



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

1	Case Number	0106/12
2	Advertiser	Territory Insurance Office
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	11/04/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

The TVC depicts social occasions when drink driving is likely to occur to demonstrate how easy it is to find yourself over the limit and how easy it is to get caught by the Police. In one scene we see a man out to dinner with his partner and the voice over says, "Grabbing a bite with the missus. You deserve it" as we see the man drinking beer. We then see the man being breathalysed by the police.

THE COMPLAINT

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

The advertisement suggests that having dinner with one's wife is a chore and that by doing so you deserve an alcoholic drink to make it easier. The woman is pretty but is shown to talk a lot about things that the man is not interested in. It is blatantly sexist and misogynistic. This stereotyping of women as being objects of beauty but lacking any intellectual substance is degrading and old fashioned. For an advertisement to promote a safety message but suggest that a relationship between a man and woman like this is normal is hypocritical.

THE ADVERTISER'S RESPONSE

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

Section 2.1 - Advertisements 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 race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief. With regards to the complaint lodged against the 'You deserve it' road safety television advertisement, we respectfully disagree that the commercial discriminates or vilifies people based on gender. Like any advertisement produced by Marketforce and TIO alike, the advertisement was prepared with the Advertiser Code of Ethics top of mind, and this is reflected in the diversity of the talent selected. The cast represents a range of ethnicities, ages and genders and this was important to communicate that drinking and driving is an issue that isn't exclusive to any particular social group.

However, as the campaign is primarily targeted to a male audience, the TVC employs a light-hearted approach and parodies typical Aussie beer ads on a similar fashion. We were careful to select scenarios that were relevant to our target audience in order to capture their interest before delivering our very important message of 'don't drink and drive.' The scenarios are representative of situations where people are most often 'caught short' with regards to being over the BAC limit of 0.05 ie; after work drinks, catching up with mates or going out for a bite to eat.

Depicting a couple having a casual dinner out is fairly typical of what our target audience would do in their leisure time and the man's expressions in this scenario is simply that of someone listening to an involved story from the "Missus".

As there is no audio of the conversation in this scene, the complaint that that "the woman is talking about things that the man is not interested in" is a highly speculative conclusion to make from a 3 second vignette with no dialogue.

Furthermore because the woman in the advertisement is attractive we do not accept that that her appearance and conversational gestures portray her as "lacking intellectual substance" rather this is a judgement made by the complainant.

The TIO "You Deserve It" advertisement is based on material produced by the Office of Road Safety Western Australia (reproduced with their permission) using the same scripting, characters and scene depictions. The WA "You Deserve It" advertisement has been broadcast in Western Australia since 2010 to an audience of over 2 million people without complaint.

The TIO advertisement has run for almost a year now without complaint, which we feel indicates the light-hearted approach is fairly innocuous and inoffensive to the general public. We have received very positive feedback from the community about the engaging way it promotes the don't drink and drive message.

For the reasons above, we believe this advertisement is not in breach of section 2.1 and that broadcast in its current form be continued for the greater good of the community.

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 sexist in its portrayal of a woman being ignored by her husband.

The Board viewed the advertisement and noted that the advertiser had not provided a 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 race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.”

The Board noted that the advertisement depicts various social situations where people might drink and then go on to drive and that in one scene a man is listening to his wife talking and the voiceover says he deserves to drink.

The Board noted the complainant’s concerns that the advertisement stereotypes women by suggesting they are “lacking any intellectual substance” and by showing the man to be clearly not listening to her.

The Board noted that the scene showing a man and woman out to dinner is very brief and considered it was intended to be humorous and one which would be recognizable to many married couples. The Board noted that the voiceover stating “you deserve a drink” is said in the style of an alcohol advertisement and is repeated over other scenes as well as the meal scene and considered that the man’s apparent lack of interest at listening to his wife is not discriminatory to the point of vilification.

The Board determined that the advertisement did not discriminate against or vilify any person or section of the community on account of sex and did not breach Section 2.1 of the Code.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.