



Ad Standards Community Panel
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Ad Standards Limited
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Case Report

1. Case Number :	0126-21
2. Advertiser :	Crazy Domains
3. Product :	Information Technology
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	26-May-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification
AANA Code of Ethics\2.3 Violence

DESCRIPTION OF ADVERTISEMENT

This television advertisement features a woman having a meeting with two people at a cafe table on the footpath. As they talk, a rubbish truck parks itself right in front of them on the narrow street, and starts to load up bin bags. The noise of the truck is loud and the meeting pauses as the group wait for the noise to stop. They sit patiently, waiting for the truck to move on. The camera zooms in on the woman, and she is suddenly splattered with brown liquid. A voice off camera calls out "sorry". The camera changes to the bin man and text superimposed that states "The real world sucks for business".

THE COMPLAINT

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

*The woman being degraded with rubbish thrown on her.
Disgusting and degrading to women also violent to women.*

Advertisement depicts a man squirting sauce all over a woman's face. The imagery is damaging and detrimental to women. To see images like this is not helpful to the



wider community. Children may see this and think that it is normal to treat women this way which is damaging to society.

The content is disgusting and belittling and bordering on harassment of women by having excrement thrown in at a young lady.

THE ADVERTISER'S RESPONSE

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

The advertisements are aimed to encourage and empower small business owners to take their business online and leverage digital transformation to grow. The ads demonstrate the gritty and uncontrollable things that make the real world a challenge for business. While creating the advertisements, we had no intention to upset, insult or disturb any viewer or group of people.

THE DETERMINATION

The Ad Standards Community Panel (Panel) considered whether the advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainants' concerns that the advertisement is offensive and degraded towards women due to the treatment of a woman in the advertisement, and is violent to women.

The Panel viewed 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.

The Panel noted the Practice Note for this section of the Code:

"A negative depiction of a group of people in society may be found to breach Section 2.1, even if humour is used. 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.”

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

The Panel noted complainant’s comments that the woman:

- Has excrement thrown at her face
- Has sauce squirted on her face
- Has rubbish thrown at her.

The Panel considered that the impression of the advertisement is that the woman is accidentally splashed with liquid from a bin bag when the bag is hoisted into the garbage truck (evident by a man calling out “sorry” after she is splashed). The Panel considered that the interpretation that the liquid was deliberately thrown at her specifically, and the interpretation that the liquid is excrement, is unlikely to be shared by the broad community.

The Panel noted that the woman’s gender is not referred to in the advertisement at all, and there is no suggestion that her being splashed has a connection to her gender. The Panel noted that the issue of the treatment of women is of significant community concern however considered that there is no suggestion that the woman in the advertisement is targeted or mistreated as a result of her gender.

The Panel considered that the content of the advertisement did not show the woman to receive unfair or less favourable treatment because of her gender, and did not humiliate, intimidate or incite hatred, contempt or ridicule of the woman because of her 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.

Section 2.3: Advertising shall not present or portray violence unless it is justifiable in the context of the product or service advertised

“In considering whether the violence or menace depicted in an advertisement is justifiable, the Community Panel may have regard to the audience of the advertisement. Graphic depictions of violence or a strong suggestion of menace have been found to present violence in an unacceptable manner especially when visible to a broad audience which includes children. For example, advertising for violent or horror movies, tv shows or video games should take care not to include images that give the impression that a character has just committed violence against someone (for example, a weapon with dripping blood), was the victim of violence (for example,



freshly severed limbs) or is about to commit violence against someone (for example, gun aimed directly at a person or the viewer) where there is a broad audience which includes children.”

Does the advertisement contain violence?

The Panel considered that while the woman is shown to be splashed, the action was clearly an accident and she was not specifically targeted.

The Panel considered that the liquid was not thrown at the woman, she was not targeted or assaulted, and the Panel considered that this therefore did not constitute violence.

Section 2.3 Conclusion

The Panel determined that the advertisement did not present or portray violence which was not justifiable in the context of the product or service advertised and did not breach Section 2.3 of the Code.

Conclusion

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