



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0212/16</b>
<b>2</b>	<b>Advertiser</b>	<b>Department of Social Services</b>
<b>3</b>	<b>Product</b>	<b>Community Awareness</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>11/05/2016</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

Advertising to Children Code 2.06 Social value  
- Other Social Values  
2.1 - Discrimination or Vilification Gender  
2.1 - Discrimination or Vilification Other  
2.1 - Discrimination or Vilification Race  
2.3 - Violence Violence

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a young boy slamming a door on a girl so she falls to the ground and then her mother telling her she is okay and that he only did it because he likes the girl. We then see a man telling his son not to throw a ball 'like a girl' whilst a girl looks on. The next scene shows a teenage boy using his phone to take a picture down a girl's top then show it to his friend. We then see a couple arguing in a parked car before the man gets out and angrily slams the door whilst the woman cries and says to herself that she is okay. We then see a man shouting at a woman in a house before she falls on the floor and he stands over her. A male voiceover says that violence against women starts with disrespect and the excuses we make allow it grow. The man changes in to a small boy (the same boy from the first scene), standing over the woman lying scared on the floor, and then the text on screen reads, "Violence against women. Let's stop it at the start".

## THE COMPLAINT

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

*The ad fails to mention that in Australia in 2016 more people have been killed by women in relation to DV than men. It portrays all males as aggressors and all parents as stupid. It is sexist and biased in that it never shows any form of women attacking women and in the way it portrays only violent men. As a man and a parent of small boys I find it extremely offensive that the government is assuming that I am raising them to be violent to anyone, and that it is due to me being violent as a role model. It is denigrating to women to always portray them as victims, and this ad is no exception. In my experience as a Police officer of 15 years if anyone is going to be assaulted it is MUCH more likely that a women will hit a man (or a woman), than a man will hit a woman.*

*I am offended that on all the scenarios the caters [sic] and environments are all low income type of people used they are stereotyping. An older beat up car is used a house with not much furniture. Domestic violence also affects the wealthy and middle class families. The ad made by Australian government is being discriminative.*

*The ad offends against marketing towards children*

## **2.6 SOCIAL VALUES**

*Advertising or Marketing Communications to Children: (a) must not portray images or events in a way that is unduly frightening or distressing to Children; and (b) must not demean any person or group on the basis of ethnicity, nationality, race, gender, age, sexual preference, religion or mental or physical disability.*

*The ad is most clearly targeting children as the title supports "stop it from the start". It mainly depicts children behaving badly ad targeting male children based on their gender, male - bad - female - good. It also is based on only white males so it is sexist and racist.*

*I object because the advertisement portrays only Caucasian people of Anglo cultural background as perpetrators of domestic violence. Australia in 2016 is a multi-ethnic, multicultural society comprising of people from many diverse backgrounds. It is not 1950 anymore and the advertisement unfairly discriminates against Australians of Caucasian appearance and belonging to Anglo-European cultural background by portraying this section of the community as the sole perpetrators of domestic violence. Domestic violence is an issue that transcends culture and race and it is racist and Anglophobic to by unfairly target this one racial and cultural group.*

*I object to and am offended by this as it is sickening that all forms of media on the subject of domestic violence and abuse of civil liberties is always portraying a male abuser being aggressive towards a defenceless and timid female. The reality of this situation is that women can and do dish out as much abuse to their partners whether male or female.*

## **THE ADVERTISER'S RESPONSE**

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

*The campaign – Stop it at the start*

*This national campaign aims to help break the cycle of violence against women and their children by encouraging adults to reflect on their attitudes, and have conversations about respect with young people.*

*It is a Council of Australian Governments initiative, jointly funded by the Australian, state and territory governments.*

*The current campaign is the first phase of a multi-year approach to help break the cycle of violence against women on an intergenerational level.*

*What does the campaign aim to do?*

*As a community we excuse and inadvertently perpetuate the precursory attitudes and behaviours in young people that can lead to violence against women. Research consistently affirms these attitudes and beliefs as largely unconscious and widely accepted social norms (VicHealth 2014, TNS 2015).*

*This campaign focuses on a primary prevention approach that galvanises influencers and communities to influence the attitudes of young people, particularly around respectful relationships and gender equality.*

*The campaign strategy encourages influencers to notice their own behaviour and question their beliefs that perpetuate the cycle; access information and resources; and start a conversation with young people about respect.*

*Who is the campaign targeting?*

*The campaign targets male and female influencers of young people aged 10-17, such as parents and family members, teachers, coaches, community leaders and employers.*

*It is not targeting victims, perpetrators or bystanders – it is a primary prevention campaign that aims to break the cycle of violence by stopping it at the start.*

*How was the campaign developed?*

*The campaign draws on national and international research.*

*The campaign was informed by the research report Reducing violence against women and their children, commissioned by the Australian Government Department of Social Services.*

*The research was undertaken by Taylor Nelson Sofres (TNS). It was conducted across Australia with boys and girls aged 10-17 and their male and female influencers – these included parents, siblings, teachers, sporting coaches, managers and community leaders.*

*The research showed that while most Australians agree that violence against women is wrong, there is a tendency to minimise disrespectful behaviours, blame victims and empathise with males. It showed that excusing disrespectful and aggressive behaviours towards girls and women is learned from an early age.*

*The research found that:*

- *we need to help people make the link between violence towards women, and attitudes of disrespect and gender inequality*
- *from an early age, young people begin to believe there are reasons and situations that can make disrespectful behaviour acceptable*
- *girls blame themselves, questioning whether the trigger for the behaviour is potentially their fault, rather than questioning the behaviour of the male*
- *boys blame others, particularly the female, and deflect personal responsibility telling each other it was a bit of a joke – it didn't mean anything*
- *adults accept the behaviour when they say 'it takes two to tango' or 'boys will be boys'*
- *the cost of doing something is considered to be too high – parents worry about embarrassing their child, or even themselves; teachers and coaches are unsure how far to go.*

*Multiple waves of concept testing research consistently showed that the messages communicated by the advertising demonstrated:*

- *the link between disrespect and violence*
- *the need to recognise and reconcile personal behaviour in addressing disrespect*
- *the impact of individual influence on young people*
- *the need for community / widespread attitudinal change*
- *that disrespectful and aggressive behaviour is learned from an early age*
- *that there is a trajectory of disrespectful / aggressive behaviour*
- *that attitudes supporting gender inequality can result in disrespectful / aggressive behaviour*
- *that there is a need for intervention when disrespectful and aggressive behaviours are observed – intervening in one's own behaviour (personal intervention), as well as the behaviour of others*
- *that there is a need for preventative conversations with young people.*

*What is the campaign asking people to do?*

*As parents, family members, teachers, coaches, employers and role models, we can have a positive influence on young people and set the standard for what is and what's not acceptable, right from the start.*

*We can be more aware that the excuses we make have a lasting impact.*

*We can start having conversations about respect with boys and girls.*

*We can intervene and correct disrespectful behaviour in young people when we see or hear it.*

*Together, we can help stop the cycle of violence against women.*

*What resources will be available?*

*A range of resources and tools are available on the campaign website to help influencers have conversations with young people. These have been developed with the assistance of parenting experts and child and behavioural psychologists.*

*They include:*

- the Conversation Guide, to help parents and family members talk with young people about the importance of respectful relationships from an early age*
- the Respect Checklist, for adults to become more aware of what boys and girls might be thinking in disrespectful or aggressive situations*
- the Excuse Interpreter, to discover the hidden meanings of common expressions that can excuse disrespectful behaviour towards girls*
- an animation and infographic to provide facts on the issue.*

*While the campaign does not target victims, the website provides information about support services available as a duty of care. This includes services for women, men, families and children, as well as for people with disability and from those from diverse cultural backgrounds.*

*Why do we need this campaign?*

*The prevalence of violence against women in our community is shocking:*

- Intimate partner violence is the leading preventable contributor to ill-health and premature death in women under 45 – more than high blood pressure, obesity and smoking (VicHealth 2004).*
- In 2012, a report by the Australian Institute of Criminology found that, on average, one woman is killed by their current or former partner each week (Bryan & Cussen 2015).*
- ABS data (2012) shows that since the age of 15:*
  - o 1 in 3 women had experienced physical violence*
  - o 1 in 4 women had experienced emotional abuse from a current or former partner*
  - o 1 in 5 women had experienced sexual violence*
  - o 1 in 6 women had experienced physical or sexual violence from a current or former partner.*

*o Women were most likely to experience physical and sexual violence in their home, at the hands of a current or former partner.*

*The good news is that awareness and understanding of violence against women is high, and most adults agree it is wrong (VicHealth 2014). We also agree violence against women isn't just physical – it includes a range of behaviours designed to intimidate or control.*

*However, what we often don't realise is that the cycle of violence can start with the beliefs and attitudes boys and girls develop from a young age. There is a clear link between violence towards women, and attitudes of disrespect and gender inequality.*

*While not all disrespect towards women results in violence, all violence against women starts with disrespectful behaviour.*

*From early on boys and girls begin to believe there are reasons which make disrespectful or aggressive behaviour acceptable. Girls question whether it's their fault, and boys tell each other it was a bit of joke. This can lead to attitudes like:*

- 1 in 4 young people don't think it's serious when guys insult or verbally harass girls in the street (Hall and Partners | Open Mind 2015)*
- 1 in 5 young people believe there are times when women bear some responsibility for sexual assault (VicHealth 2015)*
- 1 in 4 young people don't think it's serious if a guy, who's normally gentle, sometimes slaps his girlfriend when he's drunk and they're arguing (Hall and Partners | Open Mind 2015)*
- Over 1 in 4 young men believe that girls like guys who are in charge of the relationship (Youth Action NSW & White Ribbon Australia 2014).*

*Adults have the strongest influence on young people's attitudes about disrespect towards women. But when we see it in action, we tend not to get involved. Without realising it, what we say and do is shaping young peoples' views about more serious behaviours.*

*Since young people's attitudes and behaviours are shaped by those around them, it's important to expose them to positive influences where they live, work, learn and socialise (Youth Action NSW & White Ribbon Australia 2014). As adults, we need to recognise and reconcile our role as important influencers of the younger generation.*

#### *Response against the Code of Ethics*

*The advertisement has been reviewed by Commercials Advice Pty Ltd (CAD) and provided with M classification – due to the filming down a girl's top, and the woman cowering in the corner in the 45-second advertisement, as well as the overall tone.*

*These ratings are then used to guide the time of play for each spot. Media has been booked to ensure the advertisement appears only in programming that is appropriate for this classification.*

## *2.1 Discrimination or vilification*

*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 Stop it at the start campaign does not discriminate against or vilify a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.*

*Throughout the extensive research that formed the evidence base for the campaign, specific attention was given to understanding the desired behavioural response - who the communication was asking to modify behaviour, and what that change was.*

*The vast majority of participants identified the campaign's behavioural message as 'asking all adults (regardless of gender, cultural background, socio-economic-status) to consider their own behaviour and the inadvertent impact this may have on the cycle of violence against women'. This was consistently mentioned by both adults and young people who participated in the research.*

*The research asserts the advertisements were interpreted as targeting all adults to modify their personal behavioural responses to situations that may involve disrespect or aggressive behaviour.*

*A key scene within the advertisement that clearly identifies this premise is the opening scene, which was often described as the most memorable. In this scene, the research consistently showed the viewer's focus was on the behaviour of the adult female influencer and her response to an act of disrespectful behaviour. The focus of this scene was not interpreted as portraying negative behaviour of young males, but rather, unintended negative responses of adult female influencers.*

*Additionally, the Stop it at the start tagline was interpreted by the majority as encouraging adults to 'stop' their own behaviours which may inadvertently play a role in perpetuating the cycle of violence against women.*

*There was no evidence to suggest the campaign was targeting children.*

### *Gender representation*

*This campaign aims to reduce violence against women.*

*• ABS data (2012) shows that:*

*o domestic and sexual violence is overwhelmingly committed by men against women*

*o women are most likely to experience physical and sexual violence in their home, at the hands of a male current or ex-partner; whereas men are more likely to experience violence at the hands of a stranger or acquaintance.*

- *The severity of physical injury and levels of coercion from all forms of violence in relationships is greater for women than men (Braaf & Barrett 2013).*
- *The World Health Organisation states that violence against women is both a consequence and a cause of gender inequality (World Health Organization 2005).*

*The campaign takes a primary prevention approach aimed at both male and female influencers of young people aged 10-17. This audience group was selected following comprehensive research.*

*The campaign was developed using extensive research (TNS 2015). Throughout this research, specific attention was afforded to the target audience's interpretation of the advertisements to ensure the intended messages were correctly delivered.*

*Approximately 460 Australians (adult males, adult females, young males, young females across Australia) were shown the campaign throughout its creative development. They discussed the campaign in-depth, and face-to-face with researchers for approximately 550 hours (an average of 80 minutes with each individual).*

*The vast majority of those participating in the research identified the primary message communicated by the advertisements as 'raising awareness of the inadvertent role adults (males and females) play influencing the behaviour of young people (boys and girls), and how this can unintentionally negatively impact the cycle of violence against women'.*

*Thus, the research asserts the advertisements were interpreted as targeting all adults (irrespective of gender), to recognise their influence on young people (irrespective of gender).*

*Messages surrounding explicit or implicit vilification of males as sole perpetrators of domestic violence were not present.*

*Messages surrounding explicit or implicit depiction of females as the only gender with lived experiences of domestic violence (as victims) were not present.*

*Messages surrounding explicit or implicit reinforcement of poor gender stereotypes were not present. There were, however, messages associated with the reverse –those attached to challenging previously unconscious attitudes that may unintentionally reinforce poor gender stereotypes such as 'Don't throw like a girl mate'.*

*Ensuring the safety of all Australians is a key priority for the Australian Government. Domestic and family violence and sexual assault cannot be excused or justified under any circumstances. All victims, regardless of their gender, need compassionate and highly responsive support and all perpetrators must be held accountable for their violence.*

*The National Plan to Reduce Violence against Women and their Children 2010-2022 (the National Plan) was developed on the basis of extensive consultations and is aimed at reducing violence against women and their children, where an act of violence is perpetrated by a man. The campaign aligns with the remit of the National Plan, and its practical initiatives to stop violence from happening in the first place, and encourage young people to build respectful relationships.*

*The National Plan recognises that men and boys can be victims of domestic and family violence and sexual assault. Men do experience domestic and family violence.*

*However, evidence shows that the majority of victims are women. Data from the 2012 Australian Bureau of Statistics Personal Safety Survey shows that while men are more likely to experience violence overall, this is more often at the hands of a stranger or acquaintance than their partner at home. Women, on the other hand, are more likely to experience violence from a partner or former partner.*

*For further information, view ANROWS key statistics on women's experiences of domestic and family violence and sexual assault.*

### *Cultural inclusion*

*The television advertisement includes representation from a range of cultural backgrounds.*

*The creative was developed and extensively tested to ensure it is inclusive and appeals to a broad audience.*

*In addition, customised creative was developed and media bought for Indigenous and CALD audiences. Key influencer tools are also being customised for CALD and Indigenous audiences to ensure they are culturally appropriate.*

*While talent were selected to ensure a broad representation of cultural backgrounds, they were also cast based on their abilities and performance, in order to get the correct nuances and impact of messaging, and to ensure the advertising would meet the campaign objectives. There was no bias based on race or ethnicity.*

*Throughout the extensive research (TNS 2015) that assisted with development of the campaign, specific attention was afforded to the identification of cultural diversity within the advertisements. It is noted that culturally adapted advertisements were also included and tested throughout the research process.*

*Of the 460 people who were included in the research for this campaign, and the approximately 550 hours of discussion with these participants, 100 were of a culturally and linguistically diverse background (translating to approximately 120 hours of discussion with this audience); 100 were of an Aboriginal or Torres Strait Islander descent (translating to approximately 120 hours of discussion with this audience); 260 did not identify as having a culturally or linguistically diverse background nor Aboriginal or Torres Strait Islander descent (translating to approximately 310 hours of discussion with this audience).*

*Across the research, the vast majority of those participating (regardless of cultural background) identified the primary message communicated by the advertisements as 'raising awareness of the inadvertent role adults (males and females) play influencing the behaviour of young people (boys and girls), and how this can unintentionally negatively impact the cycle of violence against women'.*

