

<b>COMPLAINT NUMBER</b>	21/423
<b>ADVERTISER</b>	Avondale Congregation of Jehovah's Witnesses
<b>ADVERTISEMENT</b>	Jehovah's Witnesses, Addressed Mail
<b>DATE OF MEETING</b>	27 September 2021
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** An addressed letter from a member of the Avondale Congregation of Jehovah's Witnesses begins, "Dear Neighbour" and states the intention to "share a message of comfort and hope". The letter notes that "many in our community are anxious about the future" and lists some of the safety measures that are now the "norm" such as wearing a mask, sanitising and social distancing. The letter then states that "The Bible gives us a solid hope for a better tomorrow" and quotes two bible passages. The letter refers the reader to a QR code if they wish to know more.

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

**Complaint:** I have a no junk mail sign on my letterbox, this has however come addressed. This is the 2nd time in a week I have received this letter both times being addressed.

I believe they are trying to undermine the Public Health response to covid 19, attempting to instill the belief that by trusting in their god you will not get sick. With the earlier mention of hand washing, mask wearing and Social distancing being something that is abnormal to be doing.

**The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(h), Rule 2(b), 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(h) Health and well-being:** Advertisements must not undermine the health and well-being of individuals.

**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.

### **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 including robust expression of opinion.

### **About this complaint**

The Chair acknowledged the Complainant was concerned the advertisement was promoting a religious message which sought to undermine the public health response to COVID-19.

The Chair confirmed the ASA Codes of Practice, and the complaints process, applies to the content and placement of advertisements, and does not adjudicate on the beliefs or behaviour of advertisers per se.

The Chair said the Advertiser’s identity and position was clear and the advertisement complied with the identity requirements of Rule 2(e) of the Advertising Standards Code. She noted the advertisement in the form of an addressed letter, contained the name of the organization, the Avondale Congregation of Jehovah’s Witnesses, as well as a QR code for readers who wanted more information.

The Chair also observed that in a free and democratic society, differences of opinion should be openly debated without undue hindrance or interference from authorities, and in no way should religious organisations, political parties, politicians, lobby groups or advocates be unnecessarily fettered by a technical or unduly strict interpretation of the rules and regulations.

The Chair said the advocacy advertisement, in the form of a letter, is promoting the Jehovah Witness religion as a belief system. The Chair said the message in the letter is offering people hope through religion to cope with the pandemic. The Chair said the religious organisation had indicated it had moved from face-to-face evangelising approaches to non-direct approaches such as writing letters due to the pandemic.

The Chair said the advertisement did not undermine the health and wellbeing of individuals and was advocating faith to complement the public health measures mentioned such as masks, sanitising hands and social distancing.

The Chair noted the Complainant had expressed concern about receiving two letter advertisements in their letterbox, despite having signage requesting “no junk mail” The Chair confirmed this matter was outside the ASA’s jurisdiction.

The Chair said the advertisement met the requisite level of social responsibility and was not in breach of Principle 1, Principle 2 or Rules 1(h), 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](http://www.asa.co.nz). Appeals must be made in writing with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.