



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
ACN 084 452 666

Case Report

1. Case Number :	0282-20
2. Advertiser :	Scaffwise
3. Product :	Other
4. Type of Advertisement/Media :	Radio
5. Date of Determination	7-Oct-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This radio advertisement features the sound of a truck reversing and a man stating, "Ah the scaffoldings here. Only four hours bloody late." He then cries out in pain, "Ah my foot. Ah Christ. If only their service was as solid as their scaff."

A voice-over then states, "For service as sturdy as scaff, get Scaffwise" and gives details of the business.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

I feel that it is not appropriate to blasphemy like this on radio, especially in a advertisement.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

Advertiser did not provide a response.



THE DETERMINATION

The Ad Standards Community Panel (Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement was blasphemous.

The Panel reviewed the advertisement and noted the advertiser did not respond.

The Panel considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Panel noted the Practice Note to Section 2.1 provides the following definitions:

"Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule."

The Panel noted that it had previously considered the issue of blasphemy in advertising on several occasions, including in case 0506/15 in which the phrase 'Oh My God' is used. In this case:

"The Board considered that the phrase "Oh my God!" is part of the common Australian vernacular and is generally used to indicate surprise or disbelief. The Board noted that in the advertisement the phrase "Oh my God!" is first spoken by a reality television participant and then repeated by two girls. The Board noted the manner in which the phrase is spoken and considered that it is clearly indicating disbelief at some unspecified occurrence and is not being used in a negative or demeaning manner.

"The Board acknowledged that some members of the community would find the use of the phrase "Oh my God!" to be offensive and blasphemous but considered that the manner in which the phrase is used in the advertisement is appropriate in the context of teenage girls reacting to reality television using a phrase which is part of the common Australian vernacular."

The Panel acknowledged that the phrase 'Christ' is more specific to Christianity than the more general phrase 'Oh My God', however considered that its use in this manner is consistent with the use of the phrase in common Australian vernacular.

The Panel considered that the use of the word 'Christ' in this context was clearly in frustration and that it was not being used in a way which was targeted towards people of Christian faith.



The Panel considered that the use of blasphemy in itself was not something which depicts or suggests that Christians receive unfair or less favourable treatment, or which would humiliate, intimidate, incite hatred, contempt or ridicule of anyone on the basis of religion.

The Panel determined that the advertisement did not discriminate against or vilify any person or section of the community on account of their religion and did not breach Section 2.1 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaint.