



CASE REPORT

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| 1. Complaint reference number | 176/09 |
| 2. Advertiser | Raptor Electrical |
| 3. Product | House goods/services |
| 4. Type of advertisement | Radio |
| 5. Nature of complaint | Language – use of language – section 2.5 |
| 6. Date of determination | Thursday, 14 May 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

Radio commercial. The male voice commences “Oh Crap”. Female “What’s up?”. Male “our property manager just called, we need an electrician again at our investment property”. Woman “That’s the third time this year.” Man “I know, electricians have cost us over three hundred already this year.”

Voice over then promotes the services of Raptor Electrical and its fixed price offer for investment properties.

THE COMPLAINT

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

I wish to object to the broadcasting of the Radio Advertisement aired on Radio 4BC and 4BH for Raptor Electrical this month. The ad begins with a man "CRAP" loudly and clearing. He is annoyed and is venting his anger. This is offensive and not right for children to hear - repeatedly.

THE ADVERTISER’S RESPONSE

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

Thank you for giving us the opportunity to respond to the abovementioned complaint.

You have asked that we respond to the complaint with particular reference to Section 2 of the Advertiser Code of Ethics. We believe that the sub section to which you are referring is 2.5 Advertising or Marketing Communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided.

The Oxford Dictionary notes that the original meaning of the word “crap” is “chaff” and when used as an adjective, the word “crap” is defined as “extremely poor in quality”. It was this meaning that suited our message.

We have had an advertisement produced that reflects a reality of life, including language that a lot of people would use when frustrated or angry.

It is certainly not our intention to upset or offend anyone with this advertisement. If this has been the case, we can only apologise to the complainants.

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 complainants' concerns about the use of the term "crap" in the advertisement and considered the application of Section 2.5 of the Code, relating to language.

The Board noted that the term "crap" had come into common usage, as part of the Australian vernacular. The Board noted the term was used in the advertisement in the context of the character expressing his frustration. While recognising that some members of the community would find the use of the term distasteful, the Board considered the word was used in a manner consistent with its vernacular usage and was not "strong or obscene language". The Board considered that most members of the community would not find the language used offensive. The Board therefore found no breach of Section 2.5 of the Code.

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