

COMPLAINT NUMBER	21/143
ADVERTISER	Delta Mike Ltd
ADVERTISEMENT	Delta Mike Ltd, Digital Marketing
DATE OF MEETING	29 March 2021
OUTCOME	No Grounds to Proceed

Advertisement:The Delta Mike digital marketing advertisement for firearms and accessories featured on the Otago Daily Times website. The advertisement includes Delta Mike’s website address, Instagram address and phone number and images of handguns and rifles.

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

Complaint: On an article about a murder, the Otago daily Times felt it was appropriate to display an advertisement for a gun store.

This advertisement is shockingly against the public interest, and serves to encourage gun violence in our community through its placement on an article about the murder of a young woman.

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 was concerned the advertisement for a gun was inappropriately placed above an article reporting evidence in a murder trial.

While the Chair agreed the placement of the advertisement promoting firearms next to the article reporting on a murder with a blunt instrument was extremely unfortunate, she noted it was not a matter of deliberate placement.

The Secretariat confirmed with the publisher that digital advertisements are placed on news website on a ‘run of site’ basis. In other words, advertisements are placed automatically based on likely audiences. In the course of a day’s reading, an audience is likely to come across a spectrum of editorial content, from lighthearted to disturbing, dealing with subjects as diverse as war, politics, sport, crime, and entertainment.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the advertisement was likely to cause serious or widespread offence, in light of generally prevailing community standards. While acknowledging the genuine concerns of the Complainant, the Chair said the incidental placement of a product which is legally able to

advertise did not reach the threshold to breach 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.