



## **CASE REPORT**

1. Complaint reference number	92/04
2. Advertiser	Office of Commissioner for Licensing (Responsible Service of Alcohol)
3. Product	Other
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 11 May 2004
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The advertisement depicts a cartoon figure talking to a female bar patron and advising her on the recommended behaviour when drinking alcohol. Such recommendations included having identification, having manners and trying to eat something. When the cartoon figure discusses the importance of having manners, he lightly pinches the female bar patron's bottom.

## **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*“Sexual touching of any other person without their consent is NOT about manners. It is about sexual assault. I have grave concerns about continuing to perpetrate the myth that this sort of unwanted sexual attention is almost allowable when people are out ‘on the town’.”*

## **THE ADVERTISER'S RESPONSE**

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

*“The theme of the ad is not meant to condone inappropriate behaviour, but quite the opposite, to encourage responsible behaviour and ensure that when patrons attend licensed premises they take their manners with them!”*

*“The theme of all the RSA advertisements is meant to be light hearted, in keeping with the animation concept, create a point of difference in advertising to ensure that the message is understood and assimilated and to support safer and responsible environments in and around licensed premises.”*

## **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 that in the context of prevailing community standards, the majority of people would not find this advertisement offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to discrimination (sex)/vilification. Further finding that the advertisement did not breach the Code on any other grounds, the B