



Case Report

1	Case Number	0150/10
2	Advertiser	Triple M
3	Product	Media
4	Type of Advertisement / media	TV
5	Date of Determination	28/04/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

The Advertisement depicts Mr Eddie McGuire and his Program team members in debrief session after the 'Triple M's Hot Breakfast' show, a parody of a press conference. At the end of the meeting, he shakes hands and pats the bottoms of the male staff on their way out and attempts the same action with female but she moves out of range.

THE COMPLAINT

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

It insinuates that if the cameras weren't filming it would be "amusing" for this boss to also touch the woman in this way without her approval. It's a sick "blokey" joke that reinforces inappropriate standards of behavior towards women (especially younger women). And it undermines parental efforts to teach their children about what is and what is not acceptable behavior.

THE ADVERTISER'S RESPONSE

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

We have now had an opportunity to review this complaint and the Advertisement to which it refers which promotes the new Triple M Melbourne breakfast radio program “The Hot Breakfast” (the “Program”).

Please note that OMD bought and placed the advertisement. Free TV Australia, through its entity Commercial Advice Pty Limited, classified the Advertisement. It is our understanding that the Advertisement was given a “G” classification and has run in television timeslots appropriate to its rating.

The Advertisement depicts Mr Eddie McGuire and his Program team members in various situations around their office. The voice over is Mr McGuire speaking as though he is at a press conference, however as revealed in the Advertisement he is actually speaking only to his Program team mates.

The Advertisement is a light hearted parody of Mr McGuire’s public persona as a well known president of an Australian Football League club who communicates to the public via press conferences and who has chosen this same forum to communicate with his Program team members, rather than a simple meeting. The Advertisement also depicts Mr McGuire congratulating his Program team members by patting them on the backside; this is to poke fun at the football match “ritual” of patting players on the backside to indicate a “job well done”.

The complainant claims that this is a “sick blokey joke” that reinforces inappropriate standards of behaviour towards women. It is our submission that this Advertisement actually depicts Mr McGuire showing respect to his female team member by refraining from this type of action. The Advertisement shows Mr McGuire’s understanding that he should treat his female colleague in a more respectful manner as she is not a football player but rather a colleague.

In our view, the Advertisement does not breach any part of section 2 of the AANA Advertiser Codes of Ethics as it does not portray women in a way which discriminates or vilifies them on the basis of their sex nor does it present or portray violence in any way.

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 portrays unacceptable behavior and depicts male dominance over women.

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 race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief”.

The Board noted the depiction of the well known president of an Australian Football League (AFL) club and his interaction with the team members as they leave a meeting: that is patting the backsides of the men to indicate a “job well done” and attempting to pat the woman’s backside as well. The Board noted that the advertisement is for AFL and that the behaviour depicted is clearly presented as a parody of Mr Maguire and is similar to behaviour within AFL clubs as players leave the field. The Board noted that the woman, clearly used to Eddie’s behaviour, neatly sidesteps the bottom pat and leaves the room. The Board noted that sexual harassment is a serious social issue, however considered that this advertisement is not condoning inappropriate behaviour in the workplace. The Board considered that this advertisement plays on the larrikin character of Eddie Maguire in an AFL context and is not a depiction that condones or supports inappropriate behaviour.

The Board considered that the advertisement did not depict any material that was discriminatory to women or demeaning to women and that the advertisement did not breach section 2.1 of the Code.

The Board also noted the depiction of a football hitting Eddie on the head. The Board considered that throwing around the football was depicted as part of the office behaviour and that it was not depicted as intentional or aggressive. The Board considered that this depiction was not a depiction of violence and did not contravene section 2.2 of the Code.

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