



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

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| 1 | Case Number | 0291/18 |
| 2 | Advertiser | Motor Accident Commission SA |
| 3 | Product | Community Awareness |
| 4 | Type of Advertisement / media | Billboard |
| 5 | Date of Determination | 11/07/2018 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

Landscape format outdoor billboard with the call to action 'Get Your S**T Together' with an image of a seatbelt obscuring the word "SHIT" such that only the S and T are visible.

THE COMPLAINT

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

This slogan and its representation are vulgar and disgusting. It is outrageous and depressing that my tax dollars help to fund this kind of message. Each morning my wife and I drive our 9-year old to school past an enormous sign carrying this ad in North Adelaide. It is further depressing the advertising sponsor and the ad agency who designed it seem to believe that this kind of message and image is clever. The idea that it will have any kind of impact on traffic safety is absurd. The only impact it





will have is to add to Australia's already coarse, yobbo culture.

THE ADVERTISER'S RESPONSE

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

Seatbelt use is a key concern for the road safety community.

Overall restraint use is high, with around 95% of occupants being correctly restrained when travelling. However, seatbelt non-use remains a significant contributing factor in road trauma. Between 2012 and 2016 an average of 27% of road fatalities in South Australia involved unrestrained occupants, highlighting the major presence a minority behaviour has in the road trauma population. Additionally, in 2017 alone, police cited over 6,000 drivers and passengers for not wearing a seatbelt.

Those most implicated in non-restraint use skew toward regional males between the ages of 20 and 30, then 30 and 40. The reasons for them not wearing a simple and proven life-saving device are unclear and in an effort to better understand the behaviour, MAC conducted attitudinal research amongst those who choose not to wear a seatbelt.

Relevant insights from this research include an array of excuses to justify not wearing a seatbelt, however the underlying and unifying de-motivator appeared to be apathy and forgetfulness.

In light of these alarming statistics and insights, MAC decided to put to market a campaign that cut through and engaged with our target audience in their language, reminding them to exercise a simple and non-demanding action to significantly increase their safety while driving.

*The result was the "Get Your S**T Together" campaign that went to market primarily in mediums that would reach drivers in-situ: outdoor billboards in metropolitan and regional South Australia and state-wide radio. The concern of this complaint is that the word implied on the billboard is 'vulgar and disgusting' and visible to their child.*

As such the complaint falls under Section 2.5 – Inappropriate Language. Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.

Your advice also asks us to address all other sections of the code.



The complaint is not relevant to either the AANA Code for Advertising and Marketing Communications to Children or AANA Food and Beverages Marketing and Communications Code.

With regard to the remaining sections of Section 2 of the Advertiser Code of Ethics:

2.1 - Discrimination or vilification

There is no content in the commercial that discriminates on the basis of demographic characteristics or lifestyle choices.

2.2 - Exploitative and degrading

- *The commercial does not employ sexual appeal in any manner.*

2.3 – Violence

There is no depiction of road trauma or other violence in the commercial.

2.4 - Sex, sexuality and nudity

There is no depiction of sex, sexuality or nudity in the commercial.

2.6 - Health and Safety

The commercial does not depict any unsafe behaviour.

2.7 – Distinguishable as advertising

The commercial is a traditional outdoor billboard, addressing a common road safety issue and branded with company and Government logos.

With regard to Section 2.5 – Language, we make the following comments.

It was not MAC's intention to cause offence to any individuals in the community. MAC respects and understands that individuals have a right to express their disapproval of our messages and that not all members of the community will like or agree with a particular campaign's approach, particularly as mass media campaigns will invariably reach people outside of our target audience. It is also our charter to reduce death and serious injury on our roads. As such, it is MAC's position that advertising that cuts through, engages with and challenges our key target audiences in an effort to change their attitudes and behaviours is both appropriate, necessary and of higher priority. MAC understands that in its un-censored state, the inferred word may cause discomfort to some individuals in the community. However, the increasingly ubiquitous use of the word in mainstream media suggests that current prevailing community standards would not classify the word as 'strong or obscene'.

