

COMPLAINT NUMBER	18/061
COMPLAINANT	V. Bell
ADVERTISER	Wicked Campers
ADVERTISEMENT	Wicked Campers, Out of Home - Vehicle
DATE OF MEETING	28 March 2018
OUTCOME	Upheld

SUMMARY

A Wicked Camper van showed a cartoon image of a woman holding a gun next to a skeleton with the tagline "Kill or Be Killed."

The Complainant was concerned the advertisement which included a graphic picture depicting death, a handgun and the slogan 'Kill or Be Killed' promoted an irresponsible message particularly considering the current events relating to gun violence.

No response was received from the Advertiser.

The Complaints Board said the image of the gun combined with the slogan "Kill or Be Killed" suggested violence and reached the threshold to breach the Code of Ethics, Rule 4, Rule 5 and Rule 7. The Complaints Board, taking into account the wide range of people who could potentially view the advertisement, said 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.

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 advertisements were prepared with a due sense of social responsibility to consumers and to society; and whether they contained anything which in the light of generally prevailing community standards was likely to cause serious or widespread offence taking into account the context, medium, audience and produce (including services).

Rule 7 required the Complaints Board to consider whether the advertisement contained anything which lent support to unacceptable violent behaviour.

The Complaints Board ruled the complaint was Upheld.

The Complaint

The Complainant was concerned the advertisement which included a graphic picture depicting death, a handgun and the slogan 'Kill or Be Killed' promoted an irresponsible message particularly considering the current events relating to gun violence.

The Complainant also raised concerns about another slogan on the rear of the vehicle which said 'don't drink and drive - you might spill your beer'.

Response from the Advertiser, Wicked Campers

No response was received from the Advertiser.

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

As a preliminary matter, the Complaints Board noted the Complainant raised concerns about another tagline on the vehicle relating to drinking and driving, but as no image of that part of the vehicle was available, the Complaints Board could not consider this aspect of the complaint.

The Complaints Board noted precedent Decision (17/113) where it considered a similar complaint about a Wicked Camper van with the wording "I'd rather be dead than cool" spray painted on the side. The Board noted the origin of this quote was a lyric from the song "Stay Away" by the band Nirvana and the majority of the Complaints Board said "the quote on the back of a Wicked Campers Van, without context, was likely to cause serious or widespread offence taking into account generally prevailing community standards. The majority agreed that the use of the quote could be seen to trivialise death using the uncontrolled medium of vehicle signage."

The Complaints Board noted another precedent Decision (17/339) about the same Advertiser regarding the tagline "Chill or be Chilled" which was Upheld due to the combination of the tagline 'and the image of the guns as it was threatening and suggested violence.

The Complaints Board noted as the Advertiser had chosen not to present a response in defence of the advertising, it was difficult to consider justification for it.

Turning to the complaint before it, the Complaints Board agreed the combination of the tagline "Kill or Be killed" coupled with a skeleton image and the gun promoted unaccepted violent behaviour and without an explanation from the Advertiser, it 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 advertisement was in breach of Basic Principle 4 and Rules 4, 5 and 7 of the Code of Ethics.

Accordingly, the Complaints Board ruled the complaint was Upheld.

DESCRIPTION OF ADVERTISEMENT

A Wicked Camper van with a cartoon image of a woman holding a gun and one of a skeleton with the tagline "Kill or Be killed."

COMPLAINT FROM V BELL

Vehicle parked in Balclutha on morning of Friday 23 February 2018 had a graphic picture depicting death and a handgun with the slogan 'Kill or Be Killed'. With the current spate of shootings in schools, public places etc, this is not a responsible message from the vehicle rental company. On the back door of the vehicle was another slogan along the lines of 'don't drink and drive - you might spill your beer'

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: 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: 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: Advertisements should not contain anything which lends support to unacceptable violent behaviour.

RESPONSE FROM ADVERTISER,

No response was received from the Advertiser

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.