



CASE REPORT

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| 1. Complaint reference number | 406/08 |
| 2. Advertiser | Fosters Australia, Asia & Pacific |
| 3. Product | Alcohol |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1 |
| 6. Date of determination | Wednesday, 12 November 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This advertisement commences with a group of male friends waiting for one of their mates outside his house. It is clear that they are going away together for a weekend and from the background dialogue, "Mitch" (the husband), has forgotten to tell "Karen" (the wife) and she is not impressed. One of his mates, who is depicted by the others as "speaking woman", enters the house and talks Karen into letting Mitch join his mates on the outing. The advertisement closes with the mates enjoying a drink in countryside surroundings with the logo of Carlton Mid strength and the tag "stay a little longer" appearing on the screen.

THE COMPLAINT

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

I find this ad sexist and degrading to women. It depicts women as screaming, controlling fishwives, who are readily manipulated and malleable by a group of beer-drinking men. This ad is clearly appealing to men who enjoy a beer, but it presents an unfair and disrespectful picture of women, and serves to create a divide between women - who are portrayed as killjoys, stopping their men having a good time, and men - who are portrayed as victims of this treatment, but are able to manipulate women using their brains, which presumably have been strengthened by drinking copious amounts of beer.

THE ADVERTISER'S RESPONSE

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

Thank you for your email dated 2nd October outlining a complaint against a television commercial (TVC) for Carlton Mid which raises concerns under section 2 of the AANA Advertiser Code of Ethics.

As outlined in our response to a separate and similar complaint (ref 372/08, 22nd September 2008), before responding to the specific issue we feel it is important to provide some context to the brand. Carlton Mid's heritage is steeped in good humour – we recognise that in itself is not a defence, but it is an important part of the brand's DNA and this advertisement sets out to bring that humour to life. Also, Carlton Mid is a mid strength beer (3.5% ABV) and its core proposition is that a beer drinker can enjoy more time with his mates by drinking Carlton Mid than he could if he was drinking a regular, full strength beer.

The premise of the Carlton MID TVC in question is that relationships and marriages are complex, with both parties occasionally wanting different things from each other. Central to this theme is a perceived difference in communication style between men and women which is neither "degrading

to women” or “sexist”, as the complainant puts it. We would argue that it is nothing new to highlight what is widely known and understood by both sexes and the advertisement is essentially a humorous sketch about the different communication styles of men and women.

The advertisement shows a group of male friends waiting for one of their mates outside his house. It is clear that they are going away together for a weekend and from the background dialogue, “Mitch” (the husband), has forgotten to tell “Karen” (his wife) and she is not impressed. This parodies the stereotype that men are poor communicators.

The central concept of different communication styles is further expressed by the character “Dave” (the husband’s mate), who enters the discussion and re-phrases certain points to Karen in language that is less stereotypically male and more feminine in nature. Dave is attempting to bridge the communication divide (not create one as is asserted in the complaint), by presenting information to Karen that her husband cannot express himself due to his typically macho communication style. Upon hearing the points articulated by Dave in a more palatable tone, Karen agrees that her husband can take part in the trip.

We don’t believe that Karen is manipulated, nor does this scene strike any representation that women are malleable. When Karen becomes emotional it’s because she suddenly understands, thanks to Dave’s ability to speak to her in her own language, that it’s important - and of value in a relationship – for men to have time with their friends and express themselves in much the same way as it is for women. In Karen’s own words she finds the concept “beautiful”. And women taking time out to ‘discover themselves’ and share time with their friends is a central theme to numerous successful female oriented films and popular literature.

We contend that Karen is the enabler – she listens to Dave and gives permission for Mitch to leave. We do not believe it can be deduced, as suggested by the complainant, that she is a “killjoy” and stopping her husband from “having a good time”. It is also incorrect to extrapolate from this that the TVC positions women in general as killjoys.

It is also important to address the assertion that the male characters have been strengthened by consuming “copious amounts of beer.” There is no consumption implied or otherwise related to the early scenes in the TVC where Karen, Mitch and Dave interact. In fact the only consumption is the end frame, where the men have reached their destination, a rural cabin, and have a can of beer each. It is also important to remember that Carlton Mid strength is a lower alcohol beer (3.5% ABV) with one standard drink per 375mL can/stubby. Therefore we feel it is a long bow to draw for the complainant to suggest that the behaviour of the men has been affected by excessive consumption.

In closing, we would contend that it is reasonable to suggest that the broad community appreciates and accepts that men and women are different in many ways and that this advertisement portrays the communication divide in an acceptably humorous way.

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 the application of Section 2.1 of the Code, relating to discrimination and vilification and noted the complainant’s concern that the advertisement depicted women in a negative manner.

The Board considered the scenario, involving the “life coach” stepping in to negotiate on behalf of the husband, to be an unrealistic situation portrayed in a humorous manner. The Board considered the use of humour, in particular the exaggerated behaviour of the husband’s friend, mitigated any suggestion that this was a serious description of all women. The Board therefore determined the advertisement did not discriminate against or vilify women and there was no breach of Section 2.1. The Board also considered whether the advertisement vilified men by depicting men as manipulative. Again the Board considered that the advertisement was clearly intended to be humorous and that its’ depiction of the man’s discussion with the wife was exaggerated and unlikely to be seen as behaviour that suggests that all men are manipulative of women. The Board determined that the advertisement did not discriminate against or vilify men.

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