



Case Report

1	Case Number	0186/13
2	Advertiser	Yellow Brick Road Super
3	Product	Finance/Investment
4	Type of Advertisement / media	TV
5	Date of Determination	12/06/2013
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.3 - Violence Domestic Violence
- 2.3 - Violence Violence

DESCRIPTION OF THE ADVERTISEMENT

The advert is about Yellow Brick Road's new Superannuation product RetireRight. A mum is in the the park with a pram. She stops to check on her pram and we see her little baby. As she leans down to straighten the blanket we see a side view as its little hands come up and give her a slap on the cheek. The mum looks completely shocked. Mark Bouris turns to camera and talks as if he has just witnessed what happened.

We cut to see a guy in his mid thirties meeting his frail looking grandma. As he goes for a kiss she gives him a slap on the face, leaving him stunned.

THE COMPLAINT

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

This ad is not appropriate it is depicting violence and saying it is acceptable. It is acceptable for a child to hit. I feel it depicts domestic violence. There are other ways to advertise super rather than in this violent manner. It is also demeaning to the woman. Being belittled by a slap from a baby. I do not appreciate the add at all. I find it very offensive.

The child slapping his carer's face, a male slapping a woman, is to myself and my family

abuse of women and should not be shown on television. It fails to describe the offering, but rather shows an inappropriate attitude towards women. Of particular offence is the noise which the child slaps his carer. It is consistent with a significant connection to the carer's face. I do not condone violence towards women, but this ad appears to make it acceptable. Violence against women is never acceptable and for this to be used to try to sell a financial service is amazingly shocking. I found this advert truly shocking and it was broadcast at a time when my young children watched it and its message and content were completely unacceptable and wrong to me in every way. Not only is it shocking for its violent slap in the face, the woman continues to behave as normal after the slap. This promotes the idea that slapping a woman hard in the face doesn't hurt and not only that, she is smiling afterwards as if somehow, it means nothing.

THE ADVERTISER'S RESPONSE

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

Comments in relation to the complaints addressing: Section 2 of the AANA Advertiser Code of Ethics and specifically;

2.3 Advertising or Marketing Communication shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

The term to "slap" someone is a common Australian metaphor for a "wake up call" to an event, situation or understanding. The use of a "slap" in this context is a means to jolt the audience to pay attention. This metaphor is used regularly across a very broad cross section of the community. E.g. "That was a slap in the face when I learnt that XYZ was doing abc....." The intention of the advertisement is to present this 'wake-up' in a confronting but slapstick form of comedy. We chose comedy to create attention. The exaggerated behaviors of the actors, along with who they are (A baby and an elderly person as the protagonists) reinforce this act as comedy. We are facing a very real savings shortfall of catastrophic proportions as a nation that to a large extent is being ignored. It's why we have Mark Bouris speaking seriously to the audience on this issue after the initial slapstick comedy that creates the attention for the serious message.

We do not believe that the advertisement promotes violence of a serious nature or in any meaningful significant way; however we do believe that Australia needs a jolt to get them to do something about their future. Perhaps if the characters were of someone of physical strength or dominance, we could understand how this may have been provocative. Our choice of characters being unable or unlikely to use violence in the form suggested by the complainants is deliberate for this reason and as a comedic approach. Comedy being what it is rarely makes everyone laugh and often offends someone.

We would be happy to write to the complainants and explain our stance should you or they welcome such an action.

Yellow Brick Road apologizes for the offense created to these viewers.

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 violent in nature and condones the action of slapping people.

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

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code states: "Advertising or Marketing Communications shall not portray violence unless it is justifiable in the context of the product or service advertised.

The Board noted that the advertisement features a mother looking into a pram with a young child in it. As the mother looks into the pram and the child delivers a firm slap across her face. The text appears on screen 'Give someone a Super Slap' (Mark Bouris) who explains the benefits of the superannuation fund. The advertisement then shows a scene with an older lady slapping the face of a young man.

The Board noted that they had previously upheld complaints for an advertisement for National Foods Limited (0433/10) where a young man slaps his friend across the face after he takes some of his sandwich. In this case the Board determined that although the slap was intended to be humorous in nature, the reaction of the friend was suggestive that the slap was overstepping the line.

In this matter, the Board noted that after the toddler slaps the mother she appears to be surprised and unimpressed. The Board considered the sound of the slap is indicative of a slap that is quite firm and noted that the concept of a toddler slapping its mother is unrealistic.

The Board noted that the second slap delivered by the older woman, is equally as unrealistic in its delivery but the young man does not appear to find it funny, nor does he recover from the slap with a smile or positive reaction.

The Board noted that there is genuine community concern regarding violence and the portrayal of violence in advertising and that the use of slapping in an advertisement to promote a superannuation product has no relevance and is not justifiable in the context of the product being advertised and that it did breach section 2.3 of the Code.

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

ADVERTISER RESPONSE TO DETERMINATION

Yellow Brick Road has made the decision to remove our current advertisement and we wish to extend our sincerest apologies to anyone who was offended by its content.