



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

**AdStandards.com.au**

Ad Standards Limited  
ACN 084 452 666

## Case Report

<b>1. Case Number :</b>	<b>0095-22</b>
<b>2. Advertiser :</b>	<b>Aveling Homes</b>
<b>3. Product :</b>	<b>Other</b>
<b>4. Type of Advertisement/Media :</b>	<b>Radio</b>
<b>5. Date of Determination</b>	<b>11-May-2022</b>
<b>6. DETERMINATION :</b>	<b>Upheld – Modified or Discontinued</b>

### ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

### DESCRIPTION OF ADVERTISEMENT

This radio advertisement features the voiceover:

Announcer: Here at Aveling Homes, we clearly understand that it's a woman's prerogative to change her mind.

Woman: OK, I've changed my mind. So I now want the kitchen from this design and the master suite from this one. And I need to get that scullery in here somehow...

Announcer: That's why it costs no more to customise your single or double storey new home design.

Woman: Hang on. Hang on. Forget that. I think I've got a better idea.

Announcer: First homes. Next homes. Two storey homes. Make as many changes as you need. Call Aveling Homes now on 6144 1000. BC12788.

### THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

*This Sexist and extremely offensive advert talks about how it is a woman's prerogative to change her mind and how that company graciously won't charge you any extra for the woman changing her mind. Is this company stuck in the 1950s? This ad*



*perpetuates the image that a woman is irrational and running around constantly changing her mind and making life harder for everyone*

## **THE ADVERTISER'S RESPONSE**

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

*We do not consider the advertisement to be in breach of clause 2.1 of the Code of Ethics.*

*The advertisement is meant to be humorous and the humour derives from the fact that women changing their mind is a ridiculous and outdated stereotype. It in no way discriminates or vilifies women.*

*Section 2.1 of the Advertising Code of Ethics prohibits the discrimination or vilification of any individual or group of people on the basis of certain defined attributes. Discrimination is defined as "unfair or less favourable treatment" Vilification is defined as "humiliates, intimidates, incites hatred, contempt or ridicule".*

*The Practice Note to the Code of Ethics refers to humour as not being acceptable if a negative impression is created by the imagery and language used. However, "Advertisements can humorously or satirically suggest stereotypical aspects of a group of people in society provided the overall impression of the advertisement does not convey a negative impression of people in that group".*

*Nothing in the advertisement is capable of creating a negative impression of women or can be said to vilify them by inciting hatred, contempt or ridicule.*

## **THE DETERMINATION**

The Ad Standards Community Panel (the 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 is sexist and offensive towards women.

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

**Section 2.1: Advertising or Marketing Communication shall not portray people 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 AANA Practice Note which provides guidance on the meaning of:



- Discrimination - unfair or less favourable treatment
- Vilification - humiliates, intimidates, incites hatred, contempt or ridicule
- Gender - male, female or trans-gender characteristics.

**Does the advertisement portray material in a way which discriminates against or vilifies a person on account of gender?**

The Panel noted the Practice Note which states:

*“The depiction will be regarded as a breach if a negative impression is created by the imagery and language used in the advertisement of a person or group of people on the basis of a defined attribute listed above. Advertisements can humorously or satirically suggest stereotypical aspects of a group of people in society provided the overall impression of the advertisement does not convey a negative impression of people of that group on the basis of one or more of the attributes listed above.”*

The Panel noted the advertiser’s response that the advertisement is intended to be humorous and the humour derives from the fact that women changing their mind is a ridiculous and outdated stereotype.

The Panel considered that while highlighting the stereotype as outdated and ridiculous may have been the intent of the advertiser, the actual impression of the advertisement is much different. The Panel considered that the advertisement conveyed a negative impression of women as annoying, ineffective and indecisive.

The Panel considered that this negative impression is contributed to by having a male voiceover and that the overall impact is one of condescension and promoting a negative and unnecessary gender trope.

The Panel noted that the advertisement could have used language such as “it’s a home buyers prerogative to change their mind” without changing the female character or the male voiceover, and the impression of the advertisement would have been less negative.

Overall the Panel considered that the advertisement does treat women unfairly and less favourably and does incite contempt and ridicule of women by promoting a negative stereotype that women are difficult and ineffectual customers who are incapable of making a decision.

**Section 2.1 conclusion**

Finding that the advertisement did portray material in a way which discriminates against or vilifies a person or section of the community on account of gender or race, the Panel determined that the advertisement did breach Section 2.1 of the Code.

**Conclusion**



Finding that the advertisement did breach Section 2.1 of the Code, the Panel upheld the complaint.

**THE ADVERTISER'S RESPONSE TO DETERMINATION**

The advertisement was removed and will not be used again in the future.