*Thus, the research asserts the advertisements were targeting all adults (irrespective of cultural background), to recognise their influence on young people (irrespective of cultural background). Messages surrounding explicit or implicit vilification of Caucasian males as*

*the sole perpetrators of domestic violence were not present.*

### *Socio-economic status inclusion*

*Violence against women occurs in all parts of society, regardless of geographic location, socio economic status, age, cultural and ethnic background, or religious belief (White Ribbon, cited 2016).*

*Research shows that perpetrators are found in all social classes and engage in a variety of lifestyles, social roles and cultural practices (DCCSDS 2012).*

*The television advertisement includes representation to show a range of talent, locations and scenarios from different socio economic backgrounds.*

*The creative was developed and extensively tested to ensure it is inclusive and appeals to a broad audience. As a result of research during the creative development process, locations were adjusted to ensure there was a broad cross section of settings represented.*

*Throughout the extensive research, specific attention was given to identifying who the campaign was depicting and targeting.*

*The vast majority of those participating in the research identified the depiction of individuals as representing all adults (regardless of their socio-economic status). This was in terms of both the scenarios and talent that were included, as well as the fundamental premise of the message itself.*

*The research asserts the advertisements were not interpreted as representing a particular socio-economic group.*

*Messages surrounding explicit or implicit vilification of specific socio-economic groups as perpetrators or victims of domestic violence were not present. There was no evidence to suggest the campaign was targeting lower socio-economic groups.*

## *2.2 Exploitative and degrading*

*Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.*

*The Stop it at the start campaign does not employ sexual appeal. The scene in which the teenage boy takes a photo down the teenage girl's top is used to highlight negative behaviour, and not to exploit or degrade any individual or group of people.*

*The scenario was thoroughly concept tested to ensure the target audience clearly understood the intent of the message.*

## *2.3 Violence*

*Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.*

*The Stop it at the start campaign portrays suggestive and actual violent behaviour. This is considered appropriate in the context of the campaign. It aims to prevent violence against women and their children, by educating influencers about the connection between disrespect and violence, as well as the attitudes that excuse, condone or trivialise violence.*

*Results from campaign research (TNS 2015) and the National Community Attitudes Survey (VicHealth 2014) show that a significant proportion of people hold attitudes that put them at-risk of perpetrating or excusing violence. To change this, we need to demonstrate the link between attitudes of disrespect and violence against women.*

#### *2.4 Sex, sexuality and nudity*

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

*The Stop it at the start campaign does not depict sex, sexuality or nudity. The scene in which the teenage boy takes a photo down the teenage girl's top is used to highlight negative behaviour, and not in a sexual manner. It also depicts a teenage peer who witnesses the negative behaviour and rather than encourage the behaviour, his response indicates that he finds it unacceptable.*

#### *2.5 Language*

*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.*

*The Stop it at the start campaign only uses language that is appropriate in the circumstances. The language used was carefully selected to be reflective of society's actual responses to disrespectful behaviour, based on the research conducted by TNS. There is no strong or obscene language.*

#### *2.6 Health and Safety*

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

*Awareness and understanding of violence against women is high amongst Australians, and most adults agree it's wrong (VicHealth 2014). The Stop it at the start campaign is not contrary to prevailing community standards on health and safety as it aims help break the cycle of violence against women and their children by encouraging adults to reflect on their attitudes, and have conversations about respect with young people.*

*The Department of Social Services, its creative agency and production partners take working with children extremely seriously and ensure the utmost care on these projects.*

*As part of the production and filming process, all strict standards and policies set out by the State Government and the Office of Children's Guardian were adhered to. As part of this approvals process:*

- 1. Pre-employment notification was completed*
- 2. Details of any risks that were identified for children associated with the work location, the child's role or schedule were provided*
- 3. A detailed proposed strategy for minimising any risks to any children on set was provided.*

*In addition, the following materials were supplied to ensure there was no risk to any children both physically or emotionally:*

- the script, storyboard, mood board or layout to help set the context of the content being filmed*
- proposed employment schedule for children*
- safety reports or risk assessments that were specific to the children and relevant to production.*

*There was also careful consultation throughout the production process with casting agents, child guardians, the children, as well as on-set crew responsible for overseeing the welfare of the children, including a certified nurse. At no time during the shoot were any children placed in undue harm.*

