



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
ACN 084 452 666

## Case Report

<b>1. Case Number :</b>	<b>0123-22</b>
<b>2. Advertiser :</b>	<b>The Sundowner Motel Hotel</b>
<b>3. Product :</b>	<b>Food/Bev Venue</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - Free to Air</b>
<b>5. Date of Determination</b>	<b>8-Jun-2022</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

### DESCRIPTION OF ADVERTISEMENT

This television advertisement features two men watching sports at the venue. One of the men's phone goes off, and messages appear on screen asking if he has the tools because a pipe has burst in the house. The other man asks if it's 'the wife', and without looking at his phone says that she probably wants him to get milk on the way home or something.

### THE COMPLAINT

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

*Inappropriate behaviour being made a joke as the person in the ad is ignoring text from wife, making a joke about it.*

### THE ADVERTISER'S RESPONSE

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

*Advertiser did not provide a response.*



## **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 inappropriate in the way it makes a joke of the wife.

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

**Section 2.1: Advertising 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 – refer to the attributes, roles, behaviours, activities, opportunities or restrictions that society considers appropriate for girls or boys, women or men. Gender is distinct from 'sex', which refers to biological differences

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

The Panel noted that the intent of the advertisement is to show a humorous scenario of a husband misconstruing why their wife would be repeatedly texting him, as he hasn't checked the phone because he is preoccupied watching sport on the screen.

The Panel considered that the humour in the advertisement, both in the husband's oblivious response and content of the wife's texting was not gendered and was not based on any negative gender stereotypes. The Panel considered that the humour was in the husband's incorrect assumption as to why she would be messaging along with the humour in the content of the wife's texts.

The Panel considered that the advertisement did not humiliate, intimidate, incite hatred, contempt or ridicule of any gender, and that the advertisement did not depict anyone receiving unfair or less favourable treatment because of their gender.

Overall, the Panel considered that the advertisement did not depict material in a manner that was discriminatory or vilifying on the basis of gender.

### **Section 2.1 conclusion**

Finding that the advertisement did not portray material in a way which discriminates against or vilifies a person or section of the community on account of gender, the Panel determined that the advertisement did not breach Section 2.1 of the Code.



### **Conclusion**

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.