



## CASE REPORT

1. Complaint reference number	62/06
2. Advertiser	Holden Ltd (Rodeo)
3. Product	Vehicles
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 14 March 2006
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a husband and wife in bed. He is watching car racing on television and she is reading a magazine, the front cover of which has the title: “*Our top 10 fantasies*”. She asks her husband what is his ultimate fantasy? To which he replies: “*A new Holden Rodeo*”. The scene shifts to footage of the man driving the Holden Rodeo in the dirt and up a small hill. The scene reverts to the bedroom where the wife asks “*Is that all?*”. The man says ‘Yeah’ and lies back in bed. The scene shifts to an image of the man driving a Holden Rodeo with an attractive young woman as a passenger. The man turns to the woman in the car and puts his finger to his lips in a “Shhhh” sign. The scene shifts to the Holden Rodeo driving along a dirt road.

## THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

*“The messages... include the suggestion that infidelity is normal and acceptable and that a wife is to be distinguished from and given less as compared to a sexually attractive woman to whom a husband is not married. The advertisement encourages the sexual discrimination of women.”*

*“I found the ad to be quite offensive to women in general and to married women in particular, depicting them as undesirable and unwanted by their partners who fantasise about casting them aside for someone young and sexy.”*

*“This commercial teaches children and society in general, that it is normal and acceptable for “daddy” to want to be with another, younger woman other than “mummy”.”*

*“... it portrays adultery/unfaithfulness to be a desirable activity... it undermines the importance of family values and marital/relationship faithfulness.”*

## THE ADVERTISER’S RESPONSE

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

*“The television advertisement demonstrates the characteristics of the new Rodeo V6 in a responsible and entertaining way.”*

*“Holden’s position on the complaint... is that the Rodeo television commercial does not contravene Section 2 of the AANA Advertiser Code of Ethics or the FCAI Code of Practice for Motor Vehicle Advertising.”*

## THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement should be considered under Federal Chamber of Automotive Industries’ Advertising for Motor Vehicles Voluntary Code of Practice (the “FCAI Code”).

To come within the FCAI Code, the material being considered must be an “advertisement”. The FCAI Code defines an “advertisement” as follows:

*“... matter which is published or broadcast in all of Australia, or in a substantial section of Australia, for payment or other valuable consideration and which draws the attention of the public, or a segment of it, to a product, service, person, organisation or line of conduct in manner calculated to promote or oppose directly or indirectly that product, service, person, organisation or line of conduct”.*

The Board decided that the material in question was published or broadcast in all of Australia or in a substantial section of Australia for payment or valuable consideration given that it was being broadcast on television in Australia .

The Board determined that the material draws the attention of the public or a segment of it to a “product” being a Holden Rodeo “in a manner calculated to promote...that product”. Having concluded that the material was an “advertisement” as defined by the FCAI Code, the Board then needed to determine whether that advertisement was for a “motor vehicle”. “Motor vehicle” is defined in the FCAI Code as meaning:

*“passenger vehicle; motorcycle; light commercial vehicle and off-road vehicle”.*

The Board determined that the Holden Rodeo was a “Motor vehicle” as defined in the FCAI Code.

The Board determined that the material before it was an “advertisement for a motor vehicle” and therefore that the FCAI Code applied.

The Board then analysed specific sections of the FCAI Code and their application to the advertisement. The Board identified that clause 2(a) was the only clause that might be relevant in the circumstances. In order to breach clause 2(a) of the FCAI Code, the advertisement must portray or imply:

*“unsafe driving, including reckless and menacing driving that would breach any Commonwealth law... if such driving were to occur on a road or road related area...”*

The Board noted that the driving scenes in the advertisement were a minor part of the advertisement and they did not depict any unsafe, reckless or menacing driving.

On the above basis the Board concluded that the advertisement did not portray any unsafe driving or any other material that would result in a breach of the FCAI Code.

The Board then considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted that complainants considered the advertisement demeaning to women, undermining of marriage and sexist.

The Board considered that the advertisement depicted a situation which was a mild bow in the direction of fantasy. The Board did not consider that it was uncommon for men and women in happy and committed relationships to fantasise about a situation that is outside their daily routine and for such fantasies to be no more than fleeting and rarely acted upon.

The Board also noted that the woman depicted as the ‘fantasy woman’ was not strikingly different in appearance to the woman portrayed as the wife and did not consider that there was a strong message in the advertisement that the fantasy woman was superior to the wife. The Board did not consider that the depiction of the man’s fantasy in this advertisement was offensive or demeaning.

Overall, the Board did not consider that the advertisement vilified women or the state of marriage. Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.