



Case Report

1	Case Number	0135/17
2	Advertiser	Sensis Pty Ltd
3	Product	Telecommunications
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	12/04/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

The advertisement shows a woman lying on her lounge looking at her mobile phone while a tradesman works nearby. A car pulls up outside and we next see the woman opening the door to her husband, who has arrived home earlier than expected. The woman changes from a dress into overalls, greets her husband who is impressed by all the work she seems to have achieved. The husband asks his wife how she pulled it off and we then see a person scrolling thorough tradesman details using Yellow Pages on a mobile phone while a female voiceover talks about connecting with the tradesman you need.

THE COMPLAINT

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

It makes women look like sly dirty tarts and the comment from the husband of "how'd you pull it off" is pretty dodgy too, have never complained before just hate it.

THE ADVERTISER'S RESPONSE

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

Sensis has reviewed the relevant advertisement in the context of section 2 of the AANA Code of Ethics. Addressing each of the sub-sections of section 2, Sensis' response is as follows:

2.1 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, gender, age, sexual preference, religion, disability, mental illness or political belief.

Sensis response: Sensis does not consider that the Advertisement portrays people or depicts material in a manner which is contrary to sub-section 2.1.

Sensis considers that the Advertisement depicts the engagement of a tradesperson by the female occupant of the house to perform various domestic jobs in circumstances where that occupant does not wish to disclose to her partner that she has "outsourced" some of those domestic jobs. In Sensis' view, neither this scenario nor the material presented in the Advertisement can be said to be contrary to sub-section 2.1.

2.2 Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.

Sensis response: Sensis does not consider that the Advertisement employs sexual appeal in a manner which is contrary to sub-section 2.2.

Sensis notes that the Complaint states that the Advertisement "makes women look like sly dirty tarts". Sensis does not agree with this statement. The Advertisement depicts the engagement of a tradesperson by the occupant of the house to perform various domestic jobs in circumstances where she does not wish to disclose to her husband that she has "outsourced" some of those domestic jobs. On Sensis' view neither this scenario nor the material presented in the Advertisement can be said to be contrary to sub-section 2.2.

2.3 Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

Sensis response: Sensis does not consider that the sub-section 2.3 is relevant to the Advertisement or the Complaint and consequently does not address it further.

2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

Sensis response: Sensis considers that the Advertisement treats sex, sexuality and nudity with sensitivity to the relevant audience.

The Advertisement involves the presence of a male within the home of a woman without that woman's partner's knowledge, however, the Advertisement does not expressly or implicitly involve sex, sexuality or nudity and on Sensis' view does not contravene sub-section 2.4.

2.5 Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.

Sensis response: Sensis considers that the Advertisement uses language which is appropriate in the circumstances. Sensis does not consider that the Advertisement uses strong or obscene language.

Sensis notes that the Complaint expressly identifies the phrase “How’d you pull it off” from the Advertisement as “dodgy”. It is not apparent from the Complaint on what basis that phrase is objected to. The phrase is a commonly used phrase to refer to achieving something and is appropriately used in the circumstances depicted in the Advertisement. Sensis intended no innuendo by the use of that phrase and Sensis considers that no such innuendo is obvious to an ordinary viewer of the Advertisement.

2.6 Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

Sensis response: Sensis does not consider that the Advertisement depicts material contrary to Prevailing Community Standards on health and safety.

Sensis does not consider that other sections of the AANA Code of Ethics are relevant to the complaint and consequently does not address any further sections of the Code. If the Advertising Standards Bureau would like Sensis to address other sections or has specific questions, Sensis naturally would be pleased to assist by providing further information.

We trust the above sufficiently addresses the Complaint.

THE DETERMINATION

The Advertising Standards Board (the “Board”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Board noted the complainant’s concern that the advertisement is sexually suggestive and vilifies women.

The Board reviewed 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 that this television advertisement features a woman sitting at home with a handyman working in the background. The woman’s husband arrives home unexpectedly and the woman does a quick change and acts as though she has completed tasks such as gardening and plastering herself. The woman talks to her husband as the handyman sneaks out of the house, leaving the husband wondering how she could manage it.

The Board noted the complainant’s concern that the woman is deliberately made to look like she is cheating on her husband and her husband asks “how did you pull it off” which is

sexually suggestive.

The Board noted that the suggestion that the woman would not be able to complete the tasks herself is stereotypical and considered that it is presented in a manner which is mildly humorous and not negative or demeaning. The Board noted that the advertisement does not suggest all women would have difficulty doing the gardening or plastering, just that this particular woman has engaged professional help with tasks. The Board considered that the overall tone of the advertisement is light-hearted.

The Board noted the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of gender and did not breach Section 2.1 of the Code.

The Board then considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience".

The Board noted that while the handyman is working in the house, the woman is seen sitting reading on the lounge and she is not watching him or interacting with him. The Board considered that when the husband arrives home and is surprised by what the wife seems to have achieved she reacts in a way that is covering her guilt about hiring someone to do the work and not that she has been sexually involved with the handyman.

The Board noted that the woman is seen using her phone to search for tradesmen for home repairs etc. The Board noted the comment by the husband "how did you pull it off." The Board considered that this term is commonly understood to mean "how did you manage it?" and considered that there was no strong sexual innuendo.

Overall the Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and did not breach section 2.4 of the Code.

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