



**Ad Standards** Community Panel  
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Advertising Standards Bureau Limited  
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# Case Report

1	<b>Case Number</b>	<b>0529/18</b>
2	<b>Advertiser</b>	<b>Gun World Australia</b>
3	<b>Product</b>	<b>Sport and Leisure</b>
4	<b>Type of Advertisement / media</b>	<b>Billboard</b>
5	<b>Date of Determination</b>	<b>12/12/2018</b>
6	<b>DETERMINATION</b>	<b>Upheld - Modified or Discontinued</b>

## ISSUES RAISED

- Other Social Values
- 2.1 - Discrimination or Vilification Nationality
- 2.1 - Discrimination or Vilification Race
- 2.3 - Violence Weapons
- 2.6 - Health and Safety Unsafe behaviour
- 2.6 - Health and Safety Within prevailing Community Standards

## DESCRIPTION OF THE ADVERTISEMENT

This billboard advertisement features an image of a wrapped gift which appears to be a handgun, though the gun is not visible, and the advertiser logo of a symbol of Australian within what appears to be a target.

## THE COMPLAINT

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

*I find the billboard offensive on several levels:*

1. Children see this and could be upset.



2. It also gives children an incorrect message that buying a gun is normal: like buying any other present to "put under the tree".
3. It would upset any person traumatised by guns: in a bank robbery, hold-up in convenience store, service station and so on.
4. Clearly any returned Defence personnel with PTSD from any war zone would find this distressing.
5. Personally I find it dangerous that it legitimates and normalises that owning a gun is an everyday purchase. Safe enough to put under a tree.
6. It does not mention any processes involved in purchasing a gun, registering a firearm nor dangers involved with owning a gun: securing a firearm, etc etc.

*They are targeting children! Who loves Christmas the most? KIDS  
We have gun laws for a reason and advertising them at any time should not be allowed!*

*By having a gun shaped present wrapped up under a Christmas tree it caught my kids focused on the sign. An advertisement for a gun shop should not be done to appeal to kids.*

*Violent image of a gun and using Australia as a target. It is unpatriotic and offensive and against the peaceful spirit of Christmas.*

*I am outraged that a firearms business feels it is OK to promote guns as a Christmas gift. This is the second year that this has occurred.*

*Given the prevalence of violence in some areas of our community, I feel I must strongly object to this signage - not only at Christmas which is considered a time of joy and peace - but at any time at all. This is not the type of product we need to see advertised in our community at any time.*

*The advertisement makes the assumption that people would want to buy a weapon as an appropriate gift for another person. Specifically a handgun, which only has one purpose: killing people. We should never accept America's stance on guns as ours; they are dangerous and should be heavily restricted. The advertisement associates Christmas, a holiday for many and a time to be with family and friends, with an instrument of death! Anyone can see that and make the association, including children. It should be removed completely and immediately.*

*I find the advertisement offensive on two counts. It is glorifying the selling and gifting of gun's. Secondly, by featuring an outline of Australia in a target, it is playing into the current rhetoric of 'protecting' Australia from 'others' a particularly racist and offensive message given the large multicultural and refugee community of our area. It also normalises guns within in our society - which is inappropriate considering the gun laws of this country and general community sentiment relating the availability of guns*



*of any kind.*

## **THE ADVERTISER'S RESPONSE**

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

*Gun World Australia is a licensed firearm dealer based in Hillcrest Queensland. Gun World sells firearms, ammunition, hunting apparel, and other like products for recreational, commercial and government use.*

*We would describe the advertisement as follows:*

*A Christmas themed billboard featuring a gun wrapped in Christmas paper with the words "What's under your tree this year". The billboard also features our company logo described as "target with map of Australia in the middle", and our company name "Gun World Australia".*

*We reject that our advertisement has breached any AANA Code or Ethics and respond to each of the sections as follows;*

### *2.1 – Discrimination or vilification*

*Our advertising does not portray any people or depict material that discriminates against any person in the community. The advertisement contains no material that could be considered discriminatory or vilifies any part of the community.*

