



## **CASE REPORT**

1. Complaint reference number	56/09
2. Advertiser	Adina Jewellers
3. Product	Other
4. Type of advertisement	TV
5. Nature of complaint	Violence Other – section 2.2
6. Date of determination	Wednesday, 11 February 2009
7. DETERMINATION	Upheld – discontinued or modified

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement for Adina Jeweller's diamond watch collection shows a man arriving at his girlfriend's door. He rings the doorbell and greets his girlfriend with the words "I love you" and offers her a gift. The woman slaps his face. This scene occurs several times with the man offering different gifts. In the final scene the man offers the woman a watch and she accepts it, giving the man a hug. The advertisement ends with a voice over saying "True love is forever. Forever the stunning new ladies collection..." The company's contact details also appear in the closing shot.

## **THE COMPLAINT**

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

*The main objection is that I believe it is portraying Domestic Violence.*

*Encourages perception that violence is acceptable when female to male.*

## **THE ADVERTISER'S RESPONSE**

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

*We confirm receipt of your email covering the advertising complaint, reference 56/09. It was never our intention to upset any members of the public with our television "Forever" advertisement and should our advertisement been mis-understood by some members of the television audience we can only offer our apologies.*

*We have discussed your complaint with our television channel as well as our television advertisement producer and we wish to advise you that the following action has been instigated: -*

*1. That the commercial is no longer on air and will not be in the future.*

*2. That while the commercial was on air it had CAD approval. The CAD approval number is PN15AROA and only aired in the appropriate classification zones.*

*Trusting the above information will finalise your complaint and once again we apologise should our advertisement have been not acceptable with the viewing public.*

*Many thanks for your understanding.*

## **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' concerns about the repeated slapping of the man's face in the advertisement and considered the application of Section 2.2 of the Code, relating to violence.

The Board noted that it had recently considered 'slapping' in another advertisement. In that case the Board has considered: whether there was an actual depiction of violence in the advertisement, in particular whether there was actual physical contact in the portrayal of the slap, and whether the advertisement trivialised acts of violence.

The Board viewed the advertisement carefully and considered that the advertisement does show the woman slapping the man and that the man does wince and look uncomfortable with each slap.

The Board noted that the depiction of the man bringing gifts to the woman and receiving a slap in the face each time until he got the gift "right" was intended to be humorous and noted that the music accompanying the advertisement was light-hearted in tone. The Board considered that some members of the community would view the advertisement in a humorous light but did consider that some members of the community would see the advertisement as violent. In this respect, the Board noted that the advertisement depicts a woman slapping her partner/boyfriend because he has not purchased an appropriate gift. The Board considered this depiction had connotations of domestic violence. The Board determined that the intended humour did not mitigate the inappropriate representation of one person slapping another's face in the context of an intimate relationship. The Board determined that the advertisement did depict violence.

The Board also considered that, unlike previous advertisements it had looked at that involved a slapping action, the slapping of the face in this advertisement was not justifiable in the context of the product being advertised and that the same message could have easily been conveyed without the violent and repetitive action of the slap. On this basis the Board determined that the advertisement breached section 2.2 of the Code.

The Board also considered the advertisement was demeaning to both genders, in suggesting that the man would put up with anything to get the girl and that the woman was only interested in material things. The Board determined that the advertisement breached section 2.1 of the Code in that it vilified both men and women.

The Board determined that the advertisement depicted violence that was not justifiable in the context of the product advertised in contravention of Section 2.2 of the Code, and that it vilified on the basis of gender and therefore upheld the complaints.

## **ADVERTISER'S RESPONSE TO DETERMINATION**

*Further to your case report covering our TV advertisement for our Ladies Diamond set Adina watches, we appreciate your understanding, re our Advertisement which we tried to present in a slap stick comedy form.*

*We wish to confirm that we advised Channel 9 and also the company that produced our Advertisement, we will no longer be using this Advertisement to promote our range of ladies "Forever" Diamond set watches.*

*Both companies have been advised by us in writing and agree that this Advert will not be used for any future promotions.*

*We apologise if this Advertisement may have offended a small percentage of the viewing public as this was not our intentions.*

*Many thanks for your understanding and we know consider the matter being closed.*