



ADVERTISING  
STANDARDS  
BUREAU

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# Case Report

1	Case Number	0268/14
2	Advertiser	Transperth WA
3	Product	Travel
4	Type of Advertisement / media	Billboard
5	Date of Determination	13/08/2014
6	DETERMINATION	Dismissed

## ISSUES RAISED

2.1 - Discrimination or Vilification Gender

## DESCRIPTION OF THE ADVERTISEMENT

This billboard advertisement features a comic strip promoting courteous behaviour on trains. Coach Tandy is giving tips on boarding a train and in one of the scenes he says, "OK, this is it. I want you to remember, pain is temporary, bones heal and chicks love scars!"

## THE COMPLAINT

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

*Females are referred to as 'chicks' who 'like scars', denoting females as superficial.*

## THE ADVERTISER'S RESPONSE

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

*I write in relation to your correspondence in relation to a complaint received by the Advertising Standards Bureau in relation to an advertisement promoting courtesy and consideration of others while on the train.*

*You have asked Transperth to address whether the advertisement raises any issues under Section Two of the Advertiser Code of Ethics. We are happy to respond to your request as*

*per the below.*

## **A DESCRIPTION OF THE ADVERTISEMENT**

*The advertisement forms part of Transperth's long-running "Two Hoots" campaign, which was designed to remind passengers to consider others while on public transport.*

*The specific ad being complained about is called Coach Tandy and was intended to remind passengers to move down the train and away from the doors, so that boarding passengers at stations can easily get on board. It depicts a coach on the station platform giving passengers a pep talk before they board the train, insinuating that they'll need to push their way on as people stand in the door ways. A copy of the artwork is attached.*

*As some background, each year Transperth receives a number of complaints about annoying behaviours on the system. The issues complained about are all general common courtesy things (as opposed to illegal behaviour) and so back in 2010, Transperth created a light-hearted campaign using nursery rhymes as a gentle reminder on these points. The Two Hoots campaign raised awareness of these common courtesy issues and reminded passengers to consider others. It covered everything from people listening to loud music (even through earphones) to people standing in the doorway of a train and not letting other passengers get off before they get on. Due to the overwhelming positive feedback on the campaign in 2010, version two was launched in June 2011. As we continued to receive multiple complaints about various behaviours on our system, we reworked the Two Hoots Nursery Rhymes campaign into comic form for 2013.*

### *Advertisement execution*

*This ad was part of the Two Hoots campaign which revolved around 10 different posters depicting various annoying behaviours on public transport. Some examples include speaking loudly on mobile phones, inappropriate use of priority seats, putting feet on seats etc.*

*The posters were installed on board trains, buses and in stations in early 2013. There was also a small comic book produced with all 10 comics which was distributed through our Information Centres.*

*At the time of this response, all Two Hoots posters (including Coach Tandy) on board trains and buses have been removed. There is one large format poster in Perth Underground Station (as part of a series of five) that remains. This is scheduled to be removed in October when a new campaign will take its place.*

## **COMMENTS IN RELATION TO THE COMPLAINT**

### *Section 2 Consumer Complaints*

*2.1 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, gender, age, sexual preference, religion, disability, mental illness or political belief.*

*We do not believe the poster contravenes section 2.1. No one is being discriminated against or vilified. The phrase “chicks love scars” forms part of the Coach Tandy character, a quintessential tough and demanding coach who is highlighting the struggle to get on the train due to passengers standing in the doorway.*

*2.2 Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.*

*We do not believe the poster contravenes section 2.2. No one is being sexualized, exploited or degraded.*

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

*We do not believe the poster contravenes section 2.3. Transperth believes the image in the advertisement has a low visual impact in relation to violence. There is no actual depiction of violence and the advertisement is showing a situation we don't want to happen.*

*2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.*

*We do not believe the poster contravenes section 2.2. No sexuality or nudity is seen or suggested.*

*2.5 Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.*

*We do not believe the poster contravenes section 2.5. The language is appropriate. There is no obscene language.*

*2.6 Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.*

*We do not believe the poster contravenes section 2.6.*

*As a result of the above, Transperth believes the advertisement is not in breach of the Code.*

## **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 refers to females as ‘chicks’ who ‘like scars’ and this is demeaning as it suggests females are superficial.

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 the advertisement features a cartoon strip promoting courteous behaviour on Transperth trains and the character, Coach Tandy, says in one image, “...pain is temporary, bones heal and chicks love scars!”

The Board noted that the comment by Coach Tandy is similar to a quote from the movie, “The Replacements” which features the line, “Pain heals. Chicks dig scars. Glory...lasts forever” as well as to a quote by Evel Knievel: “bones heal, pain is temporary, [and] chicks dig scars...” (Evel\*ways: A Daring Approach to Life).

The Board considered that use of the phrase, ‘chicks love scars’ in the advertisement is intended to be a light-hearted use of a phrase which is consistent with common Australian vernacular. The Board noted the complainant’s concern that the phrase suggests females are superficial but considered that the advertisement does not suggest that all women like scars or that all women would only like men (or women) with scars.

The Board noted the use of the word ‘chick’ to describe a woman. A minority of the Board expressed concern over the use of animal names to describe women but acknowledged that the use of the descriptor ‘chick’ in this advertisement does not of itself amount to a descriptor which is discriminatory or vilifying towards women.

Based on the above 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.

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

