



CASE REPORT

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| 1. Complaint reference number | 43/07 |
| 2. Advertiser | Big W |
| 3. Product | Retail |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Violence Other – section 2.2 |
| 6. Date of determination | Tuesday, 13 February 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement features back-to-school items with a female voiceover asking "Mum and Dad - how will your kids be greeted when they go back to school? Like this?" as a derisive sneer is heard from a young schoolboy's voice, "Or this?" followed by a boy's voice exclaiming "Oh Cool!" The female voiceover continues "Big W make it affordable for your kids to look good and feel great. And they've got everything you need for the classroom." The voiceover details items on sale and a competition to enter.

THE COMPLAINT

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

.. a sneering comment...There is a great problem with bullying in schools which the authorities are concerned about and trying to stamp out - this advertisement promotes bullying.

THE ADVERTISER'S RESPONSE

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

There is no basis on which to believe a reasonable member of the audience would be likely to understand that the advertisement promotes bullying behaviour by children at school. The advertisement is directed at parents and invites them to enter a competition to win certain "Back to school" products.

The comment described by the complainant as a "sneering comment" is based on the laugh of the "Nelson" character in the television show "The Simpsons" (which Woolworths understands is aired on free to air television at 6pm each evening) and would be recognised as such by members of the relevant audience, not as a "sneering" or "bullying" comment.

It is not Woolworth's practice to mimic television programs such as The Simpsons in its advertising material and it will ensure that in future its name is not used in any connection with any such programs.

THE DETERMINATION

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

The Board listened to the advertisement and considered whether it breached Section 2.2 of the Code dealing with violence.

The Board noted the complainant's comments that the advertisement encouraged bullying. The Board noted the sound of a child making fun of another, but did not agree that this amounted to the depiction of violence or of bullying. The Board agreed that the advertisement did not breach Section 2.2 of the Code.

The Board did note that, had it considered that the advertisement was aimed at children and hence considered under the Code for Advertising to Children, the complaints may have been upheld on the grounds that the advertisement depicted peer superiority as a result of the purchase of the goods.

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