



CASE REPORT

1. Complaint reference number	386/07
2. Advertiser	Pacific Magazines (Who Weekly)
3. Product	Media
4. Type of advertisement	TV
5. Nature of complaint	Other - Causes alarm and distress
6. Date of determination	Monday, 19 November 2007
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a real estate agent extolling the virtues of a property on his listing, but admitting that there are now "problems, we've got issues." He explains that six months ago a newsagency opened up a few doors away, and since then the nearby alley has been the haunt for "addicts". Young women are shown leaning against the walls and sitting on the pavement, engrossed in WHO magazine. The real estate agent appeals "And I guess I'm saying we need help...we're fighting a losing battle" as the screen reads "WHO. It's what CELEBRITY NEWS addicts do." The real estate agent concludes "Because I'm a lone wolf crying out here."

THE COMPLAINT

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

Our eldest son is a heroin addict. He is homeless. He is violent. He is struggling with a great many issues. All his friends are criminals. He is a criminal. The last ten years or so have been very stressful and distressing for our family. I find the idea of using his situation as a humorous advertising analogy deeply offensive. To me it suggests that we are now part of a culture that does not take this issue seriously.

THE ADVERTISER'S RESPONSE

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

The recent WHO Television campaign was designed around the premise that people can become addicted to the things they love, such as celebrity news. You could put chocolate, shoes and handbags for women, favourite television programs all in the same category.

Our premise is simply that WHO can satisfy consumers ever growing addiction for celebrities. Celebrity is a powerful force that is addictive by nature and WHO has had some fun saying we are the best at providing satisfaction for that celebrity news craving. We're talking about magazine addiction, pure and simple. We have reacted to key research that celebrity news is desired and people crave their weekly read. It's clearly not about drugs. There is no reference to drugs at any time in the TVC.

We are incredibly wary of how our brand is perceived in the market place as we pride ourselves on the premium positioning we take. WHO is not just about celebrity news we also report on thought-provoking news and human-interest stories in which we report on the real stories of real people tackling the serious topics of drug addiction, eating disorders, mental disorders, etc. These stories aim to educate and possibly breakdown the taboos often surrounding these important issues that impact in the lives of individuals, their families and Australian society. Real

stories will continue to be an important part of our brand's mix of editorial.

This campaign is more about fun and it maintains WHO's premium position, reinforcing our brand values of being the most trusted weekly celebrity news source that provides the best quality celebrity news to feed this 'magazine addiction'. The quality is intrinsic to WHO and achieved by providing all that is true in celebrity news through our insiders knowledge of celebrities with over 15 years of bringing you uncompromising and credible reportage, with the best photos, most reliable sources and unprecedented access to Time Warner's international publishing firepower, with sister magazines in the US and the UK.

This television advert did not run on a free to air station in October. The advertisement ran on Arena television.

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 complainant's concern that the advertisement makes fun of drug addicts.

The Board noted that the advertisement depicts a group of people sitting in an alley reading Who Weekly in a manner that is suggestive of images used to depict the behaviour of drug addicts. The Board noted that this may be likely to upset people who have a personal experience of coping with drug addiction or drug addicted people.

However the Board noted that the term 'addicted' is used in a wide variety of contexts and does not exclusively refer to drug addiction. In particular the Board noted that it is common for people to refer to themselves as being addicted to celebrity gossip. The Board considered that the advertisement is intended to be humorous and that while it is suggestive of drug addiction, this suggestion is not likely to be considered by most members of the community as discrimination against or vilification of drug addicted people. On this basis the Board determined that the advertisement did not breach section 2.1 of the Code.

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