


# ADVERTISING STANDARDS COMPLAINT 28/03/2018

Complaint about your Fiat Spider Facebook post - ASA Ref: A18-443298 - sales@lingscars.com - LINGs... — □ ×

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Complaint about your Fiat Spider Facebook post - ASA Ref: A18-443298 🖨️

 **Christina Newland** <christinan@asa.org.uk> 10:23 (1 hour ago) ☆ ↶ ▾  
to me ▾

Dear Ling,

We have received a complaint from a member of the public about the attached Facebook post seen [here](#) on 23 February. The complainant objects to the use of the term "BMW bum boy", which they considered to be offensive.

We agree that this phrase is likely to cause serious or widespread offence and as such, we think the ad is likely to be in breach of clause 4.1 of the CAP Code:

*4.1 Marketing communications must not contain anything that is likely to cause serious or widespread offence. Particular care must be taken to avoid causing offence on the grounds of race, religion, gender, sexual orientation, disability or age. Compliance will be judged on the context, medium, audience, product and prevailing standards.*

*Marketing communications may be distasteful without necessarily breaching this rule. Marketers are urged to consider public sensitivities before using potentially offensive material.*

We'd be happy to resolve the matter with you informally, and to do so we would need your written assurance that you will remove the ad completely or amend the post to remove the term "BMW bum boy". Once we get your assurance, we will close the case and brief details of it will appear in a list of informally resolved cases on [www.asa.org.uk](http://www.asa.org.uk); please rest assured that it wouldn't give details of the complaint or state that you breached the Code.

If you are not able to provide your assurance in this matter we will have to consider what other action to take, which would include the potential for a formal investigation. While this would give you the opportunity to defend your advertisement, please be aware it would almost certainly take longer to resolve and would ultimately lead to the ASA Council adjudicating on the point(s) at issue, which would then be published on our website.

I would appreciate if you could look into this and get back to me by **6 April**. If this deadline presents a problem at all or you have any questions please let me know.

Yours sincerely,



**Christina Newland**  
Complaints Executive  
Direct line 020 7492 2194

Advertising Standards Authority  
Mid City Place, [71 High Holborn](#)  
[London WC1V 6QT](#)  
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# ADVERTISING STANDARDS COMPLAINT 28/03/2018

 **LINGSCARS** Like Page ...  
Published by Lings Cars [?] · February 23 · 

\*\*\* CHEAPEST EVER FIAT SPIDER £190/mth\*\*\*

Now is the time, just order a Fiat Spider!



Keep for 4-years, you get 4 summers out of this car... the wind in your hair!  
[https://www.lingscars.com/.../2780379-1.4-Multiair-16v-\(140bh...](https://www.lingscars.com/.../2780379-1.4-Multiair-16v-(140bh...)

Top Gear website says: "Great handling with the poke to exploit it. And the noise to match... Airflow with the roof down very smooth, so you can travel hood-off even on cold winter days if you use the strong heater. And the roof can be dropped and re-erected in about five seconds, one-handed from the driver's seat."


Stop faffing, these won't get cheaper. Very strong residuals create a very cheap rental. Honda Jazz money. Classica has air con and cruise control and Bluetooth that makes even motorway journeys great!

Rent for 4-years with a small initial payment (3+47), 10,000 miles a year, for just £190/month. That's under £7 a day. Less than half the cost of a Domino pizza! Are you stupid? Duh...

These Fiat Spiders must be registered by the end of March on current reg plate, but are you that anal about number plates?

Who needs a V8 Kia Stinker or a BMW bum boy car, when you have the best small convertible, ever?  

[https://www.lingscars.com/.../2780379-1.4-Multiair-16v-\(140bh...](https://www.lingscars.com/.../2780379-1.4-Multiair-16v-(140bh...)



The offending Facebook post


# ADVERTISING STANDARDS COMPLAINT 28/03/2018

Re: Complaint about your Fiat Spider Facebook post - ASA Ref: A18-443298 - sales@lingscars.com - LINGsCARS.c...

