



Ad Standards Community Panel
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Ad Standards Limited
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Case Report

1. Case Number :	0260-20
2. Advertiser :	Toyota Motor Corporation Australia
3. Product :	Vehicle
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	9-Sep-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This television advertisement shows a woman driving a RAV4 with her male partner asleep in the front passenger seat and children asleep in the back seat. A voice over states, "The drive home. Everyone's asleep thanks to a full weekend of recreation. Not mum though. He did promise to keep her company. Is it rude to wake him? Maybe. Incoming cattle grid. A.K.A. the alarm clock." She drives over a cattle grate and the man wakes up and screams briefly. The voice over states, "Ha. Thank you roads of Australia. The Toyota RAV4. The return of recreation. Oh what a feeling. Toyota." The car is shown driving from the exterior. The words 'The original recreational activity vehicle. The return of recreation.' are superimposed on the screen. Various images of people jumping are then shown behind the words 'Oh What A Feeling'.

THE COMPLAINT

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

*The advertisement portrays young men in a negative light. The advertisement makes them out to be weak, stupid and brainless buffoons.
The portrayal of men in this advertiment does nothing to help build the confidence, self esteem or worth of young men in our society today.*



THE ADVERTISER'S RESPONSE

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

Toyota is of the view that Sections 2.2 to 2.6 of the AANA Code are not relevant to the Advertisement. As the concepts covered by those sections do not arise in the complaint.

Section 2.1 – Discrimination or Vilification

Toyota does not believe that the Advertisement shows unfair or less favourable treatment based on gender or any other basis. Toyota also does not believe that the Advertisement engages in vilification of any particular group.

The Advertisement does not support a stereotype that men are “stupid and brainless buffoons” as it is intended to promote the comfort and quietness of the RAV4. The Advertisement suggests that the RAV4 is so comfortable and quiet, that passengers can't help but doze off after a day or weekend of recreation, even if they intended to stay awake. It is not necessarily a reflection of the male gender being a weaker gender, but of the vehicle being so quiet and comfortable.

The fact that the father is suddenly startled awake by the noise of a cattle grid is intended to be humorous.

Toyota does not believe that the Advertisement engages in vilification of a particular gender, but simply uses humour to demonstrate the features of the vehicle. The driver and passengers could have been any other combination of genders and relationships, including wife as sleeping passenger and husband as driver in the same scenario depicted in the Advertisement.

2.7 – Clearly Distinguishable Advertising

Toyota believes that it is clear to the relevant audience that the Advertisement is commercial in nature.

In light of the above, Toyota submits that the Complaint misinterprets the content of the Advertisement and that the Advertisement has not breached the AANA Code. Consequently, Toyota requests that the Complaint be dismissed.

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 complainant's concerns that the advertisement portrays young men in a negative light, making them out to be weak, stupid and brainless.

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 includes 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 advertisement is intended to create a humorous situation and that the characters could have been any combination of genders and relationships.

The Panel considered that the situation depicted was light-hearted and humorous. The Panel noted that the driver was seen to take advantage of needing to drive over a cattle grid as an opportunity to wake her partner up so that he can keep her company whilst she is driving. The Panel noted that the man was seen to briefly cry out in alarm, but this was a normal reaction to a person being woken up suddenly, and was not an action which humiliated or ridiculed the man.

The Panel considered that the woman’s action of waking the man was a depiction of light-hearted horseplay between a couple. The Panel noted that the woman’s action was a reaction to the man having broken his promise to stay awake, and considered that this action was not taken because of his gender. The Panel considered that the man was not seen to receive unfair or less favourable treatment because of his gender.

Overall 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.

Finding that the advertisement did not breach any other Section of the Code, the Panel dismissed the complaint.