



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0020/19
2	Advertiser	Specsavers Pty Ltd
3	Product	Health Products
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	23/01/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement starts with male hands tightening and grasping the last of a set of bolts into a white patterned wall. Having completed, the hands move away and down out of frame. The advertisement then cuts to a wider view of a basketball hoop. A ladder is still in place, including a few tools on top. It then becomes clear that the hoop has been attached to a roller door. Suddenly the roller door starts to open and the hoop rises upwards until it jams with a metallic crackle. The advert cuts to a section of the doomed roller door where a Specsavers retail message appears.

THE COMPLAINT

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

It demeans and stupefies men. I find that it smacks of misandry. This style of commercial could not be screened with female talent.

Thankyou



THE ADVERTISER'S RESPONSE

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

Complaint reference number: 0020/19 Further to your letter dated 14 January 2019, please find below Specsavers' response to your letter for due consideration by the Ad Standards Community Panel. Response to all parts of Section 2 of the AANA Code of Ethics ("Code") 2.1 – Discrimination or vilification As the Code does not define the terms 'discriminates' or 'vilifies' we have adopted the ordinary English meanings. We draw your attention to the following Macquarie Dictionary definitions in the context of this complaint: 'vilify': to speak evil of, defame, libel, malign, slander

'discriminate': to make a distinction, as in favour of or against a person or thing. We do not believe it can reasonably be said that any aspect of the advertisement portrays people or depicts material in a way which, discriminates against or vilifies a person or section of, the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief. We do not believe there is any discrimination or vilification on the basis of gender in the advertisement as suggested by the complainant. We believe that the character in the advertisement is not humiliated, ridiculed or held in contempt and does not have hatred incited against them. Contrary to the complaint, we do not believe that the advertisement demeans and/or stupefies men nor does it insult the intelligence of men. For clarity, the definition of 'stupefy' suggests that someone is made unable to think clearly or is very surprised or shocked. Rather the advertisement portrays what we believe is a light-hearted and humorous situation in keeping with the appropriate tone of much television content and community standards. This advertisement is similar to other 'Should've gone to Specsavers' style advertisements which depict a humorous situation in which someone (man or woman) has been unable to see properly due to not having their eyes tested. We therefore believe that the advertisement complies with the Code in relation to Section 2.1. 2.2 – Exploitative and degrading

We do not believe there is any exploitative and degrading content depicted in the commercial. We therefore believe that the advertisement complies with the Code in relation to Section 2.2. 2.3 – Violence We do not believe there is any violence depicted in the commercial. We therefore believe that the advertisement complies with the Code in relation to Section 2.3. 2.4 – Sex, sexuality and nudity We do not believe there is any sex, sexuality or nudity in the commercial. We therefore believe that the advertisement complies with the Code in relation to Section 2.4. 2.5 – Language We do not believe there is inappropriate language in the commercial. We therefore believe that the advertisement complies with the Code in relation to Section 2.5. 2.6 – Health and Safety We do not believe the commercial depicts material contrary to health and safety standards. We therefore believe that the advertisement complies with the Code in relation to Section 26. 2.7 – Distinguishable as advertising We believe the commercial is clearly distinguishable as advertising and as a marketing



communication because the Specsavers logo is clearly used and the advertising and marketing approach does not camouflage the fact that the advertisement is advertising. This is further enhanced by the “Should’ve gone to Specsavers” text over the garage door. We therefore believe that the advertisement complies with the Code in relation to Section 2.7. Advertising and Marketing Communications to Children Code We believe that the advertisement does not contravene the Advertising & Marketing Communications to Children Code as the advertisement is not directed primarily to Children. Food & Beverages Advertising and Marketing Communications Code The Food and Beverages Advertising and Marketing Communications Code does not apply to the advertisement. The advertisement is not advertising Food or Beverage Products. We trust that the above satisfies your enquiry, however if you require any further information, do not hesitate to contact us.

THE DETERMINATION

The Ad Standards Community Panel (Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant’s concern that the advertisement was sexist and portrayed men as stupid.

The Panel viewed the advertisement and noted the advertiser’s response.

The Panel considered whether the advertisement complied with Section 2.1 of the Code which requires that ‘advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.’

The Panel noted the complainant’s concern that the advertisement demeans and stupefies men.

The Panel noted the advertisement featured a man installing a basketball hoop on a garage door. The door begins to roll up and the basketball hoop breaks off. The text ‘should have gone to Specsavers’ appears on the screen and the voice over gives current special offers on glasses.

The Panel considered that the advertisement clearly depicted the man as having installed the basketball hoop on the wrong part of the garage because of his poor eyesight. The Panel considered that the advertisement was a humorous depiction of the consequences of not having correct glasses, and was not a depiction which demeaned the man on account of his gender.

The Panel determined that the advertisement did not discriminate against or vilify any



person or section of the community on account of their gender and did not breach Section 2.1 of the Code.

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

