



CASE REPORT

- | | |
|-------------------------------|---|
| 1. Complaint reference number | 289/07 |
| 2. Advertiser | Reckitt Benckiser Aust Pty Ltd (Harpic) |
| 3. Product | Housegoods/services |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1
Violence Other – section 2.2 |
| 6. Date of determination | Tuesday, 11 September 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a man exiting a door labelled "Toilet" . Behind him there is a brilliant glow which blinds him, causing him to bump into a woodpile outside, then step on a rake which injures him in the crotch and on the head, before he trips over a wheelbarrow and falls to the ground. As a fresh white toilet bowl is shown, a male voiceover warns "Beware the brilliance of Harpic White and Shine. Its bleach and baking soda whitens and shines like nothing you've ever seen." The product is shown with the text "What does your loo say about you?"

THE COMPLAINT

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

The advertisement's depiction of testis pain is objectionable for a number of reasons: it's offensive to men; it's perverted and sexist, and; it gives children the impression that genital-related injuries [of men] are "funny". As a man, it angers me that a society that claims to be pro-diversity is so biased in its application of "equality" between the sexes. I have never seen a commercial that contained a scene where a woman's vulva was injured by a kick or accidental blow.

THE ADVERTISER'S RESPONSE

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

We treat complaints about our advertising seriously, particularly where, as in the present case, the Complaint alleges that the Commercial is "sexist", in this case, against men.

We note that section 2.1 of the AANA Code of Ethics (Code) states that "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." We further note that the Macquarie Dictionary, 3rd edition, defines "vilify" to mean "to speak evil of; defame; traduce" and defines "discriminate" to mean "to make a distinction, as to favour of or against a person or thing".

With respect to discrimination, it is our view that the Commercial does not, simply by having the male character involved in a slapstick sketch in which the male character accidentally injures himself, discriminate against men. The Commercial makes no value judgment on this point either expressly or by implication. With respect to vilification, it is our view that the Commercial does not, again simply by having the male character involved in a slapstick sketch in which the male character accidentally injures himself, "speak evil of, defame or traduce" men. Accordingly, we deny that the Commercial, either expressly or by implication portrays men in any way that could be

seen to discriminate against, or vilify, any person or section of the community on account of gender or otherwise.

In addition to that set out above, we note that the Complainant also raises other grounds for their objection to the Commercial, namely that the Commercial incites violence by women towards men. It is our view that this suggestion is ludicrous. As set out earlier, the Commercial depicts a male character who, in a slapstick routine, accidentally injures himself – he is not injured by another person. It must be re-stated that the Commercial does not depict any act of violence from one person to another. We submit that no reasonable person viewing the Commercial could view the Commercial as in any way condoning or inciting violence towards any person by another.

If the Advertising Standards Bureau is of the view that the Commercial does contravene any part of Section 2 of the Code and is able to provide us with more specific information regarding any such alleged breach, we are more than happy, and would appreciate the opportunity, to address any such further allegation if it arises.

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 complainant's concern about the depiction of the man and the violence towards the man.

The Board considered that the depiction of the man being blinded by the cleanliness of his toilet was in no way offensive to or vilifying of the man. The Board also considered that the scenes of the man falling over and into things is an exaggeration and likely to be seen as slapstick humour rather than as violent behaviour toward the man. The Board agreed that the advertisement did not encourage or condone violence towards men.

The Board determined that the advertisement did not vilify men in breach of section 2.1 nor did it depict violence in breach of Section 2.2 of the Code. Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.