

COMPLAINT NUMBER	17/316
COMPLAINANT	K Revell and 3 others
ADVERTISER	Spark NZ Ltd
ADVERTISEMENT	Spark NZ Ltd, Television
DATE OF MEETING	10 October 2017
OUTCOME	Not Upheld

SUMMARY

The television advertisement for Spark featured a young boy in various situations without his father present around Father's Day. He was shown at school trying to paint a mug for a Father's Day present, at rugby watching another father supporting their son. The young boy is then seen looking up "what to do on Father's Day?" on the internet before bed. The next morning the young boy is seen carrying breakfast to his mother with a card that said "Happy Father's Day Mum" on the front. The advertisement concluded with the on-screen text which said "little can be huge" and the Spark logo.

Four Complainants' had similar concerns about the advertisement discriminating against fathers, perpetuating derogatory stereotypes about absent fathers and encouraging parental alienation. K. Revell also had concerns the advertisement was misleading and would encourage bullying of children without fathers.

The Advertiser said the advertisement was "a story of connection and of love and depicts one of the many different family configurations that exist in modern society." Spark noted with regard to the "emotional brand story telling" employed in the advertisement, "every customer perceives the clip through a filter of their own experience. Whether it makes someone happy, sad, angry or otherwise, all are understandable perspectives."

The Complaints Board said the advertisement depicted a loving relationship between a mother and son, which included positive representations of other fathers. The Complaints Board said the advertisement made no suggestion of why the young boy's father was not present on Father's Day and did not present a derogatory stereotype of a 'deadbeat' father and was unlikely to cause serious or widespread offence to father's or people in general. The Complaints Board said the advertisement was not misleading and did not negatively influence children.

The Complaints Board ruled the advertisement was not in breach of Basic Principle 4, Rule 2, Rule 4 and Rule 5 of the Code of Ethics and Basic Principles 2, 3 and 4 of the Code for People in Advertising.

[No further action required]

Please note this headnote does not form part of the Decision.

COMPLAINTS BOARD DECISION

Preliminary matter: The Chair directed the Complaints Board to consider whether the Children and Young Peoples Advertising Code applied to the complaint before it. The

Complaints Board agreed the product, execution and audience of the advertisement did not have significant appeal to children and it was not targeting them specifically. Accordingly, the Complaints Board ruled the Children and Young Peoples Advertising Code did not apply to the advertisement before it and as such, the advertisement was not considered under this Code.

The Chair directed the Complaints Board to consider the complaints with reference to Basic Principle 4, Rule 2, Rule 4 and Rule 5 of the Code of Ethics and Basic Principles 2, 3 and 4 of the Code for People in Advertising.

Basic Principle 4, Rule 2, Rule 4 and Rule 5 of the Code of Ethics required the Complaints Board to consider whether the advertisement contained any statement or visual presentation or created an overall impression which directly or by implication, omission, ambiguity or exaggerated claim was misleading or deceptive, was likely to deceive or mislead the consumer, makes false and misleading representation, abuses the trust of the consumer or exploits their lack of experience or knowledge. It also required the Board to consider whether the advertisement contained anything which clearly offended against generally prevailing community standards taking into account the context, medium, audience and product (including services) or was likely to cause serious or widespread offence.

Basic Principles 2, 3 and 4 of the Code for People in Advertising required the Complaints Board to consider whether the advertisement portrayed people in a manner which was reasonably likely to cause serious or widespread hostility, contempt, abuse or ridicule and taking into account generally prevailing community standards, was reasonably likely to cause serious or widespread offence on the grounds of their gender; race; colour; ethnic or national origin; age; cultural, religious, political or ethical belief; sexual orientation; marital status; family status; education; disability; occupational or employment status. The Complaints Board noted advertisements should not use stereotypes in the portrayal of the role, character and behaviour of groups of people in society which, taking into account generally prevailing community standards, is reasonably likely to cause serious or widespread offence, hostility, contempt, abuse or ridicule.

The Complaints Board ruled the complaint was Not Upheld.

