



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0164-20
2. Advertiser :	Wicked Campers
3. Product :	Travel
4. Type of Advertisement/Media :	Transport
5. Date of Determination	27-May-2020
6. DETERMINATION :	Upheld - Modified or Discontinued

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification
AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This transport advertisement features a van with the words , "Genesis 1:12 ... The Earth brought forth grass & herb yielding seed after his kind...and God said 'It was Good.'" on the rear panel.

On the side of the van is a cartoon image of a man with a joint in front of green, yellow and red background with the words, "One love."

Tasmanian registration F 61 FF

THE COMPLAINT

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

Implies God condons and partakes in drug taking

THE ADVERTISER'S RESPONSE

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

Advertiser did not provide a response.



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 noted the complainant's concern that the slogan on the vehicle implies God condones and partakes in drug taking.

The Panel viewed the advertisement and noted the advertiser had not provided a response.

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 acknowledged that many members of the community have religious beliefs, however considered that the quote is used to demonstrate a point of view and was not used in a manner which would humiliate, intimidate or incite hatred contempt or ridicule of a person with religious beliefs.

The Panel considered that the use of a quote from the King James bible appearing to draw a link between God and drug taking does not of itself constitute discrimination or vilification of religion. The Panel determined that the advertisement did not breach Section 2.1 of the Code.

The Panel considered whether the advertisement complied with Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Panel considered that the quote on the back of the van was a quote from Genesis and that while some adults would understand this to be a reference to drugs the quote on its own was obscure and not directly encouraging behaviour which would be contrary to prevailing community standards.

The Panel then considered the image depicted on the side of the van, and whether this would be a depiction which would be against prevailing community standards on health and safety in relation to drug taking.



The Panel considered that it was not clear from the image alone whether the man depicted was smoking a hand-rolled cigarette or a joint, however in combination with the slogan on the back of the van this was a depiction which was likely to be seen by some members of the community as a depiction of marijuana.

A minority of the Panel considered that the image depicted on the side of the van was a clear representation of the performer Bob Marley and a reference to his song 'One Love'. The minority of the Panel considered that Bob Marley was well known for being depicted smoking drugs, and that this picture was a cultural representation of an icon.

The Panel noted that it had considered a similar issue in case 0117-11, in which:

"The Board noted that the image in question is a drawn image which is intended to evoke the actor Peter Sellers as Dr Strangelove in a well-known movie role. The Board noted that this image was relevant to the name of the advertised premises. The Board noted its strong view that images that glamorize smoking should not be permitted as they are a depiction of material contrary to prevailing standards on community health and safety and contravene section 2.6 of the Code. In this instance however the Board considered that the stylised but unrealistic drawing, which intended to evoke an iconic movie character and scene, was not glamorising smoking. On this basis the Board determined that the advertisement did not breach section 2.6 of the Code."

Consistent with the previous determination, a minority of the Panel considered that the current advertisement was an image intending to evoke a popular figure and was not condoning or glamorising drug taking.

The majority of the Panel considered however that many younger members of the community would not be familiar with Bob Marley and would view the advertisement as a Rastafarian style image of a man smoking tobacco or drugs.

The majority of the Panel considered that the advertisement is promoting smoking, either drugs or tobacco, in a positive way and that this is a depiction which could be seen to encourage or endorse smoking.

The Panel noted that it had consistently determined that images which glamorise or promote smoking is a depiction which is contrary to prevailing community standards (521-10, 131-11, 140-12, 0410-12, 0295-17, 0495-18, 0331-19).

Consistent with previous determinations the majority of the Panel considered that the advertisement depicted smoking in a positive light and that this was a depiction which would be against prevailing community standards on health and safety.

The Panel determined that the advertisement did breach Section 2.6 of the Code.

Finding that the advertisement did breach Section 2.6 of the Code the Panel upheld the complaint.



THE ADVERTISER'S RESPONSE TO DETERMINATION

The advertiser has not provided a response to the Panel's determination. Ad Standards has received confirmation from the relevant authority that the vehicle has been deregistered and will not be re-registered until the vehicle has been painted or the artwork has been sufficiently amended.