

<b>COMPLAINT NUMBER</b>	21/550
<b>ADVERTISER</b>	Ministry for Pacific Peoples
<b>ADVERTISEMENT</b>	Ministry for Pacific Peoples, Print
<b>DATE OF MEETING</b>	25 January 2022
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Ministry for Pacific Peoples full-page advertisement, appearing in The Akaroa Mail, promotes the COVID-19 vaccine for children. The advertisement is aimed at "parents and caregivers" of children aged between 5 to 11. It states that "immunisation is one of the best ways to protect" these children, similar to routine vaccinations against other diseases such as whooping cough, measles and polio. It then gives information about the safety and approval process of the vaccine. The bottom of the advertisement provides website links and a phone number for more information and advice about the vaccine, and shows the logos for Karawhuia, Ministry for Pacific Peoples and Unite against COVID-19.

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

**Complaint:** The advertisement is misleading on two grounds:

1. It says that 5-11 year olds will be able to be 'immunised against COVID-19'. The word immunisation is used twice later in the text.

This is misleading because the Covid-19 vaccines do not create immunity.

In the minds of most New Zealanders, when you have immunity to a disease, this means you cannot get infected, and you cannot pass it on. However with the Covid-19 vaccines, significant numbers of vaccinated people get the disease and pass it on.

Rochelle Walensky at the CDC, Bill Gates and Tony Fauci have all admitted that that Covid-19 vaccines are not effective against infection and transmission. This is borne out by the number of places around the world which have reached high vaccination rates, but still have high numbers of Covid cases.

Rochelle Walensky

<https://rumble.com/vkscoco-cdcs-dr.-rochelle-walensky-admits.html>

Bill Gates

"we didn't have vaccines that block transmission....we got vaccines to help you with your health, but they only slightly reduce the transmissions."

<https://rumble.com/vp2on7-bill-gates-admits-the-vaccines-dont-block-transmission-its-been-completely-.html>

Here's an article in which a CDC medical officer notes "Vaccines have been quite effective at preventing cases of COVID-19 that lead to severe illness and death, but none has proved reliable at blocking transmission of the virus" <https://www.msn.com/en-us/health/medical/cdc-shifts-pandemic-goals-away-from-reaching-herd-immunity/ar-AAQCZMW>

While no vaccine is perfect, this is very different from the immunity generated by other vaccines such as those mentioned in the advertisement (whooping cough, measles and polio). These vaccines all stop transmission when enough of the population is immunised. They also last a long time, but as we are all learning, the effect of the Covid vaccination wanes in months.

## 2. Safety

The advertisement gives a one-sided view of the safety of vaccination. It compares the vaccination to very low risk activities such as putting on a seat belt and wearing sunscreen.

The truth is that no-one knows the long term effects of the Pfizer Covid vaccine. The Pfizer vaccine has only been administered since 2020, so we cannot know if there are long term side effects.

For the measles, whooping cough and polio vaccines mentioned in the article, we have large amounts of long term safety data following their use in millions of children. For the Pfizer Covid vaccine, we have only short-term data on its use, and a lot of that data is troubling. This includes:

\* The VAERS database in the USA, where more adverse events resulting in death have been reported for Covid vaccines in one year than for all other vaccines ever since the VAERS system was created in 1990. <https://medicalkidnap.com/2021/11/04/governments-own-data-proves-covid-19-shots-are-causing-blood-clots-heart-disease-and-death/>

\* The CARM database in NZ- "Adverse effects reported to CARM are running at 30 times that of flu vaccines." <https://hatchardreport.com/relationship-between-covid-19-vaccination-and-all-cause-mortality/>

See also this collection of information <https://www.rwmalonemd.com/mrna-vaccination-in-children> or this presentation <https://www.canadiancovidcarealliance.org/wp-content/uploads/2021/12/The-COVID-19-Inoculations-More-Harm-Than-Good-REV-Dec-16-2021.pdf>

The advertiser ignores this relevant information, and just takes the word of Pfizer. It does not inform parents and caregivers that Pfizer made history in 2012 with a record breaking \$2.3billion health care fraud settlement. <https://www.justice.gov/opa/pr/justice-department-announces-largest-health-care-fraud-settlement-its-history> It does not inform them that it has also made out of court settlements including one for \$75million <https://www.reuters.com/article/pfizer-trovan/pfizer-to-pay-75-mln-in-trovan-settlement-source-idUSWEN137320090727> It does not inform parents that Pfizer is indemnified for damages in case the injection does cause harm.

