



Case Report

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| 1 | Case Number | 0400/16 |
| 2 | Advertiser | Curtain Villa - Kalgoorlie |
| 3 | Product | House Goods Services |
| 4 | Type of Advertisement / media | Radio |
| 5 | Date of Determination | 28/09/2016 |
| 6 | DETERMINATION | Upheld - Modified or Discontinued |

ISSUES RAISED

2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement for Curtain Villa features two women arguing while hanging curtains. The argument gets heated and after one woman asks, "Where should it bloody go?" we hear several words which are beeped out.

THE COMPLAINT

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

Although the foul language was censored, the use of these words to attempt to grab the attention of the listener was extremely inappropriate. This ad was run during the day, and should not be accepted.

THE ADVERTISER'S RESPONSE

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

Please proceed without my comment, and make a decision for me and I am happy to comply.

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 complainant’s concerns that the radio advertisement uses foul language, which although partly censored, is clear enough to understand and is inappropriate.

The Board reviewed 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 this radio advertisement features two women arguing while hanging curtains.

The Board noted that some words are bleeped out but considered that there is a strong suggestion of the words: “sh...ty”, “b...tch”, and “f...in”. The Board noted it had previously dismissed complaints about radio advertisements where language had been bleeped out (0505/14, 0126/15 and 0324/16) but considered that in this instance the beeps do not sufficiently remove the inference of strong language of the original words. The Board noted that one woman asks the other, “Where should it bloody go?” and considered that although the word bloody is part of the common vernacular, and would not be considered strong or obscene by most members of the community, in the Board’s view the tone of the woman’s voice is aggressive and not appropriate in the context of a radio advertisement which will be heard by a broad audience.

Consistent with a previous determination in case 0168/15, the Board noted that although words are bleeped out, the bleeping is not sufficient and the inference to a strong swear word (the F word) as well as milder swear words (shitty and bitch), and the use of the word bloody, is clear and the repetition ultimately attracts the attention of the listener. The Board noted the tone of voice used by both women in the advertisement and considered that overall the aggressive delivery, the inferred swear words, and the repetitive nature of the advertisement makes this inappropriate in the circumstances.

The Board determined that the advertisement did breach Section 2.5 of the Code.

Finding that the advertisement did breach Section 2.5 of the Code, the Board upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

Following the Board’s determination of the above case I confirm that I will remove the advertisement in its current format.

