick. Which simply isn’t the case. I initially saw this on TV then have also seen it on social media

**Complaint Two:** Playing on emergency COVID19 to raise funds for their organisation. They’re asking for \$19. Clearly an opportune campaign

**The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, 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.

**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 Complainants’ concerns the Kidscan Charitable Trust advertisement made misleading statements and exploited the COVID-19 lockdown to raise money.

The Chair confirmed the advertisement is an advocacy advertisement from a charity, raising funds to support families in need during the COVID-19 lockdown.

The Chair referred to the KidsCan website referred to in the advertisement, 19for19.co.nz and information about the fundraising campaign. This information said in part:

*“Covid-19 has affected all of our lives. But for Kiwi kids living in poverty, it's made life impossible. Not only are they forced to stay home, they're staying home hungry. KidsCan is delivering more than 3000 food parcels to children and their families during the lockdown. We have so many requests for more help. 19 has taken so much from us all, but if Kiwis give just \$19, families won't go hungry during Covid-19.”*

The Chair noted that KidsCan usually delivers support through schools providing food, shoes, socks, fleece-lined raincoats and basic hygiene items for children in need.

In reviewing the advertisement, the Chair noted the requirements of Rule 2(e) of the Advertising Standards Code, that the identity of the advertiser is clear; opinion needs to be distinguished from factual information and factual information must be able to be substantiated. The Chair said the identity of the Advertiser, KidsCan Charitable Trust, was clear.

The Chair considered the statements “19 has made us sick; 19 has left shelves empty” were not misleading in the context of an advocacy advertisement seeking funding support to assist families during the lockdown. The Chair said the wording reflected events in the community as a result of the COVID-19 pandemic.

The Chair agreed KidsCan were using the COVID-19 pandemic to raise money, but this funding was directly linked to support families during the lockdown as the usual assistance was not available - for example, meals for children at schools.

The Chair said the advertisement was not misleading, complied with the requirements of the advocacy rule, and had been prepared and placed with a due sense of social responsibility to consumers and society.

The Chair ruled the advertisement was not in breach of Principles 1 and 2 and Rules 2(b) and 2(e) of the Advertising Standards Code and there were no grounds for the complaints to proceed.

**Chair's Ruling:** Complaints **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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.