



**Ad Standards** Community Panel  
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Ad Standards Limited  
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## Case Report

<b>1. Case Number :</b>	<b>0150-22</b>
<b>2. Advertiser :</b>	<b>Brickworks Building Products</b>
<b>3. Product :</b>	<b>Hardware/Machinery</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - Free to Air</b>
<b>5. Date of Determination</b>	<b>27-Jul-2022</b>
<b>6. DETERMINATION :</b>	<b>Upheld – Modified or Discontinued</b>

### ISSUES RAISED

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

### DESCRIPTION OF ADVERTISEMENT

This Pay TV advertisement features a woman testing bricks in her garage/test lab at home and talking to the camera about the benefits of bricks. A giant thug dressed in black with a very wolf-like beard appears in her garage / test lab. A super appears indicating who this is: Agent 003 AKA "the Big Bad Wolf". The Big Bad Wolf launches towards the brick the woman is testing. She grabs onto the Big Bad Wolf and continues to speak her message to the camera as they physically tussle. She throws him toward a lightweight board and the lightweight board folds under pressure. The Big Bad Wolf dusts himself off and charges at the woman, she dodges him, sending him flying into the brick wall where he is knocked out. Her Robot Arm zooms over to inspect the Big Bad Wolf. As she exits, he stirs - the robot arm drops a brick on his head, knocking him out again.

### THE COMPLAINT

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

*Latest advert with a wolf character is a mysandrynous disgrace. The wolf character played by a man is beaten up by a female Austral representative. This a violence against men. Why isn't the wolf character female? Would a female wolf be treated the same way by a male Austral representative.*



## THE ADVERTISER'S RESPONSE

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

*We appreciate that violence against men is a very sensitive topic & our brand is by no means trying to bring negative attention or encourage this type of behaviour.*

*The intention of the current tv commercial is designed to promote the most important benefits of bricks - safety and security.*

*Our lead character represents both a female special agent / James Bond style of character and plays on the fairy-tale of the "3 Little Pigs" and the "big bad wolf."*

*We don't consider the actions in the advertisement to be excessive, and it's intended that the storyline and the actions are exaggerated to make it more light hearted in nature.*

*Brickworks is proud to be able to promote a female "James Bond" character which aligns to the recent 007 film.*

*In supporting diversity we feel it is sexually discriminatory to suggest that a "James Bond" character cannot be played by a woman as our primary customers are females 25-60 choosing building materials for their home, and our main goal is to empower them.*

## 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 depicts violence towards men.

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

**Section 2.1: 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.



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 difference.

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

The Panel noted that some viewers may interpret the advertisement as depicting or encouraging violence towards men.

The Panel considered that in this scenario the woman was defending herself against a man who attacked her first. The Panel considered that most members of the community would not view defending yourself against an attack to be (unjustified) violence towards your attacker, regardless of gender.

The Panel considered whether the depiction of the attacker as a man was discriminatory or vilifying towards men.

The Panel considered that the protagonist in the advertisement is a woman (Special Agent Brick), and she appears in several advertisements for this business. The Panel considered that depicting her pitted against a man who is larger than her gave an impression of the brick product being even stronger.

The Panel considered that using a male actor to play the ‘big bad wolf’ was not a suggestion that all men are bad, or a comment on men generally. The Panel considered that the man in the advertisement is not shown to receive unfair or less favourable treatment because of his gender, and the advertisement did not humiliate, intimidate or incite hatred, contempt or ridicule of the man because of his gender.

**Section 2.1 conclusion**

The Panel considered that 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 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**

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

*“Although the depiction of violence in an advertisement may be relevant to the story being told in the advertisement, any violence must also be justifiable in the context of the product being advertised, or else will be in breach of this section of the Code...*

*The results or consequences of violence (e.g. a black eye) and audio representations of violence may also be prohibited.”*



The Panel noted the advertiser's response that the advertisement is clearly set in an exaggerated world in order to make it light-hearted.

### **Does the advertisement contain violence?**

The Panel noted that the Code and the Practice Note do not provide a definition of violence. The Panel noted that they needed to consider whether the general community would consider this ad to portray violence.

The Panel noted that the main character is seen to choke a man, throw him through a temporary wall, and throw him against a brick wall.

The Panel noted that advertisement plays on the Three Little Pigs fairy tale, with the man in the advertisement intended to represent 'the big bad wolf' with the woman, 'Special Agent Brick', defeating him. However, the Panel considered that the fight appears realistic with sounds of blows landing, people grunting and a brick to the head resulting in unconsciousness. The Panel considered that most people would consider these combat scenes, even if obviously staged, to be violent.

### **Is the violence justifiable in the context of the product or service advertised?**

The Panel noted that the advertised product is a building product, specifically bricks.

The Panel noted that it had recently considered a similar issue in case 0101-22, in which:

*"The Panel considered that most professional wrestling is staged, and that the violence in the advertisement was highly fantastical and not a portrayal of a realistic scenario. However, the Panel noted that the violence in the advertisement would need to be justifiable in the context of the product being advertised, and not the scenario depicted in the advertisement. The Panel considered that the harm and injury portrayed in the advertisement, including the black eye, is realistic and was not justifiable in the promotion of a financial product."*

Consistent with this previous determination, in the current advertisement the Panel considered that while the advertisement is clearly an exaggerated portrayal of a person defending against an intruder, the advertisement nevertheless depicts a violent scene. The Panel considered whether the connection between the violence in the ad and the product advertised was sufficient given the advertiser's attempt to promote the strength and security characteristics of bricks as compared to other materials. The Panel determined that the particular violence shown in the advertisement, where the 'toughness' of brick was portrayed as a means to cause damage to a person rather than merely keep them out of a building, was not justifiable in the promotion of a building product.



### **Section 2.3 Conclusion**

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

### **Conclusion**

Finding that the advertisement did breach Section 2.3 of the Code, the Panel upheld the complaint.

### **THE ADVERTISER'S RESPONSE TO DETERMINATION**

The advertisement has been discontinued effective today [08/08/2022].