

COMPLAINT NUMBER	21/568
ADVERTISER	Stuff
ADVERTISEMENT	Stuff Digital Marketing
DATE OF MEETING	31 January 2022
OUTCOME	No Grounds to Proceed

Advertisement: There were three advertisements referred to in this complaint. Each advertisement appeared below news articles on the Stuff website. The advertisements invite readers to "make a contribution" and "become a supporter" of Stuff's journalism and their newsrooms. The advertisements emphasise the importance of reliable news within the current environment and refer to "Stuff's professional standards of accuracy, fairness and balance".

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

Complaint:

The Complainant was concerned Stuff's advertisements claiming 'accuracy, fairness and balance' are misleading and should not be allowed given Stuff's current editorial settings for its news reporting.

The Complainant put forward the rationale and evidence in support of their complaint.

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

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.

The Chair noted the Complainant was concerned the statements about Stuff's professional standards of accuracy, fairness and balance, in the advertisements encouraging financial contributions from readers, were misleading.

The Chair confirmed the ASA's jurisdiction is the content of the advertisements referred to by the Complainant. The New Zealand Media Council has jurisdiction over the editorial content published in print and via Stuff's digital platform.

The Chair considered the information provided by the Complainant, to show that editorial content published by Stuff was inaccurate, in support of their view the claims in the advertisements were misleading.

The Chair referred to a precedent decision 19/427, which was also ruled No Grounds to Proceed. That decision concerned a complaint about a New Zealand Herald advertisement

which said “We don’t agree with everything we publish. See Every Perspective in New Zealand’s Herald.”

The Decision said in part:

“The Chair noted the Complainant’s concern the advertisement was misleading to claim the New Zealand Herald delivers its readers “every perspective”, when, in the Complainant’s view the publication often only presents one perspective and there is a lack of contrary opinions published.

The Chair considered the statements “See Every Perspective” and “Your Devil’s Advocate” were aspirational sentiments from the Advertiser. The Chair said the likely consumer takeout of these statements would be the New Zealand Herald publishes views from different perspectives – including those it does not agree with.”

The Chair said the precedent was relevant to the case before her. The reference to Stuff’s professional standards of "accuracy, fairness and balance" is also an aspirational statement from the Advertiser promoting its commitment to good journalism.

The Chair said the advertisements did not reach the threshold to be considered misleading and there was no breach of Principle 2 or Rule 2(b) 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 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.