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| COMPLAINT NUMBER | 21/125 |
| ADVERTISER | Fire and Emergency New Zealand |
| ADVERTISEMENT | Escape My House, Television |
| DATE OF MEETING | 15 March 2021 |
| OUTCOME | No Grounds to Proceed |

Advertisement: The Fire and Emergency New Zealand television advocacy advertisement reminds viewers about the importance of making an escape plan in the event of a house fire. The voiceover says "We would like you to use this time to make a plan to save your family. Go to escapemyhouse.co.nz. Because in the event of a fire, you'll have less than three minutes to get out!" The advertisement uses a black screen with the audio playing a smoke alarm going off and depicting a family discovering a fire and attempting to escape as the fire escalates. Shouting and crying can be heard from the family as they try to leave their house.

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

Complaint: The New Zealand Fire Service ad plays a fire alarm sound for most of the ad which is a high frequency that sends all my dogs into a panic and pain due to the prolonged frequency. If it plays for a few seconds it is OK. But it plays for long time and causes distress to my dogs. It's a horrible experience. It causes me distress. It occurs on multiple NZ channels. I know message is important but that sound is severely distressing.

The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(c), Rule 1(g), 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(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 this complaint

The Chair acknowledged the Complainant was concerned the sound of the smoke alarm in the advertisement was distressing for pets.

The Chair confirmed the Advertiser’s identity was clear and the advertisement complied with the requirements of Rule 2(e) of the Advertising Standards Code.

The Chair said the advertisement was part of a Fire and Emergency New Zealand campaign called Escape My House, which is designed to promote the need for households to devise an escape plan and be ready should a house fire occur.

The Chair said the intention of this advocacy advertisement is to provide a realistic scenario about how quickly a fire can escalate. The Chair noted the Fire and Emergency service has a responsibility to educate the public on this issue on behalf of the Government.

The Chair noted the advertisement had been given a G (General) rating by the Commercial Approvals Bureau, which meant it could be broadcast at any time.

Rule 1(g) of the Advertising Standards Code required the Chair to consider whether fear had been used in the advertisement without justification. The Chair said if the fear was justified on educational grounds it must not be excessive.

The Chair acknowledged the genuine concerns of the Complainant and said despite the prolonged use of the smoke alarm in the advertisement, it was delivering an important, potentially life-saving message and was therefore justified on educational grounds. The Chair said the advertisement was trying to recreate a realistic scenario of a house fire and this was likely to include a smoke alarm. The Chair said she considered the scenario evolved slowly enough for pet owners to be able to limit exposure to the advertisement if this was deemed necessary.

The Chair said the message represented in the advocacy environment did not meet the threshold to breach Principle 1, Principle 2, or Rules 1(g) 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.