

COMPLAINT NUMBER	22/091
ADVERTISER	NZ Blood Service
ADVERTISEMENT	NZ Blood Service, Television
DATE OF MEETING	21 March 2022
OUTCOME	No Grounds to Proceed

Advertisement: The New Zealand Blood Service television advertisement shows a montage of people experiencing medical emergencies - a boy playing basketball touches blood from his nose and collapses, an older man carrying plates collapses and his daughter calls for help, a young boy collapses in the doorway of a house, and a baby which has just been born is in distress. The advertisement flicks quickly to the faces of each of the people and finishes with the new mother, loudly sobbing with the cries of her baby in the background. Text on screen states "Unseen emergencies happen every day." The final screen shows the mother in the hospital bed with the NZ Blood Service logo and the words "Don't wait to save a life".

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

Complaint: 'Emergencies happen every day' is the slogan. This advert is trying to brain wash the public into becoming complacent about serious illnesses. The ad is saying it is 'normal' for a small child to collapse, it is normal for a young man to have a heart attack and so on. The ad is so obviously trying to 'normalize' what is now becoming common in many households across New Zealand. The truth is that it is not normal and should never be considered normal. This ad has to be pulled. Enough is enough. Stop the brainwashing.

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

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(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.

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 noted the Complainant was concerned it was socially irresponsible to normalise serious illness in the advertisement.

The Chair confirmed the Advertiser’s identity was clear. The New Zealand Blood Service logo was in the advertisement. The Advertiser’s position on the issue was clear. The advertisement was encouraging consumers to donate blood, to help save lives. The Chair said the advertisement complied with the requirements of Rule 2(e) of the Advertising Standards Code.

The Chair said the likely consumer takeout of the advertisement was the New Zealand Blood Service, a Crown Entity, is encouraging people to donate blood. There are a range of circumstances when people need blood products, and you never know when one of these circumstances might affect you.

The Chair said the advertisement was demonstrating that emergencies do happen in New Zealand every day and the scenarios depicted were examples of these. The Chair said the scenes were confronting but the advertisement was drawing attention to a life-saving service. The Chair did not consider the advertisement implied the specific accidents were normal, but rather was raising awareness that the blood service needs a constant supply of blood.

The Chair said the advertisement had been prepared and placed with a due sense of social responsibility to consumers and to society, taking into account context, medium, audience and product and when viewed through an advocacy lens. The Chair said the advertisement was not in breach of Principle 1, Principle 2, or Rules 1(c), 1(h) 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. 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.