



CASE REPORT

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| 1. Complaint reference number | 284/08 |
| 2. Advertiser | Foxtel Management |
| 3. Product | Media |
| 4. Type of advertisement | Pay TV |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1 |
| 6. Date of determination | Wednesday, 13 August 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This advertisement features a young woman in a black dress descending the stairs of a stylish modern home. She tells us "I love beautiful things." Throughout the advertisement, in the background, is an attractive brunette maid, doing various mundane household chores. The woman, passing the maid dusting, advises "I think you missed a bit". She continues "I also just love my gadgets. They just make life so easy when you're busy" (she dons earrings as the maid cleans around her). "But let's be honest - who can be bothered plugging all that stuff together? I mean, I have better things to do" (the maid hands her stiletto shoes and she snatches them from her). She continues "Thankfully, my favourite toy - my Foxtel IQ2 was installed for me. The lovely man from Foxtel just came over and did that cablely pluggy thing, and left - I didn't have to lift a finger. And my IQ2 is not just a pretty face - which is more than I can say for some. With a wave of my magic wand I can do all sorts of tricky stuff - I still have all the Foxtel channels I've always had, plus amazing new high definition channels that I can record at the touch of a button. With one more push I can even set it to record a whole series. You'd have to be an airhead to get this wrong. I can pause live TV which is great if I have to step away for a bit..." (she checks her earrings in a mirror and blows a kiss to her reflection... " then I just press play and it starts again. I paused, plus I can rewind and replay. I love the control." She picks up a silver evening bag and continues "The IQ2 has good looks and brains - just like a good model should. She walks through a kitchen where the maid is washing up and the women glare at each other as she concludes "Wonders will never cease."

THE COMPLAINT

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

The ad is stereotyping several groups of people. First the technician (who I may add is doing an important job) whose job is dismissed as being unworthy to spend time on to try and do yourself (rather let someone else do the "dirty" work). Then the woman goes on saying how the box is not just a pretty face and that it is more than she can say for some. Well, to put it bluntly, she was talking about herself. The character being portrayed is extremely vain. Lastly the woman was treating the girl cooking a meal with utmost contempt. Again giving the impression that important people such as herself do not do such lowly things as cooking meals. Clearly this vain character believes she is better than others. I find the entire ad offensive. I would not consider buying the product.

THE ADVERTISER'S RESPONSE

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

I refer to the Complaint made against FOXTEL Management Pty Limited ("FOXTEL") dated 21 July 2008 to the Advertising Standards Bureau by an undisclosed complainant (the

“Complainant”) and received by FOXTEL on 29 July 2008.

The Complaint is about a television commercial for FOXTEL HD+ (the “Advertisement”) aired on subscription television.

The Complainant’s reason for concern is that the Advertisement breaches section 2.1 of the AANA Advertiser Code of Ethics (the “Code”), which provides:

Advertisements 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 race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.

FOXTEL does not believe that it has discriminated against and/or vilified any individual person or section of the community and does not believe that it has breached this section of the Code.

The Complainant’s reasons for concern were stated the follows:

The ad is stereotyping several groups of people. First the technician (who I may add is doing an important job) whose job is dismissed as being unworthy to spend time on to try and do yourself (rather let someone else do the "dirty" work). Then the woman goes on saying how the box is not just a pretty face and that it is more than she can say for some. Well, to put it bluntly, she was talking about herself. The character being portrayed is extremely vain. Lastly the woman was treating the girl cooking a meal with utmost contempt. Again giving the impression that important people such as herself do not do such lowly things as cooking meals.

Clearly this vain character believes she is better than others. I find the entire ad offensive. I would not consider buying the product.

The Advertisement features Charlotte Dawson, a judge and host on the Australia’s Next Top Model programme on the FOX8 Channel, and Alexandra Girdwood, a contestant on the programme and this year’s runner-up finalist.

Australia’s Next Top Model is a reality show which aims to turn young woman into professional models through a series of stringent lessons over 13 weeks and by subjecting them to criticism from leading industry professionals. The programme also aims to demonstrate that there is a lot more to modelling than just looking good.

The Advertisement is a humorous take on the Australia’s Next Top Model programme. It intentionally plays on stereotypes from the world of modelling to communicate key messages about FOXTEL HD+ to our subscribers including installation, presentation, and features of the FOXTEL iQ2. However, even for viewers who are not familiar with the programme itself, the Advertisement is presented in a tongue-in-cheek manner that satirises stereotypes of the modelling profession, with Miss Dawson’s performance clearly done in an over the top fashion that accentuates the humour of the situation.

Accordingly, we do not believe that it has breached section 2.1 of the Code.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board reviewed this television advertisement under Section 2.1 of the Code that deals with discrimination.

The Board considered that this advertisement was clearly an in-joke, based on a current reality program.

The Board further considered that most reasonable adult viewers would recognise the roles of the female characters as a parody of the characters shown in this program and would not take the words and actions to be serious or depicting a realistic situation.

The Board noted that whilst the woman made fun of others she also made fun of her own character.

The Board did not consider this advertisement to be discriminatory and therefore found that it 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.