



Case Report

1	Case Number	0055/17
2	Advertiser	The BOSS Shop
3	Product	Automotive
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	08/02/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

There are two versions of this television advertisement. Version 1 features white writing against a blue background, with the words being the written version of what is being sung in the background. We then see images of the products available to purchase. Version 2 does not feature product shots but instead has a longer backing song which includes the lines, "You're gonna need us if you're a tradie...so come in and see us we can even help the ladies".

THE COMPLAINT

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

Jingle accompanying the ad includes the line 'We can even help the ladies.' As it is a bearings, oils, mechanical type business the assumption is that men are the main customer base however I think it's offensive to preclude women as a target, or single it out in the advertising - generally it is unnecessary and appears discriminatory.

THE ADVERTISER'S RESPONSE

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

The Boss Shop is an industrial retail shop that specialises in a wide range of product for the commercial industries but we are also increasing our presence to the general public.

In the past two years I have had the representatives from Channel 7 to work with the jingle to come up with a TV advertisement and this was the ad that they created. There is a second version out there that has more product related information but has remnants of the original TV advertisement.

The ad that has been complained about is pretty much just the words of the ad matching the words of the jingle.

There is another version where there are some products shown but it is pretty much the same as the first ad.

The CAD reference for these ads are G015VROA and G27VOROA both are rated G.

The advertising package I purchased from Southern Cross Austereo is a Brand Works package where you get the airtime that you paid for along with unsold airtime as a bonus. There is some guaranteed prime time placement of the ads, but it is random normally. In relation to the jingle, it was created before I bought the business, and it was a very catchy jingle which all the staff at work liked, so we decided to use it for the TV advertising. I have never really thought of it as being sexist in any form and would not have used it if I had. I have talked to all the staff in relation to the complaint to see if they believe it is and they are of the same opinion that it is not. There are 5 women and 3 men including myself who work at The Boss Shop.

There is a belief that all the products we sell are only for men, which I don't believe as I have completed my trade with other women along with being instructed by women. One of my competitors calls their business "A Man's Toyshop", not that it was the intention of the ad originally but it could be seen that we are encouraging women that we are better than our competitors with being able to help all genders.

I think more the ad does get a lot of air time and the jingle while catchy does get annoying when heard a lot which I have also commented to my wife on how many times I do see it being aired, but that is the package I have purchased.

In the end I hope that you find that this ad is not sexist as it was never the intention but understand that if you do rule that it is I will have it removed though it would be disappointing.

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 advertisement is offensive and discriminatory towards women in its use of the line, "we can even help the ladies".

The Board reviewed 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 for an industrial retail shop features a jingle with the lyric, "we can even help the ladies".

The Board noted the advertiser's response that the trade industry is male dominated and they are trying to highlight that women are welcome.

The Board noted it had previously dismissed a similar complaint about a radio advertisement promoting a female-friendly purchase experience at a car dealership (0290/15) and considered that the current advertisement's reference to helping ladies is an attempt to combat the negative association that people have about industrial retail shops and the trade industry in general rather than a suggestion that woman should be singled out for any negative reasons.

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 gender and 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.