



Ad Standards Community Panel
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Advertising Standards Bureau Limited
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Case Report

1	Case Number	0370/18
2	Advertiser	Roadshow Films
3	Product	Entertainment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	22/08/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features scenes from the upcoming movie, 'The Spy Who Dumped Me'. It features the phrase "we're two badass bitches who save the freakin' world".

THE COMPLAINT

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

We were watching Better Homes and Gardens with our children aged 7, 10 and 12. Many families I know also watch BHG with young kids. It's a family show, so I wouldn't expect this sort of language in this time slot.

It's fair to say it's probably not a new word to my kids, but definitely not a word I use in front of them, or would allow them to use and not a word I want them exposed to during a family show on a Friday night in my lounge room.



Bitch is also quite a derogatory term towards women and if anyone called my daughter a bitch I'd be rotable. In today's society, I'd be very surprised if many families would be happy for their children to hear this sort of language.

The audio of the advertisement clearly used the word "bitch" during what I would consider to be a family viewing time, which I believe is unacceptable. I should be able to watch television with my children during this time without my children being exposed to language which we do not encourage or use ourselves in front of our children.

During Dance Boss and True Story, ads for the spy that dumped me were shown. Both times swear words were used. During Dance Boss, which airs from 7:30pm this was quite inappropriate.

THE ADVERTISER'S RESPONSE

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

The TV spot contains no discriminatory material, exploitative or degrading material, scary or supernatural themes, nudity, or material contrary to health and safety standards. The trailer does depict some violence and the use of mildly obscene language in the word "bitches" and "frickin" - both terms not directed at any person. The spot received a J CAD rating by the classification board and therefore deemed suitable to run in the particular programs/ times in question.

THE DETERMINATION

The Ad Standards Community Panel (the "Panel") considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the "Code").

The Panel noted the complainants' concern that the advertisement has inappropriate language and is discriminatory towards women.

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

The Panel 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 Panel noted that the Practice Note for Section 2.1 of the Code of Ethics provides the following definitions:

Discrimination – unfair or less favourable treatment

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule.

The Panel noted this television advertisement features scenes from an upcoming movie titled “The Spy Who Dumped Me”. One scene features two women who appeared to be tied up, when one of the women says to the other “we’re two badass bitches who save the frickin’ world”.

The Panel noted the complainants’ concern that the advertisement depicts refers to women as bitches and that this is derogatory.

The Panel noted that the use of the word “bitch” has, in recent years, become an empowering word for women, particularly when used to reference themselves or their friends. The Panel considered that the use of the word in the advertisement appears to be a reference to the two women themselves and is used in an empowering sense, rather than a derogatory sense. The use of the word implies that the woman is encouraging the other to stay strong during what appears to be their captivity.

The Panel noted that the reference to bitches is not used in a manner to present a negative image of the women, and considered that the advertisement did not portray material in a way which discriminates against or vilifies a person on the basis of gender and did not breach Section 2.1 of the Code.

The Panel considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 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 Panel noted that advertisement features a scene showing a gun, and a scene where a woman is kicked in the face.

The Panel noted the current advertisement has been rated ‘J’ by FreeTV. The Panel noted that ‘J’ rated advertisements are described in the Free TV Placement Code (http://www.freetv.com.au/content_common/pg-cad-placement-codes.seo) as “May be broadcast at any time of day, except during P and C programs or adjacent to P or C periods. Exercise care when



placing in programs principally directed to children.”

The Panel considered that in the scene with the gun, the viewer is not shown where the woman is pointing the weapon, and the weapon is not fired. The Panel considered that the depiction of a gun of itself was not a depiction of violence.

The Panel then considered the scene in which a woman is kicked in the face. The Panel noted that the woman appears to be unharmed after being kicked, and there is no evidence of blood. The Panel noted that the film being advertised is a comedy, and considered that this scene showing the woman being kicked by a gymnast who had been doing backflips was justifiable in the context of a comedy film

In the Panel’s view the level of violence portrayed in the advertisement was justifiable in the context of the product being offered and did not breach Section 2.3 of the Code.

The Panel considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “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”.

The Panel noted the advertisement contained the phrase “we’re two badass bitches who save the frickin’ world”.

The Panel again noted that the use of the word “bitch” has, in recent years, become an empowering word for women particularly when used by women themselves, and in this context is not used in an aggressive or offensive manner.

The Panel noted that the word “frickin’” may be considered as slang for the word “fucking”, however considered that the woman very clearly says “frickin’” and it is not used in an aggressive or demeaning manner.

The Panel noted that advertisers should take care when using language which, although part of the common Australian vernacular, would still be considered offensive by some members of the community but considered that in this instance the manner in which the word “bitches” and “frickin’” are used in the advertisement is not strong or obscene and is not inappropriate in the context of a J rated advertisement for a comedy film.

The Panel determined that the advertisement did not use language which was inappropriate in the circumstances and did not use strong or obscene language. The Panel determined that the advertisement did not breach Section 2.5 of the Code.



Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.