



Case Report

1	Case Number	0303/11
2	Advertiser	RACQ
3	Product	Insurance
4	Type of Advertisement / media	TV
5	Date of Determination	24/08/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.2 - Violence Domestic violence

DESCRIPTION OF THE ADVERTISEMENT

A man speaks directly to camera while affectionately and subconsciously tapping his wife's broken leg as he recounts the story of an emergency involving his wife whilst on an interstate trip. Each time he taps her leg we see her flinch slightly.

Final voice over says, "RACQ Insurance. Wouldn't be without them."

THE COMPLAINT

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

Continually slapping the leg of someone who is hurt is not funny at all. I realise they are actors and she does not have a hurt leg. I would bet if it was an animal or a child with a broken leg being manhandled the ad would not last a day but an older woman is not considered as highly by society. This ad has been on for many years and I am surprised no one cares.

THE ADVERTISER'S RESPONSE

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

The complaint relates to a 30 second television commercial “Aussie Assistance – Broken Leg”. This commercial first aired in 2002 and to our knowledge this is the first complaint ever received in relation to the commercial.

For more than a decade light-hearted humour has been a hallmark of RACQ Insurance television commercials. Regular research has demonstrated that audiences understand and appreciate this style of ‘slice of life’ approach.

In this commercial a married couple sit together in their garden. The husband speaks directly to camera while affectionately and subconsciously tapping his wife’s broken leg as he recounts the story of an emergency involving his wife whilst on an interstate trip.

We note that the complaint is filed under Section 2 of the AANA Advertiser Code of Ethics; more specifically Section 2.2 which reads, “Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.”

We also note the single complainant refers to: “Continually slapping the leg of someone who is hurt is not funny at all. I realise they are actors and she does not have a hurt leg. I would bet if it was an animal or a child with a broken leg being manhandled the ad would not last a day but an older woman is not considered as highly by society. This ad has been on for many years and I am surprised no one cares.”

We assert however that the scenario suggests a genuine level of affection between the couple and despite the fact there is a minimal reaction to the last tap depicted there is no evidence that the action could be classified as ‘violence’ which is normally defined in this context as:

Physical force exerted for the purpose of violating, damaging or abusing;

The act or an instance of violent action or behaviour;

Abusive or unjust exercise of power.

We reject any claim that the action depicted in the advertisement being classified as ‘violence’ and assert the action portrayed by the husband towards his wife is clearly affection.

We also reject the reference to ‘manhandled’ to describe the action of the husband patting his wife’s leg.

RACQ Insurance is a Queensland customer and community focussed organisation. We are careful to ensure that all our advertising and marketing communications comply with the AANA Code of Ethics.

We ask the Advertising Standards Bureau consider the above response and dismiss the complaint.

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 depicts a man slapping an injured woman’s leg.

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

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised."

The Board noted that the advertisement features a man discussing how RACQ Insurance helped him and his wife when she broke her leg and that he taps her leg several times which causes her to wince.

The Board considered that the portrayal of the man and the woman in the advertisement is clearly meant to be affectionate. The Board noted that when the man taps his wife's leg he does so in a manner which is not violent or aggressive.

The Board considered that most members of the community would interpret the advertisement as portraying marital affection and an amusing lack of awareness on the part of the husband and not as a portrayal of domestic violence.

The Board considered that the advertisement did not present or portray violence and did not breach Section 2.2 of the Code.

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