

COMPLAINT NUMBER	20/183
ADVERTISER	Red Seal
ADVERTISEMENT	Red Seal, Television
DATE OF MEETING	11 May 2020
OUTCOME	No Grounds to Proceed

Advertisement: The Red Seal television advertisement promotes its brand with an inspirational message for New Zealand. The advertisement shows a man standing in a forest glade staring out at the view. The voiceover says that we are in the unknown, waiting, watching and wondering what will happen next. The phrase "but if there's anywhere that can knock the bastard off, its New Zealand" is followed by the observation that we live in an incredible country. The advertisement ends with the Red Seal logo, tag line and their web address.

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

Complaint: Using the word "bastard" at prime time when we have children watching with us is not acceptable. Used in the form of "knock the bastard off". I get where this comes from by still not acceptable language for children to hear.

Complaint: Isn't there a law about swearing in ads? There should be. I find it totally unnecessary. The old man in the red seal ad said 'bastard'. I would like the ad removed from the TV and Red Seal sent a warning. I don't want my daughter to learn bad language from ads.

Complaint: I am writing to complain about an add by Read Seal aired on channel 3 at 8pm about Covid 19 saying we will get this bastard or words to those affect- It is absolutely not necessary and kids are watching tv- it was aired during Bondi Rescue.

I have heard it two other times late at night- but it is still not needed and shows a lack of standards...

I would expect higher standards even at this time.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c);

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1 (c) Decency and Offensiveness: Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

The Chair noted the Complainants' concerns about the language used in the advertisement.

The Chair said the Red Seal brand advertisement was making an aspirational statement about New Zealand's fight against COVID-19 by using the famous quote by Sir Edmund Hillary after his successful ascent of Mt Everest "Well George, we've knocked the bastard off".

The Chair said the term 'bastard' had become a colloquial term in New Zealand's vernacular and was being used in a colloquial context. She noted the word 'bastard' was ranked a low 28th out of 31 listed words on the 2018 Most Unacceptable Words On Television and Radio list published by the Broadcasting Standards Authority.

The Chair confirmed the advertisement had been given a PGR (Parental Guidance Recommended) rating by the Commercial Approvals Bureau which allows it to play in news and current affairs or programming after 7pm. The Chair noted the advertisement had aired during *TV1 News* which is unclassified and *Bondi Rescue* which is rated PGR. Therefore, the Chair said the advertisement had played within the constraints of its afforded rating.

While acknowledging the offence the advertisement caused the Complainants' and their children, the Chair said the placement and timing of the advertisement was unlikely to cause serious or widespread offence to most people viewing this content during the News or after 7:00pm.

The Chair said taking into account context, medium, audience and product, the advertisement had been prepared with a due sense of social responsibility and had not reached the threshold to breach Principle 1 or Rule 1(c) of the Advertising Standards Code.

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

Chair's Ruling: Complaint **No Grounds to Proceed**

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 calendar days of receipt of this decision.