*The young boy who appears in the advertisement is a seasoned actor, and has appeared in many productions. His mother was on set throughout all of his scenes, and had been provided information about the subject matter and her son's role in the television commercial prior to giving consent.*

*As an added measure all cast, including children and their guardians, were contacted as a follow-up to ensure that there were no issues once the shoot was complete. This included providing information and contact details for support services, in case any of the material filmed was found to be triggering or caused any issues or concern. No issues were raised as a concern.*

### *Conclusion*

*To conclude, the Department of Social Services does not believe this advertisement contravenes Section 2 of the Code.*

### *References*

*Australian Law Reform Commission 2010, Family Violence – A National Legal Response, NSW Law Reform Commission, Sydney.*

*Australian Bureau of Statistics 2012, Personal Safety, cat. no. 4906.0, [www.abs.gov.au/ausstats/abs@.nsf/mf/4906.0/](http://www.abs.gov.au/ausstats/abs@.nsf/mf/4906.0/)*

*Braaf, R & Barrett Meyering, I 2013, The Gender Debate in Domestic Violence: The Role of Data, Australian Domestic & Family Violence Clearinghouse, Sydney.*

*Bryant, W & Cussen, T 2015, Homicide in Australia: 2010-11 to 2011-12 National Homicide Monitoring Programme Report, Australian Institute of Criminology, Canberra.*

*Hall and Partners | Open Mind 2015, The Line campaign – Summary of research findings, Hall & Partners | Open Mind, Sydney.*

*National Aboriginal and Torres Strait Islander Social Survey (2008). PSS: Australian Bureau of Statistics 2012, Personal Safety, cat. no. 4906.0, www.abs.gov.au/ausstats/abs@.nsf/mf/4906.0/.*

*NATSISS: Australian Bureau of Statistics 2008, National Aboriginal and Torres Strait Islander Social Survey, cat. No. 4714.0, www.abs.gov.au/AUSSTATS/abs@.nsf/mf/4714.0*

*Queensland Department of Communities, Child Safety and Disability Services 2012, Domestic and family violence and its relationship to child protection, Queensland Government, Queensland.*

*Salthouse, S & Frohmader, C 2004, ‘Double the Odds’ – Domestic Violence and Women with Disabilities’, ‘Home Truths’ Conference, Southgate, Melbourne.*

*Taylor Nelson Sofres, 2015, Violence against women and their children – formative research report, TNS, Sydney.*

*VicHealth 2004, The health costs of violence: measuring the burden of disease caused by intimate partner violence, Melbourne, Victorian Health Promotion.*

*VicHealth 2014, Australians’ attitudes towards violence against women. Findings from the 2013 National Community Attitudes towards Violence Against Women Survey (NCAS), Victorian Health Promotion Foundation, Melbourne.*

*VicHealth 2015, Young Australians’ attitudes towards violence against women, Victorian Health Promotion Foundation, Melbourne.*

*White Ribbon, Factsheet 6 – Family and Domestic Violence, White Ribbon, North Sydney.*

*World Health Organization 2005, WHO multi-country study on women’s health and domestic violence against women, World Health Organization, Geneva.*

*Youth Action NSW & White Ribbon Australia 2014, Young people’s attitudes towards domestic and dating violence, Youth Action NSW & White Ribbon Australia, North Sydney.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches the AANA Code for Advertising and Marketing Communications to Children (the Children’s Code) and Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainant’s concerns that the advertisement suggests that only men

commit acts of domestic violence, and that those men are white and lower class, and that it targets children and is therefore in breach of the Children's Code because it causes distress and demeans male children.

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

The Board considered whether the Children's Code applied.

The Board considered the definition of advertising or marketing communication. Under the Children's Code, Advertising or Marketing Communications to Children means "Advertising or Marketing Communications which, having regard to the theme, visuals and language used, are directed primarily to Children and are for Product." The Board noted that Children are defined as "...persons 14 years old or younger" and Product is defined as "...goods, services and/or facilities which are targeted toward and have principal appeal to Children."

The Board noted this advertisement features scenes where males behave in an aggressive or threatening manner towards women, while the women try to rationalise and explain away the behaviour.

