

6 November 2014

BSA declines to uphold three election advertising complaints

The Broadcasting Standards Authority has declined to uphold three complaints about political advertisements broadcast before the September 20 General Election.

The BSA received a total of four election complaints this year, compared to 11 in the 2011 election period.

Two of the complaints related to a National Party radio advertisement broadcast on Radio Live on 15 September and Newstalk ZB on September 16.

The advertisement included the statement: “What have we learnt in this election? We’ve learnt Labour, the Greens and Dotcom want to spend more than 30 billion dollars...”

Two complainants argued that the advertisement was inaccurate because Kim Dotcom was not a political party.

The BSA said that Kim Dotcom has been a particularly prominent figure in the lead-up to the 2014 general election and a high-profile public figure in general.

“Most listeners would have understood the advertisement referred to Kim Dotcom as the founder of the Internet Party,” the BSA said.

One complainant also asserted the advertisement was misleading because there was “no evidence Mr Dotcom proposed spending 30 billion dollars”.

The BSA decision noted that the advertisement said, “*Labour, the Greens and Dotcom* want to spend more than 30 billion dollars”.

“It was not suggesting that Kim Dotcom alone intended to spend 30 billion dollars if elected. We do not think it was misleading, in the context of a robust election campaign, for the National Party to analyse the policy costs of other parties or draw attention to them in this advertisement.”

The third complaint related to an advertisement broadcast on TV3 on 28 August 2014, which said part of National's economic plan for the next three years was to "start paying off debt".

The complainant argued the advertisement was misleading because Treasury's Pre-Election Fiscal Update reflected that debt was set to increase every year until 2018.

The BSA found that the statement was National Party policy and not a statement of fact.

"We think viewers would have recognised John Key's statement in the advertisement as robust political expression, typical of pre-election advertising, advocating for National's policies and encouraging the public to vote for National," the BSA said.

"We are satisfied that viewers were not misled, and we consider that upholding the complaint would unjustifiably restrict the right of the National Party and of the broadcaster to free political expression."

The fourth complaint contended that the National Party's closing address illegally contained footage of the Queen and Barack Obama, and will be determined in December.

Ends

The full decision is available at www.bsa.govt.nz

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