

<b>COMPLAINT NUMBER</b>	20/585
<b>ADVERTISER</b>	Friends of Science
<b>ADVERTISEMENT</b>	Friends of Science, Print
<b>DATE OF MEETING</b>	23 November 2020
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Friends of Science print advertisement, sponsored by Law West claims that "The sun is the main driver of climate change, not you, not CO2. The image shows a close-up of the sun and a small image of the earth with text stating "Earth to scale."

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

**Complaint:** I believe that the advertisement advocating that CO2 is not the main driver of Climate Change is incorrect and misleading. I believe the advertisement does not follow Guideline "Rule 2 (e) Advocacy advertising". I believe this for the following reasons:

- No evidence is readily provided in support of this position.
- "Evidence" on the provided website is misleading and often untrusted.
- "Evidence" provided on the website is not robust.
- There is more trusted evidence debunking the claim made by the advertiser.
- No physical address or phone number is given for "Friends of Science"
- No contact information is given for the sponsor of the advertisement Law West.
- If this is an opinion it is not distinguishable from factual information.

The advertisement may also break Guideline Rule 2 (f) Use of testimonials and endorsements because:

- Science does not endorse this.
- Science cannot endorse this.
- Law West is not a Friend of Science as Science cannot have friends.

The advertisement may also break Guideline Rule 2 (h) Environmental Claims if relevant. The claim of the Earth being scale of size to the sun is also incorrect. This gives a false impression of fact/truth.

This advertisement is misleading to the public. This and other unsubstantiated advertisements should not be published.

**The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b), Rule 2(e), Rule 2(h);**

**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.

**Rule 2(h) Environmental Claims:** Environmental claims must be accurate and able to be substantiated by evidence that reflects scientific and technological developments.

The Chair noted the Complainant's concern the advertisement is misleading by making unsubstantiated claims about the causes of climate change. The Complainant said the identity of the Advertiser had not been made clear.

### 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 acknowledged the Complainant's genuine concerns about the advertisement.

The Chair said the advertisement is conveying an opinion about the Advertiser's view on the main cause of climate change. The Chair noted that in advocacy advertising, opinions are permitted. The Chair said the identity of the Advertiser, Friends of Science, was made clear by the inclusion of the website in the advertisement. This allowed consumers to access information about the Advertiser and their position which challenges the hypothesis of human induced global warming.

The Chair said the advocacy advertisement was not in breach of Principle 2, or Rules 2(b), 2(e), 2(h) 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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.