

<b>COMPLAINT NUMBER</b>	21/270
<b>ADVERTISER</b>	Deaf Aotearoa
<b>ADVERTISEMENT</b>	Sign Language Week, Television
<b>DATE OF MEETING</b>	24 May 2021
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement: Advertisement:** The Deaf Aotearoa television advertisement promotes New Zealand Sign Language Week. The advertisement features Officers Minogue and O’Leary from the television show *Wellington Paranormal*. While Officer Minogue introduces sign language week and signs a greeting, Officer O’Leary can be seen wrestling with a zombie character in the background. The advertisement contained the logo for sign language week and the website address, nzslweek.org.nz.

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

**Complaint:** Ad promoting learn sign language.  
Please do not show police wrestling with anyone. Looks bad for nz and bad for police profile.  
Bad taste advert. Makes a serious subject look dumb/simple.

**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.

### **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 showing a member of the Police wrestling with someone was in bad taste and dumbed down a serious subject.

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 advertisement included a logo for sign language week as well as a website address, nzslweek.org.nz.

The Chair said the intention of the Deaf Aotearoa advocacy advertisement is to promote sign language week and that sign language became an official language of New Zealand in 2006.

The Chair said the context of the advertisement was important. The advertisement featured two well-known comedic characters, Officers Minogue and O’Leary from the television programme *Wellington Paranormal*. This comedy programme follows the police investigators as they track supernatural events in a fictitious New Zealand. The Chair said the advertisement reflected a scene you may see in the television programme. In her view, the scenario of one Officer ignoring the other to sign a message would clearly not happen in real life.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether, advertisements contain anything that could cause harm or give rise to hostility, contempt or ridicule. The Chair said consumers were unlikely to confuse the actions shown in the advertisement with the actual police force. She said the advertisement showing a farcical image of a zombie being wrestled by a fictional police officer character did not reach the threshold to breach the rule.

The Chair said the message represented in the advocacy environment was not in breach of Principle 1, Principle 2, or Rules 1(c) 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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.