



## **CASE REPORT**

1. Complaint reference number	57/05
2. Advertiser	ACP Publishing Pty Ltd (Madison)
3. Product	Leisure & Sport
4. Type of advertisement	TV
5. Nature of complaint	Language – use of language – section 2.5
6. Date of determination	Tuesday, 12 April 2005
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The television advertisement features a conversation between a young woman and a middle aged man that takes place in a high-rise city apartment. The scene is meant to imitate a detective investigating a witness. The man questions the woman on how she knows certain information. She passes him a copy of Madison magazine. The voiceover states: “More than a magazine, it’s a whole God damned series”.

## **THE COMPLAINT**

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

*“It uses the phrase “God Damned” which is unnecessary to promote the product and is deeply offensive to me as a Christian.”*

*“This is completely unacceptable language at anytime in the broadcast day.”*

*“I find the profane use of God’s name ... offensive and believe that it should be considered inappropriate and offensive language for broadcast.”*

## **THE ADVERTISER’S RESPONSE**

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

*“The closing statement by the narrator is designed to reflect the narrator’s irritation at being deceived, yet enticed.”*

*“The Macquarie Dictionary (2<sup>nd</sup> Revised Edition) defines ‘goddamn’ as an ‘oath expressing irritation, fury etc’. It is with reference to this definition that the term was included in the advertisement to highlight the narrator’s irritation at being fascinated by the new magazine...”*

*“... At no time is the term used to depict any material that could be found to discriminate against or vilify a person or section of the community on account of their religious or social beliefs. It was included in the advertisement as it was considered to be the most effective way of portraying the message whilst maintaining a realistic reference to the setting. At no stage was the phrase included with an intention of offending the religious beliefs of any individual.”*

## **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 that in the context of prevailing community standards, the majority of people would not find this advertisement offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to the use of language.

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