



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0357-20
2. Advertiser :	Toyota Motor Corporation Australia
3. Product :	Automotive
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	16-Dec-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This television advertisement features a natural setting where a couple are packing up a few items using the Yaris Cross vehicle's automatic boot. The man calls out to his dog who is completely covered in mud. It then cuts to the vehicle on the move. The woman talks to Siri who assists her with direction to a dog groomer. The Yaris Cross pulls up next to a boutique dog groomer. The muddy dog is bundled out of the backseat by the man. The scene changes to the clean dog re-entering the car. The woman looks at the man and notices that he also looks different. They then have a conversation where he sheepishly says that he took up a 2-for-1 offer at the dog groomer.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

The ad is racist as the man is dark skinned and has thick hair.

It is offensive to imply that men are so stupid that they would take up a "2 for 1" offer and have themselves cleaned at a dog wash. Or is the ad implying that all men are dogs? This is discrimination. Belittling remarks like this should not be tolerated. If the roles were reversed and the woman in the ad was portrayed as being stupid enough to have themselves cleaned at a dog wash, this would not be accepted. As a father of



two sons I will not submit to men being degraded in this manner, just as I would not accept this if it was portraying women in the same way. Enough is enough. This is not funny.

I object to the fact the non-white character is the only one portrayed as being required to clean at a dog groomer, as if somehow that is a place(the dog groomer) where non-whites can/should be cleaned and groomed in the advertisement's scenario. What is ironic is the white female express the same confusion/disgust that the non-white male of Aboriginal appearance is cleaned and groomed at a dog groomer in the advertisement itself, so when the commercial is scripted by Toyota (or it advertising agency) were aware of its derogatory nature. It equates the non-white male to the dog as both are shown entering and leaving together in all scenes.

Its 2020, haven't we got past this derogatory treatment of minorities? Why didn't the Anglo-white female also not get groomed and cleaned at the dog groomer too? Why doesnt the white female get dirty at all ? Is she only self-aware and passes judgement on her her darker skinned partner. The male does not use the car itself or any technology but merely a passenger or an accessory for her partner like a handbag or a dog.

This commercial is tone-deaf or insensitive to the optics at a minimum, for me its racist or as I suspect a trend in which Advertisers use dog-whistling tactics to evoke a response/backlash in the media and generate more attention than with original advertising spend.

I have reported it to Channel 10 to which I have been told this evening it will be escalated but no reference number or employee name was provided.

If anymore information is required please contact me

THE ADVERTISER'S RESPONSE

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

We refer to your letter dated 30 November 2020 in relation to Complaint Reference 0357-20 (the Complaint).

Your letter refers to a retail advertisement by Toyota Motor Corporation Australia Limited (Toyota) featuring the Toyota Yaris Cross (the Advertisement).

Toyota takes any complaints relating to its advertisements and its commitment to the AANA Code of Ethics (AANA Code) seriously. Accordingly, all advertising, including the Advertisement, is carefully reviewed to ensure legal compliance and that community standards are respected.

Section 2.1 – Discrimination or Vilification

The Complaints made references to both race and gender.



Toyota does not believe that the Advertisement shows unfair or less favourable treatment based on one's gender, race or any other basis. Toyota also does not believe that the Advertisement engages in vilification of any particular groups of people. The Advertisement does not support a stereotype in any way. No specific traits were associated based on the characters' gender or race in the Advertisement. Lucy and Dave could have been any other combination of genders, races and relationships. It is Toyota's intention for the Advertisement to resonate with the intended market demographic. In this scenario, it is intended as a humorous portrayal of a young couple with their pet.

Toyota agrees with the complainant's sentiment that derogatory treatment or views on minorities should not be tolerated. Toyota celebrates diversity and respects people from all backgrounds. It is unfortunate that the complainant would associate and connect a pet's fur colour with one of its owner's skin colour. The complainant observed Dave as "dark skinned (and has thick hair)". This was never a consideration in casting both the pet and its owners, which for the record, are both Dave and Lucy, not Dave alone.

One Complaint stresses the "non-white" person (Dave) as being the one required to be cleaned and also the "white female" (Lucy) being confused and disgusted at her partner upon his return. It is clear from the Advertisement that the male character (Dave) was covered in mud, presumably because he helps their muddy dog into the vehicle while his partner (Lucy) drives – and therefore, this is the simple reason why Dave got cleaned instead of Lucy.

Lucy appears confused because human grooming is obviously not an ordinary service provided by a pet's groomer, as one would assume, which further emphasises the humorous element of the Advertisement. It is a shame that a common trait such as cleanliness, would be associated with one's skin colour. Is it also disappointing to read that the complainant believes the "white" female character "passes judgment on her darker skinned partner" as there is no reasonable correlation between her actions and his skin colour.

Section 2.2 – Exploitative or Degrading Material

Toyota believes the Advertisement is not exploitative or degrading in any way. Our response to Section 2.2 has overlapping key points made under Section 2.1.

