



Case Report

1	Case Number	0348/12
2	Advertiser	Commonwealth Bank of Australia
3	Product	Finance/Investment
4	Type of Advertisement / media	TV
5	Date of Determination	22/08/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Bullying (non violent)

DESCRIPTION OF THE ADVERTISEMENT

The letters C, A and N are on an athletics field with Kim Mickle who is warming up ready to throw her javelin. The letter N says that she is throwing a javelin into Olympic History and the letter T appears and says she has no chance and that she will be beaten by a Czech girl. The letter A suggests the letter T goes and stands at the 72m line (the world record) whilst Kim throughs the javelin. We see the letter T running as Kim takes a run up ready to throw. The Commonwealth Bank logo appears on screen followed by the super: Official Bank of the Australian Olympic Team.

THE COMPLAINT

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

I am upset by these adverts as it is depicting bullying of another who is seen as an outsider. These specific adverts I feel are showing potential violence towards the outsider as well - especially with the depiction of a javelin being thrown.

In the words of George Orwell "all animals are equal but pigs are more equal than others". In the Comm Bank's approach to the alphabet all letters are equal but C, A and N are regular whilst the letter "T" is very clearly overweight.

Be it due to the letter's heaviness or clear pessimistic attitude the other letters believe that it is in order to bully the letter "T".

In my opinion regardless of an individual's appearance or character be it depressing, inverted or just plain weird bullying or victimisation is NEVER acceptable. The tragedy of this advertising campaign is that it is shown many times over during prime time whilst our most impressionable our youth are watching. They watch the Olympics to be inspired to be shown that there is reward for hard work to follow their dreams. This campaign and in particular these ads that condone bullying must be immediately terminated and an apology issued to the community at large. Indeed recognition by way of financial support to anti bullying campaigns or victims groups would surely at the very least be in order.

THE ADVERTISER'S RESPONSE

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

The Commonwealth Bank's ("Bank") recent campaign activity in market to support our sponsorship of the Australian Olympic team featured CAN characters, who alongside our Olympians playfully overcame doubt by removing the letter T. The dramatisations by the characters were intended to represent the doubt anyone (and in this context our Olympians) might face when striving to achieve their goals. The characters "C", "A" and "N" are completely fictional, anthropomorphic letter characters that are an embodiment of the CAN ethos and represent the Bank's positive positioning and support of the Olympic team. Whilst "T", equally a completely fictional, anthropomorphic letter character, is thwarted by "C", "A" and "N" – we always aimed to maintain a comedic tone to avoid any offence or potential misinterpretation of each advertisement's intended metaphor. The Bank places a high value on its brand and we take this opportunity to reassure the Bureau that any offence that might have been caused with any of the campaign material is entirely unintentional. Advertisements involving the "C", "A", "N" and "T" characters ran for a limited period during the Olympics and have been drawn to a close. The Bank is incredibly proud of the entire Australian Olympic team and our publicity is aimed at supporting their endeavour. We will continue to focus on highlighting and celebrating the stories of our Olympians and what they have achieved as they all embody the positive attitude of CAN. As always, all our advertising will be undertaken in a manner which complies with relevant codes and laws. Please feel free to contact us if you have any additional questions or concerns.

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 complainants' concern that the advertisement depict violence and portray and condone bullying behaviour.

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 of the Code 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 the advertisement features the letter 'T' telling the Olympic javelin thrower, Kim Mickle, that she has no chance at the Olympic games, and so the letters 'C', 'A' and 'N' suggest the letter 'T' stands at the 72m line whilst Kim throws her javelin. The Board noted that the letters are representative of the words CAN and CAN'T and considered that although the letters consist of people dressed up they are clearly meant to be viewed as letters and not as people.

The Board noted the complainant's concern that the advertisement depicts "potential violence" and considered that although the advertisement shows the letter 'T' running away followed by Kim running with her javelin, in the Board's view the suggestion that Kim will throw her javelin at the letter 'T' is clearly light-hearted. The Board noted that it is not actually stated that the javelin should be thrown at the letter 'T' nor is the athlete shown to actually throw the javelin. The Board considered that the advertisement presents a scenario which does not amount to a depiction of violence.

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

The Board then considered whether the advertisement was in breach of 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 that although the letters 'C', 'A' and 'N' suggest that the letter 'T' stands on the world record line of 72 metres whilst Kim throws her javelin, in the Board's view this suggestion is made in response to the unhelpful, negative comments made by the letter 'T'. The Board considered that the behaviour of the other letters towards the letter 'T' does not amount to bullying or harassment but to mild verbal sparring in keeping with the theme and tone of the Commonwealth Bank's Olympic sponsorship campaign.

Based on the above, the Board determined that the advertisement did not depict material contrary to prevailing community standards on health and safety and 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.

