



CASE REPORT

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| 1. Complaint reference number | 412/08 |
| 2. Advertiser | BSR Group |
| 3. Product | House goods/Services |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3
Discrimination or vilification Age - Section 2.1 |
| 6. Date of determination | Thursday, 30 October 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement by the BSR Group (Betta Electrical) for home entertainment products depicts a grandmother with her grandchildren playing with hula hoops - twirling them around their waists. The children stop twirling and look at their grandmother's feet. The viewers then see underpants at the grandmother's feet. The advertisement ends with a voice over: "For better home entertainment solutions, you're better off with Betta Electrical".

THE COMPLAINT

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

As a woman of 68 I find it really offensive to have an elderly (Grandmotherly) woman depicted as stupid or alzheimeric, with a thick dumb look, who has not even noticed that she has lost her knickers ... The children are shown as being embarrassed by her and snigger. Elderly women deserve better, this isn't even reality rather somebody (a man's) idea of Senior Women ... Also very bad for children to see this as funny.

It is ageist and portrays a section of the community in a degrading and humiliating way, but most disturbing is it has a sexual undertone which involves minors and implies she may be exposing herself to them.

I think the fact that the Grandma in the advert is depicted as dropping her underwear [is] demeaning. If it is meant to be funny, then it is NOT. It should be taken off.

THE ADVERTISER'S RESPONSE

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

As a leading Queensland advertising agency with 20 years experience, de pasquale always adheres to the strictest of quality compliance standards when creating any communication for its clients.

In reference to our new Betta brand TVC "Home Entertainment" execution for client BSR, de pasquale followed the guidance from the industry body CAD who approved the commercial for viewing within appropriate programming.

When creating the above mentioned commercial, our task was to create a "home entertainment" scenario that demonstrated how a consumer would be better off having shopped at Betta.

Putting this situation into context, the majority of Australians, and of course the Betta Electrical

target market, don't often find themselves hoola hooping with their grand kids in the living room - but having nanna's slip fall down sure is a comical approach to delivering the point: 'You'd be better off having shopped at Betta for home entertainment.'

We used humor to inject personality into the Betta Brand to stand out from the clutter of yelling and star bursts that are common in retail advertising. Similar to the kitchen execution where the man lets his dog lick the plate clean instead of putting the dishes in the dishwasher – most people would not let their dog lick plates clean – it's purely intended as a funny scene to make the consumer smile and get the message across.

We based the ads on what you would normally see on TV shows like Funniest Home Videos. We tested the concept internally and on general public prior to going into production. Everyone that we've ever shown the ad to [including seniors] have responded favorably and commented that the Home Entertainment execution is the best ad out of the series. The majority of BSR store managers and staff, along with customers, have responded positively and brand recognition and sales have increased year on year due to the campaign. We consider this ad and the campaign to be successful and effective for BSR.

Not once was it identified by the many professional people that saw the concept or the final commercial that it could be even potentially insulting our senior citizens, because that certainly was never our intent.

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 Sections 2.1, relating to discrimination or vilification on the basis of age and 2.3, relating to sex, sexuality and nudity.

The Board noted the complainants' concerns that the advertisement was demeaning towards elderly women. However, the Board did not regard the advertisement as demeaning towards elderly women generally, even if the advertisement did depict some humour at the woman's behaviour. The Board also considered that the reasonable person would not interpret the depiction of the elderly woman as implying she had dementia or a similar disorder. The Board considered the woman was shown being active, energetically interacting with her grandchildren. The Board also found the advertisement had no sexual overtones.

For these reasons, the Board determined there was no breach of either Sections 2.1 or 2.3 of the Code.

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