



COMPLAINT NUMBER	20/543
ADVERTISER	The Incredible Journey Ministry
ADVERTISEMENT	The Incredible Journey, Television
DATE OF MEETING	27 October 2020
OUTCOME	No Grounds to Proceed

Advertisement: The Incredible Journey Ministry television advertisement titled "Forgiving the Unforgivable" shows the Pastor, Gary Kent, discussing the brutal murder of Shannon Bigger and how God impacted the lives of those involved and helped them reach forgiveness. The infomercial repeatedly shows the Incredible Journey banner and offers viewers a free booklet "Forgiving the Unforgivable."

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

Complaint 1:

After complaining to Tvnz I was advised to process complaint through you as it was a religious infomercial.

As my children were home sick they were watching the morning cartoons on Tvnz 2. As soon as Moon and Me finished the next started and before I had time to turn the TV off or change the channel it launched into a graphic description of a brutal murder. Literally within the first minute of the programme.

I feel as this immediately followed the kids cartoons it was in bad taste. Both my children heard the show and asked me what they were talking about.

Complaint 2: My complaint is that my 3 year old finished watching 'Moon and Me', finishing at 9:00am. I knew it was finishing and came into the room to turn the tv off. Unfortunately I was a minute or two slow, and the above programme came on. The topic for the show was introduced, with a photo of a woman on the screen, and the show's presenter discussing her being violently murdered. I cannot accurately recall all of the language used, but there was at least 'bound' in terms of her being tied up and 'murdered', plus one other violent term I forgot. Luckily I don't think he'd understand those terms. I was gutted he'd been exposed to it though, and to be honest, thought it was absolutely ridiculous that something with that content was scheduled to screen immediately after a children's show. I have emailed the complaints committee at tvnz and been referred to you.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c), Rule 1(f), Rule 1(g); Principle 2, 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.

Rule 1(f) Violence and anti-social behaviour: Advertisements must not, unless justifiable on educational or social grounds, contain anything that condones, or is likely to show, violent or anti-social behaviour or damage to property.

Rule 1(g) Fear and distress: Advertisements must not cause fear or distress without justification.

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.

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 these complaints

The Chair acknowledged the Complainants' genuine concerns about the advertisement and its placement.

The Chair said the 28-minute infomercial style advertisement is conveying an opinion about how religion can help victims get through tragic events. In advocacy advertising, opinions are permitted. The Chair said the identity of the Advertiser, The Incredible Journey Ministry, was shown repeatedly throughout the advertisement.

The Chair confirmed the advertisement had been given an M (Mature) rating by the Commercial Approvals Bureau which meaning it may be broadcast after 7.30pm or during news programmes, or daytime programmes suited for mature audiences but not necessarily unsuitable for child viewers when subject to the guidance of a parent or an adult.

The Chair acknowledged the Complaint's concern about the timing of the advertisement immediately after a children's programme but said 9:00am was an established timeslot for this type of infomercial which played during the time children were generally in school.

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

The Chair ruled 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. Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.