



**Ad Standards** Community Panel  
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Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	<b>Case Number</b>	<b>0031/18</b>
2	<b>Advertiser</b>	<b>Ballarat Heating Centre</b>
3	<b>Product</b>	<b>House Goods Services</b>
4	<b>Type of Advertisement / media</b>	<b>Radio</b>
5	<b>Date of Determination</b>	<b>07/02/2018</b>
6	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.5 - Language Inappropriate language

## DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement features two boys having a disagreement regarding the brand of a particular heater, the voice over interrupts them and lists the different heaters. In response one boy says 'they all look like bloody Coonaras to me'.

## THE COMPLAINT

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

*They use a child in the advert who says at the end "they all look like BLOODY coonaras to me". It is not appropriate for children to swear in advertising.*

## THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*The advert in question was originally written on behalf of Bendigo Woodstoves by Southern Cross Austereo and ran on a Bendigo radio station before being adapted by*





*3BA for use by my Ballarat store – Ballarat Heating Centre. At no stage have any of the advertising departments raised any issue with the script.*

*I have reviewed the relevant section of the AANA Advertiser Code of Ethics as listed in your letter, my response to each section is detailed below.*

*Section 2.1: There is no discrimination or vilification of any person or section of the community at any point in the aforementioned advertising.*

*Section 2.2: There is no use of sexual appeal in any part of the advertising.*

*Section 2.3: No violence is portrayed during the advertisement.*

*Section 2.4: At no time is there any sexual reference, sexuality or nudity.*

*Section 2.5: The word “bloody” is used as an intensifier, it is not intended as an obscene or swear word.*

*Section 2.6: There is no depiction of any health or safety message contrary to prevailing community standards.*

*I was unable to locate a section 2.7 in the code of ethics however, as it was detailed on your letter as ‘distinguishable as advertising’, I confirm it was a radio advert that detailed the products we stock and sell in our Ballarat store along with our contact details for consumers.*

*While the advertising material is presented in part by two children under the age of 14, the items are heating products - specifically wood and gas stoves and heaters and as such are in no way being marketed to, or for use by children.*

## **THE DETERMINATION**

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

The Board noted the complainant’s concerns that the advertisement contains inappropriate language from a child.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided”.



The Board noted that the television advertisement featured two young boys arguing over whether their heater is a Coonara. A voice over explains that the Ballarat Heating Centre stocks lots of heaters and heater parts, not just Coonaras. The boy responds 'they all look like bloody Coonaras to me'.

The Board noted that it had previously dismissed several advertisements where the term 'bloody' is referred including 0098/15, 0433/07 and 0091/06.

The Board noted that there is a genuine level of community concern about strong or inappropriate language (Community Perceptions Research, [https://adstandards.com.au/sites/default/files/2017\\_community\\_perceptions\\_web.pdf](https://adstandards.com.au/sites/default/files/2017_community_perceptions_web.pdf)) particularly where children are exposed or included.

The Board noted it had previously considered a television advertisement where a young boy had used the word 'bloody' (0098/15), in which:

"The Board noted the complainants concerns in particular that the young boy copies his father and uses the word 'bloody' himself. The Board agreed that the overall tone of the advertisement was highlighting a camping trip and time spent with a father and son and that the son copying his father in this instance was not abusive or angry and that the father is not condoning or encouraging the child to swear or to use inappropriate language toward other drivers."

A minority of the Board considered that unlike in the previous advertisement in the current advertisement the boy is not imitating anyone and is using the phrase as part of his everyday vernacular. A minority considered that there is community concern around the use of strong language by children and considered that in the current advertisement the use of 'bloody' by a young boy was inappropriate.

The majority of the Board noted that advertisers should take care when using children in advertisements to mimic the behaviour of adults but considered that the actual content of the advertisement does not use strong or obscene language and overall the language used is not inappropriate in the circumstances.

The majority of the Board considered that the word "bloody" was not strong or obscene language and was not inappropriate for a television advertisement seen by a broad audience which would include children.

The Board considered that the advertisement did not use strong, obscene or inappropriate language and determined that the advertisement did not breach Section 2.5 of the Code.

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



dismissed the complaint.