



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0177-21
2. Advertiser :	Steel Solutions
3. Product :	Other
4. Type of Advertisement/Media :	Radio
5. Date of Determination	23-Jun-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification
AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This radio advertisement features the voiceover:

Hewston: Steel Solutions, Hewston speaking

Tradie: Hewston, we have a problem!

Hewston: Ok, what's happened?

Tradie: My genius apprentice just backed a bobcat into a retaining wall, we have to rebuild it by lunchtime tomorrow.

Hewston: Relax mate we have all the retaining wall steel you need and we can cut the steel to the exact lengths you need and we will whip it around to you straight away.

Tradie: Heston, we don't have a problem anymore.

Hewston: That's kinda why they call us Steel Solutions.

Voiceover: Steel Solutions. The steel you need. When you need it. Sunshine, Bayswater and Springvale. Steel.solutions.com.au

THE COMPLAINT

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



One of Steel Solutions radio advertisements is derogatory to apprentices. It has an actor's voice using a tone that denigrates his apprentice. The actor says "My genius apprentice has just backed into a retaining wall..." or similar words. My complaint is the tone used to say "My genius apprentice" is sarcastic. The tone implies his apprentice is not a genius, but rather is stupid. Further implication is that all apprentices are stupid. I understand apprentices are inexperienced, but we should not imply they are stupid. They need confidence. We should avoid stereotyping apprentices as stupid people who make mistakes. We should avoid blaming apprentices for mistakes. Indeed, in the example given, the construction site supervisor is possibly to blame for not supervising the apprentice sufficiently to avoid damage to the retaining wall.

THE ADVERTISER'S RESPONSE

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

The advertisement creates the imaginary lifelike scene that someone on the building site has backed into and damaged a retaining wall. This has created a problem that must be fixed by tomorrow. The advertisement is about fixing a problem. It does not imply that the apprentice is stupid and it definitely does not lead to the implication that all apprentices are stupid. Not enough is said to deduce attitude through tone. You could say that the supervisor is talking with a jovial and caring tone. The advertisement creates an imaginary problem that must be resolved.

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 complainant's concerns that the advertisement depicts negative and demeaning attitudes towards young apprentices.

The Panel reviewed 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



Age – based on a person’s actual age (i.e. from the date they were born) and not a person’s biological age (i.e. how old they may appear).

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 age?

The Panel noted the complainant’s concerns that referring to the young tradie as the ‘world’s worst apprentice’ is negative and demeaning to all apprentices or young people.

The Panel noted that the voice over describes the mistake the apprentice made (backing a bobcat into a retaining wall) and considered that the focus is clearly on this particular apprentice and is not a generalisation about all apprentices. The Panel noted the reference to ‘genius apprentice’ and considered that this phrase is sarcastic however given the act of backing a large piece of machinery into a wall, most members of the community would not consider some sarcasm to be unwarranted.

The Panel considered that overall the advertisement does not suggest that all apprentices are bad or that young people in general are bad or stupid.

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

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 age, the Panel determined that the advertisement did not breach Section 2.1 of the Code.

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

The Panel considered whether the advertisement depicting bullying behaviour.



The Panel noted that the man is ringing to obtain materials to fix the retaining wall and sarcastically refers to his apprentice as a 'genius', however considered that there is no indication he has been sarcastic or dismissive towards the apprentice directly. The Panel noted that listeners do not hear the man on the phone interacting with the young apprentice at all and considered that there is no indication of the conversation between the man and the apprentice.

The Panel acknowledged that the issue of workplace bullying is a serious community concern but considered that in this instance there is no suggestion that the man on the phone treats the apprentice in a negative or bullying manner.

Overall the Panel considered that the advertisement did not depict, encourage or condone bullying behaviour toward young people or apprentices.

Section 2.6 conclusion

The Panel considered that the advertisement did not contain material contrary to Prevailing Community Standards on health and safety and determined that it did not breach Section 2.6 of the Code.

Conclusion

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