



## CASE REPORT

1. Complaint reference number 47/10
2. Advertiser Tartarus P/L (Go to Hell))
3. Product Food & Beverages
4. Type of advertisement Outdoor
5. Nature of complaint Discrimination or vilification Religion – section 2.1  
Other - Causes alarm and distress to children
6. Date of determination Wednesday, 10 February 2010
7. DETERMINATION Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

This print advertisement depicts the devil and the caption 'Hungry, go to HELL PIZZA.'

## THE COMPLAINT

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

*I would like to request it be removed from public places like bus stops and buses. Children get frightened by those kinds of images, including my 5 year old niece. It is a horror image and not G or PG rated, so it should not be visible to young children.*

*We are writing to voice our concern and objection to hell pizza advert that have gone up recently on billboards in our area, stating on one billboard "Go to hell with a huge picture of the devil". There could be others. To us as a christian family they are offensive anti family and mocking Biblical trusts. There should be a standard that prohibits the blatant use of advertising to disregard others, and openly mock others, in this case christianity. Thank you for your time. looking forward to hearing from you.*

## THE ADVERTISER'S RESPONSE

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

*Thank you for the opportunity to respond to this complaint.*

*The grounds for this complaint are under section 2 of the Code, namely;*

**Section 2.1:** *Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.*

*This section does not apply to the advertisement in question, which was posted on local bus stops via advertising company Adshel, as it neither discriminates against nor vilifies any part of the community.*

*Clearly showing an image of an ugly as dude with horns on his head with the caption "Hungry....Go to Hell" demonstrates that we at Hell Pizza serve all comers, and at no time discriminate against any current or potential customer. And as for the vilification implied by the complainants accusation of the "mocking of biblical trusts" it is absurd to think that this or any other advertisement containing the word "Hell" or portraying or discussing any image that is associated with "Hell" vilifies the Christian religion, as Hell is an integral part of the Christian*

*and many other religions. A quote from Brennan Manning a well respected Christian author on the "Biblical Trust" reads "The basic premise of biblical trust is the conviction that God wants us to grow, to unfold, and to experience fullness of life. However, this kind of trust is acquired only gradually and most often through a series of crises and trials." ...So in fact aren't we helping....?*

*As to Social Values, given that an opening of a new Hell Pizza outlet was supported by the local Catholic Church (Queensland Times 21.01.10) and a Rockhampton Pastor (Rockhampton Times 22.01.10), it is clear that Hell Pizza and this type of brand advertising is in step with current Social Values.*

## **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 was mocking Christianity and that the image was scary for children.

The Board noted the advertiser's response and viewed the advertisement.

The Board considered whether the advertisement was in breach of section 2.1 of the Code. Section 2.1 of the Code states:

*"Advertising of marketing communicatins shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief."*

The Board noted that the advertisement features the name of a chain of pizza restaurants, Hell Pizza. The Board noted that whilst some members of the community may find this name offensive, that the advertiser was not intending to vilify the Christian religion and instead was promoting the concept of a pizza that would appeal to people's food/taste weaknesses. In this regard, the Board determined that the advertisement was not in breach of section 2.1 of the Code.

The Board noted the complainants' concern that the advertisement depicted material that is frightening to children.

The Board viewed the advertisement which is a billboard and noted that the advertisement is meant to depict 'Satan'. The Board considered that the image is very stylised but could be considered frightening to some viewers. The Board noted however that young children can be frightened by many things and that parental supervision is appropriate. The Board noted that the advertisement does not depict violence nor strongly suggest violence and is not in breach of section 2.2 of the Code. The Board also considered that the advertisement does not depict any material that is contrary to prevailing community standards on health and safety.

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