



Case Report

1	Case Number	0301/14
2	Advertiser	My Plates
3	Product	Automotive
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	27/08/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

The advertisement opens with a woman sitting on her couch at home, appearing to be interviewed by someone. The interviewer is never shown. She describes her various and unsuccessful attempts to discourage her man from driving her car. She doesn't state why she wants or needs to do this.

She then states that "these new number plates are genius", implying that she has finally been successful. She holds up her chosen design, "the IMELDA", which has a row of brightly coloured high heeled shoes on the lower part of the plate. She states that "now her man won't go near her car", and goes on to state that she's also saved money on insurance premiums, and (in a more hushed tone) that her man has lost weight from the extra walking he's had to undertake.

THE COMPLAINT

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

These ads are very clearly sexist and derogatory towards the male gender. It would be unacceptable to have a WomanProof version of these advertisements that belittle woman and label them in the way that these ads label men.

The ads describe that men must be kept out of the woman's car because of nose picking, flatulence etc. The ads are in clear contravention of any definition of gender equity and anti-discrimination policies.

Sexist and insulting to women and to men, but particularly to women. Insulting their intelligence and perpetuating stereotypes.

They are promoting discrimination against men.

As the wife of a transgender women, this add is detrimental in promoting gender definitions and roles in a discriminatory light. Reinforcements such as this add trivialise what is acceptable to society. To some it might seem, silly and fun. To some people it makes them question their self worth. I would think that running adds from Beyond Blue for example where it's promoted for men to speak up about depression, this add would be allowed to air. This is disgraceful to say the least.

I found this ad to be horribly sexist to both men and women.

(Shoe) I find these ads to be sexist and derogatory towards men. They are insulting since they treat all men as being the same, both in terms of behavior and response. More importantly, my sons have also noticed this, with my 8 year old pointing out that the ad is offensive to all men, and that 'we aren't animals'. He's right. We wouldn't show ads showing women dropping tampons in the car, ads that showed men how to stop their woman from driving their car, because that would be sexist. I don't see how this is any different, the ad may be intended to be funny, but it's just insulting and vulgar and sexist to the core.

THE ADVERTISER'S RESPONSE

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

Response to the complaint

We would like to note that this complainant had made a complaint about one of our previous advertisements.

We would also like to note that the ASB have reviewed this advertisement and dismissed all complaints against this particular advertisement.

We would also like to note that that advertisement is no longer on air.

We would also like to note that the complaint contains sentences identical to the previous complaint. In his description of this advertisement, the complainant makes specific reference to "her disgusting male partner". With respect, there is nothing in this advertisement that suggests or even refers to any behaviour which could be described as disgusting.

The complainant also makes reference to that fact that his 8 year old son believes this advertisement to be offensive to all men, and that men "aren't animals". With respect, there is nothing in this advertisement that implies that all men are animals or display disgusting behaviour.

Reference to sections is to the AANA Code of Ethics downloaded from the website

With respect to section 2.1 – Discrimination or Vilification (on the basis of gender)

This advertisement portrays an example of one woman's desire to prevent her male partner from driving her car. She doesn't give any reason why she wants to achieve this outcome. She has tried other solutions, for example, family stick figures. The advertisement suggests in a tongue in cheek fashion that she has finally achieved her goal with these new number plate designs.

What we have tried to capture, throughout the campaign, is the tension that exists in relationships whenever a male borrows, or tries to borrow, a female's car. Indeed, one of the

other TVCs in the campaign reflects a family relationship dynamic in which the mother's son chooses not to borrow his mother's car because it has a set of these number plates on it. With regards to the products being advertised they are number plate designs that are likely to appeal more to women than to men but are not necessarily exclusively available for women. What the advertisement is suggesting to women is that if you put one of these number plate designs on your car then their men will be less likely to drive it. In fact, there have been a number of men who have purchased these plates since launch (perhaps as gifts for their female partners).

We do not believe that there is anything in the script or execution of this advertisement that vilifies either men or women. There is no reference to any gender specific stereotypical behaviour that could reasonably be viewed as negative or derogatory.

We, therefore submit that this advertisement does not breach this section of the code.

With respect to section 2.2 – “Employing sexual appeal in a manner which is exploitative and degrading of any individual or group of people”.

There is clearly no attempt whatsoever to use sexual appeal as a communication device in this advertisement and respectfully submit that there is no case to answer under this section of the code.

With respect to section 2.3 – “Present or portray violence”.

There is no presentation or portrayal of any violent act in the script or actions contained within this advertisement and respectfully submit that there is no case to answer under this section of the code.

With respect to section 2.4 – “shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

There is no representation of sex, sexuality or nudity in this advertisement and respectfully submit that there is no case to answer under this section of the code.

With respect to section 2.5 – only use language which is appropriate for the relevant audience and medium. Strong or obscene language shall be avoided”.

There is no use of strong, obscene or inappropriate language at any point during this advertisement.

We respectfully submit that there is no case to answer under this section of the code.

With respect to section 2.6 – “shall not depict material contrary to Prevailing Community Standards on health and safety”.

There is no use or depiction of any material at any point during this advertisement that could be considered contrary to Prevailing Community Standards on health and safety.

We respectfully submit that there is no case to answer under this section of the code.

Additional information

The TVC first went to air on Sunday 27 July 2014. Airtime was scheduled by our media buyer, Sutherland Media Services, in co-operation with the three free-to-air television networks, and in compliance with the approved CAD ratings.

The geographical coverage of the campaign is limited to metro Sydney, regional NNSW and regional SNSW markets, although we acknowledge that there is some signal spill into ACT and SE Queensland.

It is planned that this commercial, together with a two other commercials in rotation will run for three to four weeks. Our current copy rotation plan has this commercial taken off-air on Saturday 30th August 2014.

The media weight behind this commercial is not particularly heavy with the current media plan to deliver c.175 TARPs over three weeks in the Sydney metro market, and c.140 TARPs

over the same period in regional NSW markets.

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 sexist and derogatory towards men in its promotion of a product aimed at women.

The Board noted that the complainant was concerned that a product aimed at women is able to be advertised. The Board noted that this product is legally allowed to be advertised and that an advertiser can choose to direct its product to a specific target group or gender. The Board considered that this issue falls outside of the Code therefore the Board cannot consider this aspect of the complaints when making its determination.

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 woman talking about how her new number plates have finally stopped her male partner from using her car and that he has lost some weight as a result of having to walk more.

The Board noted that it had previously considered similar advertisements for the same advertiser including case 0276/14 where:

“The Board noted the complainants’ concerns that it is sexist and stereotyping men to have a depiction of a man behaving in a socially unacceptable manner to promote this product. The Board noted that the product is targeted to women as a humorous way of encouraging women to purchase personalised number plates.”

In this instance the Board noted that the woman says she has tried everything to stop her partner from driving her car but considered that as she does not specify why she doesn’t him to drive her car it is left up to the viewer to draw their own conclusion. The Board noted that wanting someone not use your car is not of itself discriminatory but is a matter of choice.

The Board noted that the woman comments that her partner has lost weight and considered that this is delivered in a positive manner and the woman appears to be happy for her partner.

The Board noted that we do not see her partner in the advertisement and considered that overall the woman talks about him in positive manner which is not derogatory or demeaning.

The Board noted the overall tone of the advertisement and considered that most members of the community would find the advertisement to be humorous and not sexist or derogatory.

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 their 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.

