



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0017/11</b>
<b>2</b>	<b>Advertiser</b>	<b>3D Inspiration Paint Store</b>
<b>3</b>	<b>Product</b>	<b>Retail</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>09/02/2011</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.2 - Violence Domestic violence

### DESCRIPTION OF THE ADVERTISEMENT

A man and woman standing near a ladder and painting a white brick wall red, the man makes a comment about the choice of colour, the woman gets him to hold the paint roller and moves off screen. Woman walks back in with a frying pan and hits man over the back of his head with the frying pan, he falls down. Woman then pushes over the ladder and mockingly calls out for help. Ad then shows Bathurst 3D paint centre.

### THE COMPLAINT

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

*I object to the advertisement as the ad portrays violence, domestic violence at that. I assume it's showing it as something to be laughed at. I don't think it was funny at all. I do not think it falls into the realm of slapstick either. If the roles were reversed and the man was the one hitting the woman over the head there would be outrage. There is enough domestic violence and violence in general in our society without advertisers resorting to this level to sell paint.*

### THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*My advert does indeed portray violence but it is intended as slapstick humour and is in line with previous ads where humour is used in an attempt to capture the viewers' attention. It's unfortunate this viewer takes offence. I can only wonder why they would watch TV at all if they find my ad objectionable compared to the amount of violence etc on TV generally. Let's hope they don't watch the news.*

## **THE DETERMINATION**

The Advertising Standards Board (Board) considered whether this advertisement breaches Section 2 of the AANA Advertiser Code of Ethics (the "Code").

The Board noted the complainants concerns that the advertisement depicts domestic violence.

The Board viewed the advertisement and noted the advertiser's response.

The Board considered whether the advertisement was in breach of section 2.2 of the Code. Section 2.2 of the Code states that "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised."

The Board noted the advertisement features a woman who hits a man over the back of his head with a frying pan and he falls down. The woman then pushes the ladder over, seemingly onto the man, and mockingly calls out for help.

The Board noted the advertiser's response that the ad is intended as slapstick humour and the majority of the Board agreed that it is similar in nature to previous advertisements where humour is used in an attempt to capture the viewers' attention.

A minority of the Board considered that, although intended to be humorous, the advertisement depicts violence between a couple and this violence is not relevant to the advertised product.

The majority of the Board considered that most members of the community would find the advertisement humorous and would recognise that it was not encouraging or condoning violence, but rather emphasising the unlikely but familiar situation between couples over decisions such as the colour of paint and home renovating in general.

On this basis the Board determined that the advertisement did not depict or condone violence and was not in breach of section 2.2 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.

