



Ad Standards Community Panel
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Ad Standards Limited
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Case Report

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| 1. Case Number : | 0225-20 |
| 2. Advertiser : | Supagas |
| 3. Product : | House Goods Services |
| 4. Type of Advertisement/Media : | TV - Free to Air |
| 5. Date of Determination | 22-Jul-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 man delivering a gas bottle to a house. He passes the owner of the house, and his neighbour. The owner and neighbour discuss the speed of the delivery and the benefits of the provider. At the end of the advertisement, a woman appears from the neighbour's front door and yells, "Where's me gas bottle Greg?"

THE COMPLAINT

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

At the end of the ad a woman comes out the door and yells at her partner in an offensive manner. If it were a man yelling at a woman like that, this ad would never have been passed. With the rates of domestic violence I find this totally unnecessary. Men also experience domestic violence.

At the very end of the ad a woman appeared in the doorway and screamed aggressively "where's my gas bottle Greg?" I was shocked at the aggressive tone and particularly given the increased violence in the home during coronavirus.



THE ADVERTISER'S RESPONSE

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

We take the issues raised in the complaint very seriously, and we are disappointed that the advertisement caused any offence. While the complaint identifies items 2.1 and 2.3 of the Advertiser Code of Ethics (Code), we have reviewed the advertisement against all provisions of section 2 of the Code. We submit that the advertisement does not breach any part of section 2 of the Code for the reasons set out below.

2.1 – Discrimination or vilification / gender

The Code of Ethics practice note refers to discrimination as 'unfair or less favourable treatment' and vilification as 'humiliates, intimidates, incites hatred, contempt or ridicule'. This advertisement does not contain content that discriminates against or vilifies any group. The complaint specifically relates to gender (addressed below). No other group (being based on race, ethnicity, nationality, age, sexual preference, religious views, disability or political belief) is referred to or highlighted in the ad. The advertisement briefly depicts a woman at the door of the house that appears frustrated that a gas bottle has not been delivered, saying 'Where's me gas bottle Greg?'. This frustrated response directly follows a conversation between the two men about gas bottle delivery. The advertisement is intended to create a connection in the viewer's mind between the problem of the gas bottle not being delivered and the solution of Supagas delivering home gas and BBQ gas bottles at the same time.

The advertisement does not make any representations about all men or all women, but shows the interaction between a woman and a man that appear to be in a relationship and live together. The advertisement does not suggest that the character traits of either the man or the woman are always associated with that gender, are the only options available to that gender or are never carried out or displayed by another gender.

2.2 – Sexual appeal relating to minors or exploitative / degrading

There are no images of sexual appeal in the advertisement.

2.3 – Violence / domestic violence

This advertisement does not include any direct or implied depictions of violence. No threat of violence is included. The tone of the woman is not menacing and threatening, and the comment "Where's me gas bottle Greg?" does not reference or threaten violence. There is no physical action from the woman that is violent or indicates that violence is to be expected.

The woman's tone is frustrated or, at most, angry that a gas bottle had not been delivered. The man (Greg) does not appear fearful of the woman or appear to perceive an imminent threat of violence. At most, he appears exasperated or potentially embarrassed at the interaction. This advertisement depicts a potential



disagreement or point of frustration between a couple, and there is no indication in the advertisement that this is a situation of domestic violence.

The purpose of the advertisement is to highlight the delivery offered by Supagas as a solution to the frustration caused when a gas bottle is not delivered in a timely manner.

2.4 – Sex, sexuality and nudity

There is no reference to, or depiction of, sex, sexuality or nudity in the advertisement. It is not sexually suggestive.

2.5 – Language

There is no strong or obscene language in the advertisement. All language is innocuous everyday language, and appropriate for all audiences.

2.6 – Health and safety

The advertisement does not depict material contrary to prevailing community standards on health and safety. It does not include any unsafe practices, motor vehicles, bullying or unrealistic body image.

2.7 – Clearly distinguishable advertising

The advertisement is clearly recognisable as an advertising or marketing communication.

On the basis of the above, we submit that the advertisement does not breach any provisions of the Code.

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 depicts a man being yelled at by a woman which would never have been shown the other way around.
- The advertisement depicts 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 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 complainants’ concerns that the advertisement depicts a man being yelled at by a woman which would never have been shown the other way around.

The Panel noted that its role is to consider the content of an advertisement as it exists, and not hypothetical alternative scenarios.

The Panel noted the advertiser’s response that the advertisement does not make any representations about all men or all women but shown the interaction between a woman and a man that appear to be in a relationship and live together.

The Panel noted that the advertisement featured a woman yelling ‘where’s me gas bottle Frank?’ at the end of the advertisement. The Panel noted that the woman is wearing a dressing gown and there is a suggestion that she is waiting for a gas bottle to be delivered in order to have a hot shower. The Panel considered that Greg is shown to react by putting his hand up to his head with his fingers on his temples.

The Panel considered that the man’s reaction to what the woman is saying is a reaction to the slow delivery time of his chosen gas provider, and not a reaction which suggests that he is receiving unfair or less favourable treatment because of his gender. The Panel considered that the woman was not seen to question the man because of his gender, rather she was questioning him because the gas bottle had not arrived.

The Panel considered that the advertisement does not humiliate, intimidate or incite hatred, contempt or ridicule of the man on account of his gender.

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.

The Panel noted the advertiser’s response that the advertisement does not include any direct or implied depictions of violence and there is no threat of violence.



The Panel acknowledged that domestic violence is a serious issue and is not limited to just physical violence, but can also constitute verbal or emotional abuse. However, in this advertisement the Panel considered that the woman yells a question at her partner in a frustrated rather than aggressive tone, and there is no indication that he feels abused, threatened or hurt by the woman's actions. The Panel considered that there is no indication in the advertisement that the woman's tone is an ongoing behaviour. The Panel considered that a single act of asking a question in a frustrated tone does not constitute domestic abuse.

The Panel considered that the interpretation that the advertisement depicts domestic violence is unlikely to be shared by most members of the community. The Panel determined that the advertisement 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.