Recent determinations by the Advertising Standards Board would appear to support this point of view with the following cases, using similar language, found not to be in contravention of Section 2.5:



0064-17 – AMMI – “Up ship creek”

0065-17 – Pizza Capers – “Life’s too short for a crap wrap”

0113-17 – Greater Bank – “We’ve dropped the B.S”

The execution has also taken into consideration and is consistent with the AANA Code of Ethics guidelines. We draw your attention to the AANA Code of Ethics Practice Note that provides contextual advice to advertisers in the use of language:

“Language (Section 2.5) – Words and phrases which are innocuous and in widespread and common use in the Australian vernacular are permitted (provided they are used in a manner consistent with their colloquial usage, for example with gentle humour, and not used in a demeaning or aggressive manner). Examples are “bugger”, “shit”, “pissed-off”, “crap”, “bloody”, “cheap bastard”, “bum”, “honk if you did it last night” and “balls”.”

We believe the use of the censored word on the billboard is consistent with both ‘colloquial usage’ and ‘gentle humour’ and is certainly not demeaning or aggressive. Further, in its censored state, it is less overt than that permitted under these guidelines.

In summary, with regard to the specific use of the word in our commercial, please note:

- Seatbelt use is a priority to reduce road trauma.- There was no intention to cause offence.- The word is censored. - The implied word is intended to cut-through and engage with an often cynical and difficult to reach audience. - The implied word reflects the common parlance of the audience we are trying to influence. - The outdoor advertising industry is self-regulating and individual suppliers can make decisions with regard to running our creative. In all instances, suppliers accepted the creative. - The creative is consistent with ANNA Code of Ethics, their practice guidelines and recent board determinations.

We hope you agree that the campaign has the potential to positively impact seatbelt wearing behaviour and that its continued broadcast is both justified and not in contravention of the Advertiser Code of Ethics.

THE DETERMINATION

The Ad Standards Community Panel (the 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 uses inappropriate



language.

The Panel viewed the advertisement and noted the advertiser's response.

The Panel considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: "Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided".

The Panel noted that this billboard advertisement features the words 'get your s**t together' with a picture of a seatbelt obscuring the word 's**t'.

The Panel noted the complainant's concern that the language depicted is vulgar and not appropriate to be seen by children.

The Panel noted the advertiser's response that the increasingly ubiquitous use of the word 'shit' in mainstream media suggest that current prevailing community standards would not classify the word as 'strong or obscene'.

The Panel considered that the word is not written in full and has been obscured by the image of the seatbelt.

In the Panel's view the word being obscured would mean that young children may not be able to understand the word that was written or that the obscured word could be easily explained by a parent to be a range of applicable words.

The Panel considered that older children and adults are able to understand the inference to the word 'shit', however considered that in the context of promoting an important message about vehicle safety, this language was not inappropriate for the audience.

The Panel noted it had previously considered complaints about a radio advertisement in the same campaign in case 0349/17 in which:

"The Board noted that the click sound is intended to mask the word 'shit' and that the whole phrase "get your shit together" is understood by most members of the community to mean to 'sort things out.'

A minority of the Board considered that whilst the word is part of the common Australian vernacular, many members of the community would prefer that it not be used in advertisements which children can hear and decipher what the word is intended to be. A minority of the considered that the repetitive use of the click sound drew further attention to the word it was replacing and that this is not appropriate in the context of a radio advertisement which can be heard by children.



The majority of the Board noted the word “shit” is generally considered to be mild, colloquial language by most members of the community and that the use in this advertisement was not aggressive or inappropriate. The Board noted the double entendre is evident in this advertisement and is relevant in a community awareness campaign encouraging the use of seat belts.

The Board considered that the current advertisement did use language which was appropriate in the circumstances and did not use strong or obscene language. The Board determined that the advertisement did not breach Section 2.5 of the Code.”

Consistent with the previous determination, the Panel considered that the word “shit” is generally considered to be mild, colloquial language by most members of the community and that the use in this advertisement was not aggressive or inappropriate.

The Panel considered that the advertisement did not use strong or obscene language and that the language was not inappropriate. The Panel determined that the advertisement did not breach Section 2.5 of the Code.

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

