



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0073/18
2	Advertiser	Unilever Australasia
3	Product	Toiletries
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	21/02/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Ethnicity
- 2.4 - Sex/sexuality/nudity S/S/N - sexualisation of children

DESCRIPTION OF THE ADVERTISEMENT

The television commercial centres around Humphrey speaking about his brother Darius being good at everything. He attempts to discover Darius' secret, which is that he uses LYNX Australia.

THE COMPLAINT

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

Firstly why is a NZ ad featuring Polynesians being played on Australian tv stations - it has no relevance to our Australian culture - it wasn't funny at all and channel 7 are really losing the plot here with their advertising - first ultratune then Lynx. again Lynx churns out degrading ads that suggest women are just idiots - that just by using a body spray a woman is going to immediately be impressed and will start talking to you - it wasn't funny, it was a lewd commercial and especially disgusting to see that they think it is okay to sexualise children - pre teens and teens are still children they have enough pressure as it is without garbage ads such as this. If a company stoops so low as to use sex and teenagers to sell their products than they really shouldn't be in



business

I OBJECT To this type of advertising as it was using Pacific island and Maori actors to portray Kiwi (New Zealanders) and as being a New Zealander of Maori decent I find the inaccuracies of the Kiwi language and the suggestion that this body spray works for kiwis to is insulting and a insult to my Maori ancestors.

THE ADVERTISER'S RESPONSE

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

For the reasons outlined below, Unilever does not consider the TVC to contravene the Code of Ethics (Code).

1. The Complaint

The Complaint is as follows:

"I object to this type of advertising as it was using Pacific Island and Maori actors to portray Kiwi (New Zealanders) and as being a New Zealander of Maori decent I find the inaccuracies of the Kiwi language and the suggestions that this body spray worked for kiwis to is insulting and a insult to my Maori ancestors."

2. The TVC

Unilever is currently broadcasting 30, 60 and 110 second versions of the TVC across various broadcasting media. To ensure all possible complaints regarding the TVC are addressed, we respond by reference to the longest version. A link is available here: <https://www.youtube.com/watch?v=cd2Hl0fhMw>.

Description

The TVC opens with the main character, Humphrey. Humphrey explains that his brother, Darius, is good (a.k.a. "choice") at everything.

We see Darius spray a secret undisclosed deodorant across his body.

Humphrey begins to list Darius' enviable life skills. He explains that Darius is "the best at rugby" – we see Darius storm down a rugby field and single-handedly tear through three defenders.



We cut back to Darius again applying his secret deodorant.

Humphrey continues to explain that Darius is also the “best at running in jandals”. “Jandals” is a term used by many New Zealanders to describe a form of unisex open footwear commonly referred to as “thongs” by Australians. Darius elegantly and athletically sprints across the screen in his “jandals”.

Again, we cut back to Darius applying his mysterious deodorant.

Humphrey explains Darius is the “best at DJ-ing”. We see Darius spinning records and dancing at a house party, some young women are admiring his skills. Darius is then shown speaking confidently to those young women.

Humphrey explains this is “strange behaviour for a Kiwi” and then admits that he has never had the confidence to talk to the love of his high-school life, Rachel Peckham.

We see Humphrey and Darius sitting together at the local park. Rachel is standing with her friends on the other side of the park. Darius convinces Humphrey to skate over to talk to Rachel. Humphrey hops on his skateboard and kick-pushes over to Rachel, but when he gets within a metre of her, he completely loses confidence and very very awkwardly skates right past her.

We cut to Darius performing even more enviable life skills outside a corner store – this time, break dancing and kick boxing.

Humphrey reveals that he suspects “Darius has a secret”.

We see Humphrey barge into Darius’ bedroom at home and pleads with his brother to tell him his secret. How is he good at everything and smells so great all the time? Darius wryly smiles and explains that it’s all about “confidence and...ah...[Lynx Australia]”. Humphrey is flabbergasted. Darius throws him a can of Lynx Australia and inspiringly tells him to “just be himself”.

We see Humphrey apply the (now no-longer secret) Lynx Australia deodorant.

We cut back to Humphrey and Darius at the local park again. Humphrey sees Rachel Peckham and confidently walks straight up to her and says “hey, Rachel Peckham”. He explains to viewers that “if you want to step up, you’ve got to be prepared to go down-under”.

The TVC ends with the on-screen super, “Lynx Australia. Find your Aussie magic, even if you’re a Kiwi”.

Classification



Commercials Advice (CAD) reviewed, approved and classified the 30 and 60 second versions of the TVC as “G”. The approval numbers are respectively G5F53TCA and G5F4TCA. The 110 version was not submitted for CAD approval as it will not be broadcast on free-to-air television.

3. The Code

LYNX is a brand with a history of fun, playful advertising. LYNX also has a proud history of award winning commercials which entertain, surprise and inspire consumers. The TVC continues this tradition.

Section 2.1

Response to Complaint

Unilever acknowledges the complainant’s concerns, but respectfully submits the TVC does not in any way discriminate against or vilify persons of Pacific Island or Maori descent.

The TVC simply tells the universal story of a young man’s struggle to find his magic and build-up enough confidence to say “g’day” to his high-school sweet-heart.

None of the characters are presented, depicted or cast in a derogatory manner and none of them portray persons of Pacific Island or Maori descent unfavourably. Rachel Peckham plays the kind and innocent girl-next-door. Darius is a handsome, confident, athletic, inspiring big brother. Humphrey is an impressionable little brother who develops confidence after learning from his big brother that it comes from being yourself (plus a brief spray of our excellent smelling Lynx Australia deodorant). Humphrey eventually breaks-through his adolescent shyness and talks to his high-school sweet-heart. The story and the character development is light-hearted.