The Complaints

Four Complainants' had similar concerns about the advertisement discriminating against fathers, perpetuating derogatory stereotypes about absent fathers and encouraging parental alienation.

K. Revell said the advertisement created the misleading impression that: "fathers are deadbeats, not needed and that most are not there for their children and that only mothers should be celebrated. This also implies that mothers should be celebrated on Father's Day. This is the same as celebrating Australia on Waitangi Day or celebrating another religion on Christmas." Further, K. Revell said the advertisement was socially irresponsible as it "has nothing to do with any of the products Spark has to offer and is simply an attack on fathers on Father's Day."

K. Revell said the advertisement was offensive to "all fathers, children and their other relatives and the wider community... suggesting that fathers are not a necessary part of that equation" and said it would "cause serious and widespread hostility, contempt, abuse and ridicule to those fathers and children who cannot see or talk to each other on Father's Day." K. Revell said the advertisement was "an attack on fathers, families and on the entire male gender" and "negatively shows a stereotypical view of fathers that they are not there for their children."

K. Revell was also concerned about the impact of the advertisement on children saying the advertisement “will encourage children to bully those who do not have a father in their life” and was concerned that “any alienated fathers or children seeing this who are suicidal could be driven over the edge by being told fathers are not needed.”

Other Complainant’s shared similar views including C. McKenzie said the advertisement “feeds into societies unfair portrayal of males” and J Clarkson said the advertisement “belittles fathers”. K. Crafar said the advertisement was “myopic, insensitive and gender discriminatory”.

The Advertiser’s response

Spark responded to the concerns raised by the Complainant stating that “Little can be huge” is their new brand position.

The Advertiser said, in part, the advertisement showed “a little boy who decides to show his mum how much he loves her. We call the spot ‘Celebrate every family, as it’s a story of connection and of love and depicts one of the many different family configurations that exist in modern society.” Spark noted with regard to the “emotional brand story telling” employed in the advertisement, “every customer perceives the clip through a filter of their own experience. Whether it makes someone happy, sad, angry or otherwise, all are understandable perspectives.”

There are many reasons why this particular family unit seems to be a solo mother and son (separation, divorce or death of the father, a woman who has chosen to have a baby on her own either through adoption or other means, same sex marriage, etc) and we never make any reference as to why it’s just the two of them... we were very careful not to make any judgements about the father. There isn’t any insinuation that this boy’s father is not needed, ‘useless’, not important or any other negative connotation - he is simply not present.”

The Advertiser said, in part that: “the majority of people view the clip in the spirit in which it was created - one of love and celebration of parents of any gender and their children... In our latest tracking from TRA after 2 weeks of activity, 76% of people who have seen the ‘Celebrate every family’ spot find it heart-warming, and 70% like the ad. Additionally 61% find the ad believable, well ahead of what we usually see for Spark with the norm being 46%”.

The Advertiser said, in part, that it advertisement does not create the impression that “fathers are deadbeats, not needed and that only mothers should be celebrated on Father’s Day” and noted it “includes positive scenes of Dads hugging, clapping and generally supporting their children. The teacher in the classroom scene is talking positively to her students about creating something for their Dads for Father’s Day. There are no negative verbal statements or images about Dads anywhere.”

Complaint Board Discussion

The Complaints Board noted the concerns of the Complainants’ and the response from the Advertiser.

The Complaints Board turned to consider whether the advertisement was likely to cause serious or widespread offence to fathers or people in general. It said the advertisement depicted a loving relationship between a son and mother and made no reference to the whereabouts of the father. The Complaints Board said the advertisement portrayed a family configuration that was not unique where, for a varied number of reasons, children are raised in single parent households, regardless of gender. Further, the Complaints Board noted there were positive depictions of fathers in the advertisement supporting weekend sports and through a number of children shown decorating mugs for their fathers.

Therefore, while it noted the offence the advertisement had caused the Complainants', when taking into account generally prevailing community standards, the depiction of the son giving a Father's Day present to his mother, was unlikely to cause serious or widespread offence to most people. The Complaints Board said, the advertisement was not in breach of Rules 4 or 5 of the Code of Ethics or Basic Principles 2 or 3 of the Code for People in Advertising.

