



## CASE REPORT

1. Complaint reference number	264/01
2. Advertiser	FOXTEL Management Pty Ltd (FOX Footy Channel)
3. Product	Media
4. Type of advertisement	Print
5. Nature of complaint	Discrimination or vilification Other – section 2.1
6. Date of determination	Tuesday, 13 November 2001
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENTS

One of two full-page advertisements features a photograph of a footballer holding a Rosary and looking upwards as he exits a Confessional alongside a headline reading: “Five Hail Marys and Six Weeks.” Under the photograph, between signage for Fox Footy Channel and FOXTEL, text reads: “You’ll truly be sorry in February if you don’t switch to the only devoted AFL channel. Your team, every game, every week with uninterrupted play. Tempting isn’t it. Same game. New attitude.” A second advertisement features a photograph of the Pope in the context of an AFL referee, with a headline reading: “You’ve already got the game played in heaven. Convert to AFL.” Between Fox Footy Channel and FOXTEL signage, text under the photograph reads: “Convert in February to the only devoted AFL channel. Your team, every game, every week, with uninterrupted play. Truly we say to you, a Divine Service. Same game. New attitude.”

## THE COMPLAINT

Comments which the complainants made regarding these advertisements included the following:

*“It would seem that the advertiser is attempting to be deliberately controversial in an effort to raise its profile in the public arena, irrespective of who it offends, and in its endeavours will ignore the complaints lodged with it...”*

*“...Foxtel have plumbed new depths of religious vilification by using Mary as a butt for ridicule in newspaper advertising for AFL football broadcasting...The Catholic sacrament of Penance is held up to vilification in the same advertisement ...In truth, I find this practice to be absolutely repulsive and believe that Foxtel have totally overstepped the boundaries of advertising and by so doing have vilified me and my fellow Catholics on the grounds of our religious beliefs.”*

*“Our Archdiocese has more than 600,000 Catholics. They should all be offended by the lack of good taste shown by Foxtel in demeaning the figure of a much-revered religious leader.”*

## THE DETERMINATION

The Advertising Standards Board (‘the Board’) considered whether these advertisements breach Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board acknowledged that many Catholics could take offence at the intended humour and in the portrayal of the Pope in a sports promotion but determined that, in the context of prevailing community standards, neither advertisement constituted discrimination and/or vilification under the Code.

As the advertising material was found not to breach the Code on any other grounds, the complaint was dismissed.