



Case Report

1	Case Number	0115/11
2	Advertiser	AHM Health Insurance
3	Product	Insurance
4	Type of Advertisement / media	TV
5	Date of Determination	13/04/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Sex

DESCRIPTION OF THE ADVERTISEMENT

A female voice over asks questions about ahm health insurance. Each question is responded to by a different ahm staff member who responds “a-hm”. A staff member then describes that ahm doesn’t want to be the biggest health fund, just the best. A further staff member responds to this statement with “a-hm”. The advertisement concludes with 3 ahm staff members chiming “a-hm, a-hm, a-hm-a-hm-a-hm” which is based on the music track playing in the background. All staff members appearing in the TVC are female and depicted as working in ahm’s call centre.

THE COMPLAINT

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

The Uhm Health Insurance ad is the most degrading ad for women I have seen for some time. This ad portrays women as unintelligent adult females.

Every time this unprofessional add appears in the TV I am embarrassed for all women in Australia.

Please remove and delete this ad.

THE ADVERTISER’S RESPONSE

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

ahm takes complaints seriously, particularly where, as in this case, the complaint makes claims of discrimination on the basis of sex.

The complaint raises an issue under Section 2 of the AANA Advertiser Code of Ethics (Code), in particular section 2.1 which states Advertising or Marketing Communications 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, sex, age, sexual preference, religion, disability or political belief.

We submit that the TVCs do not portray women in a way that discriminates against or vilifies them on account of sex or any other basis. We strongly dispute that the TVCs portray women as unintelligent or that they are degrading to women.

ahm is a responsible advertiser and subjects all advertisements to rigorous internal review to ensure compliance with legal and ethical considerations.

The complaint does not provide any detail on how the TVCs are perceived to degrade women nor the particular aspects of the TVC that are perceived to portray women as unintelligent adult females.

As noted in part 1 above, with the exception of the female voiceover, all persons appearing in the TVCs are ahm employees. ahm gave all staff working in its Wollongong office the opportunity to participate in the filming of the TVCs and be brand ambassadors for ahm. 60 ahm staff volunteered to be ahm ambassadors, 10 of which were male. On the day of filming only 6 male staff members felt comfortable being filmed.

The Director engaged by ahm decided to use the particular ahm staff in the TVCs on the basis that it was more evident that the female ahm staff members chosen were having fun and were more comfortable in front of the camera which meant a more genuine approach was conveyed.

ahm did not intend to create TVCs with all female participation, it was simply a product of the filming on the day.

Although not used in the TVCs, male staff members have been included in printed marketing collateral supporting the TVCs. An example of the web page where new members are directed to is shown at Schedule 2 of this letter. TVC2 is able to be viewed directly from this web page.

ahm's intention with the TVCs was to create a memorable campaign which showed prospects that it cares about its members through an approach that was genuine, energetic and straightforward. ahm's intention in using the repeated "a-hm" phrase was to enhance brand recognition.

Repeated use of the "a-hm" phrase is not unique to the TVCs. This phrase was originally used in television advertisements which featured ahm's brand ambassador Steve Waugh repeating "a-hm" throughout the advertisement. The advertisement aired from 10 April 2005 to 30 June 2007.

Use of the "a-hm" phrase in ahm advertisements is not gender based.

The staff members featured in the TVCs are depicted as working in the ahm call centre. ahm does not operate retail outlets so its predominant method of communication with members is through its call centre. The intention of the TVCs was to show the genuine, friendly ahm staff that members would be communicating with.

The complainant has objected to the portrayal of the women appearing in the TVCs. ahm is concerned not only to ensure compliance with the Code, but also to ensure that it has

portrayed its own employees in a manner they find acceptable. ahm provided a copy of the complaint to all ahm employees featured in the TVCs and provided those employees the opportunity to respond and raise any concerns they had. A sample of the responses received is included in Schedule 3 of this letter. The general consensus of these responses is that:

- They are offended that they have been perceived as 'unintelligent adult females'*
- They are proud to be ambassadors of ahm*
- They have fun working for ahm and had fun participating in the filming of the TVCs.*
- The TVCs reflect their pride and the fun they had on the day of filming.*

The responses have been de-identified to ensure that staff could not be identified in the event that the Board made this submission publically available.

The overall impact of the TVCs must be assessed in determining whether it breaches section 2 of the Code. We do not believe that the average person viewing the TVCs would perceive the TVCS as degrading to women nor do we believe the average person would perceive the TVCs are conveying an implied message that women are unintelligent. We do not accept that this perception is reasonable or logical or representative of community views. We believe that the average person would perceive the TVCs as portraying happy employees of ahm who are proud to be ahm's ambassadors.

We respectfully submit that there has been no breach of the Code and that the Board should dismiss the complaint.

THE DETERMINATION

The Advertising Standard Board ('the Board') considered whether the advertisement complied with the AANA Code of Ethics ('the Code').

The Board noted the complainants' concerns that the advertisement objectifies women.

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, sex, age, sexual preference, religion, disability or political belief.'

The Board noted that the advertisement features a number of employees of the advertiser making the advertiser's trademark statement 'ahm'. The Board considered that the images of the various women making the statement were clearly an image of employees purposely saying the slogan that is used to advertise the product. The Board considered that the women were not presented as unintelligent and that the advertisement did not denigrate women.

The Board considered that the images of the women were not objectification of women and did not discriminate against or vilify women.

Based on the above the Board determined that, in this instance, the advertisement did not depict any material that discriminated against or vilified any person or section of society. The Board determined that the advertisement did not breach section 2.1 of the Code.

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