

<b>COMPLAINT NUMBER</b>	22/086
<b>ADVERTISER</b>	LIFE TV
<b>ADVERTISEMENT</b>	LIFE TV, Television
<b>DATE OF MEETING</b>	21 March 2022
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The LIFE TV television programme is part three of a series called, "Unmasked". It is hosted by Paul de Jong and features guest, Kerry Petrie. It also features the stories of Leilani and Josh & Amberley and they discuss their path to living an authentic life. At the end of the programme, de Jong says "You are not what you feel. Feelings are important but you are who God says you are. ... You don't have to live with masks. You're called to live free, to be who you are". The Advertisement ends with the text "Brought to You By Life – A church to call home. LIFENZ.ORG/ONLINE"

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

**Complaint:** Religious programme by Paul de Jong. In his closing statement he stated to viewers to 'live your life without masks'. I feel that this is spreading health misinformation to a vulnerable group of viewers.

**The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(h), 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.

**Rule 1(h) Health and well-being:** Advertisements must not undermine the health and well-being of individuals.

**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.

The Chair said the advertisement before it fell into the category of advocacy advertising and noted the requirements of Rule 2(e) of the Advertising Standards Code. This Rule required the identity of the advertiser to be clear; opinion to be distinguished from factual information

and factual information must be able to be substantiated. The Advocacy Principles developed by the Complaints Board in previous decisions considered under Rule 11 of the Code of Ethics remain relevant. They say:

1. That section 14 of the Bill of Rights Act 1990, in granting the right of freedom of expression, allows advertisers to impart information and opinions but that in exercising that right what was factual information and what was opinion, should be clearly distinguishable.
2. That the right of freedom of expression as stated in section 14 is not absolute as there could be an infringement of other people's rights. Care should be taken to ensure that this does not occur.
3. That the Codes fetter the rights granted by section 14 to ensure there is fair play between all parties on controversial issues. Therefore, in advocacy advertising and particularly on political matters the spirit of the Code is more important than technical breaches. People have the right to express their views and this right should not be unduly or unreasonably restricted by Rules.
4. That robust debate in a democratic society is to be encouraged by the media and advertisers and that the Codes should be interpreted liberally to ensure fair play by the contestants.
5. That it is essential in all advocacy advertisements that the identity of the advertiser is clear.

**The Chair** noted the Complainant was concerned the advertisement is spreading health misinformation to a vulnerable group of viewers.

The Chair said the identity of the advertiser was clear. The advertisement begins with an image of the inside of a church and the text "Life TV with Paul de Jong" and ends with "Brought to You By Life – A church to call home. LIFENZ.ORG/ONLINE"

The Chair carefully reviewed the advertisement and said the likely consumer takeout would be it is a part of a series of religious advertising called "Unmasked," which is preaching about living an authentic life with honesty. The Chair noted the Complainant was concerned the advertisement was suggesting that the reference to masks in the advertisement related to the public health messaging around COVID-19. The Chair examined the use of the word 'mask' within the context of the entire advertisement, and said it was likely that most consumers would understand the reference to masks to mean a metaphorical mask. She referred to a quote from the advertisement which said:

"In a world where it is so easy to hide, how do we allow ourselves to be truly seen? In this series we explore the courage of taking off our masks, getting to know our hearts and finding freedom for ourselves."

While the Chair acknowledged the genuine concern of the Complainant, she did not consider the advertisement was misleading or was likely to undermine the health and well-being of consumers.

The Chair said the advertisement was not in breach of Principle 1, Principle 2 or Rules 1(h), 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.