



# Case Report

1	Case Number	0099/16
2	Advertiser	Fantastic Framing
3	Product	Professional Service
4	Type of Advertisement / media	Transport
5	Date of Determination	09/03/2016
6	DETERMINATION	Upheld - Modified or Discontinued

## ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.3 - Violence Violence

## DESCRIPTION OF THE ADVERTISEMENT

This advertisement is on the rear of a vehicle and features a photograph of the Fantastic Framing store front along with information about their framing services. The store window has a white sign outside it which reads, "We can shoot your wife and frame your mother-in-law. If you want we can hang them too!"

## THE COMPLAINT

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

*Sexist and violent.*

## THE ADVERTISER'S RESPONSE

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

*We are very surprised to get this email but more than happy to help and explain it*

*We are a mobile picture frame company that sell custom picture frames, Jerseys, mirrors we hang paintings and hang TVs.*

*The reaction we get from our customers that it is very funny and it is relating to marriage and picture frames.*

*Lots of people came to us and said "Funny we like it ... very smart "*

*Please take a moment to have a look at the advertising I have attached photos and explanation:*

*"We can shoot you wife" = we can take a photo of your wife*

*"We can frame your mother in law" = we can put a frame around the photo of your mother in law*

*"We can hang them too" = We can hang the photos as well*

*You can see all the services next to it of the framing next to the stickers and the shop front.*

*We try to promote in this advertising purely picture frame and not violence.*

*This is a smart advertising we are doing. There is no bad intention for this advertising it is purely a joke which relate to marriage and picture frames.*

## **THE DETERMINATION**

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

The Board noted the complainant's concern that the advertisement is sexist and violent.

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

The Board 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 Board noted this transport advertisement features an image of the advertiser's store with an A-Frame poster in front of the store window which reads, "We can shoot your wife and frame your mother-in-law. If you want we can hang them too".

The Board noted the complainant's concern that the advertisement is sexist. The Board noted that advertisers are free to depict or make reference to whomever they wish in their advertisements and considered that whilst this advertisement makes reference to female family members in the Board's view this is not of itself sexist.

Consistent with a previous determination in case 0458/12, the Board noted that the stereotyping of mothers-in-law is part of the common cultural narrative in Australia. The Board noted that this does not of itself make it acceptable to make any comments about

mothers-in-law but considered that in the current advertisement the reference to framing a mother-in-law in the context of a picture framing business is clearly intended to be a humorous play on words and is not material which discriminates against or vilifies a person or section of the community on account of their gender.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "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 advertiser's response that the reference to shooting your wife, framing your mother-in-law and hanging them both is intended to be a funny play on words and is relevant to the advertiser's picture framing and hanging services. The Board noted that the issue of domestic violence is of current community concern. A minority of the Board noted the double meaning of the wording of the advertisement and considered that although the advertisement could be interpreted as suggesting violence against women in their view there is a relevance to the words 'shoot', 'frame' and 'hang' with the advertiser's service therefore the advertisement is not strongly suggestive of violence.

The majority of the Board however noted that whilst this play on words has been used for many years the Board considered that the intended humour has now worn off and the double meaning of the advertisement is not relevant in contemporary society given the high level of community concern with regards to violence towards women. The majority of the Board acknowledged that the advertiser's intent was to inject humour in to their advertising but considered that making a joke about using a gun or hanging a person would not be found funny by most members of the community.

The majority of the Board considered that the advertisement did present or portray violence in a manner which is not justifiable in the context of the product or service advertised.

The Board determined that the advertisement did breach Section 2.3 of the Code.

Finding that the advertisement did breach Section 2.3 of the Code the Board upheld the complaint.

## **THE ADVERTISER'S RESPONSE TO DETERMINATION**

We have no intention to hurt anyone. We just tried to be funny and smart to our customers. We will change the sticker at the back of the van.

