

COMPLAINT NUMBER	18/267
COMPLAINANT	D Jorgensen
ADVERTISER	Brokenshire Plumbing
ADVERTISEMENT	Brokenshire Plumbing, Radio
DATE OF MEETING	11 September 2018
OUTCOME	Not Upheld

SUMMARY

The Complainant said the advertisement was in breach of the Code because it is very clear one person is hitting another person.

The Media, on behalf of the Advertiser, said the advertisement was trying to break stereotypes, as the average plumbing business is commonly seen as male-dominated. The Media said the advertisement highlights that a female can be in charge of a typically male-dominated industry by using obvious hyperbole to show the wife actually controls (or has equal control of) the business.

The Complaints Board said the advertisement employs the use of humour to get its message across, although it was of the view the stereotypes used were outdated.

The Complaints Board said the advertisement did not condone the use of violence and would not be regarded as offensive to most people.

The Complaints Board ruled the complaint was Not Upheld.

[No further action required]

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

COMPLAINTS BOARD DECISION

The Chair directed the Complaints Board to consider the complaint with reference to Basic Principle 4 and Rules 4 and 7 of the Code of Ethics.

The Complaints Board was required by Basic Principle 4 to consider whether or not the advertisement had been prepared with a due sense of social responsibility.

Rule 4 required the Complaints Board to consider whether or not the advertisement contained anything which in light of generally prevailing community standards is likely to cause serious or widespread offence taking into account the context, medium, audience and product.

Rule 7 required the Board to consider whether the advertisement contained anything which lent support to unacceptable violent behaviour.

The Complaints Board ruled the complaint was Not Upheld.

The Complaint

The Complainant said the advertisement was in breach of the Code because it is very clear one person is hitting another person.

The Media's Response

The Media, Mediaworks, replied on behalf of the Advertiser. The Media said the advertisement was trying to break stereotypes as the average plumbing business is commonly seen as male-dominated. The advertisement highlights that a female can be in charge of a typically male-dominated industry by using obvious hyperbole to show the wife actually controls (or has equal control of) the business.

Precedent

The Complaints Board referred to a precedent decision, Decision 10/226, which was not upheld. The Complainant said "The "In an ideal world" ad campaign, which is fine until the hapless male main character apparently offends a couple of female co-workers at the water cooler with, perhaps, an off-colour joke. They respond by both slapping him in the face. Whilst this may be the accepted response in the old world to female offence-taking, I can only imagine the howls of outrage nowadays if a TV ad depicted a couple of men slapping a woman in the face because she happened to say something that they didn't like."

The Complaints Board considered the context of the advertisement and, in particular, the juxtaposition of the two worlds, the ideal world and the world we actually live in. In one, the two women laugh at the man's joke and in the other, they slap him for telling an unacceptable joke. In the Complaints Board's view, the depiction was not meant to be taken literally and most viewers were unlikely to do so. The Complaints Board said the advertisement was clearly hyperbolic and humorous and did not reach the threshold to offend against the prevailing community standards or cause serious or widespread offence.

The Complaints Board Discussion

The Complaints Board considered the likely consumer take-out of the advertisement. They agreed it conveyed the wife as "the boss", who is constantly telling her husband what to do. The Complaints Board agreed the communication style between the couple is friendly banter and while they both make jokes at the other's expense, they are also clearly managing to operate a business together.

The Complaints Board said the advertisement employs the use of humour to get its message across, although it was of the view the stereotypes used were outdated and based on a 1970's ethos.

The Complaints Board said that due to the level of humour involved and the radio medium, the advertisement did not lend support to the use of violence and was unlikely to cause serious or widespread offence.

The Complaints Board agreed the content of the advertisement did not breach Rule 4 or Rule 7 of the Code of Ethics. The Board also agreed that the advertisement did not reach the threshold to breach Basic Principle 4 as it had been prepared with a due sense of social responsibility.

Accordingly, the Complaints Board ruled the complaint was Not Upheld.

DESCRIPTION OF ADVERTISEMENT

The radio advertisement for Brokenshire Plumbing is presented by a “husband and wife” duo, as owner-operators of a plumbing business. There is a teasing aspect to their relationship. The husband is of the view that the wife dominates him, and tells him what to do:

Husband: “Still locally owned and wife-operated and working WHENEVER Bern tells me to!”

Wife (Bern): Too right you are!

After she says this, there is the sound of a slap (or the cracking of a whip), and the husband says “Ow!”

COMPLAINT FROM D JORGENSEN

I believe this ad to be in breach of the Advertising Standards Code 1(f). The ad dialogue has two voices a male (the husband owner of the business) and a female (the wife owner of the business); part of the dialogue has the male voice says "maintenance, maintenance, high maintenance - just like Bernie' (referring to his wife) this is followed by the female voice 'oi', then the sound of a slap and the male voice going 'ow'. It is very clear that this is one person hitting another person.

CODES OF PRACTICE

CODE OF ETHICS

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

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 7: Violence - Advertisements should not contain anything which lends support to unacceptable violent behaviour.

RESPONSE FROM MEDIA, MEDIAWORKS (ON BEHALF OF ADVERTISER)

Contact person for advertising complaints	Schroeder Evans / Jon Strutton
Name and contact at creative agency	
Name and contact at media agency	
A basic, neutral description of the advertisement	Husband and wife arguing about maintenance around the house.
Date advertisement began	August 3 rd , 2018
Where the advertisement appeared (all locations e.g. TV, Billboard, Newspaper Website)	MediaWorks Radio – Manawatu Stations – George FM, Mai FM, More FM, RadioLIVE, Sound

Is the advertisement still accessible – where and until when?	Current until August 31 st , 2018
A copy of digital media file(s) of the advertisement – if the complaint relates to on-screen graphic, please send a broadcast quality version.	
Who is the product / brand target audience?	Plumbing – Home owners / Landlords
Clear substantiation on claims that are challenged by the complainant.	This husband and wife are trying to break stereotypes. The average plumbing business is commonly seen to be a male-dominated category. This commercial highlights that a female can be in charge of a typically male-dominated industry by using obvious hyperbole to show the wife actually controls (or has equal control of) the business.
The response from the advertiser is included in the published decision. The ASA is not able to accept confidential or proprietary information. Please contact the Complaints Manager if this is an issue.	
For Broadcast advertisements:	
A copy of the script	<p>B: Maintenance, maintenance, maintenance, maintenance, maintenance.</p> <p>Hi Bern here from Brokenshire Plumbing! We specialise in doing all plumbing maintenance, no job to big or to small!</p> <p>D: Maintenance, maintenance, maintenance high maintenance, that's my Bern!</p> <p>B: Oi</p> <p>D: Ow! It's that time of the year to get all those drips fixed!</p> <p>B: David there's some drips you can't do anything about!</p> <p>D: Ha ha ha!</p>

	<p>B: For all your plumbing maintenance from leaking spouting, taps, blocked drains call Brokenshire Plumbing, under B in the White Pages.</p> <p>D: Still locally owned and wife operated and working WHENEVER Bern tells me to!</p> <p>B: Too right you are!</p>
A copy of the media schedule and spot list (Please remove all financial information)	Attached
CAB key number and rating	
For Digital advertisements:	
What platform tools have you used to target your audience?	

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.