



## Case Report

1	Case Number	0025/11
2	Advertiser	Mitsubishi Motors Aust Ltd
3	Product	Vehicles
4	Type of Advertisement / media	TV
5	Date of Determination	09/02/2011
6	DETERMINATION	Dismissed

### ISSUES RAISED

2.1 - Discrimination or Vilification Sex

### DESCRIPTION OF THE ADVERTISEMENT

A man and a woman are unloading their bikes from their Mitsubishi Outlander in the countryside and are joined by a male friend riding his bike. The car owner explains the features of his new car to the friend who has joined them, using first technical speak and then simpler language. The final shot is of the man and woman leaning against the car with the man saying, "Love that car."

### THE COMPLAINT

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

*Actually it was my husband who said this is the most sexist and offensive TV ad I've seen in a while. When I watched it the first time I was stunned. Not only does the entire conversation take place about the car without the girl in the ad being even referred to. The two men say Hi Mitch Hi ...Jo Blow - she is there but doesn't say a word. I find this really offensive that she is some token female. But this reinforces the "look pretty don't talk" thing and she is not even introduced like Hi Mitch this is Ellen ... then say something but no she is just there to look pretty but doesn't say a thing about the car or even say - yes I love it too. Reinforcing every sexist stereotype I have endured at car yards when they talk to my husband when it is for my company I am buying the car. Really sad in this day and age and quite frankly should not be on air. Promotes the trophy wife/female stereotype - truly offensive.*

## THE ADVERTISER'S RESPONSE

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

*As we understand the complaint and putting it at its highest having regard to the AANA Code, the essence of the complaint appears to be that the TVC:*

- ?includes a female role merely as an exercise in tokenism;*
- that it in some way suggests that the female player – and apparently therefore, women in general – know nothing about cars and are not to be taken seriously, or even considered in the context of a discussion about a motor vehicle purchase; and*
- the TVC therefore discriminates or vilifies the female player and thus, women generally on the basis of her sex or vilifies her and women generally.*

*That is, as we say, putting it at its highest. However, on any reasonable consideration of the TVC and with respect to the complainant MMAL and Clemenger believe that to be an extraordinary (and very strained) proposition. More particularly we do not believe that it would be reflected in the broader community and/or that the TVC otherwise offends in any way against prevailing community standards (the relevant measure under the AANA Code). In determining the complaint the TVC must be viewed as a whole and “as is”. However, we note (with respect to the complainant) that, in order to make this complaint the complainant has deconstructed and reconstructed the TVC in order to fit the case she wishes to advance. The result is that the complainant makes assumptions about and reads into the TVC much which is in fact neither explicitly expressed in, nor reasonably implied by, it. Thus, for example, the complaint itself adopts an unfortunate stereotype when it suggests that the female role is one of a 'wife' (and hence, she is a 'trophy wife'). There is however nothing to suggest any particular relationship between the female character and 'Mitch' let alone that of husband and wife.*

*The complaint also advances the view that the failure of the other unnamed man to say hello to the female player and the failure of 'Mitch' to introduce her is in some way to treat her as a token and depicts conduct that is discriminatory or which vilifies her on the basis of her sex. Again, on any reasonable view that is extraordinary and simply construes the TVC to fit the argument the complainant wishes to make. Why could it not be the case that, given that the three people in the TVC are going biking together, all three are well known to one another and that no introduction is necessary. In any event, the highest a reasonable person may put that conduct is 'rude' – but certainly not 'discriminatory' or a 'vilifying'.*

*Similarly, the complaint seems to contend that in the absence of a speaking part the inclusion of the woman is a 'token' and suggests she has nothing to say – or could contribute nothing to – the conversation about the attributes of the vehicle. Again, though, why could it not be the case that (having regard to the expression on her face and confident pose towards the end of the TVC), the female player is in fact speaking volumes through her body language – and conveying smug satisfaction at the wonderful (indeed, superior) attributes of the vehicle that 'Mitch' is explaining and of which she too is clearly proud?*

*Indeed, it is arguable that the contrast between the strong silent “one look says it all” female part and the “Mitch” character’s show off technical babble and almost condescending explanation of the terms he uses (so that his male friend can understand him)- not his female friend) portrays a very strong female image.*

*In all the circumstances and on any reasonable viewing of the TVC we suggest that any reasonable person viewing it could not possibly understand it to suggest that women are*

*mere 'tokens' in the context of the decision to purchase a motor vehicle or that they have nothing to contribute to a discussion about motor vehicles. Further in that regard, it might be noted that the TVC was one of a number of similarly themed television commercials that together form part of a current MMAL campaign and which include a:*

*(a) Lancer TVC [ATTACH ELECTRONIC VERSION]; and*

*(b) Pajero TVC [ATTACH ELECTRONIC VERSION].*

*When considered in light of the other similar TVC's running in the same campaign, which includes a female player translating the 'tech talk' (Lancer TVC) and a child explaining the features of the Pajero (Pajero TVC), we suggest that to the contrary to the theme underpinning the complaint, MMAL has in fact embraced both sexes (across a range of ages) as knowledgeable ambassadors for its vehicles.*

*In summary therefore, MMAL and Clemenger BBDO do not by this TVC in any way whatsoever, imply, represent or suggest that the female depicted in the advertisement is 'token' and/or that women generally are uninformed about motor vehicles and have nothing to contribute to a discussion about them.*

*For all of the above reasons, MMAL and Clemenger BBDO contend that the TVC does not portray people or depict material in a way which discriminates against or vilifies a person or section of the community [women] on account of their sex. The TVC therefore does not breach section 2.1 of the AANA Code. To the contrary (and for the sake of completeness) MMAL and Clemenger BBDO contend that the TVC is compliant with all aspects of the AANA Code and the Federal Chamber of Automotive Industries Advertising Code (FCAI Code).*

*In producing the TVC MMAL and its agency, Clemenger BBDO, have taken every care to ensure that it complies strictly with the AANA and FCAI Codes.*

*We ensure that all of our advertisements are respectful of the community and all the people in it, particularly given that ultimately they are our customers.*

*There is no breach of the AANA or FCAI Codes and we request that the complaint be dismissed.*

## **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 concerns that the advertisements are offensive and reinforcing sexist stereotypes.

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

The Board considered whether the advertisement was in breach of section 2.1 of the Code. Section 2.1 of the Code states: “Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of ... sex...”.

The Board noted the advertiser’s response that the advertisement does not in any way, imply, represent or suggest that the female depicted in the advertisement is 'token' and/or that

women generally are uninformed about motor vehicles and have nothing to contribute to a discussion about them.

The Board considered that the group of people in the advertisement appear to be very familiar with one another and that although reasonable persons may consider that the conduct of not acknowledging or introducing the female in the ad is rude behavior, it is not discriminating or vilifying women.

Based on the above, the Board determined that, the advertisement did not depict any material that discriminated against or vilified any person or section of the community on account of their sex. The Board determined that the advertisement did not breach section 2.1 of the Code.

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