



CASE REPORT

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| 1. Complaint reference number | 50/07 |
| 2. Advertiser | Foxtel Management Pty Ltd |
| 3. Product | Media |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Sexual preference – section 2.1 |
| 6. Date of determination | Tuesday, 13 March 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

There are two television advertisements, one which features two males dressed as women sitting down to tea in an elegant lounge room and speaking in exaggerated plummy voices about Foxtel's low price of \$36.95. A second advertisement features the same men at a beauty parlour getting their hair and nails done, as one relates stories from the new programs Foxtel is airing.

THE COMPLAINT

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

I think it is in poor taste. My six year old wanted to know why does (sic) men dress as women. Why promote transvestines (sic)?

THE ADVERTISER'S RESPONSE

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

Although the women depicted in the TVC are quite clearly men, this fact simply lends charm and good-natured humour to the commercial. It was not FOXTEL's intention to cause humiliation or distress to any sector of the community through its depiction of male actors playing females. There is nothing contained in the commercial that could be construed as discriminating or vilifying transvestites or transgender people. There were no sexual overtones or suggestive comments made in the commercial and there was no hint of inappropriate behaviour.

Further, FOXTEL refutes the philosophy put forward that promoting transvestites on national television promotes sexual confusion or is somehow inappropriate or offensive. The portrayal of men dressed as women for comic effect has a long tradition in television comedy (eg. Dame Edna), including family oriented comedy, and this commercial plays on that tradition.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board viewed the advertisement and considered which part of the Code the advertisement might breach. The Board held that the men dressed as women were intended to be humorous and that the community in general was unlikely to find the advertisement at all offensive.

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