



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0181/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Harvey Norman</b>
<b>3</b>	<b>Product</b>	<b>Retail</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>23/05/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.1 - Discrimination or Vilification Gender

### DESCRIPTION OF THE ADVERTISEMENT

The ad commences with a man, woman and their son interacting in the kitchen, finishing the washing up. The man indicates that a game of football is about to commence. He walks toward a set of doors, and opens them to find himself in a large, empty sports stadium. He walks to the middle of the stadium and takes his place on a couch in front of a TV with a surround sound system set up. In both the AFL and NRL versions of the ad, a game commences right in front of him. At this point the woman looks towards the lounge room and smiles.

A montage of available TV's, home theatre systems and brands is then shown with a voice over describing the range of products available at Harvey Norman. The ad returns to the man, with a football popping into his hands, thrown to him by the son, who joins his father on the couch as the woman stands at the door to the lounge room.

### THE COMPLAINT

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

*It's message is that the TV etc is so good you'll feel like your at the footy game which I have no issue with. Yet the commercial has sexist undertones I feel it's also saying that the women's place is in the kitchen & a women does not enjoy footy/ sport in general. This is displayed through the women/ wife staying in the kitchen while the men/ husband goes to watch the game the women is only there as a spectator and does not appear to be allowed in*

*the living room while the boy/ son is accepted. I'm really offended by this ad as a woman and a footy supporter at the end of the day the sexist tones were not needed to sell the product.*

## **THE ADVERTISER'S RESPONSE**

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

*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.*

*Definition of vilify: To lower in estimation or importance; to utter slanderous or abusive statements against*

*Definition of discrimination: to distinguish by exposing differences, prejudiced or prejudicial outlook, action or treatment.*

*The points raised in the complaint are:*

- That the ad is sexist against women*
- That the ad suggests that the women' place is in the kitchen*
- Women do not enjoy footy or sport*

*Harvey Norman's overview of the ad*

- The ad commences with both the man and the woman washing up the dishes.*
- The man simply declares that he is going to watch the football. There is no hint that the woman is not welcome to follow, and as the ad progresses it is evident that the doors to the lounge room remain open.*
- The woman looks through the door at one point and smiles – a clear indication that she is participating, albeit from a distance, in whatever is happening in the room. There is no indication as to what she is doing in the other room, certainly nothing that suggests she is continuing to 'work' or complete domestic duties simply because she is a woman.*
- At the end of the ad, the son jumps onto the couch with his Dad, whilst the woman looks on from the doorway. Again, no indication that she is unable to enter the room or that she is being excluded from what is happening simply because she is a woman.*

*In the estimation of Harvey Norman, the woman in the ad is neither portrayed in a discriminatory or vilified manner. The ad is not sexist in any regard, there is nothing to indicate that Harvey Norman in any way is suggesting that a woman's place is in the kitchen, or that women do not enjoy sport. There is no imagery to suggest that the woman is excluded or treated unfairly.*

*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.*

*Not Applicable*

*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.*

*Not Applicable*

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

*Not Applicable*

*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.*

*Not Applicable*

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

*Not Applicable*

*Section 3: Other Codes*

*3.1 Advertising or Marketing Communications to Children shall comply with the AANA's Code of Advertising & Marketing Communications to Children and section 2.6 of this Code shall not apply to advertisements to which AANA's Code of Advertising & Marketing Communications to Children applies.*

*Not Applicable*

*3.2 Advertising or Marketing Communications for motor vehicles shall comply with the Federal Chamber of Automotive Industries Code of Practice relating to Advertising for Motor Vehicles.*

*Not Applicable*

*3.3 Advertising or Marketing Communications for food or beverage products shall comply with the AANA Food & Beverages Advertising & Marketing Communications Code as well as to the provisions of this Code.*

*Not Applicable*

## **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 is sexist in its portrayal of women.

The Board viewed the advertisement and noted that the advertiser’s response.

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: “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.”

The Board noted that the advertisement depicts a man and a woman (presumably husband and wife), and their son interacting in the kitchen, finishing the washing up. The man indicates that a game of football is about to commence and he leaves her to the rest of the cleaning up.

The Board noted the complainant’s concerns that the advertisement stereotypes women by suggesting their place is in the kitchen while the Dad and son watch the football and that she should not enter the lounge and enjoy the experience with them.

The Board noted that the scene showing the man and woman in the kitchen is very brief and considered it was intended to be one which would be recognizable to many couples. The Board noted that the voiceover stating “immerse yourself in the action” does not suggest that only men should be entitled to watch football. The Board noted that the woman appears at the lounge room doors and sees the father and son watching the football. The Board considered that the scene depicts the mother choosing to remain in the doorway rather than being deliberately excluded.

The Board determined that the advertisement did not stereotype the woman in a negative way and did not discriminate against or vilify any person or section of the community on account of sex and did not breach Section 2.1 of the Code.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.