



Case Report

1	Case Number	0207/13
2	Advertiser	Toyota Motor Corp Aust Ltd
3	Product	Vehicle
4	Type of Advertisement / media	TV
5	Date of Determination	10/07/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

The TVC opens on a dealership setting where a scenario with a young family shopping for a new car is depicted. The father and son peel off to look around the dealership while the mother asks the receptionist about the vehicle.

The mother enquires about a Kluger and the receptionist responds with some features and asks 'how many kids?' The mother turns to see the father relating to his son by enthusiastically playing a game in the dealership. The mother responds to the receptionist after seeing the two of them playing together with 'two' in an affectionate tone.

The receptionist comments that the young boy is cute as the father son game continues.

The TVC cuts to the offer component with the focus model- Toyota Kluger.

The TVC cuts back to the father, still enjoying his game with his son, completely unaware that anyone is watching and gets caught up in the moment. Meanwhile, the mother looks on with the receptionist as her family has taken over the dealership as their playground. When the receptionist asks how old the child is, the mother replies, '34'.

THE COMPLAINT

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

The ad portrays the husband as being a child. The wife twice refers to him as such. The female receptionist commiserates in the most patronising manner possible. I am sick and tired of the double standard in advertising - the male is always the butt of the joke. If the roles were reversed there would be no end of complaining.

The advertisement portrays a 34 year old man as an idiot and childlike, whilst his wife, apparently the only sensible member of the family is asking about a new car. I am offended by this ad because I believe it is sexist and demeaning to men. If the rolls were reversed, and the female was made to look like the idiot, there would be a public outcry from the Prime Minister down. I do not understand why advertising agencies need to make people of either gender look like fools and idiots in order to sell their product.

THE ADVERTISER'S RESPONSE

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

The complaint suggests that the male character in a recently aired Toyota Kluger advertisement (the TVC) is discriminated against in breach of section 2 of the Australian Association of National Advertisers Code of Ethics (the Code). Presumably the alleged breach relates to discrimination and/or vilification on the basis of gender.

Toyota always goes to considerable efforts to ensure that all marketing and public communications that are produced and distributed on its behalf adhere to the Code. Toyota's view for the reasons that follow is that the TVC does not breach the Code.

Application of the Code

It is not disputed that the TVC is a marketing communication to which the Code applies. Section 2.1 of the Code relevantly provides the following: "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 Code also provides that: "Prevailing Community Standards means the community standards determined by the Board as those prevailing at the relevant time in relation to Advertising or Marketing Communications. Prevailing Community Standards apply to clauses 2. 1 - 2.6 below. The determination by the Board shall have regard to Practice Notes published by AANA and any research conducted by the Advertising Standards Bureau."

We refer to the AANA 2012 Code of Ethics- Practice Note (the Practice Note) which relevantly provides:

"Prevailing Community Standards apply to all parts of Section 2. This means that the Board will have regard to community standards at the time the marcomms was published."

Analysis

Toyota's view is that the TVC is clearly a tongue-in-cheek portrayal of a father and son playing together in a child-like manner. Toyota submits the TVC is acceptably within the prevailing community standards as they apply to the depiction of men and fathers and the humorous interactions and role plays between family members.

The TVC itself makes it abundantly apparent that the man is enthusiastically playing with his child and the mother and receptionist's comments are a light hearted reference to common place family dynamics and humour.

Prior Board Determinations

We refer to case number 0126/11 which was determined by the Board on 27 April 2011. In the advertisement in question, which was for lotions and cleansers, a woman referred to the products as "Simple and uncomplicated like most men". The complaint suggested that this was a sexist comment and that if the phrase had been "Simple and uncomplicated like most women" it would be deemed to discriminate.

The advertiser submitted that:

"Tagging men as "simple and uncomplicated" is intended to harvest what we believe is a positive socially accepted stereotype and use it to promote the Synergise Range."

The Board ultimately dismissed the complaint and made the following comments:

"The Board considered that the text was intended to be humorous and light hearted and designed to make a connection with how easy the product is to use."

"The Board considered that the overall impact of the advertisement was not vilifying or demeaning to men."

Toyota submits that the TVC and the Complaint in this matter are analogous to the complaint and determination referred to above. The TVC does nothing more than makes light of the socially accepted stereotype that on occasion men behave like children. Any possibility that the TVC could be interpreted as demeaning to men is further diminished by the fact that in the TVC the man is in fact playing with his child.

Conclusion

For the reasons stated above, Toyota submits that the TVC does not breach section 2.1 of the Code as it does not discriminate or vilify a group of people, namely, men. The Code states

that section 2 is to be read with respect to prevailing community standards. The TVC clearly falls within acceptable standards of humour relating to the roles and characteristics of men within family environments.

It is respectfully submitted that the Advertising Standards Board should take no further action against Toyota with respect to the TVC and that the Complaint should be dismissed.

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 and demeaning to men in its reference to a grown man as a child.

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

The Board 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 Board noted that the advertisement features a man playing with his young son in a car showroom whilst his wife refers to him as one of her children.

The Board noted that when the woman comments on her husband’s behaviour to the female showroom employee she does so with a smile which suggests that she is joking. The Board noted that the depiction of the dad playing with his son is a positive depiction and is suggestive of a man who is comfortable playing with his child.

The Board noted that the overall tone and theme of the advertisement is intended to be light-hearted and humorous and considered that the advertisement did not depict material that discriminated against or vilified any person or section of the community based on their gender.

The Board noted the complainant’s comment that if the genders were reversed the advertisement would not be tolerated and considered that the Board’s role is to consider each advertisement on its own merit and that addressing hypothetical alternatives is not part of their role.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

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

