



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0500/10</b>
<b>2</b>	<b>Advertiser</b>	<b>Westpac Banking Corporation</b>
<b>3</b>	<b>Product</b>	<b>Finance/Investment</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>08/12/2010</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.1 - Discrimination or Vilification Sexual preference

### DESCRIPTION OF THE ADVERTISEMENT

Two well dressed business men explaining their frustration at not receiving payments on time from their clients in their clothes manufacturing business. They bounce back and forth off each other with examples of excuses until one man emotionally reaches the ultimate frustrating lack of payment excuse from a client of "being at the Easter show". The end of the commercial invites people to come into Westpac as "We talk expert solutions, whatever your conversation".

### THE COMPLAINT

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

*I object to gay men being stereotypically depicted on television or anywhere for that matter. Not all gay men are effeminate and this ad depicts men in this light. Depiction of gay men in this manner serves to show them as a joke and to make light of a perfectly natural way of life. Why can't two men be shown as a normal couple without the stereotyping? It is offensive and backward and Westpac should be ashamed.*

*The two characters were being portrayed as gay men with horrible stereotypes that inaccurately portray gay people and is both inaccurate and offensive to gay men. Stereotyping Gay People in this manner is offensive and uncalled for... this is the year 2010. It is a backing ad and not a Benny Hill comedy routine from the 70s.*

## **THE ADVERTISER'S RESPONSE**

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

*I appreciate the opportunity to discuss our communication approach to Westpac's recent television campaign.*

*This campaign, consisting of 4 x 30 second commercials, takes a light-hearted approach to the issue of banking and finance to inform existing and potential customers of the financial products and advantages that Westpac offers.*

*The campaign showcases some of the different life conversations where a Westpac Bank Manager can provide support and guidance from planning ahead to fund your child's education, getting your finances in order to adequately support a lengthy retirement, adopting sustainable business practices or being given financing to refurbish your new home. Westpac has invested heavily in its customer facing staff in all of our branches and we are highly confident in their superior level of skill and expertise and their ability to make a difference in assisting customers in some of the challenging life issues we all face.*

*In these commercials, we deliberately use real-life situations featuring slightly larger-than-life characters, much in the mould of popular film and TV shows like 'Best In Show' and 'Modern Family' to help deliver financial services messages in a way more customers are able to engage with. All 4 commercials are designed to show variation in situation, and each relies on a degree of character familiarity to cut through - the husband who can never quite get a word in, the sports-crazed father, the overemotional business owner and the coy young uncertain couple, as this familiarity aids in delivering better advertising recall. This is in no way to suggest that all husbands can't get a word in, or every father is obsessed with their child being a professional sportsperson or all business owners are overemotional - yet at the same time you might well know someone just like that. We chose this humour to make a connection with our financial messages that would be memorable to viewers.*

*Since launch, we have had some resounding positive feedback, with very high preliminary awareness and recognition figures especially from the gay community who have embraced the humour and its intent and congratulated Westpac on our depiction of these characters. Westpac has a proud tradition of supporting diversity in the workplace and we pride ourselves on being an all-inclusive bank which does not judge a person on their choices but simply how we can help them reach their financial goals.*

## **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’ concern that the advertisement depicts homosexual men in a stereotypical manner which is offensive and inaccurate.

The Board reviewed 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 ...sexual preference..."

The Board noted that the advertisement features two business men explaining their frustration at not receiving payments on time from their clients in their clothes manufacturing business.

The Board considered that the men are portrayed as unhappy businessmen and considered that the message of the advertisement was that Westpac can help small businesses overcome their day to day business problems such as cash flow.

The Board noted the complainants' concerns regarding the stereotyping of homosexual men. The Board agreed that the men are represented in part in a stereotypically effeminate manner but they are also represented as business owners. The Board considered that the men are presented in a manner which, although somewhat stereotypical, focuses on their frustration as business owners and is not negative.

The Board determined that the advertisement did not discriminate against or vilify any person or section of the community on account of sexual preference and did not breach section 2.1 of the Code.

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