



CASE REPORT

1. Complaint reference number	445/06
2. Advertiser	Warner Music Australia Ltd (Panic At The Disco)
3. Product	Retail
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Religion – section 2.1 Language – use of language – section 2.5
6. Date of determination	Tuesday, 14 November 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement promotes a new recording by the band Panic! At The Disco, and features a vocalist singing the words “Haven’t you people ever heard of closing the goddamn door?!”

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

The line, "Haven't you ever heard of, closing the God-damn doors" is sung in the song, and I find that highly offensive, not only because of my faith, but because it is a swearword.

THE ADVERTISER’S RESPONSE

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

We of course would like to apologise for any upset caused to Mr Slack, however we strongly feel that ‘goddamn’ is frequently used in every day language and is not a swear word. I would be hard pushed to believe that an episode of The Simpsons carries less offensive material!

Although our current TV advertising campaign has now come to an end, we do wish to go back on air, and hope to use that extract of the song as it’s the hook! The single “I Write Sins Not Tragedies” peaked at #12 in the ARIA charts (and has been playing on most radio stations including Nova & Austereo). This is the first and only complaint we have had.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board viewed the advertisement and considered the complainant’s comments that the advertisement was offensive because of the language, in particular the use of “Goddamn”.

The Board considered whether the advertisement breached section 2.5 of the Code dealing with language.

The Board noted the use of the word “Goddamn” and determined that the word was not strong or obscene. The Board considered that the use of the term in this advertisement was consistent with colloquial usage and was not likely to cause offence to the community in general. The Board hence determined that the advertisement did not breach Section 2.5 of the Code.

The Board also considered whether the advertisement breached section 2.1 of the Code dealing with

discrimination and vilification of religious groups. The Board determined that the use of the “Goddamn” does not of itself discriminate against or vilify any religious group.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.