



Case Report

1	Case Number	0496/12
2	Advertiser	RJ Graphics
3	Product	Professional Service
4	Type of Advertisement / media	Transport
5	Date of Determination	16/01/2013
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

2.3 - Violence Violence

DESCRIPTION OF THE ADVERTISEMENT

A large poster on the rear panel of the bus. The featured image is of a man with glasses being punched in the face. His glasses have been knocked from covering his eyes and water is spraying from his mouth. The text reads, "rjgraphics. Design for impact! Call 1300 750 141. rjgraphics.com.au".

THE COMPLAINT

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

It is graphic and violent. It is also in poor taste. The man was killed by a punch in Kings Cross just a few months ago. This ad is just completely unacceptable to community standards.

THE ADVERTISER'S RESPONSE

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

The Advertiser did not provide a response.

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 advertisement features graphic violence and is not appropriate for advertising material on a bus.

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

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 advertisement was seen on the back of a bus in Sydney and that it depicts a fist connecting with a man’s face and that the tagline reads, “Design for impact!”

The Board noted that this advertisement is for a graphic design company and considered that the depiction of a man being punched is not relevant to the product advertised. The Board noted that it has in the past dismissed a complaint regarding a man being slapped in the face with a kipper (case reference 0370/10) where it found “that the advertisement depicted an unreal situation, far removed from reality. The Board also noted that the man looks happy after being hit with the fish, and that he says, “Oh yeah!” straight afterwards. The Board considered the man’s reaction to be a positive one, and in no way did he appear to be the victim of an assault.”

In this instance the Board noted that whilst the overall presentation of the man being punched is of a slapstick nature in that he is wearing a bowtie and his glasses are askew, in the Board’s opinion this slapstick nature is overridden by the fact that the punch is realistic and the man’s reaction does not appear to be positive. The Board noted that the man’s attire could also be interpreted as being ‘geeky’ and considered that a likely interpretation of the advertisement is that it is acceptable to punch someone based on their appearance. The Board noted that the size and the placement of the advertisement on a bus travelling around Sydney increases the impact of the advertisement and means it is likely to be viewed by children.

The Board noted the complainant’s concerns regarding the use of a graphic image of violence in an area of the city where actual violence has been a real issue recently and considered that the advertisement does present violence in a manner which is not justifiable in the context of the product advertised.

The Board determined that the advertisement did breach Section 2.3 of the Code.

Finding that the advertisement breached Section 2.3 of the Code the Board upheld the complaint.

ADVERTISER RESPONSE TO DETERMINATION

We have ceased that particular campaign and the bus company will be replacing the ad with a new client.

Our sincere apologies for any unintentional inconvenience we may have caused to members of the public.