



Case Report

1	Case Number	0423/14
2	Advertiser	People's Choice Credit Union
3	Product	Finance/Investment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	22/10/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Violence

DESCRIPTION OF THE ADVERTISEMENT

The advertisement portrays a 'DIY' home renovation, being undertaken by a couple. The couple are painting a room together when the male character turns to camera with half his face painted as the woman watches on with amusement. The male tosses his paint roller from hand to hand, beats his chest and thrusts the roller into the air while the music and tone of the narrator build to a crescendo of 'Choose freedom. Choose People's Choice.' The woman looks on in resigned bemusement of the male's spirited re-enactment as the call to action screen appears featuring contact details.

The final frame of the advertisement shows the male character rolling paint on the face and t-shirt of the woman.

THE COMPLAINT

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

It sets a bad example to children that may see this act as a normal act. This is not a usual thing to do. I think this part of the ad should be left out as it is offensive and an aggressive attack on woman. Please assist with this as there is plenty of information about men not being aggressive towards woman.

The woman looks affronted but does not respond and appears powerless. It is not playful. I think it is inappropriate given the level of domestic violence in our society. It sends the wrong message. I would not consider using this company for financial services under any

circumstances.

I was offended and completely object to the woman being hit in the face with the paint roller. It is highly offensive and given the increasing problems with domestic violence and crimes against women, it is just not right to portray a male hitting a female in the the face with anything. This part of the ad is not funny, it is completely unacceptable in 2014.

THE ADVERTISER'S RESPONSE

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

People's Choice Credit Union acknowledges the complaints (Reference Number – 0423/14) received by the Advertising Standards Bureau in reference to its 'Freedom' Home Loan product advertisement. Please accept the following official response.

The CAD reference number for the advertisement is: W02JWFIA

This version received a W rating (General/Warning), while the ACT version (only difference is the Call to Action) received a G. We are unsure why they received different ratings – our agency questioned it with CAD, they never got back to them. Both ratings are very similar, see below:

General "G"

Definition: General

May be broadcast at any time except during P and C (Children's) programs or adjacent to P or C periods.

Product Description: Commercials which comply with the G classification criteria in Appendix 4, Section 2 of the Code of Practice and provided the content is very mild in impact and does not contain any matter likely to be unsuitable for children to watch without supervision.

General/Warning "W"

Definition: General/Care in Placement

May be broadcast at any time except during P and C programs or adjacent to P or C periods. Exercise care when placing in cartoon and other programs promoted to children or likely to attract a substantial child audience.

Product Description: Commercials which comply with the G classification criteria in Appendix 4, Section 2 of the Code of Practice but require special care in placement in programs promoted to children or likely to attract a substantial child audience.

Our comprehensive comments in relation to the complaint

The key issues raised by the complainants centre primarily around Section 2.3 of the AANA Code of Ethics: Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

The complainants view is that the advertisement is not considered to be playful, but is aggressive and violent.

People's Choice Credit Union disagrees with this view. The credit union would not put to air a commercial that, in any way, did not live up to our own high standards of ethics and values, which are underpinned by egalitarianism and diversity.

Housed on the People's Choice Credit Union Youtube channel

(https://www.youtube.com/watch?v=j0dXT9eX0WE&list=UUsaiNdzWRq_aEG92r_EXfxA), the credit union features a "behind the scenes" video of the referenced advertisement. In this publicly available video, it can clearly be seen that the relationship between the two actors was jovial, just as was the relationship between their characters. The action of the man

painting the woman is a playful, not violent or aggressive interaction, and the reaction to the woman being painted is one simply of incredulity and joviality. While this video is not part of the aired advertisement, it is a clear continuation of the fun and playful atmosphere depicted in the advertisement in question.

One of the complaints refer to the woman being “hit in the face”, and associates it with domestic violence. If, in any way this was actually true, the female actor’s reaction would have been one of pain rather than to laugh deeply as she does. Further, another of the complaints refers to the woman, as looking “affronted... and appears powerless. It is not playful”. Again, the evidence is to the contrary – the advertisement does not depict the woman as being anything other than slightly shocked and taken aback, but very much in a playful way. As can be seen on the ‘behind the scenes’ video, the female actor – who did not know she was going to be painted to that extent in order to capture her reaction in full – laughed and playfully grabbed at the roller in her partner’s hands. She was not victimised, in distress or insulted. Importantly, at no time did the female actor resist playing her role, or register her complaint at her role.

In contrast to the claim that the advertisement could be seen as a “bad example to children”, People’s Choice Credit Union ascertains that what is being portrayed is a commonplace and healthy scenario for a couple renovating. The advertisement portrays a happy, loving couple, who are undertaking a renovation and, in the process, engage in some harmless ‘horseplay.’ Both parties are playing a typical couple role. Neither is particularly more prominent or dominant. If anything the man is portrayed slightly comically, while the woman shakes her head at his over the top theatrics. Both are performing the same roles – they’re both painting, both involved, both performing roles where they are working alongside their partner equally, and equally having fun together. This advertisement is a socially responsible portrayal of respectful adult interaction in modern Australia.

People’s Choice Credit Union resolutely refutes all allegations that the ‘Freedom’ Home Loan advertisement breaches section 2 of the AANA Code of Ethics. There is no violence, no anger and no aggression in this advertisement.

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 complainants’ concerns that the advertisement depicts a man painting a woman’s face against her will which is aggressive and suggestive of domestic violence.

The Board viewed the advertisement and noted the advertiser’s response.

The Board 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 Board noted that the advertisement features a couple painting a room and that in the final scene the man runs the paint roller down the woman’s face.

The Board noted it had previously dismissed a similar complaint about a woman hitting a man in case 0017/11 where:

“The Board noted the advertisement features a woman who hits a man over the back of his head with a frying pan and he falls down. The woman then pushes the ladder over, seemingly onto the man, and mockingly calls out for help.

The Board noted the advertiser’s response that the ad is intended as slapstick humour and the majority of the Board agreed that it is similar in nature to previous advertisements where humour is used in an attempt to capture the viewers’ attention...

...The majority of the Board considered that most members of the community would find the advertisement humorous and would recognise that it was not encouraging or condoning violence, but rather emphasising the unlikely but familiar situation between couples over decisions such as the colour of paint and home renovating in general”.

In the current advertisement the Board noted the reaction of the woman to having her face painted and considered that she appears surprised and shocked but not upset or angry. The Board noted that the man is smiling and considered his actions are playful and unlikely to be considered aggressive by most members of the community. The Board noted the overall context of the scene in terms of a couple painting a room together and the man behaving as though he is Mel Gibson’s character in Braveheart and considered that overall the advertisement is clearly trying to parody that well-known movie and that the man’s actions are not violent or likely to encourage violence.

Based on the above the Board determined that the advertisement 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 complaints.