



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0506/15</b>
<b>2</b>	<b>Advertiser</b>	<b>Freeview</b>
<b>3</b>	<b>Product</b>	<b>Entertainment</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>20/01/2016</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

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

## DESCRIPTION OF THE ADVERTISEMENT

The 'Meet The Freemans' advertisement introduces the Freemans family and promotes the variety of content available on Freeview, as well as the control that FreeviewPlus offers with Catch up TV on the TV. The family members are shown watching different types of programmes such as comedy or drama. The teenage daughter is watching a reality show and we hear her exclaim "oh my God!".

## THE COMPLAINT

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

*I and many other Christians are offended by the words 'Oh my God' and what is worse is that a young girl is used to proclaim these words.  
We would appreciate it if these words were not used.*

## THE ADVERTISER'S RESPONSE

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

*Freeview have created an average Australian family called the Freemans to star in a series of advertisements to promote the variety of content on free to air TV as well as the control of*

*viewing with FreeviewPlus. The Freemans family consists of mum, dad, Jen the 16 year old daughter, Tom the 10 year old son and Dougie the family dog. The TV advertisement demonstrates that each family member has different tastes in genre to promote the variety of content available on Freeview. Mum loves comedy and can be seen laughing in the commercial. Dougie loves drama and can be seen covering his eyes with his paw. Jen loves reality and can be seen saying “Oh my god” in response to watching a reality TV show.*

*Freeview does not believe that it is in breach of Section 2.5 as the language used is appropriate in the circumstances for the relevant audience and medium and is reflective of popular culture. Reality TV is very popular on Australian television and is favoured by teenage girls, hence why it was chosen that Jen loves reality TV. A very common phrase in reality TV shows is “Oh my god” as the stars of the shows often find themselves in situations of shock or surprise. The phrase is also commonly used by teenage girls in everyday conversation to show surprise or delight. It made perfect sense in the context of the advertisement that Jen would say “Oh my god” in response to watching a reality TV show, to clearly convey this message to the audience.*

*The complaint also refers to the gravity of the concern relating to the words being spoken by a child. Freeview does not believe that it is in breach of the code as Jen is a 16 year old teenage girl and the AANA code of Ethics defines a child as 14 years old or younger.*

*Freeview does not believe that it is in breach of Section 2.1 as it was not Freeview’s intention to offend or discriminate against a person or section of the community. We have not made any references to religion to cause offence or discrimination based on religion. The community at large would not view this phrase as religious in nature nor would they believe it was intended to offend or discriminate against a person based on religion.*

*In fact, common references for “Oh my god” are depicted in a non-religious manner. The top search results on Google when searching “Oh my god” have no religious context. The top definition on Urban Dictionary is: An exclamation of shock or surprise, often used repeatedly by stupid people who are shocked and surprised by almost everything and insert it into conversations whenever possible.*

## **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 to Christians in its depiction of a young girl saying “oh my God!”

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 this television advertisement depicts a family, the Freemans, who all enjoy viewing different types of programmes and that in one scene the teenaged daughter is watching an unspecified reality show and we hear one of the participants exclaim "Oh my God!" then the girl also says "Oh my God" to her friend she is calling on her mobile and we see her friend respond with the same phrase.

The Board noted it had previously dismissed complaints about the use of the phrase "Oh my God" in an advertisement in case 0396/14 where:

"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 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."

In the current advertisement the Board noted the phrase "Oh my God" is spoken by two teenage girls and that the complainant believes this makes it worse.

As previously noted, the Board considered that the phrase "Oh my God!" is part of the common Australian vernacular and is generally used to indicate surprise or disbelief. The Board noted that in the advertisement the phrase "Oh my God!" is first spoken by a reality television participant and then repeated by two girls. The Board noted the manner in which the phrase is spoken and considered that it is clearly indicating disbelief at some unspecified occurrence and is not being used in a negative or demeaning manner.

The Board acknowledged that some members of the community would find the use of the phrase "Oh my God!" to be offensive and blasphemous but considered that the manner in which the phrase is used in the advertisement is appropriate in the context of teenage girls reacting to reality television using a phrase which is part of the common Australian vernacular.

The Board considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of their religion.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

The Board 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 the context of surprise and disbelief in which the phrase “Oh my God” is used in the advertisement and considered the tone 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 context.

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 complaint.