



## **CASE REPORT**

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| 1. Complaint reference number | 74/09                                    |
| 2. Advertiser                 | Gotta Getta Group                        |
| 3. Product                    | House goods/Services                     |
| 4. Type of advertisement      | TV                                       |
| 5. Nature of complaint        | Language – use of language – section 2.5 |
| 6. Date of determination      | Wednesday, 25 February 2009              |
| 7. DETERMINATION              | Dismissed                                |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement from Gotta Getta Group for its home improvement services open with a man's voice explaining the services available and explaining that they can get these services with no payments for 12 months. The man then says: "So if you want home improvements done now and want to pay..." at this stage the advertisement cuts to two young boys who say: "Bugger all". It then cuts back to the man who says: "Absolutely bugger all until 2010". The advertisement ends with a young girl saying: "Just give us a call".

## **THE COMPLAINT**

A sample of comments which the complainant/s made regarding this advertisement included the following:

*There is a poor choice of words - it is inappropriate to have youner (pre school) children using words such as "bugger all". In some quarters it may be considered acceptable for the adult but is totally unacceptable to have children speaking in such a manner. Viewing children find this a benchmark upon which they can base the level of acceptance for language choice.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*We asked all the parents involved if they thought the ad would be offensive and in most cases as much as they thought there would be a few out there that would complain, in general they all found it quite funny. Also one of the reasons we thought it would be ok was the Toyota ad in which even the dog says bugger.*

## **THE DETERMINATION**

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted the complainant's concerns about the use of the words "bugger all" in the advertisement, particularly as spoken by young children, and considered the application of Section 2.5 of the Code, relating to language.

The Board considered that the term 'bugger all' was part of the Australian vernacular and means that the cost of something is low. The Board considered that the phrase was used in this advertisement in a manner consistent with its vernacular meaning and was not used in an offensive or aggressive manner. The Board considered that the use of the phrase was not offensive and was not strong or obscene

language in contravention of section 2.5 of the Code.

The Board then considered whether the use of the term by children in an advertisement make the advertisement offensive or inappropriate. The Board noted that the use of the term could be of concern for two reasons:

1. that it sets a bad example for young children. In regard to this issue the Board noted that the advertisement was on television in a mature audience timezone and is therefore not intended for children. The Board considered that the advertisement would not be in breach of the Code for setting a bad example for young children.

2. the use of the language by children is offensive to adults. The Board considered that the use of bad language by preschool or primary school children in an advertisement could be offensive to some adults. However in this particular advertisement, as noted above, the Board considered that the phrase was used in a manner that was not offensive or obscene and that the use of the children did not amount to language or other depictions that would contravene section 2.5 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.