



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Ad Standards Limited
ACN 084 452 666

Case Report

1. Case Number :	0193-20
2. Advertiser :	PD Insurance
3. Product :	Insurance
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	24-Jun-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

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

DESCRIPTION OF ADVERTISEMENT

This television advertisement features a woman sitting at a table using her laptop. A man walks towards her carrying two mugs. She slides a coaster towards him and he carefully puts the mugs down on coasters. He then sits down at the table and bumps it, so that both the mugs spill.

The woman says, "careful" and laughs.

The man asks, "can I borrow your car?"

She says, "you're joking right?"

She then addresses the camera and says, "If you're like me and don't let other people drive your car you could really save with PD insurance." She then continues to give details of the insurance.

THE COMPLAINT

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

This advertisement is sexist and demeaning to men. The man sits down and spills coffee on the table and the woman looks at him in a disparaging manner as if he is a fool. He then asks her if he can borrow her car and she looks at him and says "you know I don't let anyone drive my car". This ad deliberately makes men look stupid,



forgetful and irresponsible. If the roles were reversed and it was a man saying the same words to a woman, there would be an outcry and the ad would be withdrawn.

There are two issues with this advert. Firstly, given this advertisement is in a domestic setting the behaviour displayed by the female is classic domestic violence - control of the partner, where they go, what they do, etc. Domestic Violence is not a source of amusement and condoning this form of abuse but portraying it as acceptable behaviour on TV is wrong. If the ad was set in a pub or at the local park I don't think it would send the same message. Secondly, imagine if the two roles were reversed and the man refused the woman access to the car. Imagine the rightful outrage across society. So why is it acceptable for the female character to behave this way and not the male?

If the roles above were reversed there would be an outcry from all quarters. Imagine a bloke looking at his wife's large bottom and saying "Sometimes you want to make sure things look as good as when you first got them". Imagine adverts criticizing women's driving ability. They would be quickly banned. Do I want the above adverts banned? No, I don't. Us men generally don't mind copping a bit for fun. I just want a level playing field. You need to encourage advertisers, women's groups and women generally to get a sense of humour, not take everything so seriously. We Australians have previously been famous for our ability to "take the piss" out of each other without getting offended. We are losing our Aussie sense of humour all because of political correctness.

THE ADVERTISER'S RESPONSE

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

Pacific International Insurance Pty Ltd (Pacific) are the owners of the brand PD Insurance that was previously known as Progressive Direct Insurance.

The three "complaints" appear to be raising similar but different issues:

Complainant 1: Claims that the advertisement, in his opinion, discriminates against men

Complainant 2: Claims that the advertisement, in his opinion, displays an environment of domestic violence. He also claims that refusing use of a car to a third party is discriminatory.

Complainant 3: Doesn't appear to make a complaint but rather is encouraging Australian's to maintain their sense of humour. He believes some people may complain about the advertisement because the man is declined use of the car.

Pacific firmly denies the claims of both Complainant 1 and Complainant 2.



Domestic Violence: Nothing in the advertisement, in our opinion, any way depicts an environment of aggression, fear or control. Rather, the undefined relationship between the man and woman, we would describe as warm, caring and cheeky.

Both Complainant 1 and Complainant 2, while claiming the advertisement is discriminating against men, repeat the core message of the advertisement, that if you don't share your car with anybody you will receive a cheaper premium. The lead characters exact words are "If you're like me... And don't let other people drive your car"

The provision of lower premiums for people who are the exclusive drivers of their car is based on actuarial data that shows they are statistically less likely to make a claim. This is the basis of all insurance, lower risk always receives positive discrimination of lower premiums. We offer this pricing approach to both men and woman.

The scenario depicted in no way implies that we are discriminating against men. The advertisement clearly states that you get the benefit if you don't let ANYBODY drive your car. In fact, a new execution of the campaign has just been shot that features a mother and her (driving age) daughter. Other execution including a mother in law and a best friend have also been developed.

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 complainants' concerns that the advertisement is sexist and demeaning to men, and is a depiction of domestic violence.

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

The Panel 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 Panel noted the complainants' concerns that the advertisement is sexist and demeaning to men.

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."



The Panel noted the advertiser's response that the woman in the advertisement states "if you're like me and don't let ANYBODY drive your car" and that promotion is available to men and women.

The Panel considered that the man in the advertisement is depicted as being mildly clumsy by spilling the drinks, but considered that he wasn't seen to represent all adult males, rather he was a single character making a clumsy blunder.

The Panel considered that the humour in the advertisement was from the action itself, and was not related to the gender of the person making the comment.

The Panel considered that the man was not shown to receive unfair or less favourable treatment, and while he was shown accidentally bumping the table when he sat down, he was not humiliated or ridiculed because of his gender.

The Panel noted a complainant's concern that if the roles were reversed in the advertisement and the woman was denied access to the vehicle then there would be public outcry. The Panel noted that its' role is to consider the content of advertisements, not hypothetical scenarios, and considered that it was unable to consider this aspect of complaints under the provisions of the Code.

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

The Panel 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 Panel noted a complainant's concern that the advertisement depicts domestic violence by the suggestion that the woman controls the partner, where he goes, what he does etc.

The Panel considered that the relationship between the man and woman is not defined in the advertisement, and considered that there is no suggestion that the two people are a couple rather than just people sharing a house (i.e. siblings, housemates, friends). The Panel also noted that there is no suggestion that the man does not have his own vehicle and is merely asking to borrow the woman's as it better suits his immediate needs.

The Panel considered that the interpretation that the advertisement depicts domestic violence is unlikely to be shared by most reasonable members of the community. The Panel determined that the advertisement did not contain violence and did not breach section 2.3 of the Code.



Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaints.