



CASE REPORT

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| 1. Complaint reference number | 15/06 |
| 2. Advertiser | Tricon Restaurants International (KFC - Lunch Pack - men at beach) |
| 3. Product | Restaurants |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Sexual preference – section 2.1 |
| 6. Date of determination | Tuesday, 14 February 2006 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement focuses on a mixed group of young people playing beach cricket. One male (Tim) tries to field a ball hit towards two young females walking near the water's edge, but with his eye on the ball he accidentally collides with another male, who is heavily muscled and wearing a yellow g-string swimming costume. The advertisement then shows the group of young people enjoying their KFC. One of the group calls out to Tim asking him 'don't you want any'. The advertisement then shows the muscly man, obviously having been knocked to the sand by Tim, lying on his back in the sand with Tim lying on top of him looking ill-at-ease. While the group laughs, the muscle man hands the cricket ball back to Tim.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

I felt this segment was sexually suggestive in that it implied that these young men were gay.

It is a half naked man with another man on top. It is disgusting.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

We do not think it is reasonable to conclude that by depicting a man lying on another man on a beach, as a result of an obvious accidental collision, that these men are gay.

It is in no way sexually suggestive, a point reiterated by the uncomfortable looks on the two men's faces, before they both see the humour in their accidental collision.

The advertisement... involves our hero male trying to have his mate hit the ball towards two girls – certainly a storyline that is at a complete opposite of an implication that the men were gay.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the "Code").

The Board considered whether this advertisement portrayed any material that could be considered to be vilification or discrimination against gay men or could be considered to be inappropriate depictions of sexuality.

The Board did not consider that the depiction of two men having collided while running on the beach and ending up on top of each other was sexual in nature. The Board did not consider that there was any suggestion about the sexual preference of any of the persons in the advertisement. The Board considered that the advertisement depicted a humorous and embarrassing incident that can easily occur at the beach.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.