In conclusion:

\* this advertisement is misleading when it mentions immunity, as the Pfizer Covid vaccine does not give long-lasting immunity,

\* the advertisement is misleading when it makes the Pfizer vaccine appear as safe as measles and vaccines, when there is no way of knowing the long term safety, and what we do know about short term safety does not look good.

As children are at risk if we do not get this right, I urge you to make your own assessment. Governments do abuse their people, and billion dollar pharmaceutical companies are not angels.

**The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, 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.

**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 under the Advertising Standards Code**

The Chair confirmed the advertisement from the New Zealand Government on matters relating to the COVID-19 vaccination programme was advocacy advertising under the Advertising Standards Code.

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.

The Chair observed that in a free and democratic society, issues should be openly debated without undue hindrance or interference from authorities such as the Advertising Standards Authority (ASA), and it should not unduly restrict the Government's role in communicating public health information to the public.

Complainants sometimes ask the ASA to in effect decide which side in an advocacy debate is correct, but the Advertising Standards Complaints Board has consistently declined to have a view. The ASA is not an arbiter of scientific fact. The Complaints Board's only role is to determine whether there has been a breach of the ASA Codes taking into account the Advocacy Principles. In the first instance the Chair's role is to decide if there are any grounds for the complaint to proceed.

Under Rule 2(e) Advocacy advertising in 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.

### **Application of the identity requirements of the Advertising Standards Code**

The Chair confirmed the Advertiser's identity was clear. The logos for Karawhiua, the Ministry for Pacific Peoples and Unite Against COVID-19 were clearly visible at the bottom of the full-page advertisement, indicating that the advertisement was approved by the Government. The advertisement also included website addresses for Unite Against COVID-19, the Ministry of Health, Te Puni Kōkiri and the Ministry for Pacific Peoples, and the phone number for the COVID Vaccination Healthline.

The position of the Advertiser was also clear. The advertisement was part of the Government's national vaccination rollout. It was targeted to parents and caregivers of 5 to 11-year olds, with the vaccine shortly becoming available to children of this age group.

The Chair noted the advertisement was from the New Zealand Government. The Chair confirmed the agencies supporting the Government's COVID-19 approach included the Department for the Prime Minister and Cabinet and the Ministry of Health. The role and jurisdiction of the ASA in advertising from expert bodies was addressed in *Electoral Commission v Cameron* [1997] 2 NZLR 421. In accordance with the findings of the Court of Appeal, the Advertising Standards Authority was required to "tread carefully" and ensure that it did not substitute its opinion for that of the expert body.

### **Application of the Advertising Standards Code to this advocacy advertisement**

In reviewing the complaint about this advertisement, the Chair took into account the role of advocacy advertising, the liberal interpretation of the Codes required by the Advocacy Principles, the application of *Cameron*, the likely consumer takeout, and the context for the advertising; the New Zealand Government's response to the COVID-19 pandemic with an audience of all New Zealanders. The Chair also noted the large amount of information available from a variety of sources about COVID-19, including the Government, the science community, news media and interest groups.

**The Chair** acknowledged the Complainant's concern that the advertisement was misleading in two respects: by using the words "immunisation" and "immunised" to describe the COVID-19 vaccine, and by drawing a comparison to the measles vaccine.

The Chair said the use of the words "immunisation" and "immunised" was unlikely to mislead most readers. She referred to information from the Ministry of Health website which stated their position on immunisation. The Ministry of Health information describes immunisation as a tool to protect people against infection, by using the immune system to build resistance to certain infections. The Chair said that the use of "immunisation" in the advertisement suggests that the vaccine will build resistance to developing the COVID-19 disease. She said readers would understand the advertisement in the context of the Government's COVID-19 response and consider "immunisation" as referring the protection afforded by the vaccine, as one part of this response.

The Chair confirmed that the advertisement likened the COVID-19 vaccination to other free vaccinations such as whooping cough, measles and polio. However, as the identity of the Advertiser was clear, she said the reader would understand that this messaging was part of the promotion of the COVID-19 vaccine to children aged 5 to 11 years old, to provide context. Further, she said that the advertisement provided information on the safety of the vaccine, including a statement that side effects were "similar to other side effects from other routine immunisations".

Having carefully reviewed the advertisement, the Chair was satisfied that the advertisement had been prepared with a due sense of social responsibility and was not misleading, when viewed through the lens of an advocacy advertisement on behalf of the Government. The

Chair ruled the advertisement was not in breach of Principle 1, Principle 2, or Rules 2 (b) or 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.