

COMPLAINT NUMBER	20/362
ADVERTISER	Secular Education Network (NZ)
ADVERTISEMENT	Teach, not Preach, Digital Marketing
DATE OF MEETING	26 August 2020
OUTCOME	No Grounds to Proceed

Advertisement: The Teach not Preach advertisement which featured on the NZ Herald website is an advocacy advertisement which challenges the practice of single-faith religious instruction in state schools. The advertisement is a roll over series of three images, the first being Teach, not Preach - Secular Education Network (NZ) with a sign the petition button. The second image shows a young girl in a classroom with the text "Say no..." and the third image has the text "...to Bible classes in school time" with a button prompting "Sign the Petition".

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

Complaint: As a Christian in a traditionally Christian society in a country where we are free to practice our faith as a free country I feel affronted by this anti Christian sentiment. I wish to have this ad removed.

The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(c), 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(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 advertisement was an affront to people in New Zealand, a country where all people have freedom to practice their faith.

The Chair said the advertisement is an advocacy advertisement because it promotes the views of an organisation opposed to religious instruction in state schools.

About Advocacy Advertising

Complaints about advocacy advertising are considered differently to complaints about advertising for products and services.

In assessing whether an advocacy advertisement complies with the Advertising Standards Code, the freedom of expression provisions under the Bill of Rights Act 1990 must also be considered.

Section 14 of the Act says: “Everyone has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form.” This freedom of expression supports robust debate on current issues in a democracy.

Under Rule 2(e) Advocacy advertising of the Advertising Standards Code:

- The identity of the advertiser must be clear
- Opinion must be clearly distinguishable from factual information, and
- Factual information must be able to be substantiated.

If the identity and position of the Advertiser is clear, a more liberal interpretation of the Advertising Standards Code is allowed.

About this complaint

The Chair said the identity and the position of the Advertiser was made clear through the heading “Teach, not Preach” and the organisation’s name “Secular Education Network (NZ). The first image of the advertisement also has the website address” teachnotpreach.org.nz”

The Chair said the Advertiser’s message was also clear and set out Secular Education’s perspective on belief-based exclusion in schools. The advertisement therefore met the criteria for an advocacy advertisement.

The Chair acknowledged the Complainant’s genuine concerns about this advertisement. The Chair considered it would be clear to most consumers that the content of the advertisement was a call to action to support a petition about belief based exclusion for pupils who wish to avoid single faith religious instruction in state schools. She confirmed that the Advocacy Rule in the Advertising Standards Code provided for expression of opinion where the identity of the Advertiser is clear.

The Chair said the advocacy advertisement did not meet the threshold to breach Principle 1, Principle 2 or Rules 1(c), 2(b) and 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.