



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0024/19
2	Advertiser	WR Engineering
3	Product	Professional Service
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
- 2.2 - Objectification Degrading - women
- 2.2 - Objectification Exploitative - women

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features two men standing in front of a house as a woman (one of the men's wife) prunes a tree in the background. One of the men says "She's lookin' good" and the other man replies "I know, even after all these years she's still got it". The woman smiles, apparently thinking they are speaking about her, however sees them looking at the garage door and realises they are referring to it. She throws a tree cutting at the men.

THE COMPLAINT

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

I object to this type of advertising as it typecasts women as men's property. The advertisement insinuates the men are discussing the woman's looks, as if she were a piece of meat. As a woman, I find this offensive as women are not the property of men, merely here to sneer at whenever they see fit. In the #metoo era, this advert is both tasteless and inappropriate. Women should not have to put up with this.





Furthermore, there is plenty of research to show that women hold the spending power in households, so this surely misses the mark. The time to "lighten up and take a joke" has passed. This advertisement is not appropriate.

THE ADVERTISER'S RESPONSE

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

I refer to your letter dated 15 January 2019 regarding a complaint (Complaint) made by a complainant and submitted to Ad Standards on 8 January 2019. The Complaint concerns an advertisement (Advertisement) by WR Engineering in relation to its garage door products.

Description of the Advertisement

The Advertisement runs for 15 seconds and promotes WR Engineering's garage doors. A digital copy of the Advertisement accompanies this response.

The Advertisement involves a conversation between two men in the driveway of one of their homes, while the wife of one of them works nearby in the garden. One man looks at the other's garage door and says, "She's looking good". The second man agrees, "even after all these years". His wife overhears and smiles, apparently thinking that her husband is talking about her. She then notices that the two men are looking at and talking about the garage door. She throws a garden cutting and hits her husband. Meanwhile a background message plays: "For quality garage doors there's only one name you need. WR Engineering, the name you can trust."

Broadcast of the Advertisement

The Advertisement was broadcast in Canberra on Channels Nine, Gem, Go and 9Life as part of a campaign that started on 1 May 2018.

Section 2.2 of the AANA Code of Ethics

Your letter indicates that the Advertisement raises issues under section 2 of the AANA Code of Ethics (Code). We are satisfied that the Advertisement does not any raise any issue under any part of section 2 of the Code. We comment below in relation to each part of section 2.2.

Part 2.1 – Advertising must not portray or depict material 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 Advertisement does not depict material which discriminates against or vilifies a person or section of the community on any of these grounds. The Advertisement depicts, in a light-hearted way, a misinterpretation by a woman of an innocent conversation between her husband and a friend about WR Engineering's garage doors.

Part 2.2 – Advertising must not employ sexual appeal in a manner (a) where images of Minors or people who appear to be Minors, are used; or (b) in a manner which is exploitative or degrading of any individual or group of people.

The Advertisement does not employ sexual appeal. It involves three adults and misinterpretation of an innocent conversation. Even if it could be said that the woman's misinterpretation of the conversation introduces a suggestion of sex appeal, it is innocent and not exploitative or degrading of any individual or group. Even if the men had been commenting on how the woman still looks good after all these years, that would have been a mildly expressed compliment about the man's wife (which is how she initially interpreted it with a smile) and not exploitative or degrading.

Part 2.3 – Advertising must not present or portray violence.

The Advertisement does not present or portray violence. Although the woman throws a garden cutting at her husband and hits him, the cutting is not a heavy or dangerous object and does not harm the husband.

Part 2.4 – Advertising must not present sex, sexuality or nudity.

The Advertisement does not present sex, sexuality or nudity.

Part 2.5 – Advertising must not employ strong or obscene language.

The Advertisement does not employ strong or obscene language.

Part 2.6 – Advertising must not depict material contrary to Prevailing Community standards on health and safety.

The Advertisement does not depict material of this nature.

Part 2.7 – Advertising must be clearly distinguishable as an Advertising or Marketing Communication.

The Advertisement is clearly distinguishable as such.

Conclusion



For the reasons set out above, we request that the Complaint be dismissed. We look forward to your determination. If you require any further information, please do not hesitate to contact me.

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 women as men's property.

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

The Panel noted the advertisement features two men standing in front of a house as a woman prunes trees in the background. One of the men says, 'she's still looking good' and the other replies 'I know, even after all these years'. The woman smiles thinking they are referring to her before noticing they are talking about the garage door.

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 is offensive to women.

The Panel noted the Practice Note to Section 2.1 of the Code which provides the following definitions:

"Discrimination – unfair or less favourable treatment

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule".

The Panel considered that the men in the advertisement are not paying attention to the woman and are having a conversation about the garage door. The Panel considered that the woman mistakes the men's conversation as being about her, then becomes slightly bemused when she realises it is about the door.

The Panel considered that the depiction of the situation was light-hearted and humorous and that the men were not making any comparison between the woman and the door. The Panel considered that the men do not treat the woman as though she is their property, and do not intentionally refer to her in their comment. The Panel considered that the woman was not depicted as receiving unfair or less favourable



treatment, and that she was not humiliated or ridiculed.

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.

The Panel considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states:

“Advertising or Marketing Communication shall not employ sexual appeal:
(a) where images of Minors, or people who appear to be Minors, are used; or
(b) in a manner which is exploitative or degrading of any individual or group of people.”

The Panel noted the complainant’s concern that the advertisement depicts women as pieces of meat and men’s property.

The Panel first considered whether the advertisement contained sexual appeal. The Panel considered the man’s comment “she’s still looking good” about the garage door was taken by the woman to refer to her. The Panel considered that this was not the man’s intent, and that the woman was not sexualised in any way.

The Panel considered that the woman was not behaving in a sexualised manner, was not wearing revealing clothing and there was no sexualised language in the advertisement. The Panel considered that the advertisement did not contain sexual appeal and therefore Section 2.2 of the Code did not apply.

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

