



Case Report

1	Case Number	0396/14
2	Advertiser	Bank of South Australia
3	Product	Finance/Investment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	08/10/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.1 - Discrimination or Vilification Religion
- 2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

A couple are shown a potential new home by a real estate agent. Whilst the husband reminds his wife at the beginning of the advertisement to keep her poker face on and not get too excited, upon walking into the home her excitement bursts through and all she can say is Oh My Gawd. As they move through each room she is more and more excited saying only Oh My Gawd each time. The Husband is lost and the real estate agent knows he has the power, with her 'won over'. At the end of the advertisement, the couple view a room at the rear of the house which is a 'man-cave' area. This is where the man finally loses his control and says Oh My Gawd. The advertisement at the end reminds people that BankSA provides a free property report enabling potential buyers to stay in control and still have a bargaining edge with agents.

THE COMPLAINT

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

I and most Christians find the phrase "oh my god" said repeatedly offensive as it desecrates our god the father who is also in our Australian law and courts of our justice and political system and find this ad seriously offensive to our belief and insults our god if it was a Muslim god Alah and said oh my Alah I am sure the Muslim community would find this very offensive. Excessive blaspheming of the Lord's name

All this lady in the ad says is "Oh my God" this offends me as it tasks the Lords name is vain! As a Christian I feel offended that I should be exposed to blasphemy where God's name is used in vain. It is offensive and it fits the category of inappropriate language used in an advertisement aired on free television.

THE ADVERTISER'S RESPONSE

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

2.1 - Discrimination or vilification & 2.5 - Language

The use of the common colloquialism Oh My Gawd (God) is done so in this advertisement to display disbelief and amazement. At no stage is this phrase intended to cause offence or vilify the religious beliefs or any individual or persons named in Christianity. To suggest that we wouldn't dare use the word Mohammed or Alla (instead of gawd/God) is a mute point as the phrase is not used in a religious context. This execution created empathy with homebuyers, by recreating the thrill and joy of finding the perfect home. It is the why we buy a home, rather than simply what is being purchased, that we captured in the creative execution. Oh My Gawd (God) and the acronym OMG is a word of the digital age. It is seen in numerous shapes and forms online and in the vernacular of our current time. There are no children in the advertisement and the target market (home buyers) are not children. Whilst we understand that with a G rating from CAD, children may be exposed to this advertisement, we do not believe we are exposing them to any offensive language and are using terminology that children would be exposed to on an almost daily basis in the community.

2.2 - Exploitive and degrading

We feel in no way does this advertisement exploit or degrade any person place or thing.

2.3 - Violence

We feel in no way does this advertisement show or condone violence in any form

2.4 - Sex, sexuality and nudity

We feel in no way is this advertisement showing anyone in a sexual manner or displaying any nudity in any form.

2.6 - Health and Safety

We feel in no way is this advertisement showing anybody in an unsafe environment or depicting health issues in any way.

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 concern that the advertisement is offensive and discriminatory to Christians in using blasphemous language.

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

The Board 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 Board noted that the advertisement features a couple walking through a home that is for sale. As the couple move through the rooms, the woman continually says "Oh My God." When the couple reach the shed, the man exclaims "Oh my God." The voiceover describes improving your bargaining power with a property report from Bank of SA.

The Board considered that the term "Oh My God" was a commonly used declaration generally used to indicate disbelief or surprise at a particular occurrence. The Board considered that in this advertisement, the use of "Oh My God" was to highlight the surprise and delight at the incredible home being offered for sale. The Board agreed that the term could be considered offensive by some members of the community, and could be considered blasphemous for those of a Christian faith.

The Board considered that in the context of delight and surprise about the features of the home and the shed, the term "Oh My God" was not being used in a negative or demeaning way and did not discriminate against or vilify a person or section of the community on account of religion and did not breach section 2.1 of the Code.

The Board then 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 Board noted that it had previously dismissed complaints about advertising where acronyms and abbreviations, OMG, OMFG, WTF and LMFAO were used (0158/12). The Board noted that in these cases, were shown only briefly on the screen, were not spoken and showed direct relevance to the situation that the characters in the advertisement found themselves in.

In the current advertisement, the Board noted that the context of delight, surprise and excitement in which the phrase is used is not aggressive, threatening or demeaning, and that although the reference to "Oh my God" is not being used in the manner intended in the bible, the phrase in this context is very commonly used by both younger and older generations.

The Board considered that the phrase is not of itself strong or obscene and that the use of the term is not inappropriate in this instance. The Board 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 Board dismissed the complaints.

