

CASE REPORT

1. Complaint reference number	131/99
2. Advertiser	Toyota Motor Corp Aust Ltd (Hilux)
3. Product	Vehicles
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1
6. Date of determination	Tuesday, 11 May 1999
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The advertisement shows a series of situations on a farm where a man employs a Toyota Hilux to perform a variety of farming tasks. On all occasions, the strength of the vehicle is greater than expected and, as the man sees the effect the vehicle has had, he says, ‘bugger’ or ‘bugger me’ or ‘ooh bugger’. The scenes shown include one of a cow which has been lassoed (stuck in the mud). The man instructs his son to reverse and a mooing sound is heard (no visuals are shown) but the man says, ‘Ooh bugger’. In the final scene, the same man calls the dog to accompany him in the back of the vehicle and the dog tries to jump into the back but misses as the man accelerates too quickly, spraying mud all over a woman’s washing. The woman says, ‘bugger’, and the dog (filmed lying down in the mud) also appears to ‘say’ the word, ‘bugger’. The advertisement draws to a close with the Toyota vehicle driving off in the distance and the words, ‘Unbreakable power – Toyota Hilux’, superimposed on the screen.

THE COMPLAINT

Comments which some of the complainants made regarding this advertisement included the following:

There are three problems with the advertisement... 1. I feel that the language in the advertisement is unacceptable and I'm sure that a more suitable expression could be used rather than an insulting expletive... Swearing in advertisements is just not necessary... 2. The implied cruelty to animals whilst initially humorous, is actually rather unpleasant when you think about it... 3. It is degrading to rural people because it portrays them as bad-mouthed, ignorant and unfeeling folk.'

'This word (bugger) is the Slavic word for GOD, and is therefore blasphemous.'

THE DETERMINATION

The Advertising Standards Board ('the Board') considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics ('the Code').

The Board, while appreciating complainants' personal points of view, felt that the language used in this advertisement would not offend prevailing community views and did not breach the Code on this ground. Board members noted, in passing, that language is a fluid concept which changes with the times and that the word 'bugger' was an example of a term which currently was used innocuously and widely in the Australian community.

In addition, the Board determined that the advertisement's portrayal of the characters concerned did not constitute discrimination or vilification and did not breach the Code on this ground.

Board members appreciated complainants' concerns for the welfare of the animals in the advertisement but felt satisfied that the advertisement reflected obvious contextual humour and, in

light of this, the Board was satisfied the advertisement did not breach any other section of the Code and would not offend prevailing community standards.

The Board dismissed the complaint.