



Case Report

1	Case Number	0169/12
2	Advertiser	Coles
3	Product	Retail
4	Type of Advertisement / media	TV
5	Date of Determination	23/05/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

Comedian Dawn French and the celebrity chef Curtis Stone appear in a press conference and Curtis states which My5 products he would choose. At the end of the advertisement Dawn raises her hand to high five Curtis, misses his hand and rubs his chest instead.

THE COMPLAINT

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

Dawn French undermines, patronises and sexually harasses Curtis, actually saying "Oh did you say something?" when he asked her a question before fondling his chest. I find it sexist, lecherous and offensive in every way.

If the tables were turned and it was a middle aged man fondling a young female's chest it would never have been allowed on TV I see this as unacceptable content.

Dawn French makes sexual overtones towards Curtis Stone and at the end of the ad she rubs her hand all over his chest.

The way that Dawn French sexually demeans Curtis Stone is disgusting. If the roles had been reversed there would have been outrage. At the end she reaches out and gropes him on the chest as if he were some piece of meat. I believe this is double standards.

THE ADVERTISER'S RESPONSE

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

Coles notes that the essence of the two complainants' concerns is that Dawn French gropes Curtis Stone and that the advertisement sexually demeans Curtis Stone. We therefore assume that the complainants believe the advertisement is in contravention of section 2.2 of the AANA Advertiser Code of Ethics which requires that an advertisement should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.

Dawn French is a respected and internationally recognised comedian and comedy writer. Curtis Stone is a chef and TV personality who has wide appeal with audiences for his laidback style and larrikin charm. The tone of the advertisement is tight hearted humour, and the interaction between Dawn French and Curtis Stone delivers the message of My5 in a fun and jovial manner.

While the script includes a play on the attractiveness of Curtis Stone, this clearly is delivered in jest and Coles disagrees that it is exploitative, degrading or sexually demeaning in any way for Curtis Stone or men in general.

Finally we note that the advertisement received a W rating from CAD which means it could not be aired during children's programs or in programs adjacent to children's programs. Coles is satisfied that its advertisement is not in breach of the AANA Advertiser Code of Ethics, and I trust that the information set out above addresses any concerns the Advertising Standards Bureau may have in relation to this complaint.

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 complainants' concerns that the advertisement is sexist in its portrayal of a man being fondled by a woman.

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 ...gender..."

The Board noted that the advertisement depicts Curtis Stone highlighting the benefits of the new Coles Flybys card at a press conference whilst Dawn French openly admires him before deliberately missing a 'high five' so she can touch his upper chest.

The Board noted the complainants' concerns that it is not appropriate to show a woman touching a man in this manner. The Board noted that the reaction from Curtis about the

attention he is receiving from Dawn is not negative, as he smiles and laughs about it, and considered that most members of the community would consider that the use of Dawn French in this advertisement re-enforces the humorous tone which is in keeping with the type of comedy character Dawn French has portrayed in the Vicar of Dibley.

The Board noted the serious community concern around the issue of sexual harassment in the workplace however the Board considered that in this instance the portrayal of a comedy actress flirting with a well known TV personality amounts to a portrayal which is lighthearted and humorous rather than discriminatory and inappropriate.

The Board determined that the advertisement did not discriminate against or vilify any person or section of the community on account of gender 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.