



CASE REPORT

1. Complaint reference number	423/07
2. Advertiser	PRD Real Estate
3. Product	Real Estate
4. Type of advertisement	TV
5. Nature of complaint	Language – use of language – section 2.5
6. Date of determination	Tuesday, 11 December 2007
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

There are two advertisements promoting the services of PRD to sell houses and property - one depicts an elderly lady wanting to sell a rundown old shack but whose frontage is a pristine beach front, and the other depicts a cane farmer wanting to "sell everything...hang on, that doesn't include the boat...but I could throw in the wife." The advertisements end with a male voiceover claiming "We'll work bloody hard to get you what you want." A third advertisement for property management ends with the voiceover "We'll work bloody hard to find the right tenant for you."

THE COMPLAINT

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

At the end of the ad the male person swears. This kind of language coming out of a person's mouth is not only disgusting, but also does not give children the correct perception in speaking. We tell our children not to swear, yet it is blatantly spoken in advertisements making it seem as though this is a natural way of talking and that it is all right to do so...Why can't they just "turn off" their foul mouth and learn to speak using the English language they were taught at school.

THE ADVERTISER'S RESPONSE

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

We have asked the television station to cease the commercials and they have indicated that it is committed until the weekend of the 16th December.

I didn't see that this language to be offensive, given the advertisements of the past (a)Australian Tourism Council using the same terminology in a more expressive way, and (b)considering the recent Toyota Adverts using the word "Bugger."

Most importantly we have sent an apology letter to the complainant, stating we were sorry for her being offended and when the commercials would cease.

The word was used in no other context than the meaning of "extremely".

I hope this is sufficient as we have have never meant any offence to any of our listening audiences

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 about the use of the word 'bloody' in these advertisements. The Board noted previous decisions in which it had determined that the word 'bloody' is not inappropriate in an advertisement provided it is used in a context which is consistent with its position as part of the Australian vernacular.

In the current advertisement the Board agreed that the word 'bloody' was used to mean 'very' and that this was consistent with its use in Australian colloquial language. The Board considered that the use of the word 'bloody' was not inappropriate in the advertisement and that its use did not amount to the use of strong or obscene language. The Board determined that the advertisement did not breach section 2.4 of the Code.

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