One complainant took offence with the male character taking up a '2 for 1' offer at the pet groomer. Toyota does not agree that the Advertisements imply that "all men are dogs" or that "men are so stupid" to take up such offer.

While humour may be subjective, the Advertisement uses humour in a day to day lifestyle activity where a vehicle is used. Lucy merely questions her partner's interesting decision, without degrading his intellectual abilities (or that of men generally). In addition, pets in general are often considered to be part of one's household or family, so it is difficult to comprehend how a family-friendly Advertisement degrades a particular gender, by a dog owner taking up an



opportunistic '2 for 1' offer. Toyota does not promote degrading the male gender in the same way that we do not promote toxic masculinity.

Sections 2.3 – 2.6

Toyota is of the view that Sections 2.3 to 2.6 of the AANA Code are not relevant to the Advertisement. As the concepts covered by these sections do not arise in the Complaint:

- *2.3 – Violence*
- *2.4 – Sex, Sexuality or Nudity*
- *2.5 – Language*
- *2.6 - Health and Safety*

2.7 – Clearly Distinguishable Advertising

Toyota believes that it is clear to the relevant audience that the Advertisement is commercial in nature and is simply using a fun story to advertise its 'fun' car for the target demographic.

Given the above, we do not consider that the Advertisement contravenes the Code, having regard to Section 2.1 of the Code or otherwise.

To address the comment by one complainant, Toyota does not adopt any controversial "dog-whistling tactics to evoke a response / backlash in the media", especially since Toyota does not share the same views raised in the Complaint.

Toyota submits that the Complaint misinterprets the content of the Advertisement and that the Advertisement has not breached the AANA Code. Consequently, Toyota respectfully 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 complainants' concerns that:

- The advertisement is sexist by implying all men are dogs and that men are silly enough to take up this offer.
- The advertisement is racist by equating the non-white male to a dog.

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

Section 2.1: Advertising or Marketing Communication 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 Panel noted the AANA Practice Note which provides guidance on the meaning of:



- Discrimination - unfair or less favourable treatment
- Vilification - humiliates, intimidates, incites hatred, contempt or ridicule
- Gender - male, female or trans-gender characteristics.
- Race - viewed broadly this term includes colour, descent or ancestry, ethnicity, nationality, and includes, for example, ideas of ethnicity covering people of Jewish or Muslim origin.

Does the advertisement portray material in a way which discriminates against or vilifies a person on account of gender?

The Panel noted the advertiser's response that no specific traits were based on the characters' gender or race in the Advertisement and that the advertisement does not show unfair or less favourable treatment based on one's gender.

The Panel noted that it had recently considered a similar issue in case 0357-20, in which:

"The Panel noted that the situation is humorous as the man is depicted as a person who is not an athletic person, in that he is not especially trim or muscled. The Panel considered that the comment made by the woman in the advertisement was in relation to the particular character and that the advertisement does not refer to the man's gender or suggest that the comment is related to his gender or to all men."

Similarly, in the current advertisement the Panel considered that the character's gender was not referred to in the advertisement and there was no suggestion that he acted in the manner he did because of his gender. The Panel considered that there are no existing stereotypes in the community relating to men being groomed or treated as though they are dogs.

The Panel considered that overall the advertisement was humorous and did not portray the male person in a negative light.

The Panel considered that the man was not seen to receive unfair or less favourable treatment because of his gender. The Panel considered that the man was not depicted in a manner which ridiculed or humiliated him on account of his gender.

Does the advertisement portray material in a way which discriminates against or vilifies a person on account of race?

The Panel considered that 'dog' is a derogatory term which has a negative connotation. The Panel considered that there is a history of people of colour being referred to as dogs or other animals, and that the use of these terms to refer to people of colour or associating people of colour with animals is not acceptable under today's community standards.



A minority of the Panel considered that although this term was not used in the advertisement, there is a clear comparison between the man and a dog being made in the advertisement. A minority of the Panel considered that given the negative historical context of such comparisons, the advertisement includes a suggestion that the man should be thought less of because of his race. A minority of the Panel considered that the man was seen to be deserving of unfair or less favourable treatment because of his race and the advertisement was vilifying of the person of colour.

The majority of the Panel considered that the man's race and skin tone was not directly referred to in the advertisement and the man's actions were not related to his race. The Panel considered that the man voluntarily chose to get the two-for-one deal and that it had a positive outcome of him looking well-groomed. The Panel noted that the term 'dog' was not directly used in the advertisement to refer to the man. Overall, the Panel considered that the man was not seen to receive unfair or less favourable treatment because of his race. The Panel considered that the man was not depicted in a manner which ridiculed or humiliated him on account of his race.

Section 2.1 conclusion

Finding that the advertisement did not portray material in a way which discriminates against or vilifies a person or section of the community on account of gender or race, the Panel determined that the advertisement did not breach Section 2.1 of the Code.

Conclusion

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