

COMPLAINT NUMBER	21/132
ADVERTISER	Barfoot & Thompson
ADVERTISEMENT	Barfoot & Thompson Out of Home Poster
DATE OF MEETING	29 March 2021
OUTCOME	No Grounds to Proceed

Advertisement: The Barfoot and Thompson advertisement appeared on the outside wall of a bus stop in St Heliers, Auckland. The advertisement showed a photo of Barfoot & Thompson agent Paul Neshausen and the text: "Big Money Energy – Kaha Nui Moni".

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

Complaint: This advertisement Mr Paul Neshausen, agent for Barfoot & Thompson touts his selling abilities with the tag-line "Big Money Energy". This tagline carries a subtitle of attempted translation in to Te Reo, reading "Kaha Nui Moni"; or literally "big strong money".

I believe this advertisement presents potential breaches of Rule 1 (c) of the Code, relating to decency and offensiveness. First, I believe this shoe-horned translation has potential to cause offence to Maori as an abuse and degradation of Te Reo. Secondly, I believe the use of Te Reo in the context used in this advertisement presents the potential for offence on racial or ethnic grounds to Maori and has the potential for serious and widespread offence to both Maori and non-Maori alike.

The use of Te Reo to attempt to support Mr Neshausen's abilities in maximising property prices is inherently distasteful and offensive given New Zealand's worsening property crisis and its disproportionate effects on Maori. offence on race or ethnic grounds.

If even any substantiation of these facts are required, I refer to the findings of the Statistics New Zealand in the 2013 report "Changes in home-ownership patterns 1986-2013: Focus on Māori and Pacific people". In particular I quote:

"In 1986, around half of Pacific and Māori children lived in an owner-occupied dwelling. By 2013, the proportions were 38.5 percent of Māori children and 28.4 percent of Pacific children."

Given the approximate 70% increase in median house values in Auckland since 2013, the current massive issues with social housing and houselessness, these disparities have only worsened.

I submit that advertisement touting an ability to pump up property prices, shoe-horned into Te Reo, at a time when Maori are being priced further and further out of real estate markets across New Zealand, is offensive and a breach of Rule 1(c) of the Code.

If any further information or comment would be useful to the ASA I would be happy to provide it.

I finally note that the referenced billboard is replicated at multiple locations across St Helliers.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c);

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.

The Chair noted the Complainant's concern the advertisement is offensive.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the use of a phrase in English and Te Reo: "Big Money Energy – Kaha Nui Moni", in this context, was likely to cause serious or widespread offence, in light of generally prevailing community standards. The Chair said that despite the Complainant's objection to the advertisement, it did not reach the threshold to cause serious or widespread offence for most consumers.

The Chair said Māori is an official language in New Zealand. The Chair understands that Paul Neshausen, a residential real estate agent, has Māori heritage and the advertisement was a poster promoting his services.

The Chair said the advertisement had been prepared with the due sense of social responsibility required and it was not in breach of Principle 1 or Rule 1(c) 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.