The TVC was written and directed around the main actor, Julian Dennison, who plays Humphrey. Julian is a renowned young comic actor from New Zealand and is of part Maori descent. He is revered for his irreverent, nonchalant and self-deprecating humour, which made him the perfect choice for Unilever’s cheeky Lynx Australia campaign.

Julian is well known for his lead role in New Zealand’s highest ever grossing film, Hunt for the Wilderpeople. He is also well known for his humorous (yet sobering) role in the New Zealand Government’s award winning anti-drug-driving ad, Blazed (<https://www.youtube.com/watch?v=P8KAaf45g5U>), plus several ads for Air New Zealand in which he plays himself (<https://www.youtube.com/watch?v=y0zxx9WQ9jc>).



The two main supporting roles are played by Alex Tarrant (Darius) and Amber Paki (Rachel Peckham). Alex is of part Maori and Pacific Island descent and Amber is of part Maori descent.

These three lead actors play their characters in their natural accents and are not seeking to portray Maoris, Pacific Islanders or any other New Zealanders unfavourably or inaccurately.

In the overall context, Unilever respectfully submits that the TVC does not discriminate against or vilify Maoris or Pacific Islanders based on their race, ethnicity or nationality.

General Response

As a general response, Unilever submits that the TVC does not portray people or depict material in a manner that discriminates against or vilifies any person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

Numerous online articles have described the TVC as “light-hearted”, “cheeky”, “a humorous ad which pokes fun at the rivalry between Australia and New Zealand”, and “reigniting the friendly rivalry between Australia and New Zealand”.

The TVC cheekily plays on the time-honoured and sacrosanct friendly Trans-Tasman rivalry between “Aussies” and “Kiwis”. The unbreakable bond between our two nations was ideologically and politically forged as brothers-in-arms and has endured many theatres of war.

Our uncanny closeness and similarities spur-on a healthy competitive spirit in almost every arena, with politics and sport being no exception.

Who could forget when Rob Muldoon (Ex-Prime Minister of New Zealand) was asked about the high number of New Zealanders migrating to work in Australia during the 1980s? He famously responded that those migrating to Australia were increasing the IQ of both countries.

Tim Horan AM (Ex-Australian Wallaby) captured our rivalry on the sports field perfectly when describing a rare occasion on which Australia beat New Zealand in the rugby union: “You know, the best part about beating New Zealand is that Australians who've been copping it season after season from Kiwis at work (there's always a Kiwi in the joint) can go to work on Monday morning and give [it to] them”.

Despite our (seemingly unrelating) competitive spirit, there remains a wide and deep trust between our two nations. The recent Lowy Institute Poll (2017) demonstrates



that Australians regard New Zealanders as their “best friend” in the world, by a significant margin.

Given the above, Unilever respectfully submits the TVC do not discriminate against or vilify any person or section of the community in any way for any reason.

Section 2.2

Unilever submits that no aspect of the TVC employs sexual appeal in an exploitative or degrading manner contrary to section 2.2 of the Code.

Section 2.3

Unilever submits that no aspect of the TVC portrays or presents violence in a manner contrary to section 2.3 of the Code.

Section 2.4

Unilever submits that the TVC does not show any sex, sexuality or nudity without sensitivity to the relevant audience.

Section 2.5

Unilever submits that there is no inappropriate or explicit language in the TVC.

Section 2.6

Unilever submits that that the TVC does not depict material contrary to prevailing community standards on health and safety.

4. Conclusion

Unilever submits that the TVC is well within prevailing community standards and complies with the Code.

Please contact me should you require any further information.

THE DETERMINATION

The Ad Standards Community Panel (the “Panel”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Panel noted the complainants’ concerns that the advertisement discriminates against people of Polynesian descent and that it contains material which sexualises



children.

The Panel viewed the advertisement and noted the advertiser's response.

The Panel 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 Panel noted this television advertisement features a young Maori boy (Humphry) talking about his brother Darius being good at everything, including talking to girls. Humphry asks Darius what his secret is and discovers that it is LYNX Australia.

The Panel noted the complainant's concern that the advertisement was offensive to virtually everyone and was sexist and racist.

The Panel noted the advertiser's response that the advertisement features real New Zealanders speaking in their own accent and does not ridicule or vilify people of Maori descent.

The Panel considered the portrayal of both Humphry and Darius in the advertisement was positive and humorous.

The Panel considered that the advertisement is suggesting that Australians are more successful in various things than New Zealanders and the brother Darius is successful because he uses 'Australian' LYNX.

The Panel considered that the advertisement presents a humorous depiction of the well-known Australian/New Zealand rivalry and in the Panel's view the advertisement is not depicting New Zealanders as inferior.

The Panel considered the phrase 'even if you're a Kiwi' at the end of the advertisement and considered that this phrase was light-hearted and playful and did not amount to material which would discriminate against or vilify anyone on the basis of race.

Overall, the Panel considered that the advertisement was humorous and presented positive depictions of race and nationality and that the advertisement did not depict material in a way which discriminates against or vilifies a person or section of the community on account of race or nationality and determined that the advertisement did not breach Section 2.1 of the Code.

The Panel considered whether the advertisement was in breach of Section 2.4 of the



Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Panel noted the complainants’ concern that the advertisement sexualised the young boy Humphry by suggesting that LYNX would make him more attractive to girls.

The Panel considered that the advertisement did not contain nudity, sex or sexual references.

The Panel considered that the advertisement contained a familiar awkward narrative of a young teenager with a crush on a girl and considered that the advertisement depicted this crush in an innocent and non-sexualised way.

The Panel considered that this advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and did not sexualise children in any way. The Panel considered the advertisement did not breach section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.

