



## CASE REPORT

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| 1. Complaint reference number | 415/09   |
| 2. Advertiser                 | Australian Insurance Holdings                            |
| 3. Product                    | Insurance  |
| 4. Type of advertisement      | TV   |
| 5. Nature of complaint        | Discrimination or vilification Nationality – section 2.1 |
| 6. Date of determination      | Wednesday, 9 September 2009                              |
| 7. DETERMINATION              | Dismissed  |

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts head shots of a woman talking to a man about the advertised product and its price matching strategy. The woman has a French accent and discusses the value of the 'Budget Direct' product - pronouncing 'Budget' with a french accent. The woman finished talking and the man says 'it's Budget, love, budget.'

## THE COMPLAINT

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

*I find the advert sexist. I believe the way the guy speaks to the woman is belittling and sexist. He not only corrects the way she pronounces "budget" with a belittling tone but adding "love" to the end of it is really sexist. The "typical" Aussie guy featured in the ad has no eloquence or class what so ever and in correcting the cultured French woman it is also slightly racist as he is telling her her pronunciation is wrong. I have spoken to other people who also find the advert to be sexist (including my boyfriend whom I live with) I think that the way the guy speaks to the woman in the advert is really inappropriate, rude and sexist.*

## THE ADVERTISER'S RESPONSE

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

*The ad in question is an ad we know as 'Guarantee'. It is one of a suite of ads that use 'Michelle and Michael' to communicate various things about Budget Direct Car Insurance.*

*We have considered the complaint and the advertisement against section 2 of the Code. The nature of the complaint relates generally to discrimination and Ms Gibbs seems to be concerned that the advertisement is discriminatory to French people and more specifically women. Ms Gibbs has also expressed concern that the language used by the male 'Michael' towards the female 'Michelle' is not appropriate.*

*We respectfully disagree with Ms Gibbs' view that the ad is belittling, racist or sexist. We also disagree that the language used by Michael is rude. We do not consider the tone used by Michael when correcting Michelle's pronunciation of 'Budget' to be rude, racist or belittling and we do not consider the use of the affectionate term 'love' to be sexist in this context. We don't think that a reasonable person in the Australian community would consider the ad to discriminate against French people or women, or the language of the ad inappropriate.*

*In all of the ads the 'French' pronunciation of 'Budget' (Boojay) is used to make the brand name 'Budget Direct' more memorable, through both it's pronunciation in a 'French' accent and through its repetition in the 'English'. The French pronunciation and use of a 'French' character*

*is also designed to leverage positive inferences of 'sophistication', 'style', 'savvy' and 'quality' and transfer these to Budget Direct.*

*The ads were developed by BCM, one of the most highly awarded advertising agencies in Australia. The scripts were approved by our Compliance Manager. The talent are professional actors who were directed to appear to be in a typical, healthy relationship. The actors were directed by TV Director Tori Garrett, who is highly regarded for her experience in the industry.*

*In 'Guarantee', Michelle a savvy, French woman explains to her partner Michael, a successful Australian man, that Budget Direct's price beat guarantee could save him money on his car insurance. In 'Guarantee' as in all the ads, the tone, body language, mood and style is not negative, derogatory or offensive. The word 'love' (which is a generally acceptable term of affection) is used with an affectionate overtone, not in a belittling or derogatory way. The general mood of the ad is affectionate and light hearted.*

*Michelle and Michael ads first went to air in Melbourne in September 2008. The ads have consistently aired over many months and many Australians in the capital cities of Melbourne, Sydney, Adelaide and Brisbane, as well as certain areas of regional Australia, have seen them. This is the first comment or complaint that we have received that suggests that the ads are either sexist or racist, it certainly doesn't seem to be the thinking of any group.*

## **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 concerns and considered the application of Section 2.1 of the Code, relating to discrimination and vilification.

The Board noted that Michael's accent in the advertisement was a broad Australian accent, and is in line with other advertisements depicting Michael and Michelle with a light-hearted and colloquial depiction of some members of the Australian community.

The Board did not agree that Michael is being racist, sexist or rude. Rather, the character Michael, is merely indicating to Michelle how "Budget" is pronounced, playing on the way that the name could be said in a manner that suggests it is an expensive brand, and agreed that it was a tongue-in-cheek reference to the accessibility and affordability of the product.

The Board considered the tone of the advertisement was light-hearted and did not portray people from France or Australia in a negative way.

The Board determined the advertisement did not discriminate against, or vilify, people from France or Australia or any other section of the community and therefore found no breach of Section 2.1 of the Code.

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