



Case Report

1	Case Number	0412/10
2	Advertiser	MLC Ltd
3	Product	Insurance
4	Type of Advertisement / media	TV
5	Date of Determination	13/10/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Sex

DESCRIPTION OF THE ADVERTISEMENT

A man is sat on the couch looking at his laptop. In the background you can see children playing in the garden.

The man's wife is at the kitchen counter preparing food and she calls over to her husband to ask him what they would do if something happened to him and he couldn't work.

The man looks like he might answer and then gets distracted by elephants on his computer and says to his wife that there is an elephant that can play the harmonica.

A voice over then says it's funny how we don't talk about what's important and it's time to talk about income protection insurance.

The final text on screen reads, "Proud sponsor of the Australian Open. 136652 mlc.com.au Insurance MLC It all adds up."

THE COMPLAINT

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

Portrays a man as childish and uninterested in what's clearly an important issue. This concerns me because it gives permission to society. As a man I find this offensive, and I object to the modeling presented to younger men.

THE ADVERTISER'S RESPONSE

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

Australia has one of the lowest penetrations of personal insurance in the western world. MLC and its agency believe this is due to Australians' natural sense of optimism and the fact that they would rather not think about, let alone talk about, life's 'what ifs'.

This key insight led us to believe that if MLC portrayed this lack of desire to talk (even extending to avoidance of the topic) about personal insurance in our commercials this would resonate with most couples. Then by getting one partner to instigate the conversation we hoped to begin to address the issue and get Australian couples starting the conversation at home.

This 'Elephant' commercial was produced as part of a personal insurance campaign. It featured the man avoiding the conversation, while another commercial in the same campaign entitled 'Swings' featured the female avoiding the conversation for the same reason therefore there was no gender bias. Thus MLC considers that the 'Elephant' commercial does not breach of Section 2 of the AANA Code of Ethics.

These commercials by no means set out to offend either sex, they simply attempt to portray a real life insight to try and trigger a change in this behaviour to get Australians covered.

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 portrays men as childish and uninterested in important issues.

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 sex..”.

The Board noted the advertiser’s response that the advertisement was never intended to offend either sex, and the ‘Elephant’ commercial was produced to encourage Australian couples to address the issue of personal finance.

The Board considered that the advertisement was humorous and the theme of the advertisement was that people try and avoid talking about important issues. The Board noted the complainant’s concerns that the advertisement portrays men as childish, however the Board considered that the message of the advertisement was not about gender and that the advertisement could have been made just as well if the gender roles had been reversed. The

Board considered that most members of the community would consider the advertisement to be not offensive and would not consider that the advertisement is not saying that men are childish or uninterested in important issues.

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 sex. 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 any other grounds, the Board dismissed the complaint.