



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0243/16</b>
<b>2</b>	<b>Advertiser</b>	<b>iSelect Pty Ltd</b>
<b>3</b>	<b>Product</b>	<b>Insurance</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>08/06/2016</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

## DESCRIPTION OF THE ADVERTISEMENT

We open on a woman in her living room struggling with her fuzzy television. A Roomba vacuum that is cleaning the floor starts to talk to us: “Georgie’s cleaning up because iSelect helped her find the right energy plan with long-term savings.” Georgie gives the TV a double whack with the palm of her hand. It starts working instantly. Roomba: “So now she’s in a place where she always gets it right.”

We then see Georgie give a fish tank the same double tap. The filter and lights flick on and the fish all come back to life. Georgie cruises down the hallway and pauses outside her daughter’s bedroom. We hear sound of angry thrash metal – her daughter is practicing guitar. Georgie pops her head in, gives the wall a double tap and suddenly her daughter is playing a miniature electric guitar.

We now cut to the master bedroom. Georgie’s husband is sitting up in bed with files from work, completely distracted. Georgie appears in the doorway and gives the door frame her double tap. The room’s lights dim, bed starts vibrating (all her husband’s papers jiggle off) and her husband has become a sexy Barbarian, oiled up and ridiculously muscly (Conan style).

## THE COMPLAINT

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

*The ad is inappropriate for that time slot. A woman double tapping a TV and the TV worked, then she does the same thing but double taps the fish tank and then she double taps the wall and a guy's couch starts to shake, then she taps the wall and then he gets naked on the couch! They are not suitable for kids.*

## **THE ADVERTISER'S RESPONSE**

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

*The purpose of this advertisement is to introduce customers to iSelect's new advertising platform of "always get it right".*

*Consistent with the other new iSelect advertisements including "Diver (ISE006030DIV), the "always get it right" concept celebrates the sense of confidence anyone can feel when they purchase through iSelect.*

*The new advertisement is designed to position iSelect as the go-to destination for customers to confidently compare and buy from thousands of plans, products and policies. It builds on the humour-based history of the brand and in the case of "Knocker" (ISE0060/30/KNO) uses a humorous and fantastical narrative of a customer, "Georgie" who gets things right as a result of purchasing a good energy plan through iSelect.*

*iSelect has a longstanding tradition of humorous and irreverent advertising – we believe this is widely known by viewers. In keeping with this tradition, this advertisement is designed to be cheeky and light hearted. It depicts an exaggerated version of a likely real-life scenario in which a mother is frustrated by appliances not working, household duties, noisy children and a disinterested husband. It builds on the scenario by depicting Georgie as having 'super-hero' like qualities where she can, with the double tap of her hand, turn a seemingly bad scenario into a good scenario. When coupled with a talking vacuum cleaner, we are confident that the scenarios depicted are seen as entirely fantasy.*

*At no point does Georgie's husband get naked on the couch (or the bed) – rather he is comically depicted as a 'barbarian' in the style of Conan the Barbarian, which is a tongue-in-cheek suggestion this is his wife's fantasy coming to life, with the tap of her hand.*

*We are confident that there is nothing sexually inappropriate about the advertisement and believe it is entirely appropriate for the time slot. The advertisement received a "W" rating from CAD and we recognise that it should not be broadcast during or adjacent to programing specifically aimed at children rated either 'P' or 'C', and that care should be taken to avoid programing principally directed to children.*

*In the notification letter, the ASB asked us to comment on a possible breach of Section 2.4 of the AANA Code of Ethics. This states that: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience."*

*We believe the advertisement contains very mild, indirect and inferred references to sex and sexuality. These references are made in the context of what is clearly a cheeky and light-*

*hearted advertisement.*

*The advertisement contains an image of a man who is humorously depicted as a 'barbarian' in the style of Conan the Barbarian. We disagree with the complaint, in that at no stage does the man appear nude.*

*In any event, the advertisements have not been broadcast during or adjacent to programming specifically aimed at children rated either 'P' or 'C'. Accordingly, we consider that the advertisement treats sex, sexuality and nudity with sensitivity to the relevant audience.*

*In summary, iSelect submits that the advertisement in question does not breach any part of the Section 2 of the AANA Code of Ethics. Specifically, iSelect submits that this advertisement does not breach the AANA's code in relation sex, sexuality or nudity (Section 2.4).*

*We thank the ASB Board for consideration of iSelect's response to this complaint, and trust the information provided satisfies the ASB's request in full.*

## **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 inappropriate for children as it shows a man naked.

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

The Board noted that the advertisement shows a woman tapping the side of the TV to make the picture clear, tapping the side of the fish tank to make the light work, tapping her daughter's door to change the electric guitar she is playing to a miniature and the final scene where she is watching her husband, fully clothed on the bed reading papers. She taps the wall and we see the bed shake, the lights dim and her husband appears wearing leopard skin cloth bottoms with rippling oiled muscles – gladiator-like in appearance.

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 the scene with the husband on the bed. The Board considered that this indicates an 'improved and more interesting version' of the husband in keeping with the theme of the advertisement, noting that she keeps her husband, who changes his appearance, but is still doing his paperwork. The Board also considered that his presentation linked back to the original scene on the television where there are men dressed as gladiators. The Board did not consider the presentation of the man to be vilifying or to convey a negative impression of men as the advertisement is using humour to show how the woman 'always gets it right'. The Board considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on

account of gender.

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

The Board then considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that the advertisement shows a woman tapping the side of the TV to make the picture clear, tapping the side of the fish tank to make the light work, tapping her daughter’s door to change the electric guitar she is playing to a miniature and the final scene where she is watching her husband, fully clothed on the bed reading papers. She taps the wall and we see the bed shake, the lights dim and her husband appears wearing leopard skin cloth bottoms with rippling oiled muscles – gladiator-like in appearance.

The Board noted the advertiser’s response that at no stage does the husband get naked – rather he is comically depicted as a ‘barbarian’ in the style of Conan the Barbarian. The Board considered that the advertisement shows a series of fantasies, one of which is the final scene with her husband where she is seen to have not replaced her husband with another character but ‘improved him’ for the purpose of the fantasy.

The Board noted that this is a W rated advertisement which means it cannot be shown during or adjacent to programming, specifically aimed at children, that has a P or C rating.

The Board considered the advertisement to be light hearted and did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

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