



Case Report

1	Case Number	0295/16
2	Advertiser	Bank of Western Australia Ltd (Bankwest)
3	Product	Finance/Investment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	13/07/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Violence

2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a Bankwest Home Loan Specialist making a house call for one of his clients. The Home Loan Specialist manoeuvres through the children's toys scattered in the yard to get to the customer's door. After knocking on the door, the Home Loan Specialist is met by a mother holding a young boy who has one of his many toys, a water pistol. The young boy squirts water at the Bankwest Home Loan specialist, the mother apologises, the Home Loan Specialist laughingly wipes his face and then enters the house with the mother. A female voiceover then says that switching to Bankwest could help you save and we see the Bankwest logo on screen.

THE COMPLAINT

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

The community standard portrayed by the interaction between child, mother and "person from the public" advertises that it is ok to shoot someone in the face! The excuse of a) it was only a water pistol; b) it was only a child c) the "shooting victim smiled afterwards" does not make this aggressive behaviour ok. Children are watching this program and learn that it is

"fun" to treat strangers like that. It is very antisocial and disrespectful to treat people with an assault to the face, especially, as it condoned by the adults. No salesperson should be subjected to this type of treatment to indulge the "client".

THE ADVERTISER'S RESPONSE

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

The complaint alleges the following breaches of the AANA Code of Ethics:

use of unjustifiable violence; and depicts material contrary to Prevailing Community Standards on Health and Safety.

The actions of the child do not depict violence or aggressive behaviour, rather they are the actions of a playful child who squirts the water pistol as an act of fun. The Home Loan specialist clearly takes the actions in the manner intended and laughingly wipes his face as one would do in responding to the playfulness of a child.

Similarly, having the Home Loan Specialist walk through a front yard containing children's toys is not contrary to community standards on health and safety as it depicts an ordinary front yard that is easily negotiated.

In all of the above circumstances, Bankwest does not consider that the advertisement depicts material that is contrary to violence or prevailing community standards on health and safety as outlined in the complaint.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted the complainant's concerns that the advertisement depicts a water pistol being fired into a man's face which is aggressive, antisocial and disrespectful.

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

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted that this television advertisement features a Bankwest home loan specialist making a house call and when the householder opens the door to him the young boy she is holding in her arms fires his water pistol at the loan specialist's face.

The Board noted the front yard is full of children's toys and considered that the house is clearly one where children play and in the context of this environment the depiction of a child with a water pistol is not inappropriate.

The Board noted the complainant's concerns that the child's behaviour in the advertisement is aggressive and amounts to an assault. The Board noted that as soon as the boy fires his water pistol the mother looks horrified and the loan specialist just wipes his face and smiles.

The Board noted that the water pistol the boy is holding is clearly a toy and considered that the manner in which the boy uses this toy is not aggressive or intended to be an assault on the man but rather is a depiction of a child using a child's toy in the manner intended, albeit on the wrong person.

The Board noted that the loan specialist enters the woman's house after the water pistol incident and considered that this further enforces the overall impression that the man is not harmed by, or concerned with, the boy's behaviour.

Overall the Board considered that the advertisement did not present or portray violence and determined that the advertisement did not breach Section 2.3 of the Code.

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Board noted the complainant's concerns that the child's actions are not appropriate and yet are condoned by an adult.

The Board noted that immediately after the young boy squirts the water pistol at the home loan specialist, his mother turns to him as if to tell him off. The Board noted this scene is very brief but considered that the look on the mother's face is strongly indicative of her not approving of her child's behaviour. The Board noted the home loan specialist smiles as he wipes his face and considered that there is no suggestion that he has been harmed by the boy's actions.

The Board noted that squirting a water pistol in a person's face is not behaviour which should be encouraged but considered that this depiction in the advertisement is in the context of a mother too busy with her children to visit her bank, therefore the bank has come to her, and in the Board's view the child's behaviour is not a breach of Prevailing Community Standards on health and safety.

The Board determined that the advertisement did not breach Section 2.6 of the Code.

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

