



Case Report

1	Case Number	0350/14
2	Advertiser	My Plates
3	Product	Automotive
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	10/09/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

The advertisement opens in a suburban living room with a man watching TV and his young son reading a tablet device. His older son comes down the stairs, picks up his jacket, checks out his hair in the mirror, and then asks his dad if he can borrow his dad's car. The dad responds nonchalantly no and suggests to his son that he takes his mother's car. The boys looks perturbed by this prospect and replies that he'll walk instead.

The frame freezes with the manproof shield and the range of Le chic number plates appears. A female voiceover then says: "Another manproof success story. With these plates they won't touch it. Check out the full range at manproof.com.au"

THE COMPLAINT

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

I have read the previous complaint (about the nose picking ad) and saw that it was dismissed, however I believe I am complaining on different grounds.

There is an underlying implication that no man should want to drive a car with stereotypical feminine imagery on the number plates.

I feel that this ad encourages outdated gender stereotypes and has the potential to encourage hatred towards those who do not conform to gender stereotypes.

Is it not okay for a man to like pink? Perhaps if he does should I assume that he is gay? When the teenager in the ad fearfully declines driving his mother's car, we can only assume he is

afraid that being associated with feminine things will have an adverse effect on him, and seriously what kind of message is that sending to children?

If a teenage boy has to drive a car that has been “manproofed” should we be publically vilifying them? I know you think it's all 'in good humour' but all it takes is for someone to be bashed for driving a girlie car and you may have to take another look at how funny you think this issue really is.

Based on your response to the last complaint I doubt I will have any impact, however I would like to think that if enough people complain you may eventually have to take this seriously.

This series of ads is sexist. The one by the same advertiser where a man 'farts' in the car is extremely offensive. If these ads were 'womenproof' your car there would be an uproar.

Double standards

These ads are very very sexist. The advertising implies that something that is feminine would never be used by a man because it would be too embarrassing to be likened to a woman.

THE ADVERTISER'S RESPONSE

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

With respect to the specific complaint

The complaints received suggest that the advertisement is sexist.

The first complaint suggest that if the ads were “womenproof” your car there would be uproar. Firstly, we would argue that this is speculation, and represents the perceived double standards of the complainant, not of us, the advertiser.

The concept of “manproofing” your car actually offers female drivers a tongue-in-cheek, humorous opportunity to empower themselves and accessorize their car in a way that says “it's my car, hands off”. The advertisement simply shows a side benefit that the young man would be embarrassed in front of his friends with a car with these number plates. It's the same sort of embarrassment that he might feel if his mum gave him a lift, dropped him off and gave him a kiss on the cheek as he got out of the car in front of his friends.

Children, especially teenagers and young adults are often embarrassed by what their parents do, particularly if it's in front of friends. This is normal and commonplace. We contend that this advertisement is a true reflection of a normal human behaviour and circumstances.

The second complaint implies that something is feminine would never be used by a man because it would be too embarrassing to be likened to a woman.

We contend that this is exactly the point of the human observation that we've pointed out above. In this instance the thing that causes the embarrassment is number plates with designs that appeal more to women than men. However, at no point do we state that these plates are exclusively available to women. In fact of the sales recorded to date, approximately 20% have been to male customers.

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 is one of a series from the campaign that is currently on free to air television in Sydney and regional NSW.

The behaviours portrayed in this specific advertisement are slightly humorous, tongue-in-cheek, and with clearly no malice or denigration towards either gender. We believe that they reflect normal, common-place behaviour in society i.e. that of a young man being too embarrassed by the appearance of his mum's car to use it, and therefore, choosing an

alternative form of transport rather than face the prospect of being embarrassed in front of his friends.

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 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, ending on Saturday 30th August 2014.

The media weight behind this commercial is not particularly heavy with the current media plan to deliver 175 TARPs over three weeks in the Sydney metro market, and 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 in its promotion of a product aimed at women and in its suggestion that it would be embarrassing to use a feminine product and be likened to a woman.

The Board noted the complainant’s concern 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 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 teenage boy asking to borrow his dad's car but declining the offer of his mum's car.

The Board noted it had previously considered an advertisement by the same advertiser in case 0301/14 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."

... 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 want him to drive her car it is left up to the viewer to draw their own conclusion."

In the current advertisement the Board noted that it is not stated why the son wouldn't want to drive his mother's car and considered that the suggestion of a son not keen on using his mother's car would be familiar to many families in Australia and in the Board's view is not of itself discriminatory or vilifying.

The Board noted the complainant's concern that the advertisement suggests that men would not want to use feminine number plates or be considered to like something traditionally feminine. The Board noted it had previously considered a similar complaint in case 0330/14 where:

"... the Board noted that the advertised product is targeted to women and considered that the advertisement does not suggest that all women would prefer pink number plates with love hearts but rather that this particular woman does.

The Board noted the man's reaction to Tanya's choice of number plates and considered that the most likely interpretation is that he would prefer not to drive a vehicle with pink number plates. The Board considered that the advertisement does not suggest that all men would share this view or that those men who do share this view are superior or inferior to women.

The Board noted that the man and woman in the advertisement are presented in a stereotypical manner (women liking pink and men not liking pink) but considered that this of itself is not discriminatory as advertisers often use stereotypes to help viewers quickly identify with characters or situations presented in advertisements."

Overall the Board noted in the current advertisement that both genders are presented in a manner which is not negative or demeaning 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 complaints.

