



## CASE REPORT

1. Complaint reference number	512/08
2. Advertiser	BCF
3. Product	Other
4. Type of advertisement	Radio
5. Nature of complaint	Discrimination or vilification Sexual preference – section 2.1
6. Date of determination	Wednesday, 10 December 2008
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

In this radio advertisement from BCF for its outdoor clothing and equipment begins with Daniel making a phone call to Saskia. They are heard in the background, while a voice over introduces Daniel, saying he loves pilates, moisturises twice daily and gets his mum to get spiders out of the bath for him. Daniel then ends the call with "Gotta go, ciao". The voice over then says, "That ain't living Daniel. Get into BCF and get out of the city" before listing equipment available at BCF stores. The advertisement ends with the voice over saying, "This is living".

## THE COMPLAINT

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

*It is blatantly homophobic. 'Darren' is clearly supposed to be gay. It perpetuates gay stereotypes and says that this isn't 'living'. Apparently only machismo pursuits such as boating, camping and fishing are 'living'.*

*The ad implies that people that are not physically active, in some cases people that have non outdoor interests, or are introverted or psychologically challenged or homosexual or have medical conditions that stop them from enjoying the "great outdoors" are lesser members of society. Their ads imply that unless you live the life style that they advertise that you are less than a .. (insert your pronoun) .*

## THE ADVERTISER'S RESPONSE

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

*BCF Australia Pty Ltd has taken the liberty to interpret the above complaint in order to correctly respond to the advertisement of concern. 'Darren' is a name used in BCF advertising however not in the context portrayed above. It is assumed that the above complaint refers to an advertisement whereby the character name is actually 'Daniel' (An electronic copy of the radio advertisement is attached to the document as is the written script. In addition, other radio scripts have been attached to further highlight the intentions of the current campaign). The 'Daniel' theme has been used in both Radio and Television mediums. An electronic copy of the TV ad is attached also which will provide a further visual representation.*

*BCF have been running the 'This is Living' campaign for over twelve months in an array of mediums, including Television, Radio, Print and Online. The strategic position of the campaign has always been intended to juxtapose between two distinct lifestyle choices and given the nature of the business, encourage people from all walks of life that 'life is better in the outdoors'. Past times such as boating, camping and fishing, as depicted by the campaign as a whole, are suggested*

*to be healthy outdoor pursuits that promote healthy work life balance. Such pursuits are constructive, wholesome activities that are available to all members of the community and are believed to genuinely have a positive lifestyle influence.*

*The intention of the advertisement is merely to portray a lifestyle and in no way is there any reference to a distinct or specific portion of the community that discriminates on the basis of sexual preference, as suggested by the complainant. (Refer section 2.1 of the AANA code of Ethics)*

*The essence of the advertisement is designed to be comical in nature by means of an over the top portrayal of an individual that it is deemed to be totally unrealistic when applying a reasonability test. For example, "He even gets his mum to get spiders out of the bath for him," is not a practice that is envisaged to be conducted by many adult Australian's and does not infer any reference to homosexuality. This extreme representation is very much intentional so as to remove any reference toward typical behaviours. By building a character through an array of specific behaviors, creates a situation whereby the character is more removed from a typical member of society.*

*The complainant refers to the tone of voice used by the voice over in the advertisement. The overarching theme of the advertisement is to clearly distinguish a lifestyle and juxtapose that with an alternative lifestyle. This voice over simply portrays a well articulated, cultured, Australian male voice and in no way refers the sexual orientation of a person. This tone of voice is then juxtaposed against slightly less cultured and articulated voice over. It should be further noted that this 'less cultured' voice over is the same artist, using the same tones, that has been involved in BCF's advertising both past and present. This is relevant as it is not deemed to be an overtly macho voice but one that aligns to BCF's customer and subsequent brand values.*

*The campaign utilises humor to create the theatre of the advertisement depicted in both scripting and creative execution. This element of humor is not suggested to immunise an advertisement from ABAC standards however is suggested to impact the overall impression that an advertisement would have upon a listener.*

*BCF Australia regrets any offence taken by the complainant pertaining to this advertisement however suggests that the advertisement is in line within the AANA code of ethics as it is expected that the campaign is in line with community standards that a reasonable person would not infer any reference to discriminate on the basis of sexual orientations.*

## **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 on the basis of sexuality.

The Board considered the advertisement was a tongue-in-cheek parody of the modern stereotypical "metrosexual". The Board did not consider the character depicted was intended to be homosexual. The Board considered the advertisement did not discriminate against, or vilify, any person or group on the basis of their sexuality or on any other basis. The Board 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.