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| <b>COMPLAINT NUMBER</b> | 17/339                      |
| <b>COMPLAINANT</b>      | S Wilkins                   |
| <b>ADVERTISER</b>       | Wicked Campers              |
| <b>ADVERTISEMENT</b>    | Wicked Campers, Out of Home |
| <b>DATE OF MEETING</b>  | 25 October 2017             |
| <b>OUTCOME</b>          | Upheld                      |

## **SUMMARY**

A Wicked Camper van showed a cartoon image of two people with hooded faces pointing guns at each other with the tagline “Chill or be Chilled.”

The Complainant said the advertisement depicted gun violence and suggested violence as a solution if someone wasn’t chilled out.

No response was received from the Advertiser.

The Complaints Board said the image of guns combined with the slogan “Chill or Be Chilled” was threatening and suggested violence and meant the advertisement reached the threshold to breach the Code of Ethics, Rule 4, Rule 5 and Rule 7.

The Complaints Board agreed that taking into account the wide range of people who could potentially view the advertisement, it had not been prepared with a due sense of social responsibility to consumers and to society and was likely to cause serious or widespread offence.

The Complaints Board ruled the complaint was Upheld.

### **[Advertisement to be removed]**

Please note this headnote does not form part of the Decision.

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## **COMPLAINTS BOARD DECISION**

The Chair directed the Complaints Board to consider the advertisement with reference to Basic Principle 4 and Rules 4, 5 and 7 of the Code of Ethics. This required the Complaints Board to consider whether the advertisement contained anything that was likely to cause serious or widespread offence to most people, taking into account generally prevailing community standards or that lends support of unacceptable violent behavior. The Complaints Board was also required to consider whether the advertisement had been prepared with a due sense of social responsibility to consumers and to society.

**The Complaints Board ruled the complaint was Upheld**

**The Complaint**

The Complainant was concerned the advertisement depicted gun violence and offered it as a solution if someone doesn't "chill out."

**The Advertiser Response**

No response was received from the Advertiser.

**The Complaints Board Discussion**

The Complaints Board noted the Secretariat contacted the Advertiser for a response to the complaint; however, no response had been received by the deadline given.

The Complaints Board were disappointed this particular Advertiser continuously failed to respond to complaints. It again expressed its concern at the Advertiser's repeated refusal to engage with and respect the principles of self-regulation.

The Complaints Board referred to a precedent decision, 17/113, where the statement on the vehicle read – "I'd rather be dead than cool", a quote attributed to the band Nirvana. This decision was Upheld by the Complaints Board.

The Complaints Board said that without any explanation or substantiation from the Advertiser, it was not possible to suggest any mitigation or alternative intentions behind the advertisement.

The Complaints Board agreed the combination of the tagline 'chill or be chilled' and the image of the guns made a strong inference it was implying a play on the words 'kill or be killed'. The Complaints Board agreed that either interpretation was threatening and suggested violence and meant the advertisement reached the threshold to breach the Code of Ethics, Rule 4, Rule 5 and Rule 7.

The Complaints Board agreed that taking into account the wide range of people who could potentially view the advertisement, it had not been prepared with a due sense of social responsibility to consumers and to society and was likely to cause serious or widespread offence.

Accordingly, the Complaints Board ruled to Uphold the complaint.

**DESCRIPTION OF ADVERTISEMENT**

A Wicked Camper van with a cartoon image of two people with hooded faces pointing guns at each other with the tagline "Chill or be Chilled."

**COMPLAINT FROM S WILKINS**

The painting on this camper van depicts gun violence and advocates it as a 'solution' for stress - not being chilled out. This van was parked on the DOC carpark at Purakanui Falls in the Catlins, Otago, yesterday 23 September 2017. at 1.10 pm.

**CODE OF ETHICS**

**Basic Principle 4.** All advertisements should be prepared with a due sense of social responsibility to consumers and to society.

**Rule 4: Decency** - Advertisements should not contain anything which clearly offends against generally prevailing community standards taking into account the context, medium, audience and product (including services).

**Rule 5: Offensiveness** - Advertisements should not contain anything which in the light of generally prevailing community standards is likely to cause serious or widespread offence taking into account the context, medium, audience and product (including services).

**Rule 7: Violence** - Advertisements should not contain anything which lends support to unacceptable violent behaviour.

**RESPONSE FROM ADVERTISER, - WICKED CAMPERS**

**There was no response from the Advertiser.**