### *2.6 – Health and Safety*

*Our advertisement does not depict any material contrary to prevailing community standards on health and safety. Gun World does however support appropriately licensed members of the public engaging in safe, ethical hunting and the recreational use of firearms in Queensland.*

*In reference to our logo being a target, targeting Australia is also misleading as our logo is in fact a print registration mark behind Australia.*

## **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 complainants' concerns that guns are dangerous and the advertisement suggests they can be placed under a Christmas tree for anyone to pick



up, that guns should not be advertised (at Christmas or any time of year), that the advertisement normalises and glamorises the use of guns and implies that guns are like toys or are appropriate as a Christmas gift, and that the advertisement promotes racism.

The Panel viewed the advertisement and noted the advertiser's response.

The Panel noted the advertisement is a billboard featuring a wrapped Christmas gift in the shape of a handgun and wrapped gifts under a Christmas tree. The Gun World logo is visible and the text reads: "What's under your tree this year?"

The Panel noted concerns about advertising firearms and about advertising firearms in association with Christmas. The Panel considered that the product is legally allowed to be advertised provided it complies with the Code of Ethics, and that there is not a prohibition on advertising firearms per se.

The Panel noted concerns about associating the purchase of a gun with Christmas, and considered that this suggestion is not of itself a breach of the Code of Ethics.

The Panel also noted concerns that children would see the advertisement and that this was inappropriate. The Panel considered that the advertisement is not directed primarily to children, although children might be attracted to the advertisement as it references Christmas. However the Panel considered that as the advertisement is not directed primarily to children the AANA Advertising to Children Code does not apply.

The Panel noted the concerns that the advertisement promotes racism and 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 of the Code which provides the following definitions:

"Discrimination – unfair or less favourable treatment  
Vilification – humiliates, intimidates, incites hatred, contempt or ridicule".

The Panel noted the complainants' concern that the advertisement features an outline of Australia in a target, and therefore promotes a message of protecting Australia from 'others' and promotes racism.

The Panel noted the advertiser's response that the image is not a target but rather a print registration mark.



The Panel noted that the advertisement does features an image of Australia on what would be considered by the broader community to be similar to a traditional target. The Panel considered that the advertisement does not identify any section of the community, including not identifying any racial or ethnic group in society and considered that the advertisement does not give anyone unfavourable treatment nor does it incite hatred or contempt for any section of society.

In the Panel's view the advertisement did not discriminate against or vilify any person or section of the community on the basis of race and did not breach Section 2.1 of the Code.

The Panel noted complaints that guns are dangerous and the advertisement suggests they can be placed under a Christmas tree for anyone to pick up. The Panel considered whether the advertisement was in breach of 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 the depiction of the wrapped gift under a Christmas tree, alongside other wrapped gifts. The Panel noted that although an actual firearm is not visible, most members of the community would consider the gift to be a firearm. The Panel considered that in the context of the advertisement the likely impression of the advertisement is that there is a pistol style firearm gift wrapped and placed under a Christmas tree as a gift. The Panel noted the text "What's under your tree this year?" supports this impression.

The Panel noted section 94 of the Weapons Regulations 2016 (QLD) which requires that "A person who possesses a firearm must take all reasonable precautions to ensure it's safe storage; that it is not lost or stolen; and that it does not come into the possession of a person who is not authorised to possess the firearm".

The minority of the Panel considered that the implication that guns can be given as a gift at Christmas is inaccurate due to the regulations around firearm purchase, possession and use.

The Panel noted that leaving a firearm unsecured or under a Christmas tree is incorrect storage of a firearm and is illegal. However, the majority of the Panel considered that the impression of the advertisement is a depiction of a pistol gift-wrapped under a Christmas tree. The Panel considered that this image is a depiction of material that would be contrary to law, and is in this instance a depiction of material contrary to prevailing community standards on gun safety.

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



## **THE ADVERTISER'S RESPONSE TO DETERMINATION**

The Outdoor Media Association has confirmed that this advertisement was removed on the 24th of December 2018.