

## Case Report

1. Case Number :	0219-24
2. Advertiser :	Construct Personnel
3. Product :	Employment
4. Type of Advertisement/Media :	Radio
5. Date of Decision:	28-Aug-2024
6. Decision:	Upheld – Modified or Discontinued

### ISSUES RAISED

AANA Code of Ethics\2.5 Language

### DESCRIPTION OF ADVERTISEMENT

This radio advertisement features a man saying, “Hey Robbo, how’d you go finding some work”.

Robbo says “nah, no good mate, once this job finishes, I got nothing coming up”.

The other man says, “Did you ring that mob at Construct Personnel?”

Robbo says, “Who the F\*\*k is Construct Personnel?”

The other man says, “That labour hire joint, all the guys are ex tradies so basically its tradies recruiting tradies, I’ve heard they are looking for tradies in between projects”.

Robbo says “No (horn blows), I’ll give them a buzz, thanks mate”.

A voice-over says, “Construct Personnel, tradies recruiting tradies, call 1300 labour or search Construct Personnel”.

### THE COMPLAINT

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

*I Don't like hearing swearing on the Radio.*

### THE ADVERTISER’S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*Advertiser did not provide a response.*

## THE DECISION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement contains swearing on the radio.

The Panel viewed the advertisement and noted the advertiser had not provided a response.

**Section 2.5: Advertising shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.**

The Panel noted the Practice Note for this section of the Code includes:

*"The "f" and "c" words are generally viewed as harmful, unacceptable and not permitted. Nonverbal representations of the "f" word are also generally not permitted. Words and acronyms that play on the 'f' word, e.g. WTF and LMFAO, but do not use the actual word are normally considered acceptable if used in a light hearted and humorous way, are in subtitle rather than spoken word and are appropriate to the situation. Advertisements which use the 'f' word in full will be seen to constitute strong and offensive language, even when the audience is restricted. Advertising which uses the 'f' word where it has been insufficiently censored so that it can be easily understood by audiences, will be seen to constitute strong language, especially when seen by a broad audience.*

*Advertising which sufficiently beeps or censors language so that it cannot be understood will not be seen to be strong or obscene language."*

The Panel considered that the horn sufficiently beeps the second swear word in the advertisement and this would not be considered to be strong or obscene language.

A minority of the Panel considered that the early morning audience for radio would be mostly tradies and shift workers who would not be offended by the insufficiently censored language.

The Panel considered that at the start of the advertisement the F word is not sufficiently beeped and can still be easily understood by audiences. The Panel noted that most members of the community find the f-word offensive and inappropriate in advertising. The Panel considered that the advertisement did contain strong language.

**Section 2.5 conclusion**

The Panel considered that the advertisement did breach Section 2.5 of the Code.

### **Conclusion**

Finding that the advertisement breached Section 2.5 of the Code the Panel upheld the complaint.

### **THE ADVERTISER'S RESPONSE TO DECISION**

The Ad campaign in question stopped being aired on the radio in August.