

COMPLAINT NUMBER	17/313
COMPLAINANT	M Bahjejian
ADVERTISER	Eleven: A Music Company - Midnight Oil
ADVERTISEMENT	Eleven: A Music Company, Television
DATE OF MEETING	11 September 2017
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for Midnight Oil's album, Essential Oils – The Great Circle Tour edition and tour and includes film of the lead singer, Peter Garrett in a cemetery waving his arms around.

The Chair ruled there were no grounds for the complaint to proceed.

Complainant, M Bahjejian, said: During an advertisement for the Midnight oil tour, people are shown for a fraction of a second in a cemetery seemingly trying to brake crosses. I find this is highly insensitive and offensive given the respect that is due to a cemetery, the final place of rest of everybody.

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 4, Rule 5.

The Chair noted the Complainant's concern that the advertisement showed images set in a cemetery that appeared to be offensive and disrespectful.

The Chair clarified that the images in the cemetery which appeared in the advertisement were an extract from the music video for the Midnight Oil song, Forgotten Years, an anti-war tribute to those who had lost their lives to war. After viewing the full video, the Chair confirmed the cemetery scene showed the band performing amongst the graves at a war cemetery. The Chair also confirmed that the arm movements interpreted by the Complainant as breaking crosses were the lead singer dancing and the band's drummer playing the song with the rest of the band. Taking this context into account, the Chair said the advertisement did not meet the threshold to cause offence.

The Chair ruled that the advertisement had been prepared with a due sense of social responsibility to consumers and there was no apparent breach of Basic Principle 4 or Rules 4 & 5 of the Code of Ethics. Accordingly, the Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint No Grounds to Proceed