The Complaints Board then considered whether the advertisement perpetuated derogatory stereotypes about absent fathers. While it acknowledged the Complainants' interpretation the lack of a father figure in the advertisement was depiction of an absent 'deadbeat Dad', the Complaints Board said the lack of his presence did not equate to a representation of a derogatory stereotype. The Complaints Board said there were many possibilities which could explain the absence of the father in the advertisement and, taking into account generally prevailing community standards, it was not reasonably likely to cause serious or widespread offence, hostility, contempt, abuse or ridicule. As such, the Complaints Board ruled the advertisement was not in breach of Basic Principle 4 of the Code for People in Advertising.

The Complaints Board then considered whether the advertisement was misleading by creating the impression that fathers are not there for their children and only mothers should be celebrated. It said the advertisement depicted a loving relationship between a son and mother and there was nothing misleading about the impression created by the advertisement. It said there was nothing to suggest only mother's should be celebrated or that fathers are not there for their children. The Complaints Board ruled the advertisement was not misleading and not in breach of Rule 2 of the Code of Ethics.

The Complaints Board then turned to consider whether the advertisement might have a significant impact on children by encouraging bullying or self-harm. The Complaints Board noted the advertisement, the product, execution and likely audience of the advertisement did not have significant appeal to children and it was not targeting them specifically. Further, the Complaints Board said the advertisement, was very unlikely to encourage any of the anti-social behaviours indicated by the Complainants nor have a negative impact on children or fathers. The Complaints Board said the Complainants' had taken an extreme interpretation of the advertisement and ruled it had been prepared with the due sense of social responsibility required by Basic Principle 4 of the Code of Ethics.

Summary

The Complaints Board said the advertisement depicted a loving relationship between a mother and son, which included positive representations of other fathers. The Complaints Board said the advertisement made no suggestion of why the young boy's father was not present on Father's Day and did not present a derogatory stereotype of a 'deadbeat' father and was unlikely to cause serious or widespread offence to father's or people in general. The Complaints Board said the advertisement was not misleading and did not negatively influence children.

The Complaints Board ruled the advertisement was not in breach of Basic Principle 4, Rule 2, Rule 4 and Rule 5 of the Code of Ethics and Basic Principles 2, 3 and 4 of the Code for People in Advertising.

Accordingly, the Complaints Board ruled the complaints were Not Upheld.

DESCRIPTION OF ADVERTISEMENT

The television advertisement for Spark featured a young boy in various situations without his father present around Father's Day. He was shown at school trying to paint a mug for a Father's Day present, at rugby watching another father supporting their son. The Young boy is then seen looking up "what to do on father's day?" on the internet before bed. The next morning the young boy is seen carrying breakfast to his mother with a card that said "Happy Father's Day Mum" on the front.

The advertisement concluded with the on-screen text which said "little can be huge" and the Spark logo.

COMPLAINT FROM K REVELL

The advert which was run just prior to and on Father's Day is offensive and misleading and goes against many advertising standards, which I list below.

Advertising Code of Ethics number 2.

This advert creates an overall impression that fathers are deadbeats, not needed and that most are not there for their children and that only mothers should be celebrated.

This also implies that mothers should be celebrated on Father's Day. This is the same as celebrating Australia on Waitangi Day or celebrating another religion on Christmas.

It will also confuse and encourage children to ignore fathers on Father's Day and instead celebrate mothers instead and will make children believe that fathers are not important.

Advertising Code of Ethics number 4.

This advert has nothing to do with any of the products Spark has to offer and is simply an attack on fathers on Father's Day. Spark did not run such an advert on Mothers Day.

Advertising Code of Ethics number 5.

This advert will offend all fathers, children and their other relatives and the wider community. Families are important to the community and all this advert is doing is suggesting that fathers are not a necessary part of that equation, by way of implying that only mother's should be celebrated.

Code for People in Advertising 2.

This advert will cause serious and widespread hostility, contempt, abuse and ridicule to those fathers and children who cannot see or talk to each other on Father's Day. The alienating mothers and their wider families will revel in the fact that fathers are being portrayed in such a way. Fathers have a hard enough time as it is with the laws and courts stacked against them and this kind of advertising will not help them in any way.

