

COMPLAINT NUMBER	21/095
ADVERTISER	Victoria University of Wellington
ADVERTISEMENT	Victoria University of Wellington Twitter
DATE OF MEETING	8 March 2021
OUTCOME	No Jurisdiction

Advertisement: The Twitter post for the username “Te Herenga Waka – Wellington Uni@WellingtonUni” said “WellingtonUni’s Professor Colin Simpson co-authored a study lead by @EdinburghUni that revealed the #COVID19 #vaccine is linked to a substantial reduction in hospital admissions”. The post was dated 23 February 2021.

The Chair ruled the Complaints Board did not have jurisdiction to consider the complaint.

Complaint: I make my complaint under 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.

The ad claims a researcher belongs to a university called "Wellington Uni", however:

- no such entity exists in a legal sense as listed in Schedule 13 of the Education Act 1989: <https://www.legislation.govt.nz/act/public/1989/0080/latest/DLM187975.html>

- no such entity exists from a branding perspective for the university, as it was announced in 2019 that Victoria University of Wellington would remain the university’s name and that attempts to rename the university would cease, with the name "Victoria University of Wellington" remaining with simply more branding emphasis on the word Wellington: <https://www.stuff.co.nz/national/education/114024643/victoria-university-of-wellington-changing-its-name-all-but-officially>

- no such colloquial usage of the term "Wellington Uni" exists, with the university social media accounts being the only entities that have used it in a way that isn’t sarcasm about its use

With the university’s social media accounts (and other digital platforms, such as their new website url wgtn.ac.nz) referring to a tertiary institution that doesn’t legally exist and isn’t colloquially used, these adverts, breach the Advertising Standards Code 2(b) in several respects as they:

- Mislead people as to the university’s legal or accepted name
- Deceive people as to the acceptance of the name they are pushing
- Confuse people by creating the impression the university has a new name or that the name has any level of popular acceptance, when it does not
- Abuses their trust, in that university’s are meant to uphold high standards of communication, and that by pushing a name for the tertiary institution that doesn’t exist, it is attempting to make people accept a name that was massively opposed (e.g. 13,000 people signed a petition opposing it, with submissions on the proposed name change in overwhelmingly opposing it)

<https://www.change.org/p/victoria-university-of-wellington-victoria-university-of-wellington-to-abandon-their-name-change-proposal>

- It exploits their lack of knowledge in that it is counting on that people don't know that the university's proposed name change was defeated
- Inaccuracy (Wellington Uni does not exist legally or colloquially)
- Ambiguity - it creates ambiguity around the name of the university
- False representation - See above, no institution called Wellington Uni exists either in law, through the university's branding (which refers to Victoria University of Wellington), or via colloquial usage

I ask the Advertising Standards Authority to not just look at this ad, but across Victoria University of Wellington's digital platforms and other advertising channels to ensure they are not breaching Truthful Representation elsewhere.

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

The Chair noted the Complainant's concerns the username "Te Herenga Waka – Wellington Uni@WellingtonUni" for the Victoria University of Wellington Twitter post was misleading.

The Chair noted that Twitter users often choose usernames which are different to their official names. The Chair said this matter was not covered by the Advertising Standards Code.

The Chair ruled the Complaints Board has no jurisdiction to consider the complaint.

Chair's Ruling: Complaint **No Jurisdiction**

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.