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Re: Complaint about your Fiat Spider Facebook post - ASA Ref: A18-443298

 **Ling Valentine** <sales@lingscars.com> 11:20 (1 hour ago) ☆ [Reply] [More]

to Christina [Dropdown]

To Christina,  
Complaints Executive  
Advertising Standards Authority

Dear Christina,

Thanks so much for the email. I am Ling. It's my FaceBook page. I'm so sorry that someone has complained to the ASA. I haven't had any complaints since DeLorean-gate, a few years ago when there was mass outrage over a pretend new car that I advertised.

Being in the car trade, it's obvious to most people what "BMW Bum Boy" refers to, and I think the complainant has read in-between the sheets a little too creatively. I completely understand that in the current climate of snowflakes and no-platforming that you have to look at these issues carefully, but equally you need to be careful not to over-react. The ASA has to think of the target audience. The context.

A "Bum-Boy" (or "Bum Boi") in BMW encyclopaediadic terms refers to someone who fits a particular stereotype of [quote] "... a *BMW owner, who modifies their BMW with (typically) tinted windows, chrome alloys, wide tyres and extremely large exhaust pipe, driving in an aggressively yobbish or typically BMW manner without indicating.*"

It's even defined in Wikipedia in Australia, I think, and has been used on Amazon Fire Sticks: on Grand Tour (when Jeremy Clarkson used the term last year).

So, "BMW Bum Boy" is in common usage, and is completely inoffensive in this context. It's completely different from just saying "bum boy" to a random person, which would probably be very offensive. "BMW Bum Boy" is a common meme on the internet and has absolutely no offensive connotations to *race, religion, gender, sexual orientation, disability or age*. Impossible for me to be like that anyway, as I am Chinese origin, 45, female and very tolerant. "BMW Bum Boy" is more to do with being a BMW-oriented semi-charva, a Geordie pejorative term, meaning: **[Unruly youth; disobedient child or teenager. Also an unemployed youth with poor taste and dress and car sense]**. Anyone who knows cars, knows what a BMW Bum Boy is, and my target audience are primarily knowledgeable car enthusiasts who know cars. Hence my reference to the V8 Kia Stinker in the same sentence on Facebook.

So, there is no offence intended to BMW Bum Boyz (note the use of the "z" in the plural, it can be argued I should have used the urban "boi" instead of "boy" for the singular as it's more "street" and may have helped, in this case to de-confuse the ASA) ...and indeed, BMW Bum Boy is a term of endearment well known in the car trade and amongst the target audience for these affected types of people.

The complainant needs a little friendly re-education, if you can provide their full details I would be happy to undertake this without compromising your privacy rules or letting them know it came from you. The complainant may possibly be fixated on gay sex connotations, which is not what is meant in this instance, at all.

I hope this completely explains and de-confuses the issue relating to what "BMW Bum Boy" means in this motoring context.

If you still want the term censored on my FaceBook page, please advise, but in the light of my plausible explanation I hope it can remain up there.

Look forward to a sensible conclusion.

Ling Valentine  
LINGsCARS

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On 28 March 2018 at 17:05, Christina Newland <[christinan@asa.org.uk](mailto:christinan@asa.org.uk)> wrote:

Dear Ling,

Thank you for your quick reply. The explanation you gave was very interesting and provided some context behind the Facebook post. However, I should explain that the screenshot and link that I sent in my previous email was for the post from your Facebook page, whereas the original post was seen as a paid-for sponsored ad in the complainant's newsfeed.

Therefore, we have to take into consideration that the offensive term was likely to be seen by many Facebook users, not only those with an interest in the motoring industry who may have been aware of the supposed background and context of the phrase.

As such, we do not consider that your reasoning would stand if we were to refer the case for formal investigation, and therefore it is very likely that the complaint would be upheld and you would be required to remove the post as the result of a formal adjudication by the ASA.

In light of this, please send me your written assurance that you will remove the ad completely or amend the post to remove the term "BMW bum boy", so that the case can be resolved informally. If however you would like to continue to defend the ad, please let me know, and I will pass the case over to our Investigations team.

I look forward to your response by **6 April**. If you need more time or have any questions, please let me know.

Kind regards,

**Christina Newland**  
**Complaints Executive**  
Direct line 020 7492 2194

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Re: [CASE] Re: Complaint about your Fiat Spider Facebook post - ASA Ref: A18-4432...

