



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0391/10</b>
<b>2</b>	<b>Advertiser</b>	<b>Australian Insurance Holdings</b>
<b>3</b>	<b>Product</b>	<b>Insurance</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>22/09/2010</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

- 2.3 - Sex/sexuality/nudity - Treat with sensitivity to relevant audience
- 2.1 - Discrimination or Vilification - Nationality
- 2.1 - Discrimination or Vilification - Sex

### DESCRIPTION OF THE ADVERTISEMENT

Michelle is in the shower singing "Boojay - Boojay" to a little French melody that she has come up with (the new Budget Direct brand melody). Michael, who is in the bathroom shaving, corrects Michelle's pronunciation of 'Budget'.  
The TVC finishes on a white screen with logo, phone number and Money Magazine Insurer of the Year logo.

### THE COMPLAINT

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

*Several reasons I object to is the correcting of the accent. There is another advertisement by the same company where he is correcting her accent too. I find it derogatory when people do that. I do not have an accent but I know many people who do. The other thing I find derogatory (which my 20 year old daughter pointed out) is the fact that the woman who is in the shower is half the man's age. Who is this advertisement aimed at anyway? Dirty old men? Is it meant to say that if you take out this insurance you too will pick up a woman half your age?*

*The ad has no relevance to the product that they are advertising. I did not even know that it was an insurance product that they were advertising by watching the advertisement. It is only since writing this complaint that I now know the services offered by this company. The*

*company will say that there is writing on the screen during the ad which says what they sell but who has a chance to read the fine print there?*

## **THE ADVERTISER'S RESPONSE**

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

*The ad in question is the latest in the campaign featuring the couple Michelle and Michael. In this 15sec TVC Michelle is in the shower singing 'Boojay - Boojay' to a little French melody that she has come up with (the new Budget Direct brand melody). Michael, who is in the bathroom shaving, corrects Michelle's pronunciation of 'Budget'.*

*The complainant suggests specifically that the ad is derogatory to French people and to women.*

*We respectfully disagree. Michael in no way talks down to Michelle, 'Michael and Michelle' are professional actors who were directed to appear to be in a typical, healthy relationship. The general mood of the ad is affectionate and light hearted.*

*As in all the other ads in this campaign the 'French' pronunciation of 'Budget' (Boojay) is used to make the brand name 'Budget Direct' more memorable, through both it's pronunciation in a 'French' accent and through its repetition in the 'English'. The French pronunciation and use of a 'French' character is also designed to leverage positive inferences of 'sophistication', 'style', 'savvy' and 'quality' and transfer these to Budget Direct.*

*The complainant also suggested that the age difference between Michael and Michelle was derogatory to women, again we respectfully disagree. The ads were developed by BCM, one of the most highly awarded advertising agencies in Australia and the actors were cast and directed by one of Australia's leading TV Directors Tori Garrett, who is highly regarded for her experience in the industry.*

*We don't think that a reasonable person in the Australian community would consider the ad to discriminate against French people or women.*

*With regards to Section 2.3 (sex/sexuality/nudity). Beyond implying an existing relationship between Michael and Michelle, the ads express nothing at all to do with sex or sexuality.*

*Likewise, while Michelle is in the shower washing her hair we actually see nothing of the female body that is not seen at the local supermarket. We believe the ad to comply with the letter and the spirit of Section 2.3 of the AANA Code of Ethics and CAD have granted it a G Rating.*

## **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 derogatory towards French people and towards women, and shows the woman in the shower which has no relevance to the product.

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

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 Michelle's accent in the advertisement was French, and is in line with other advertisements depicting Michael correcting Michelle's pronunciation of the word "budget" in a light hearted manner.

The Board considered that Michael is not being racist, sexist or rude. Rather, the character Michael, is merely indicating to Michelle how "Budget" is pronounced, playing on the way that the name could be said in a manner that suggests it is an expensive brand, and agreed that it was a tongue-in-cheek reference to the accessibility and affordability of the product.

The Board considered the tone of the advertisement was light-hearted and did not portray people from France or from Australia in a negative way.

The Board considered the complainant's concern that the age difference between Michael and Michelle was derogatory to women. The Board considered that the age gap between the actors was not considerable and that they appeared to represent a normal healthy relationship. The Board considered that most members of the community would not find the relationship between Michael and Michelle to be inappropriate or derogatory towards women or men.

The Board determined that, in this instance, the advertisement did not depict any material that discriminated against or vilified any person or section of society on account of their disability. The Board determined that the advertisement did not breach section 2.1 of the Code.

The Board then considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone".

The Board noted that this advertisement has been granted a 'G' rating by CAD, and considered the advertiser's response that Michelle is only shown from the shoulders up in the shower scene and that there are no references made towards sex or sexuality. The Board acknowledged that the depiction of Michelle in the shower was not relevant to the product being advertised, but depicted the stereotypical person singing in the shower, and that most members of the community would consider the level of nudity within the advertisement to be very mild.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach section 2.3 of the Code.

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