



Case Report

1	Case Number	0117/13
2	Advertiser	SSAA
3	Product	Sport and Leisure
4	Type of Advertisement / media	Billboard
5	Date of Determination	01/05/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Weapons

DESCRIPTION OF THE ADVERTISEMENT

The particular advertisement and billboard in St Kilda in question contains a small inset picture of a 26-year-old male electrician, with a larger image of the same person holding a .223-calibre bolt-action rifle in the safety position in a pasture.

In the 'hunter' image, the rifle bolt is extracted, hence being referred to as in the 'safety position', and the barrel is pointing in a safe direction. Additionally, the hunter visibly possesses further safety equipment in a pair of safety glasses and hearing protection. In both images, the subject is smiling and non-aggressive.

The wording on the advertisement contains 'John, 26 electrician', 'Electrician by day - Hunter by choice', the SSAA's 2013 Year of the Hunter logo and the Association's website address.

THE COMPLAINT

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

I believe that hunting is not an acceptable past time to be advertising. The insidious political inference from the statement, "...by choice", implies that if people are against hunting, they are against choice, freedom etc. The animals don't have any choice or say in the matter. Also the location is questionable- 1. One suburb away from Wacol where the RSPCA shelter is

located, a charity with limited funding who must deal with animals injured and killed from this pro-hunting attitude. 2. Located outside Goodna, a poor socio-economic suburb where the residents could be considered as favouring hunting. I for one am against animal cruelty and hunting and do not wish to have this displayed to encourage people to accept it. I object to the advertisement of weapons in a public forum such as a street in St Kilda. Advertising weapons, their use or membership of a pro-gun group is objectionable.

This advertisement promotes violence - the use of guns. This is complicated by the fact there is no context explaining why this man would have such a large gun in his possession. The viewer of this ad doesn't know what this man will "hunt" - certainly not a rabbit or duck, when you consider the picture features a gun almost as tall as the man himself.

The effort to normalise the use of the gun by showing the man at work as an "electrician" actually compounds the offence - why would an electrician have any non-violent need for a gun?

The placement of this advertisement is particularly insensitive - St Kilda suffers from some of the worse crime in Victoria, and the last thing the community needs is vague promotions of gun use.

THE ADVERTISER'S RESPONSE

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

As Australia's premier recreational sports shooting and hunting organisation, with more than

150,000 members Australia-wide, we take our obligations within the broader community seriously. As requested, please find the attached image of the billboard for your information.

Our response to these complaints is as follows:

Advertisement description

The billboard itself is a secondary advertisement based on a series of A4 advertisements in the SSAA's flagship monthly magazine, Australian Shooter. The advertisements to date are part of a series featuring an electrician, an insurance broker, a teacher and an engineer from different walks of life, who also choose to undertake recreational hunting activities.

The particular advertisement and billboard in St Kilda in question contains a small inset picture of a 26-year-old male electrician, with a larger image of the same person holding a .223-calibre bolt-action rifle in the safety position in a pasture.

In the 'hunter' image, the rifle bolt is extracted, hence being referred to as in the 'safety position', and the barrel is pointing in a safe direction. Additionally, the hunter visibly possesses further safety equipment in a pair of safety glasses and hearing protection. In both images, the subject is smiling and non-aggressive.

The wording on the advertisement contains 'John, 26 electrician', 'Electrician by day - Hunter by choice', the SSAA's 2013 Year of the Hunter logo and the Association's website

address.

Purpose of advertisement

The advertisement is intended to stimulate interest, particularly among the non-shooting and non-hunting public, allowing these groups to self-educate about the existence and purpose of hunting within Australia's society. In an ever-cosmopolitan socio-political environment, we believe it is essential to reconnect all facets of the Australian public with a practice that serves economic, environmental and social purposes within society. One of the reasons we wish to educate people about hunting and putting food on your table is to remind the community that meat does not simply come pre-packaged from a major supermarket. The SSAA stands for ethical, sustainable hunting and requires all members to adhere to a strict code of conduct while hunting.

Our members are often tasked, by private and Government landowners, with managing problem wildlife populations and they have a safe, responsible and successful track record in this area.

Please find attachment 2 and 3, a press release and story published in the Australian Shooter magazine coinciding with the launch of the SSAA's 2013 Year of the Hunter, further explaining the purpose of the campaign.

Comments in relation to complaints

We find both the complaints spurious, baseless and ignorant. Complaint 1

It is claimed that the advertisement promotes violence/the use of guns. Hunting does contain some violence in the same manner as fishing causes ultimate harm to a fish. The 'violence', however, is justified, as it is integral to the food chain of life. The 'violence' is contained within a code of conduct, is ethical and is designed to cause minimal distress to the animal in question. The inference by the complainant is that the firearm is likely to be used in a criminal and intimidating way. This is rejected, as the advertisement is not depicting a situation where this is occurring.

Hunting is a legitimate, legal recreational activity, which is regulated by State and Federal Government authorities. Concurrently, hunting is deeply rooted within Australia's culture and heritage and is as old as humankind.

The complainant is also concerned with the size of the firearm. Firstly, the size of the rifle is regulated by Government authorities; ie, you are not generally permitted to hunt with a handgun. Secondly, the firearm is no smaller or larger than any other rifle used for both competition sports shooting or recreational hunting.

