



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0316/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Southern Cross Travel Insurance</b>
<b>3</b>	<b>Product</b>	<b>Professional services</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>08/08/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.1 - Discrimination or Vilification Gender

### DESCRIPTION OF THE ADVERTISEMENT

We open on a typical wedding scene; the best man takes the microphone and starts his speech. The scene then turns to the 'Starman' character in the ad, who calls out that the bride is pregnant. The voiceover then says, "You can't get more direct than Southern Cross Travel Insurance".

### THE COMPLAINT

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

*The response from the character regarding the bride being pregnant is when taken in the context of the look of embarrassment from the bridal couple offensive in poor taste and humourless. The connection with the product is at best tenuous but the sexist overtones directed at the 'bride' are strong and inappropriate.*

### THE ADVERTISER'S RESPONSE

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

*Southern Cross Travel Insurance offers direct, online travel insurance only. The advertising campaign for the brand promotes this business model by offering a comedic pun on the word "direct". In one sense we are saying that this is travel insurance only, directly available from Southern Cross Travel Insurance through an online direct channel, and on the other we are suggesting that the character portraying the brand, Starman, is direct by nature, in that he is to the point and direct in the way he openly and honestly reveals the truth of a situation. He is representative of the brand's down to earth, no-nonsense, direct approach. The scenario is obviously comedic as the star man character has a giant star for a head, so we do not believe people would interpret his response as a real one, taking place in a real situation. His response isn't therefore offensive but merely one that is direct, honest and to the point. The reaction of both the bride and groom is one of quiet embarrassment. They are not grossly offended or upset, merely a little uncomfortable. We do not therefore believe the advertisement in question is offensive, degrading or exploitative of any individual or group.*

## **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 offensive, sexist toward women and in poor taste.

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

The Board noted that bad taste is not an issue which falls under the provisions of the Code and considered that whilst complainants were concerned that this advertisement was in poor and/or bad taste, this is not something which the Board can adjudicate on.

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: "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, sex, age, sexual preference, religion, disability or political belief."

The Board noted that the advertisement depicts a typical wedding scene; the best man takes the microphone and starts his speech by saying "we all know why we are here today". A man with a Star shape on his head ('Starman') responds out loud that the bride is pregnant. The voiceover then says, "You can't get more direct than Southern Cross Travel Insurance".

The Board noted the complainant's concerns that the advertisement is sexist and demeaning toward women particularly by intentionally highlighting that the bride is pregnant before getting married.

The Board noted that the advertisement includes a scene of a typical wedding that the viewer can relate to. The Board considered that the inclusion of the Starman character is to highlight

the comical side of the advertisement and to lessen his comments by making his appearance unrealistic and funny. The Board noted the advertiser's response that the intention is to point out how direct, honest and to the point that the company is.

The Board noted that the comments by the Starman character are offensive to both the bride and groom and is delivered in a manner that is intended to be funny but is not well received by the couple and their expressions reflect that they are clearly embarrassed and uncomfortable by the comment.

Some members of the Board considered that negative comments regarding pregnancy (whether planned or otherwise) were unnecessary in advertising and marketing communications.

The Board considered that the couple appears to be upset by the comment directed at them, and that this type of loud, inappropriate comment is in poor taste but on balance, does not reach a level that could be considered discriminatory to the point of vilification.

The Board determined that the advertisement did not discriminate against or vilify any person or section of the community on account of sex and did not breach Section 2.1 of the Code.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.