



Case Report

1	Case Number	0393/17
2	Advertiser	Isuzu UTE Australia Pty Ltd
3	Product	Vehicle
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	13/09/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a close up of a woman on a street shouting for a taxi, she is dressed in corporate business attire and looking quite aggressive. The camera starts slowly pulling away as if we are driving away from the woman shouting for a taxi. We cut to a female employee driving in an MU-X. A smile spreads across her face as she drives away contemplating in her mind the frustrations of the week. We then cut to montage footage of the Isuzu MU-X in a variety of off and on road scenarios.

THE COMPLAINT

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

Unfortunately women still face an uphill battle to attain leadership roles in many fields and industries. This type of advert undermines the profile of women as bosses. It's pitched to men, to grumble about female bosses and is derogatory to women. It also effectively excludes women from buying a car. It makes it seem that the Isuzu MUX would only be for a male buyer, which is insulting to women.

THE ADVERTISER'S RESPONSE

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

With regards to the complaints that raised issues under Section 2 the AANA Advertisers Code of Ethics, IUA would like to acknowledge that gender discrimination in the workplace is a very serious issue. It was never, and absolutely would never be, IUA's intention to illustrate a scenario that depicts discrimination.

The objective of the advertisement is to depict a female worker leaving a tough work week behind, which is illustrated using voice over references to exaggerated workplace scenarios. The advertisement does not demonstrate a misuse of power in their working relationship to denigrate either gender/character, nor promote, illustrate or condone bullying or discrimination of any type.

The advertisement does not depict any verbal, physical and/or social behaviour abuse towards either character. At no point do we infer or illustrate confrontation, workplace pranks, or aggression of any description towards either gender/character in question. The (male) voice over is designed to highlight the thoughts of the frustrated employee and merely lists several comical and nonsensical events that helped form the background to a difficult week from which the worker is departing, and is delivered with light-hearted intent.

A major concern with the complainant's submission is that it's not a factual recall of the advertisement. The complainant in their opening statement makes the comment that the advertisement; "narrates a story about a man that has a hard time dealing with a female boss", when in fact the advertisement only depicts two female characters. There are no males in the commercial, and contrary to the complainant's insinuation, it was actually designed to appeal to female buyers.

Whilst we respect that the complainant has personal opinions regarding the advertisement, IUA does not believe the scenario depicted is an example of discrimination.

IUA will address all parts of Section 2 of the AANA Code of Ethics in relation to the advertisement:

Section 2.1

This advertisement does not discriminate against or vilify against any person or group.

The advertisement does not portray people or depict material in a manner that 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.

IUA submits that the advertisement is not in breach of Section 2.1 of the Code.

Section 2.2

The advertisement does not contain any sexual references or content or employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.

Section 2.3

The advertisement does not contain any violence.

Section 2.4

The advertisement does not contain any sexual references or nudity.

Section 2.5

The advertisement does not contain any strong or obscene language.

Section 2.6

The advertisement does not depict any unsafe, harmful or dangerous behaviour or depict material contrary to Prevailing Community Standards on health and safety.

Section 2.7

The advertisement is distinguishable as advertising.

IUA rejects the complainant's assertions of discrimination in any form.

IUA submits that the Advertisement does not depict any discrimination and is not in breach of Section 2.1 of the Code.

IUA submits that the Complaint should be dismissed.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted the complainants' concerns that the advertisement is derogatory to women in its negative depiction of a female boss, and that it excludes women from buying a car as it shows a man driving away in the advertised vehicle in order to get away from his female boss.

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

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 Practice Note to Section 2.1 of the Code which provides the following definitions:

"Discrimination – unfair or less favourable treatment

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule".

The Board noted this television advertisement features a woman trying unsuccessfully to catch a taxi whilst her employee is shown driving away with a smile on her face.

The Board noted the advertisement features a male voiceover describing a boss's behaviour during the week – making staff cry, leaving decision making to others, sending sarcastic emails – and referring to her as a nasty boss. The Board noted that the boss referred to in the advertisement is female but considered that her behaviour is not gender-specific and in the Board's view the boss could have been male or female and the message would have been the same with regards to escaping from work. The Board considered that the advertisement did not give unfair or less favourable treatment to the female boss because of her gender and in the Board's view the reference to a 'nasty boss' is in the context of the position of power this person holds and abuses and is not in the context of their gender therefore the advertisement does not humiliate the woman or incite hatred, contempt or ridicule on account of the gender of the boss.

The Board noted the employee shown driving away is also female, and not male as the complainant suggested, and considered that a depiction of a female employee happy to leave her female boss behind whilst she drives off is not derogatory to women and in the Board's view the advertisement appears to be targeting female buyers rather than excluding them.

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

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