



## Case Report

1	Case Number	0170/15
2	Advertiser	Bathroom Warehouse
3	Product	House Goods Services
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	13/05/2015
6	DETERMINATION	Upheld - Modified or Discontinued

### ISSUES RAISED

2.3 - Violence Domestic Violence

### DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a female voiceover reading a rhyme about wanting a new bathroom and we see a variety of still images of her current bathroom and the woman demonstrating her unhappiness with it. In one scene a man is shown with his hands raised defensively whilst the woman holds her fist up. We then see the couple in a car heading to bathroom warehouse to choose a new bathroom.

### THE COMPLAINT

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

*The whole dialogue of the advert is about the male needing to go to the store for doing something wrong. What particularly offended me was the image half way through where the female raises her hand to the partner causing him to cower in fear for being hit. I think that in the current environment with so much about domestic abuse that this is disgusting. I am a survivor of physical domestic abuse and think that being able to put this in advertising especially not in a series matter is disgusting, inappropriate and even sexist. I feel if it was an image of a male threatening a female partner that this would not be aired.*

### THE ADVERTISER'S RESPONSE

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

*We are the advertising production company for Bathroom Warehouse. Thank you for your email regarding the new television commercial.*

*Whilst we understand your concern regarding the content of the commercial it was intentionally produced to be 'tongue in cheek' advertising and has been approved for broadcast by the regulatory body that governs all commercial television stations in Australia.*

## **THE DETERMINATION**

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted the complainant's concerns that the advertisement features inappropriate imagery of a woman threatening a man with physical violence.

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

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted this advertisement is for a bathroom warehouse and features still images of a woman and a man with shots of their current bathroom. The voice over delivers a rhyming story describing the frustration the woman (in particular) is having about the bathroom and the end result of going to the Bathroom Warehouse. In one scene the woman is seen holding a clenched fist as the man is cowering with his hands up.

The Board noted that the advertisement was intended to be a light hearted approach to a real life situation that frequently occurs in households regarding renovations and home improvements. The Board noted that the narrative makes the conflict between the couple part of the story.

The Board noted that particular scene in the advertisement of the woman holding a clenched fist in the air while glaring at her partner. The Board noted the man is seen cowering as though to shield himself from her outburst.

The Board noted the practice note to the Code states that a "strong suggestion of menace presents violence in an unacceptable manner and breaches this section of the Code." The Board noted that the woman is not actually seen striking the man and there are no depictions of any consequence of her outburst.

The Board noted that at the time of the visuals the voiceover is heard saying "...I told Davo it had gone too far..." The Board noted that in connection with the image of the woman with clenched fist and the narrative, the overall tone was one that was menacing and threatening. The Board noted the serious community concern relating to domestic violence and violence in general and considered that the advertisement did not portray violence in a manner that was justifiable in the context of a bathroom renovation outlet and did breach Section 2.3 of the Code.

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

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

We are of the belief that the determination made by the Advertising Standards Bureau needs to be challenged.

Firstly, the very fact the commercial was granted CAD acceptance without any change required means it passed stringent checks placed on all commercials before being permitted to be broadcast.

We feel the threat of the [wording] accompanying this image is hardly menacing and the resolution depicted at the end of the commercial shows they are both very happy with each other as a result of visiting Bathroom Warehouse.

We feel the content of this commercial is a simple story that is played out in many households throughout our country and is often depicted in many free to air programs broadcast on Australian television. One only has to watch an episode of 'The Block' or 'Renovation Rescue' to see real life situations where couples have heated exchanges over renovation issues. We are merely trying to utilise these typical situations to explain our message.

The ASB was advised that Free TV removed the CAD number for this advertisement and notified the networks. The advertisement will not be broadcast in its current form on free to air television.