The boy is also seen to be not accepted by his rugby team and is walking separately from them. This will encourage children to bully those who do not have a father in their life.

We have a suicide problem in New Zealand and any alienated fathers or children seeing this who are suicidal could be driven over the edge by being told fathers are not needed.

The boy is seen as depressed throughout the entire advert until he gives his mother a present. Any children who are depressed could be tricked into thinking that the only way to feel better is to give their mothers a present.

Code for People in Advertising 3.

This is an attack on fathers, families and on the entire male gender. This will cause wide spread offence as it is against the majority of the nation.

Just because a father is separated from the mother does not mean that he shouldn't be celebrated. This advert offers no explanation of why the father is absent, it is left up to the viewer to decide. All the viewer knows is that the father is absent and the child appears to be depressed by it until he celebrates his mother. The viewer also is lead to believe that the

mother encourages this as she looks on the internet about Father's Day (after the child has) and the next thing we see is the child giving his mother a Father's Day gift.

The child is seen waiting alone on a school fence, in an empty street with no other children around. The mother turns up and looks at him with sympathy. This is clearly to show that the father is a deadbeat and can't even pick his son up from school. How is this a positive message for Father's Day?

You might argue that perhaps the father is deceased. Even if that were true, why would the day be about the mother? Surely it would be a good day to remember the father and celebrate him and ensure the boy never forgets his dad?

Code for People in Advertising 4.

This advert negatively shows a stereotypical view of fathers that they are not there for their children, the father is not even shown or mentioned once, yet this is a Father's Day advert! This will do nothing but reinforce a view held that fathers are useless and expendable.

Children and Young People's Advertising Code 1(c).

This advert openly encourages parental alienation. It shows a mother ignoring the father (by way of no photos or mention of him being shown) and encouraging her son to celebrate her and not the father. She encourages and thanks the boy for celebrating her on Father's Day instead of his father. This is encouraging children to do this and mothers to do this as well.

COMPLAINT FROM C MCKENZIE

The advert about the child without a dad on fathers day.

I'm really upset that spark get to have an advert like this... it feeds into societies unfair portrayal of males... They could have made it was like the father was dead. NZ has an increased suicide rate.

The majority males... But hey, why worry.. Males are disposable.

Are spark going to create an add exactly like this for mothers day? That would be the only fair solution. I am discussed.

COMPLAINT FROM J CLARKSON

This advert belittles fathers and has outraged many. Please see the Spark Facebook page for all the angry comments. There is a very real issue in New Zealand of mothers and the family courts alienating fathers from their children. This advert suggests that it is ok. It reinforces the stereotype that fatherhood doesn't matter. If this was done the other way around on Mothers day there would be a National outrage!

COMPLAINT FROM K CRAFAR

These adverts preceded Father's Day on the 3rd September 2017.

I find them myopic, insensitive and gender discriminatory. Moreover I am fairly certain no such advertisement was aired on 'Mother's Day'...nor would I expect it nor accept the reverse gender ideology. Equality is not an opportunity to promote reverse discrimination in any form?

As a male I brought up three children largely alone, but the neo socialism displayed did not deny them the "RIGHT" to have BOTH a 'Mother' and a 'Father' as separate entities. The advert in question is clearly 'biased' and drafted by an advertising agency with questionable perspective of family bonds and the real world in which it operates! It needs condemnation at every level ? Step back from the brink of stupidity, please?

CODE OF ETHICS

Basic Principle 4: All advertisements should be prepared with a due sense of social responsibility to consumers and to society.

Rule 2: Truthful Presentation - Advertisements should not contain any statement or visual presentation or create an overall impression which directly or by implication, omission, ambiguity or exaggerated claim is misleading or deceptive, is likely to deceive or mislead the consumer, makes false and misleading representation, abuses the trust of the consumer or exploits his/her lack of experience or knowledge. (Obvious hyperbole, identifiable as such, is not considered to be misleading).