The Board noted the theme of the advertisement which is a call to action to end domestic violence by stopping it at the start and considered that although the advertisement opens on a young boy slamming a door in the face of a young girl in the Board's view this example is one of many and is intended to show that the roots of violent behaviour can be found in the behaviour and attitudes that adults instil in children. The Board noted the visuals of the advertisement. The Board noted that advertisers are free to use whomever they wish in their advertisements and considered that the inclusion of children in an advertisement does not of itself mean that the advertisement is directed at children. The Board noted the language in the advertisement and considered that although we hear the sounds of children playing the spoken words in the advertisement are delivered by older teenagers and adults. The Board noted the voice over at the end of the advertisement which states that 'Violence against women starts with disrespect. The excuses we make allow it to grow. Violence against women. Let's stop it at the start.' The Board considered that this language is directed at raising awareness of a significant community concern and is clearly directed at adults, not children.

Overall the Board considered that although some of the actors used in the advertisement are children in the Board's view the theme, language and visuals of the advertisement are directed at adults, not children.

The Board noted that the advertisement is for raising community awareness about domestic violence and considered that this is not a product directed primarily to children.

The Board therefore considered that the advertisement is not directed primarily to children and the product, a community service announcement, is not a product directed primarily to Children and the Children's Code did not apply.

The Board 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 Board noted the complainants' concerns that the advertisement depicts violence by men against women but that it ignores violence by women against men.

The Board noted it had previously considered similar complaints in case 0144/11 and in case 0302/13 where:

“The Board noted that the advertisement features a voiceover stating statistics about violence against women. The Board noted the complainant's concerns that the advertisement does not mention violence against men.

The Board noted the advertiser's response that White Ribbon Australia specifically target men's violence against women and that the statistics they use regarding the prevalence of violence towards women by men were obtained by the Australian Institute of Criminology.

The Board considered that the advertisement does not suggest that domestic violence is only an issue for women and considered that by highlighting the issue of violence against women the advertisement is not negating the serious issue of violence committed against men. The Board considered that it is not discriminatory towards men to highlight statistical information regarding domestic violence against women.”

In the current advertisement the Board noted that the advertisement focuses on changing disrespectful behaviour by males of all ages towards females, from young children slamming a door in a girl's face to a grown man who throws a woman to the floor. The Board noted the advertiser's response that the advertisement reflects statistics that the majority of domestic violence is committed by men against women and considered that it was reasonable for the advertiser to target a particular demographic in order to garner the best results. Consistent with its previous determinations the Board considered that by highlighting the issue of domestic violence against women the advertisement does not suggest that only men are responsible for domestic violence or that women could not also be responsible for domestic violence.

The Board noted the complainants' concerns over the depiction of women passively accepting acts of violence against them. The Board noted that the message of the advertisement is that women do not have to accept acts of violence and that parents and carers should take care to address inappropriate behaviour in minors so that this behaviour does not develop in to violence against women and considered that the manner in which the women react in the advertisement is designed to highlight this message rather than suggest this is how women should react.

The Board 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.

The Board noted the complainant's concern that the advertisement is racist as it only shows Caucasian men as perpetrators of domestic violence. The Board noted the advertiser's response that the actors used in the advertisement were from a range of cultural backgrounds and that customised creative was developed for Indigenous audiences. The Board noted in the current advertisement that the focus is on the behaviours demonstrated rather than the race or

ethnicity of the perpetrators and considered that the advertisement does not suggest that only Caucasian men commit domestic violence. The Board 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 race, nationality or ethnicity.

The Board noted the complainant's concern that the advertisement depicts low-income environments. The Board noted the opening scene showing a young girl in a suburban kitchen and considered that this scene is not suggestive of a low-income family. The Board noted the subsequent scenes and considered that there is no suggestion that the advertisement is targeting a specific socio-economic group. The Board 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 socio-economic status.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

The Board then 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 that the advertisement depicts scenes of males verbally or physically assaulting women. The Board noted that the advertisement had been rated 'M' by CAD and considered that the level of violence depicted in the advertisement was not overly graphic or inappropriate in the context of an important community awareness advertisement aimed at a mature audience.

The Board considered that the advertisement did present or portray violence but that it was justifiable on the context of the product or service advertised.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

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