



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0413/18
2	Advertiser	Kerr's Hire
3	Product	Hardware/Machinery
4	Type of Advertisement / media	Radio
5	Date of Determination	26/09/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement's script is:

Bruce: There's a very special day coming up Beatrice, and I've got big plans...

Beatrice: Aw Bruce – You remembered! Bruce: I'll never forget that special day in 1982... Beatrice: Yes Bruce, it was wonderful... Bruce: Honestly, my life just wouldn't be the same without them... Beatrice: Them?! Bruce: Yeah – Kerr's Hire... They opened back in 1982... What did you think I was talking about? Beatrice: Our wedding anniversary! Bruce: Oh... Right. ANN: Kerr's Hire – Local for over 30 years. North Geelong, Grovedale and Ocean Grove. Kerr's Hire dot com dot au.

THE COMPLAINT

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

I feel the ad is demeaning to the woman. The ad makes a mockery of the special day of their wedding and makes the woman out to be insignificant and not valued at all.



THE ADVERTISER'S RESPONSE

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

We regret that this commercial has caused offence. As a Geelong-based family business, strong relationships are at the core of our values at Kerr's Hire, and we try to support this in everything we do.

Kerr's Hire has used Bruce in various situations to regularly deliver messaging in a series of commercials on Geelong radio over the last 8 years.

Bruce is a jovial character who whole-heartedly spruiks Kerr's Hire at every opportunity, always meaning well, but not everyone around him is on the same page.

The characters of Bruce and Beatrice are a mature couple, and have featured regularly in previous commercials, so many listeners would already be familiar with the loving relationship, and the above quirks of Bruce's personality.

This version of the commercial has been on air since mid-July.

Addressing the Code issues surrounding the complaint:

Discrimination and vilification – Gender.

I don't believe this commercial incites hatred, serious contempt, revulsion, severe ridicule, nor is it discriminatory. The husband and wife are sitting at the table, where the husband is reminiscing over the day that Kerr's Hire opened. There's an innocent mis-understanding, but no intent to vilify/discriminate.

Exploitative or degrading - The couple are traditional in their style and tone, as they have been throughout this series of commercials, but are clearly hammed up and fictitious in the acting, not intended to sound like a real-life situation. There is a moment that is awkward, but not exploitative or degrading.

Violence - Nil

Sex, sexualisation and nudity - Nil

Language - Nil

Health and Safety - Nil



Distinguishable as advertising - Yes. The commercial plays clearly within a commercial break, and is tagged as a listener would expect.

The creative depicts a misunderstanding of what the husband is thinking about, rather than a mockery of their marriage. Whilst it demonstrates that Kerr's Hire is a significant part of the husband's life, when he finally understands what the wife is thinking, he clearly knows the importance of this as well.

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 complainant's concern that the advertisement is demeaning to 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 this radio advertisement features a man reminiscing about a special day in 1982, his wife assumes he is talking about their anniversary but he is actually talking about Kerr's Hire opening.

The Panel noted the complainant's concern that the advertisement is demeaning to women and makes the woman out to be insignificant and not valued at all.

The Panel noted the Practice Note to Section 2.1 provides the following definitions:

"Discrimination – unfair or less favourable treatment.

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

The Panel considered that the tone between the couple is playful and considered that while the woman appears to be upset that her husband has a different memory of a special day. The woman is not shown to receive unfair or less favourable treatment because of her gender.

The Panel considered that the advertisement portrays a misunderstanding between a couple which does not show the woman to be humiliated or intimidated, and which



does not incite hatred, contempt or ridicule of the woman because of her gender.

The Panel considered that while the misalignment of memories may be considered by some members of the community to be in poor taste, taste is not an issue covered under the Code.

The Panel considered that the advertisement not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of gender and determined that the advertisement did not breach Section 2.1 of the Code

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.

