

COMPLAINT NUMBER	21/189
ADVERTISER	Department of Internal Affairs
ADVERTISEMENT	Keep it Real Online, Television
DATE OF MEETING	19 April 2021
OUTCOME	No Grounds to Proceed

Advertisement: The Department of Internal Affairs television advertisement promotes its campaign 'Keep It Real Online' which suggest ways parents can engage with their children about online bullying. The advertisement shows a young girl confronting the father of an online bully. Having been made aware of the situation, the father says, "Your online actions can have an impact in the real world, so let's talk in out. Good on you Laura for talking to an adult." The advertisement ends with the line "Every year 1 in 5 young Kiwis are bullied online, keep it real online" followed by a web address for viewers to visit and the New Zealand Government logo.

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

Complaint: The Keep it real online NZ Government advertisement portrays a young, unaccompanied girl knocking on a strangers door to complain that their daughter has been bullying her online.

While the intent of the ad is obvious, I think that it is inappropriate for two reasons.

1. The child is unaccompanied by an adult who could assist if the situation became awkward (not all adults are safe).
2. It would be more sensible to suggest telling a parent, teacher or other safe adult who could come along or manage the situation rather than confront someone alone.

The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(e), 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(e) Safety: Advertisements must not, unless justifiable on educational or social grounds, encourage or condone dangerous, illegal or unsafe practices, or portray situations which encourage or condone a disregard for safety.

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 such as abortion.

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 the advertisement showed an unsafe practice by allowing a child to confront a bully unaccompanied by an adult.

The Chair said the advertisement fitted the definition of advocacy advertising as it is an advertisement from Government to raise awareness about the negative effects of bullying children and young people could be subjected to online. The Chair said the Advertiser’s identity and position was clear. The Chair confirmed the advertisement complied with the requirements of Rule 2(e) of the Advertising Standards Code.

The Chair acknowledged the Complainant raised a good point in a broader context about child safety. However, the Chair considered that most consumers would see the scenario as a vehicle to present the message that online bullying is an issue affecting children and young people and needs to be escalated to an adult, rather than an instruction on how to approach a real-life bullying situation.

The Chair said when considered in the context of advocacy advertising, the advertisement does not meet the threshold to breach Principle 1, Principle 2, or Rules 1(e) and 2(e) of the Advertising Standards Code.

The Chair ruled there were no grounds for the complaints 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.