Rule 4: Decency - Advertisements should not contain anything which clearly offends against generally prevailing community standards taking into account the context, medium, audience and product (including services).

Rule 5: Offensiveness - Advertisements should not contain anything which in the light of generally prevailing community standards is likely to cause serious or widespread offence taking into account the context, medium, audience and product (including services).

CODE FOR PEOPLE IN ADVERTISING

Basic Principle 2: Advertisements should not portray people in a manner which is reasonably likely to cause serious or widespread hostility, contempt, abuse or ridicule.

Basic Principle 3: Advertisements should not portray people in a manner which, taking into account generally prevailing community standards, is reasonably likely to cause serious or widespread offence on the grounds of their gender; race; colour; ethnic or national origin; age; cultural, religious, political or ethical belief; sexual orientation; marital status; family status; education; disability; occupational or employment status.

Basic Principle 4: Stereotypes may be used to simplify the process of communication in relation to both the product offered and the intended consumer. However, advertisements should not use stereotypes in the portrayal of the role, character and behaviour of groups of people in society which, taking into account generally prevailing community standards, is reasonably likely to cause serious or widespread offence, hostility, contempt, abuse or ridicule.

CHILDREN AND YOUNG PEOPLE'S ADVERTISING CODE

Principle 1: Advertisements targeted at children or young people must not contain anything that is likely to result in their physical, mental or moral harm and must observe a high standard of social responsibility.

Rule 1 (c): Advertisements must not condone, encourage or unreasonably feature anti-social behaviour, for example vindictiveness or bullying, unless the purpose of the advertisement is to discourage such behaviour.

RESPONSE FROM ADVERTISER, SPARK NZ LTD

1. We refer to the ASA Complaint Board's complaint notification letter of 11 September 2017. Spark New Zealand Trading Limited ("**Spark**") and its advertising agency, Colenso BBDO Limited, were responsible for creating and placing the television advertisement which is the subject of this complaint ("**Advertisement**"). We respond on behalf of both parties.

The Codes

2. Your letter refers to the following sections of the Advertising Codes of Practice (“Codes”):
 - a. Code of Ethics - Basic Principle 4 and Rules 2, 4 and 5.
 - b. Code for People in Advertising - Basic Principles 2, 3 and 4.
 - c. Children and Young People Advertising Code - Principle 1, Rule 1(c).
3. Spark is a responsible advertiser and fully supports the objectives and functions of the Advertising Standards Authority as well as the meaning and intent of the Codes. Spark acknowledges the concerns raised by the complainants but does not agree that the Advertisement breaches any of the Principles or Rules of the Codes.
4. We set out below a brief description of the Advertisement. We then provide reasons why the Advertisement complies with the Basic Principles and Rules set out above, as well as the spirit and intention of the Codes.

Little can be Huge - Celebrating every family

5. Our new brand positioning is based around the idea “Little can be huge”. We’re using this unifying idea to tell a number of stories about New Zealanders, but the particular story that is the subject of complaint is about a little thought and a little gesture that has a huge impact on someone’s day. In this case a little boy who decides to show his mum how much he loves her. We call the spot “Celebrate every family”, as it’s a story of connection and of love and depicts one of the many different family configurations that exist in modern society. <https://vimeo.com/231447496/00f8d6e5b4>
6. There are many reasons why this particular family unit seems to be a solo mother and son (separation, divorce or death of the father, a woman who has chosen to have a baby on her own either through adoption or other means, same sex marriage, etc) and we never make any reference as to why it’s just the two of them.
7. Last year, we ran a campaign which depicted a special relationship between a Father and daughter. That story was about a solo dad looking to connect with his daughter through music. The mum wasn’t present in that campaign and we also didn’t allude as to why or the circumstances. <https://youtu.be/MMXDW0zfWeU>
8. As this is emotional brand story telling, every customer perceives the clip through a filter of their own experience. Whether it makes someone happy, sad, angry or otherwise, all are understandable perspectives. We’re not able to control the way each person perceives the stories we tell. What we have seen is that the majority of people view the clip in the spirit in which it was created - one of love and celebration of parents of any gender and their children.
9. A few people have commented that this is an indictment on absentee fathers and that we are supporting a negative stereotype. However, in the Advertisement, we were very careful not to make any judgements about the father. There isn’t any insinuation that this boy’s father is not needed, 'useless', not important or any other negative connotation - he is simply not present. Examples of the comments that we have received about the Advertisement and our responses, are set out in Attachment 1 to this letter.
10. In our latest tracking from TRA after 2 weeks of activity, 76% of people who have seen the “Celebrate every family” spot find it heart-warming, and 70% like the ad. Additionally 61%