Clearly, the complainant has no understanding of hunting or firearms, nor of the intent of the advertisement. It was the intent of the advertisement to have the public visit our clearly depicted website address and educate themselves about hunting, rather than relying on misinformation and emotion to fuel their opinions. For instance, a rifle is not used to hunt a duck, rather a shotgun is. Comment is made as to the size of the rifle. The firearm is approximately 1m in length, while the man is more than 1.8m in height. The fact that the man is an electrician demonstrates that hunters are from all walks of life and the query as to why

an electrician would “need a gun” is mischievous. The advertisement does not infer that the man uses the firearm for his occupation, rather for his recreational pastime.

Finally, St Kilda was chosen as the location for this advertisement because it is a particularly cosmopolitan suburb of Melbourne, surrounded by cupcake patisseries, Luna Park and craft markets. Typically, people who live in or visit areas such as St Kilda are disconnected from the realities of rural life, wildlife management and environmental sustainability. Our hunters perform a public service while hunting, regardless of their purpose for doing so, and this service is as much of benefit to rural communities as it is to the people of metropolitan Melbourne.

Complaint 2

The complainant’s concerns appear to be essentially philosophical; ie, concerned about an advertisement encouraging people to become a member of the SSAA. Our Association has been in existence since 1948, is an accredited shooting organisation, has more than 150,000 members Australia-wide and is a non-government organisation at the United Nations. Additionally, the Association’s senior executives regularly advise the Federal Minister of Home Affairs through the Commonwealth Firearms Advisory Council. In short, it is perfectly legitimate for us to advertise for new members.

Finally, the Australian Oxford Dictionary refers to a weapon as “a means employed for trying to gain advantage in a conflict”. In hunting, a firearm is merely the tool utilised for the harvest, in the same way a fishing rod is used to catch a fish. The firearm is not being used as a weapon.

Final statement

The SSAA’s charter is to promote recreational shooting and hunting in all its forms to the community. We do this in a considered and sensitive fashion. The legitimate recreation of hunting provides food for the table and is a sustainable wildlife management tool for protecting our native flora and fauna. We welcome the wider community to learn more about both the SSAA and our pastimes by accessing our website at www.ssaa.org.au

We invite the members of the Advertising Standards Bureau to contact myself for any further clarification in regards to this matter.

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 is promoting violence through its depiction of a man holding a gun with no context for the depiction and the additional concern that weapons should not be advertised in public.

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

The Board noted the advertisement for the Sporting Shooters’ Association of Australia

(SSAA) features an image of a man in a field holding a gun. The Board noted that whilst some members of the community may be opposed to the existence of gun clubs and/or hunting the Board considered that these clubs are legal and are allowed to be advertised. It is therefore not the Board's role to determine whether or not such clubs can be advertised, rather the Board's role is only to determine whether the content of the advertisement meets the requirements of the Code.

The Board also noted that while some members of the community would probably prefer that gun ownership was not legal at all, the legality of whether or not such items should be able to be advertised is not a matter for the Board to consider.

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 of the Code states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted the complainants' concerns that the image of the man holding a gun in conjunction with the text which reads, "hunter by choice" amounts to a depiction which is suggestive of violence and that there is no context to justify this.

The Board first considered the depiction of a man holding a gun with the text referring to being a 'hunter'. The Board noted that whilst the advertisement does not state what it is that the man would be hunting, the Board considered that the most likely interpretation would be that members hunt for animals and that it would not be likely that the community would interpret this as suggesting hunting of people.

The Board then considered the manner in which the weapon is depicted and the context of its depiction. The Board noted that the weapon featured in the advertisement is not pointing at anyone and considered that the gun is being held in a manner which suggests the man knows what he is doing with the gun and is in control of it.

The Board agreed that the depiction of the man holding the gun with the text 'hunter' is suggestive of shooting and violence.

A minority of the Board expressed concern regarding the lack of clarity as to what the advertised product is, that the effect was to promote gun ownership rather than membership of an organisation, and that there is no explanation regarding the legal requirements surrounding gun ownership.

However the majority of the Board considered that the depiction of a weapon along with the logo of the SSAA indicates that the advertisement is for an organisation rather than a general advertisement promoting gun use. The Board considered that this depiction is in the context of an advertisement for a Shooters' Association. The Board recognised that while some members of the community would prefer that guns are not depicted in advertising, in the Board's view, and consistent with previous determinations regarding the depiction of a weapon (0255/11, 0428/12,) the man holding the weapon is not presented in a manner which is menacing or threatening, he is not pointing the weapon at anyone or anything and the reference to being a 'hunter' is most likely to be interpreted as hunting an animal and therefore the depiction is justified by the service being advertised.

The majority of the Board considered that the advertisement is presenting membership to a

legitimate gun club in a manner which is encouraging the responsible use of weapons. The Board noted that whilst the advertisement does not feature a disclaimer about the legal requirements for owning a gun the Board considered that that these requirements are made clear at point of purchase.

The Board also noted that the advertisement was published in inner city Melbourne. The Board considered that the advertisement would be available to a broad audience including children. The Board considered that, while some members of the community would prefer that children do not see guns or violent images, the placement of this advertisement did not affect its acceptability as gun club membership is not restricted to people from rural areas and that the content of the advertisement meets the requirements of the Code.

Based on the above the Board determined that the advertisement did not depict material which would be in breach of Section 2.3 of the Code.

Further finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.