



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0065/19
2	Advertiser	Stan
3	Product	Entertainment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	06/03/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Religion

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement is promoting the Stan show 'Miracle Workers'. It features a man talking into a microphone and stating "I've decided to blow up earth". An audience gasps in horror. A man and a woman then speak about saving the planet. The end shot of the advertisement features the name of the show and an oil painting of the first man with the word 'God' written on the frame.

THE COMPLAINT

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

At the end of the advert there's a picture which depicts Jesus Christ but it's not Jesus they are mocking him.

On the picture frame it has GOD

I am very offended as a Christian how our Lord has been mocked in this way.



THE ADVERTISER'S RESPONSE

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

We refer to your letter dated 25 February 2019 regarding the abovementioned complaint in respect of one of Stan's advertisements ("Advertisement").

Facts relating to the Advertisement

- *The Advertisement ran for 15 seconds on Channel 9 at approximately 7:30pm during the broadcast of Married at First Sight.*
- *The Advertisement is designed to inform viewers of, and to showcase, the program Miracle Workers.*
- *The CAD rating for the Advertisement is "G".*

AANA Advertiser Code of Ethics (Code)

We have reviewed the relevant sections of the Code and the information and guidance provided on adstandards.com.au in relation to responding to complaints.

In our view, the Advertisement complies in all relevant respects with the AANA Code of Ethics ("Code") and is in step with Prevailing Community Standards.

We address each element of section 2 of the Code below:

Discrimination or vilification (s2.1)

The Advertisement does not discriminate against or vilify a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, disability, mental illness or political belief.

The Complaint alleges that the Advertisement discriminates against or vilifies persons of the Christian faith on account of their religious beliefs.

We strongly believe this is not the case.

The Complaint references an image of actor Steve Buscemi on the Advertisement's end frame. Steve Buscemi plays the central character (God) in the family comedy program being advertised.

The image is a stylistic and innocuous portrayal of the character God. The image does not have any bigoted overtones, nor does it suggest that Christians should be treated



less favourably because of their beliefs.

Depictions of God and / or Jesus Christ in movies, programs and the media are not uncommon. Given the light-hearted nature of this Advertisement and given that the image complained about possesses no aggravating, negative or prejudicial features, we believe most members of the community, including those of the Christian faith, would not find this depiction of God discriminatory or vilifying. The overriding tone of the Advertisement is not one of bigotry, criticism, mockery or discrimination.

The Advertisement was rated "G" by CAD and the Advertisement was run in an appropriate timeslot.

Based on the foregoing and taking into account the AANA Code of Ethics – Practice Note, we are strongly of the view that the Advertisement's fleeting and non-gratuitous inclusion of an image of a fictional and innocuous portrayal of God is justifiable in the context of the program being advertised, is consistent with prevailing community standards and does not discriminate or vilify those of the Christian faith.

Sexual appeal (s2.2)

The Advertisement does not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.

Exploitative and degrading use of sexual appeal was not an issue raised in the Complaint.

Violence (s2.3)

The Advertisement does not present or portray violence in a manner which is not justifiable in the context of the programs and service advertised.

Violence was not an issue raised in the Complaint.

Sex, sexuality and nudity (s2.4)

The Advertisement treats sex, sexuality and nudity with sensitivity to the relevant audience.

Sex, sexuality and nudity were not issues raised in the Complaint.

Inappropriate language (s2.5)

The Advertisement does not contain any inappropriate language.



Inappropriate language was not an issue raised in the Complaint.

Health and Safety (s2.6)

The Advertisement does not contain any material which, in our view, is contrary to Prevailing Community Standards on health and safety (including as detailed in AANA Code of Ethics Practice Note), nor does the Advertisement depict any dangerous behaviour which is likely to be imitated by children.

The complaint did not raise this.

Distinguishable as advertising (s2.7)

The Advertisement contains:

- the onscreen graphic which reads “Only on Stan” for the duration of the Advertisement;*
- the onscreen graphic at the end of the Advertisement: “Brand New Series”;*
- the final screen which features the Stan logo and the words “Only on Stan”,*

all of which clearly distinguish the Advertisement as an advertisement. The complaint also notes that it is an advertisement.

Stan comments in relation to the complaint

For the reasons set out above, we strongly believe the Advertisement complies in all relevant respects with the Code.

The Advertisement adhered to the relevant classification restrictions and was placed in an appropriate timeslot. Further, the placement was reviewed / approved by OMD to ensure the Advertisement is sensitive to the likely audience.

Please let us know if you require any further information.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

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

The Panel noted that this television advertisement features scenes from the television show ‘Miracle Workers’ and a still shot at the end of the ad featuring the name of the show and a large frame with a picture of actor Steve Buscemi and the name plaque



'God'.

The Panel noted the complainant's concern that the advertisement is mocking Jesus Christ and is offensive to Christians.

The Panel considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Panel noted the Practice Note to Section 2.1 provides the following definitions:

"Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule."

The Panel considered the advertiser's response that actor Steve Buscemi plays the central character of 'God' in the show being advertised and that the depiction of God in media is not uncommon.

The Panel considered that the representation of Steve Buscemi in the advertisement was clearly as the character God, in a television show.

The Panel considered that there are many different depictions of God in art or media and the artistic representation of God in a certain way would not be seen to be inappropriate by most members of the community.

The Panel noted it had previously considered an advertisement which depicted a representation of the three wise men in case 0495/17, in which:

"The Board noted that the overall tone of the advertisement was comedic and an exaggerated representation of a Christmas story linked to a racing event. The Board considered that some members of the Christian community would be offended by this reference however in the context of the fabricated story, it did not amount to a depiction that was vilifying of the Christian faith."

Consistent with previous determination, the Panel considered that some members of the Christian community would be offended by this reference to God, however in the context of an advertisement for a television show where one of the central characters is God, it does not amount to a depiction that is vilifying of the Christian faith, or any other religion.

The Panel considered that the advertisement did not depict material which depicted



people receiving unfair or less favourable treatment on the basis of religion and did not humiliate, intimidate or incite hatred, contempt or ridicule a person or section of the community on the basis of religion.

The Panel considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of religion and determined that the advertisement did not breach Section 2.1 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.

