



## **CASE REPORT**

- |                               |   |
|-------------------------------|---|
| 1. Complaint reference number | 450/07  |
| 2. Advertiser                 | RepcO Ltd (Christmas Sale 2007)   |
| 3. Product                    | Retail  |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Discrimination or vilification Gender - section 2.1<br>Discrimination or vilification Age - Section 2.1 |
| 6. Date of determination      | Wednesday, 16 January 2008  |
| 7. DETERMINATION              | Dismissed   |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement opens on an elderly woman sitting at a Christmas dinner table, with only her head showing above the table, until her chair starts rising to the correct height in intermittent bursts. It is then seen that her son is raising her chair using a trolley-jack.

## **THE COMPLAINT**

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

*This advert portrays mature women as moronic as such it vilifies mature women. It is not funny it is offensive.*

*I have experienced a similar situation at Christmas...it is not a humorous situation. This is just another 'ageism' situation that is becoming more prevalent (sic) in our supposedly civilised society, where the elderly are being ridiculous (sic), which should be sanctioned promptly (sic). The joys we all enjoy in this so called 'lucky' country are because of the elderly people that fought the wars, beat the depressions, etc, and built this country up to what it is and they should be revered instead of being ridiculed (sic).*

*She looks like a really sad person and it makes me and my elderly mother angry to see old people treated like props for a sale.*

*Because my father had dementia for 8 years in a Nursing Home and passed away. There must be many families with relatives with this sad and complicated disease who have them for Christmas dinner and would not jack them up with a REPCO car jack at the Christmas dinner table!! It is a disturbing ad trying to make a serious illness laughable!*

*The old person is shown in a state of dazed consciousness and gives the impression of being mentally subnormal. I consider this to be ageist, derogatory and patronising to the elderly.*

*I find this image totally offensive as once again, the grandmother (sic), and not the grandfather, is being targeted as an object of derision.*

*I find this very offensive and would be most upsetting to those who have loved ones suffering in that way.*

## **THE ADVERTISER'S RESPONSE**

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

*We are disappointed to discover that the complainant's interpretation of our commercial has caused any offence as we are certainly not seeking to offend any sector of the community or portray any negative stereotype with this campaign.*

*The agency have crafted this script as a fictitious situation between the characters and an entirely unrealistic scenario. The female character is most definitely not intended in any way to represent a person looking "stupid or demented" nor is the campaign intended to show any disrespect to women or people of advanced age.*

*Our actress is intended to look somewhat concerned and bemused by the actions of the overzealous handyman character in using a trolley jack to raise the height of her chair at the table - which we also suggest is a fictitious situation and certainly not recommended use of this product.*

*Her expression is intended to be purely a reaction to the fictitious circumstance of being elevated by the trolley jack, which one could reasonably expect might cause a reasonable person to be somewhat concerned and bemused.*

*The campaign is in keeping with our long running brand campaign entitled - Cars are our life too, which uses a number of similar fictitious situations to demonstrate the actors' passion for their cars and all things automotive.*

*We do not believe that there is any evidence to suggest that this advertisement portrays mature women as "moronic" nor discriminates or vilifies any person or sector of the community.*

## **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 complainants' concern that the advertisement depicts older women in a discriminatory manner and is offensive to people who care for older people with serious illnesses.

The Board considered that the advertisement was in poor taste and that it could be distressing to some people particularly people caring for the aged or people with dementia.

However the Board considered that the overwhelming takehome impact of this advertisement is the ridiculous behaviour of the son who is portrayed as a Repco or auto 'nut'. The Board considered that the over zealous handyman is the focus of the advertisement and bears the brunt of the intended humour. The Board determined that the advertisement did not ridicule or vilify older women or elderly people suffering from illness and 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.