



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0130/19
2	Advertiser	Medownick Laser Clinic
3	Product	Health Products
4	Type of Advertisement / media	Radio
5	Date of Determination	22/05/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement is for a laser eye surgery clinic and has two versions. The first version features the sound of a woman entering a house and calling out to her partner that she had finally found his glasses. He asks where they were and she responds that they were in the back of Jane's car. A voice over then says that there are many places to lose your glasses but the best place is their laser clinic.

The second version features a woman speaking over what sounds like a shopping centre intercom stating that the man who lost his glasses in the lingerie department should come to the lost and found counter. A voice over then says that there are many places to lose your glasses but the best place is their laser clinic.

THE COMPLAINT

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



I find these adverts very offensive, they insinuate that all men are cheaters or sleazy by hanging around women specific places.

I can't believe this kind of Misandrous thinking or advertising would exist these days, the pendulum has swung all the way from Misogyny to Misandry.

THE ADVERTISER'S RESPONSE

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

The 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 insinuates that all men are cheaters or sleazy.

The Panel viewed the advertisement and noted the advertiser did not provide a response.

The Panel noted there are two versions of this radio advertisement.

The Panel noted the first version features the sound of a woman entering a house and calling out to her partner that she had finally found his glasses. He asks where they were and she responds that they were in the back of Jane's car. A voice over then says that there are many places to lose your glasses but the best place is their laser clinic.

The Panel noted the second version features a woman speaking over what sounds like a shopping centre intercom stating that the man who lost his glasses in the lingerie department should come to the lost and found counter. A voice over then says that there are many places to lose your glasses but the best place is their laser clinic.

The Panel considered whether both versions of 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 Panel noted the Practice Note to Section 2.1 provides the following definitions:



“Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule.”

The Panel considered the first version of the advertisement. The Panel considered that the reference to the back of Jane’s car does contain mild innuendo. The Panel considered that the humour used in the advertisement was light-hearted and was not humiliating or ridiculing the male. The Panel considered that the advertisement was not inciting hatred or contempt of the male or depicting him as receiving unfair or less favourable treatment.

The Panel considered the second version of the advertisement. The Panel considered that the light-hearted humour was directed at the situation and announcement rather than any implication that the man had been doing anything inappropriate. The Panel considered that the advertisement was highlighting an embarrassing place to lose glasses, but was not humiliating or ridiculing the male, nor was it inciting hatred or contempt. The Panel considered that the advertisement did not depict the man as receiving unfair or less favourable treatment.

The Panel considered the men depicted in the two versions of the advertisement were not portrayed in a negative way, and would not lead most reasonable members of the community to think less of the men in the ad or men in general. The Panel determined that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person on account of gender and did not breach Section 2.1 of the Code.

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