find the ad believable, well ahead of what we usually see for Spark with the norm being 46%. The Advertisement is not currently being aired on television but the intention is to bring the spot back in April-June 2018. At that time, we intend to also provide further examples and context for the fact that in today's society, families come in all different forms.

Reasons why the Advertisement complies with the Codes

11. In the following paragraphs, we discuss the reasons why Spark believes the Advertisement complies with the Basic Principles and Rules as well as the spirit and intention of the Codes.

Code of Ethics – Basic Principle 4

12. Basic Principle 4 of the Code of Ethics reads:

“All advertisements should be prepared with a due sense of social responsibility to consumers and to society”

13. The Advertisement has been prepared with a due sense of social responsibility to consumers and to society. Spark denies that in producing the Advertisement that it has acted in a socially irresponsible way. Spark and its creative agency gave significant thought to possible interpretations by members of the public. In the Advertisement, we were very careful not to make any judgements about the father and to simply focus on the positive relationship between mother and son. From the feedback we have received, the majority of people who view the clip see it in the spirit in which it was created - one of love and celebration of parents of any gender.

14. To test its view, Spark consulted with the Television Commercial Advisory Board. TCAB did not feedback that this scene was socially irresponsible and did not propose or recommend any changes to the Advertisement.

Code of Ethics – Rule 2

15. Rule 2 of the Code of Ethics reads:

Truthful Presentation – Advertisements should not contain any statement or visual presentation or create an overall impression which directly or by implication, omission, ambiguity or exaggerated claim is misleading or deceptive or is likely to deceive or mislead the consumer, makes false and misleading representation, abuses the trust of the consumer or exploits his/her lack of experience or knowledge.

16. Spark denies that the overall impression of the Advertisement is misleading or deceptive in any way or that it breaches Rule 2 of the Code in any other way. In particular, we do not agree that the Advertisement in any way suggests or creates an impression that fathers are deadbeats, not needed and that only mothers should be celebrated on Father's Day.
17. To the contrary, the Advertisement shows a number of Dads positively supporting their children – clapping for them, being there for them, hugging them and picking them up from rugby training. In addition, the classroom scene discusses painting Dad a mug with “No 1 Dad” or “I love you Dad” on it.
18. Spark believes the Advertisement complies in all respects with Rule 2 of the Code of Ethics.

Code of Ethics – Rule 4 and 5

19. Rules 4 and 5 of the Code of Ethics read:

Rule 4 - Decency – Advertisements should not contain anything which clearly offends against generally prevailing community standards taking into account the context, medium, audience and product (including services).

Rule 5 - Offensiveness – Advertisements should not contain anything which in the light of generally prevailing community standards is likely to cause serious or widespread offence taking into account the context, medium, audience and product (including services).

20. While Spark is sensitive to the concerns raised by the Complainants, Spark does not believe that the Advertisement contains anything which (a) **clearly** offends against generally prevailing community standards; or (b) is likely to cause **serious or widespread offence** in the light of generally prevailing community standards.

21. We reiterate our comments in paragraph 16 above that the Advertisement includes positive scenes of Dads hugging, clapping and generally supporting their children. The teacher in the classroom scene is talking positively to her students about creating something for their Dads for Father's Day. There are no negative verbal statements or images about Dads anywhere in the Advertisement.

22. Spark believes the Advertisement complies with Rules 4 and 5 of the Code of Ethics.

Code for People in Advertising – Basic Principles 2, 3 and 4

23. Basic principles 2, 3 and 4 read as follows:

2 - Advertisements should not portray people in a manner which is reasonably likely to cause serious or widespread hostility, contempt, abuse or ridicule.

