



## **CASE REPORT**

1. Complaint reference number	545/08
2. Advertiser	BCF
3. Product	Leisure & sport
4. Type of advertisement	Radio
5. Nature of complaint	Discrimination or vilification Other – section 2.1
6. Date of determination	Wednesday, 21 January 2009
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This radio advertisement from BCF for its sale of boats and fishing gear introduces "Malcolm" who collects tropical fish. It tells listeners that Malcolm spends Sunday cleaning his fish tank and then says, "Malcom, that ain't living. Get into BCF and get out on the water and catch some fish" before listing equipment available at BCF stores. The advertisement ends with the voice over saying, "BCF, Australia's greatest boating, fishing and camping store".

## **THE COMPLAINT**

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

*BCF - boating camping fishing supply stores series of radio ads. The one of the series that a man I forgot the name, just because he looks after his pet fish and his mum helps him all but says he is less of a man for doing so.*

## **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. (An electronic copy of the radio advertisement is attached to the document as is the written script) 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'. Pastimes 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. 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 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 inline within the AANA code of ethics as it is expected that the campaign is inline with community standards and that a reasonable person would not infer any reference of discrimination.*

## **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.

The Board noted the character in this radio advertisement is depicted as being devoted to his tropical fish tank and the voiceover suggests he get outside and go fishing instead. The Board noted there was no reference to the character's mother.

The Board considered the advertisement aimed at promoting the advertiser's boating and fishing products in a humorous manner, by suggesting there was more to life than staying indoors. The Board found that there was nothing in the advertisement that suggested the character was less of a man for staying indoors with his tropical fish. The Board determined that the advertisement did not discriminate against, or vilify, any identifiable 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.