



CASE REPORT

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| 1. Complaint reference number | 9/08 |
| 2. Advertiser | Get Car Loans |
| 3. Product | Finance/Investment |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Language – use of language – section 2.5 |
| 6. Date of determination | Wednesday, 16 January 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features graphics of a voiceover announcing "Are you a single parent? A Pensioner? Are you bankrupt? Or have bad credit history with those bloody defaults? Well get this, Get Car Loans are approving every application. Every application. Regardless of your credit history. At 9%. So don't get down, Get Car Loans. Do ya get it, got it! Get Car Loans. Ring Now for instant over the phone approvals. Now don't forget, get get! Get Car loans. Past problems, No problem! 1300 get get. Where do you go? Get Car Loans."

THE COMPLAINT

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

The use of the swear word "bloody", particularly during times when children may be watching, perhaps after 8.30pm may be more suitable for such language. Parents and Grandparents try to set standards for their little ones, and it's very difficult when they can then hear such words on the Television, which is often viewed by littlies as "normal" behaviour. I must also point out there are many adults who don't like to hear swear words in any conversation, let alone during an advertising break in the television show that we choose to watch.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

The use of the word "Bloody" is a common day-to-day word used by everyday Australians, and has been used in the advertisement in a tasteful manner. As per Mazda Australia's response to their complaint, the word "Bloody" was not mentioned in the Oxford Dictionary in any way as a swear word. Also, as children are not targeted in our advertising campaign, we have only advertised during adult shows, eg. Dr Phil. As the Advertising Standard Board has had numerous complaints regarding the word bloody, for example Tourism Australia, which is a department of the Australian Government, we would hope to achieve a positive outcome to this situation. It is with much regret that the complainant has found this word offensive in today's society.

THE DETERMINATION

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

The Board viewed the advertisement and considered whether it breached Section 2.5 of the Code dealing with language.

The Board noted that the word 'bloody' has been used in a number of advertisements in Australia and that the Board has not upheld complaints about such use on the basis that the term is used in advertisements in a manner that is consistent with its use as part of Australian colloquial and vernacular language. When used in this manner the term is unlikely to be considered offensive language by the majority of Australians.

The Board considered the use of the word 'bloody' in this advertisement, and did not consider that its use was inappropriate nor did it consider that the words are strong or obscene.

The Board noted the references in the advertisement to it giving loans to a number of people from differing social groups and that it had previously assessed a similar advertisement which featured the 'no credit check' line. In the previous advertisement the Board had considered that:

'while the practice of not running credit checks may be considered financially inappropriate by some people, the content of the complaint was not part of the Board's charter and could not be assessed under the Code.'

The Board noted that this advertisement also potentially discriminated against or vilified single mothers, unemployed persons and people who fall into a number of other categories mentioned in the advertisement, by focusing on people from such groups being able to purchase items only because the advertiser will not run credit checks.

The Board considered that the advertisement used single mothers as an example to present their premise that the advertiser will provide credit for groups of people that may find it difficult to obtain credit from other lenders. The advertisement makes no suggestion that this is justified or the fault of, in this case, the single mother. However the Board did accept that some members of the public could interpret this as indicating that single mothers are a bad credit risk.

The Board considered that the statement that single parents are a group that, through no fault of their own, may find it difficult to obtain credit as a result of lender criteria is not an inappropriate statement. The Board considered that the advertisement did not present people who may fall into any of these groups in a negative manner and that the advertisement was not discriminatory or vilifying.

Given the Board had dismissed the previous case, it considered that this reasoning would also apply to this advertisement.

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