



# Case Report

|          |                                      |                             |
|----------|--------------------------------------|-----------------------------|
| <b>1</b> | <b>Case Number</b>                   | <b>0200/15</b>              |
| <b>2</b> | <b>Advertiser</b>                    | <b>Wix Web Builder</b>      |
| <b>3</b> | <b>Product</b>                       | <b>Information Technolo</b> |
| <b>4</b> | <b>Type of Advertisement / media</b> | <b>TV - Pay</b>             |
| <b>5</b> | <b>Date of Determination</b>         | <b>27/05/2015</b>           |
| <b>6</b> | <b>DETERMINATION</b>                 | <b>Dismissed</b>            |

## ISSUES RAISED

2.3 - Violence Hooliganism-vandalism-graffiti

## DESCRIPTION OF THE ADVERTISEMENT

The advertisement begins by showing the website of a fictitious Recording Studio being edited with ease using Wix.com (a website builder and the product being advertised). The scene then switches to a band in the midst of a Recording Studio session. The lead singer is clearly frustrated and throws his guitar down then uses the mike stand to smash a window. The scene then again switches back to the website, which unlike the Recording Studio session, is simple, easy to use and non-chaotic. A voiceover then says, "If only everything was as easy as creating your website with Wix. Go to Wix.com today. It's Free."

## THE COMPLAINT

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

*I don't think it is necessary to show this violence - the smashing of things with a microphone stand - in relation to an advertisement for a recording studio.  
This ad gives a bad and violent message to young people.*

## THE ADVERTISER'S RESPONSE

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

## *2.1 – Discrimination or vilification*

*This advertisement complies with section 2.1 of the AANA Code of Ethics, as it does not discriminate against or vilify 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 ad juxtaposes the ease of building a website and starting a business using Wix.com with the more difficult, chaotic nature of other occurrences in life. This ad features a session at a recording studio, with band members of diverse backgrounds, who become frustrated with the recording session. This is 1 in a series of 3 ads, juxtaposing the ease of using Wix.com with different ‘chaotic events’ in life. The other ads in the campaign feature chaotic scenes in a Tennis Lesson and Pet Shop – both of these ads feature both men and women from diverse backgrounds, proving that Wix is in no way vilifying or discriminating against a certain section of the community.*

## *2.2 – Exploitative and degrading*

*This advertisement does not make any sexual references or involve any sexually exploitative graphics whatsoever. Because the advertisement does not include any sexual content or appeal, it thereby does not degrade any individual or group of people on this basis, and is in compliance with section 2.2 of the AANA Code of Ethics.*

## *2.3 – Violence (Issues raised specifically in regards to 2.3 ‘Violence Hooliganism-vandalism-graffiti’)*

*The advertisement does portray an aggressive scene, when members of the band become frustrated and damage some physical property within the recording studio. There is however no violence shown toward another person throughout the entirety of the advertisement. Furthermore, the aggressive reaction of the band members is portrayed as negative in the ad. The story line and VO juxtapose the ease of building a website and starting a business with Wix.com, compared to other events in life, like a Recording Studio session, that can sometimes become chaotic. The ad ends with a VO stating ‘If only everything was as easy as creating your website with Wix,’ relaying the message that the aggressive reaction of the band members is not desired or condoned, and ideally, everything in life would be as easy and simplistic as creating a website with Wix.com. The fact that this message is relayed via VO emphasizes Wix’s perspective on this matter. So, when taken in context – this section of the ad is only used as a negative, to draw a comparison between the product being advertised, and is thereby in compliance with section 2.3 of the AANA Code of Ethics.*

## *2.4 – Sex, sexuality and nudity*

*As explained in reference to section 2.2, above, this ad does not feature any sex, sexuality or nudity whatsoever, and is thereby in compliance with section 2.4 of the AANA Code of Ethics.*

## *2.5 – Language*

*This advertisement does not feature any profane, strong or obscene language and should thus be appropriate for the relevant audience and medium, in accordance with section 2.5 of the AANA Code of Ethics. (Script attached for reference).*

## *2.6 – Health and Safety*

*This advertisement does not depict any material contrary to the Prevailing Community Standards on Health and Safety. Specifically, the graphic depictions do not include images of bike riding without helmets, driving without wearing seat belts, driving while using a mobile phone, etc. This is also not a motor vehicle advertisement, does not depict bullying, children or an unequal relationship between people in the advertisement, and is thereby in compliance with section 2.6 of the AANA Code of Ethics.*

#### *Additional Context*

- We have been running this advertisement since October 19, 2014 and have not experienced any issues or complaints until now, leading us to believe that the majority of audiences do not find issue with the content of the ad.*
- We will be taking this advertisement off air, and running a new creative campaign beginning May 14th, 2015 at which point this will be a non-issue.*

### **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 features a man breaking equipment in a recording studio and that this display of violence is not appropriate and does not set a good example.

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

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 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 this television advertisement features a band making a recording at a studio and the lead singer smashing his guitar and using a microphone stand to smash the studio window.

The Board noted the advertiser’s response that the advertisement does not depict violence against a person but rather some frustration felt by a band member who vents his anger by destroying some of the recording equipment/studio fixtures, and that the voiceover indicates this behaviour is not to be desired or condoned.

The Board acknowledged that trashing a recording studio is an act of vandalism and should

not be encouraged but considered that the advertisement presents this behaviour in the context of a stereotype associated with rock musicians. The Board noted the actions of the man are over-the-top and considered that these actions are a stereotypical depiction of artistic expression of music stars and these actions are not depicted as condoning violence. The Board considered that the advertisement did not encourage or condone acts of vandalism and overall the advertisement did not present or portray violence.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

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