3 - Advertisements should not portray people in a manner which, taking into account generally prevailing community standards, is reasonably likely to cause serious or widespread offence on the grounds of their gender; race; colour; ethnic or national origin; age; cultural, religious, political or ethical belief; sexual orientation; marital status; family status; education; disability; occupational or employment status.

4 - Stereotypes may be used to simplify the process of communication in relation to both the product offered and the intended consumer. However, advertisements should not use stereotypes in the portrayal of the role, character and behaviour of groups of people in society which, taking into account generally prevailing community standards, is reasonably likely to cause serious or widespread offence, hostility, contempt, abuse or ridicule.

24. Spark does not believe the Advertisement breaches any of principles 2, 3 or 4 of the Code for People in Advertising. We strongly reject that the Advertisement is an attack on fathers, families, the entire male gender or that the Advertisement shows a stereotypical view that fathers are not there for their children or are useless and expendable.

25. In the Advertisement, we were very careful not to make any judgements about the father. There isn't any insinuation that this boy's father is not needed, 'useless', not important or any other negative connotation - he is simply not present.

26. In addition, as mentioned above, there are a number of positive images throughout the Advertisement of men supporting and caring for their children. The Advertisement also contains positive statements from the teacher about what children can do for their fathers for Father's Day.

27. We do not agree with the sentiments expressed by the complainants or the inferences or impressions that they draw from the Advertisement but we acknowledge that individuals

who view the clip see it through a filter of their own experience. The majority of people appear to have viewed the clip in the spirit in which it was created - one of love and celebration of parents of any gender. Examples of some of the comments that we have received and our responses are set out in Attachment 1 to this letter.

28. Spark's position is that the Advertisement does not **clearly** offend against generally prevailing community standards, nor is it likely to cause **serious or widespread offence** in the light of generally prevailing community standards.

Children and Young People Advertising Code – Principle 1, Rules 1(c)

29. Principle 1 and Rule 1(c) read as follows:

PRINCIPLE 1

Advertisements targeted at children or young people must not contain anything that is likely to result in their physical, mental or moral harm and must observe a high standard of social responsibility.

Rule 1(c) - Advertisements must not condone, encourage or unreasonably feature anti-social behaviour, for example vindictiveness or bullying, unless the purpose of the advertisement is to discourage such behaviour.

30. The Advertisement is not targeted at children or young people and therefore Spark's view is that the Children and Young People Advertising Code is not relevant. Notwithstanding that, and for the avoidance of doubt, Spark does not agree that the Advertisement contains anything that is likely to result in any harm to children or that condones, encourages or unreasonably features anti-social behaviour.
31. The Advertisement shows a boy who is loved. It's a story of connection and of love and depicts one of many different family configurations that exist in modern society. In doing so, it does not in any way pass negative judgement on men, male figures or women for that matter.

Conclusion

32. In summary, for the reasons set out above Spark does not agree that the Advertisement breaches any of the Principles or Rules of the Codes or the spirit and intention of the Codes.
33. The Advertisement was prepared with a due sense of social responsibility and does not contain anything which is likely to cause serious or widespread offence in the light of generally prevailing community standards. We also confirm that the Advertisement was approved by the TVCAB.
34. We accordingly request a ruling from the Board that the complaint is **not upheld**.

RESPONSE FROM MEDIA, CAB

We have been asked to respond to this complaint under the following codes:
 Code of Ethics – Basic Principle 4, Rule 2, 4 and 5
 Code for People in Advertising – Basic Principle 2, 3 and 4
 Children and Young People Advertising Code – Principle 1, Rule 1(c)

CAB approved this Spark commercial on 29/08/17 with a G classification. Under CAB's internal procedures, the commercial is categorised as telecommunications advertisement.

This commercial shows a young boy expressing love and gratitude towards his mother.

It is fine.

The principle of discrimination relies on the unjust or prejudicial treatment of categories of people. This commercial shows a warm and positive relationship between child and parent – there is no discriminatory element at play.