



## CASE REPORT

1. Complaint reference number	526/09
2. Advertiser	iiNet
3. Product	Telecommunications
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Religion – section 2.1
6. Date of determination	Wednesday, 9 December 2009
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

This Internet advertisement depicts a man standing at the front and talking to the viewers and in the background is a choir dressed in yellow choral gowns. The man conducts the choir to sing hallelujah and at the same time the BoB technology appears bathed in glory. The man says, "Hey, want to know a really cool thing about BoB, he never sleeps, broadband, .... wireless access through your whole house always on - go on, suck it up".

## THE COMPLAINT

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

*I would be grateful if you could please help me with some information. On Thursday 1st October 2009, at approx. 7.40pm, channel (Channel 9 TV, Melbourne) aired an advertisement from iiNet about "Broadband in a Box". A couple of times during the advertisement, a choir sings the word "Hallelujah".*

*As a Christian, I am disappointed that Channel 9 broadcasts an advertisement which could be interpreted to be making light of, or treating with disrespect, our Christian community. The word "Hallelujah" means, "Praise the Lord"....referring to the God of the Bible. Hardly a sensitive approach by Channel 9 and those who sponsor that advertisement!*

*A question arising from this is this:*

*Would Channel 9 TV broadcast an advert, like this advert, with a choir singing something about "Allah"....the God of the Muslim community in Australia? I wonder what the Muslim community would think, and what action they might take, about a parody of their own God as per the Quran? I would be grateful if you could please contact me about what I have written. The advert might sound "funny" at surface level thinking, but is actually a sad commentary on the insensitive anything-goes-to-make-money mindsets of the sponsors, and the ineptness of Channel 9's own staff personnel in that they cannot, apparently, discern the bad taste and potential offence of "cheapening" the Christian faith in order to make some dollars through such advertising. I await your reply, please.*

*Well as a religious person i don't believe they have the right to discriminate religion to promote naked dsl, and on top of that saying they can get u naked in no time whilst the singing choir start throwing their clothes of.. this upset me a lot and religion has helped me through a lot of hard times and that was a disgusting ad to use religion and then make comments about naked and people getting naked.*

## THE ADVERTISER'S RESPONSE

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

*The word alleluia or hallelujah is in the general vernacular and we don't believe we have used it in an offensive way in the advertisement in question. Rather it is used in quite a positive, fun and uplifting manner*

*Whilst we do acknowledge that the choir is portrayed as one that could be seen in a church setting, we don't consider the advert to be offensive or in any way targeting religious beliefs. There is no evidence of any discrimination, disrespect, parody, mockery or any 'disgusting' component to the advertising.*

*Regarding the use of the word "Naked", this is a generic industry term for which iiNet does not claim ownership. We merely use the pun "Get Naked with iiNet" as a marketing message.*

*iiNet in no way condones anything seen to be disrespectful or discriminatory in any of its marketing activity*

*Given this, iiNet does not see a reason why this advertising would need to be removed from air and awaits further comment from the Advertising Standards Bureau*

## **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 complainants' concerns that the advertisement ridiculed religion and considered the application of Section 2.1 of the Code, relating to discrimination and vilification on the basis of religion.

The Board discussed this advertisement and its depiction of a choir and the singing of the word "hallelujah" which means praise the Lord. The Board recognised that some members of the community would be offended by the depiction and would consider that it mocked those who have a religious belief and was inappropriate to use a religious concept for commercial purposes and was therefore a form of vilification.

The Board considered however that most members of the community would consider the advertisement's use of the choir and singing hallelujah scene as a light hearted and humorous approach to the magnificence of the technology BoB.

The Board considered that the depictions in the advertisement did not denigrate any religion and that the advertisement did not therefore discriminate or vilify any person on account of their religious beliefs. The Board determined that the advertisement did not breach section 2.1 of the Code.

The Board considered that the advertisement did not breach the Code on any grounds.

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