



Case Report

1	Case Number	0349/12
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

We open on Jodie Schulz in training hitting hockey balls into goal on a hockey ground. C, A, and N are standing by the goal cheering her on. Next we see T walk into shot and start addressing the group, making scary sounds and taunting Jodie pretending to be the Dutch goal-keeper.

C, A, and T knock the goal net over and trap T in there before walking away with Jodie. 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:

The series of ads with the CAN and CANT suited people is encouraging and advertising their support of bullying behaviour. The CAN people knock over and cage the T with a soccer goal net tell him to get running then show a javelin Olympian chasing it, make fun of the T and essentially 3 against 1 the T. The set of ads in this environment is a really poor ad choice and will have kids laughing at the antics of the so called "positive and supportive" C, A and N.

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 the hockey net being tipped onto the outsider.

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 presents and encourages bullying behaviour.

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

The Board considered whether the advertisement was in breach of Section 2.6 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 the advertisement depicts the letter 'T' being negative towards the Olympic hockey player, Jodie Schulz, and so the letters 'C', 'A' and 'N' tip the hockey goal net over so the letter 'T' is trapped. 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 that although the letters 'C', 'A' and 'N' tip the goal net over the letter 'T' this action is in response to the unhelpful, negative comments made by the letter 'T'. The Board noted that the reaction of the letter 'T' at being trapped is one of frustration rather than hurt and that although the other letters walk away from the net laughing, this laughter is not malicious. In the Board's view most members of the community would consider that the behaviour of the letters 'C', 'A' and 'N' does not amount to bullying or harassment but to behaviour in keeping with the light-hearted 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.