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Re: [CASE] Re: Complaint about your Fiat Spider Facebook post - ASA Ref: A18-443298 [Jon x]

 **Ling Valentine** <sales@lingscars.com> 11:15 (1 minute ago) ☆ [Reply] [More]

to Christina [Dropdown]

Christina,

Reference the "BMW Bum Boy" thing:

I'm glad that you accept that people with an interest in the motoring industry are aware of the background and context of this phrase "BMW Bum Boy", and therefore it is completely inoffensive to them.

I have some further information and a possible solution.

===

Firstly, it may well have been a sponsored Fleecebook advert, but using the Cambridge Analytica type of Facebook profiling (which luckily is claimed by the Data Commissioner to be very accurate and detailed) that Facebook allow me to choose when a "Boosted" post is created, the demographics of recipients of this **"BMW bum boy"** containing advert can be very accurately targeted. As is proven lately by the current furore about political targeting using Facebook records.

In this "BMW bum boy" case, filters were applied to include people only from England, Wales and Scotland, age at least 24 to 65+ (meaning no minors or younger university-attending snowdrops were targeted), and only people who have an interest in "Automotive or Cars" were chosen. Therefore the Fiat Spider advert was targeted only at people in the UK who will clearly be aware of the connotation of "BMW bum boy" in this context. The context itself was very clear, it wasn't just a random "BMW BUM BOY!" shout out.

So I think your statement **"...the offensive term was likely to be seen my many Facebook users, not only those with an interest in the motoring industry who may have been aware of the supposed background and context of the phrase...."**, is mistaken. The advert was extremely tightly targeted.

Therefore, logically, your statement **"...As such, we do not consider that your reasoning would stand if we were to refer the case for formal investigation, and therefore it is very likely that the complaint would be upheld and you would be required to remove the post as the result of a formal adjudication by the ASA."** is clearly mistaken, too. It's probably likely that the complaint would be dismissed.

I hope on reflection you agree with this.

Email continued...

I attach an image below of the promoted advert, showing 3 points. 1= The reach, 2= the target audience and 3= the lack of adverse reaction to the advert.

Published by Lings Cars (7) · February 23 · €

\*\*\* CHEAPEST EVER FIAT SPIDER £190/mth\*\*\*

Now is the time, just order a Fiat Spider!

Keep for 4-years, you get 4 summers out of this car... the wind in your hair!

[https://www.lingscars.com/.../2780379-1.4-Multiair-16v-\(140bh.....](https://www.lingscars.com/.../2780379-1.4-Multiair-16v-(140bh.....)

See More

**FIAT SPIDER - KEEP FOR 4 SUMMERS!**  
**£190/mth**

**ANNUALLY:**  
140 STOP  
140 SUMMERS  
134 MPH  
7.5 0-60  
6-0-60

17,273 people reached

Boosted on Feb 23  
Audience: automotive new car  
By Lings Cars · Completed

Like Comment Share

Juge Ann Stephens, John Blaney and 37 others

**Attn ASA key:**

- 1) 17,273 people read the post
- 2) Very targeted audience proof
- 3) 39 "LIKES" with no adverse "angry" reactions at all.

===

Secondly, if you are convinced that "BMW bum boys" causes offence (based on your sample of a single complaint... I take it there has only been one "BMW bum boy" complaint here?) ... how about a simple change of wording?

Canvassing the wider BMW fraternity online, the favoured word replacement solution seems to be to replace the phrase "bum boy", with "batty boy". Would that provide an agreeable solution? So the new phrase would be "BMW batty boy" It removes the contentious word "bum", which I understand may be (in isolation) an awkward word for the ASA to condone.

===

...Finally, I'm still confused as to the nature of the complaint.

Is it... a) a "straight male" BMW driver is offended by a possible homosexual sexual orientation "slur"?

or... b) A person of a possible homosexual sexual orientation is offended by being associated with being called a BMW driver?

In the case of "a)" then the complainant is clearly a homophobe and the complaint should be dismissed.

In the case of "b)" then there is no basis of an offence due to being accused of being "a BMW driver", and it's a silly complaint, however distasteful BMW drivers can be.

I think the ASA needs to examine this, as it will be a valid argument to say the claim of offence from the complainant is either homophobic or has no basis and in either case, it should be dismissed.

So really, I ask you to clarify the NATURE of the complaint. Thanks.

===

I look forward to your reply.

Ling Valentine  
LINGSCARS

