



## CASE REPORT

1. Complaint reference number	143/08
2. Advertiser	Carpet Court
3. Product	House goods/services
4. Type of advertisement	TV
5. Nature of complaint	Violence Other – section 2.2
6. Date of determination	Monday, 19 May 2008
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

The advertisement opens on a close up of Carpet Court Jester, he stammers nervously "I don't think this is what they mean by cutting prices to the bone." The camera pans out to show that the Jester is kneeling at an executioner's block. As the executioner raises his axe the advertisement displays a variety of carpet court products and the Jester voiceover states: "But this is, it's a massive cut on heavy-duty twist pile. You'd expect to pay \$49 per square metre, now it's an incredible \$38 per square metre. You'll save over \$1000 on an average house. This is a scoop purchase on the manufacturer's entire stock. Stock is limited. Once it's gone, IT'S GONE." The advertisement cuts to a shot of Catalogue front cover. The Jester continues "So hurry in or you'll have..." Cut back to the Court Jester on the chopping block lifting his head. "...missed." A piece of his hat falls in front of camera. Cut to a Carpet Court end graphic and phone number. Jester voiceover concludes: "Only available from Carpet Court while stocks last."

## THE COMPLAINT

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

*This sort of imagery whether intended as comic or more serious, has no place as an advertisement on Television.*

*As an adult I find any situation suggesting or implying execution using film or images distasteful and objectionable to say the least. For children this even more potentially damaging if they don't understand what they are watching. We value human life in this society and anything that trivializes out dated and grotesque executions has no place on Australian Television at any time.*

## THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*Thank you for your letter of April 11, 2008 regarding our recent Prices Get The Chop TV Advertisement. Be assured we take these matters very seriously, and guard the reputation of our members' businesses and our brand with great vigour.*

*Accordingly, we are meticulous in our processes, and in this case, of ensuring our advertising is reflective of the general standard acceptable to the Australian public. As part of the approval process, all our TV advertising material is submitted to Commercials Advice Pty Ltd (CAD) by our advertising agency Spinach. We accept the rating given to us as part of this process, and I attach a copy of the relevant advice in this case. You will note we received a G rating.*

*While we cannot speak for CAD, we can only hypothesise that a G rating was deemed appropriate for this advertisement due to the humorous nature of our Court Jester character whose "tongue in*

*cheek” delivery of our selling messages has given the brand great impact and standout value since its introduction early in 2004. It would also suggest that the advertisement was judged to be reflective of general tastes and values held by the wider Australian community.*

*Whilst in a very small amount of cases there maybe a small minority of the general public who take exception with specific elements of our approach, we contend that the great majority of the Australian public see the “tongue in cheek” and comedic style of our character for what he is, and take no offence whatsoever; in so doing endorsing the decision of CAD that the Advertisement (in its entirety) is suitable for viewing by a General Audience.*

## **THE DETERMINATION**

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

The Board viewed the television advertisement to determine whether it breached Section 2.2 of the Code which deals with violence.

The Board noted that the advertisements from this advertiser usually include the Carpet Court Jester and often include jokes and references to medieval times.

This advertisement depicted an execution scene in keeping with the medieval theme. The Jester did not appear to be genuinely afraid of the executioner and the scene at the end of the advertisement where the top of the jester's hat is chopped off is clearly humorous.

The Board did not consider that most viewers would consider this to be a realistic depiction of an execution and agreed most people would recognise this silliness of the situation and not be alarmed by the presence of the executioner and his axe.

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