

COMPLAINT NUMBER	17/113
COMPLAINANT	J Pou
ADVERTISER	Wicked Campers
ADVERTISEMENT	Wicked Campers, Vehicle Signage
DATE OF MEETING	26 April 2017
OUTCOME	Upheld

SUMMARY

A Wicked Campers vehicle shows a drawing of Mr T from the A-Team television programme on the side the van and a slogan on the back of the van reading “I’d rather be dead than cool.”

The Complainant raised serious concerns with the statement on the vehicle that said “I’d rather be dead than cool”, and how this could be offensive to those who had lost loved ones.

No response was received from the Advertiser.

The majority of the Complaints Board agreed that taking in account the wide range of people that 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.

In accordance with the majority, 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 and 5 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).

The Complaints Board ruled the complaint was Upheld.

THE COMPLAINT

The Complainant raised concerns about slogan “I’d rather be dead than cool” on the back of a camper van, as it was offensive to those “who had lost Whanau through no choice of their own”.

RESPONSE FROM ADVERTISER

No response was received from the Advertiser.

PRECEDENT

The Board referred to a precedent decision, 16/398, where the statement on the vehicle read – “This Machine Kills Fascists”, a quote attributed to Woody Guthrie. This decision was Upheld by the Complaints Board.

THE COMPLAINTS BOARD’S 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.

The Complaints Board viewed a photograph of the vehicle and the wording “I’d rather be dead than cool”. The Board noted the origin of this quote was a lyric from the song “Stay Away” by the band Nirvana. The Complaints Board considered the advertisement in light of concerns about the youth suicide rate in New Zealand and the lack of context with the wording on the back of the van.

A minority of the Complaints Board said the complaint should not be upheld. The minority said the quote was similar to common expressions such as “Over my dead body” and it did not meet the threshold to cause serious or widespread offence.

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 majority also noted as the Advertiser had chosen not to present a response in defence of the advertising, it was difficult to consider justification for it. The majority said the advertisement had not been prepared with a due sense of social responsibility.

In accordance with the majority, the Complaints Board ruled the advertisement was in breach of Basic Principle 4 and Rules 4 and 5 of the Code of Ethics.

The Complaints Board ruled to Uphold the complaint.

Decision: Complaint **Upheld**

COMPLAINT FROM J POU

I don't like the latest slogan I read on a van today at the Tikipunga falls Whangarei around 10.30. How can they even compare the two, it disgusts me, and think of the whanau who have lost their lives not by choice. I would rather be dead than cool! .. wtfudge This has to be removed.

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).