



ADVERTISING  
STANDARDS  
BUREAU

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## Case Report

1	Case Number	0395/12
2	Advertiser	Beyond Blue
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	10/10/2012
6	DETERMINATION	Dismissed

### ISSUES RAISED

- 2.1 - Discrimination or Vilification Other
- 2.3 - Violence Bullying
- 2.6 - Health and Safety Bullying (non violent)

### DESCRIPTION OF THE ADVERTISEMENT

Scenes are shown of a young teenager being confronted by school mates and family members about the fact that he is left handed.

### THE COMPLAINT

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

*The ad is stating that being left handed is the same as homosexuality. One is genetic and the other is a human behaviour which like all human behaviour is very complex and has many causes including life experiences and choices we choose to make. To push the message that sexuality is the same as left handedness is inaccurate, a gross oversimplification and deliberately deceitful. This is clearly an effort to normalise homosexuality with no regard for evidence to the contrary or genetic science which in no way has demonstrated a genetic or "natural" cause for homosexuality.*

*This ad is offensive, inaccurate and blatantly biased. I request it be removed from all programs.*

*This advertisement that being bullied for being left handed is ok, and the same as being bullied for being homosexual, bisexual, being left handed is not a sexual ideal, it is not a urge that needs to be fulfilled and has nothing to do with a person's sexuality. Left handedness has*

*nothing to do with sexuality and since this advertisement has been run my son who happens to be naturally left handed has been accused of being gay and sexual issues that a 9 year old should not be concerned with!! Talk about offensive advertising lets educate our kids to think that its normal to bash, beat a left handed kid cause they are probably going to be gay or bi sexual, remove this ad... If you're gay its illegal to be offensive, but left handed well you don't count... Impending law suit for left handed people, as they are as important as anyone else. Sexuality should not be left to what right of left handed, it is something that comes from within, not as cut and dry as this advertisement offensively implies.*

*I am a left-handed female and I found this ad very personally offensive. My grandmother was beaten on her left-hand for 6 years in an attempt to make her right-handed. I have friends that are in their 20s whose parents made them right with their right hands. My own primary school teachers informed me I could never write with a quill as my hand would make it smudge. Even today people notice that you are different if you're left-handed. It is hard to find left-handed scissors for example.. To compare being left-handed to being left-gendered really angers me. I don't think left-handedness is socially acceptable enough to being compared to yet another form of society difference. Whether it was the intention of the ad or not, I feel it will make younger left-handed people feel as though they aren't normal and that left-handedness could have something to do with being sexually different as well.*

*I have no objection to Beyond Blue drawing awareness to discrimination against people's sexual orientation. I do however feel offended by their used of left-handedness to make their point. I consider myself sympathetic to the anti-discrimination cause. But I am also left handed and proud of it. I am offended that they have hijacked left-handedness and used it to represent sexual orientation. I am also offended that they seem to feel that left handed discrimination was a silly thing of the past (particularly statements at beyond blue website). While it's not seen as a big issue, discrimination against left handedness does happen today and some of us are still working towards recognition of this. For example: After years of suffering in the workplace with equipment designed for right-handed people, I myself had to eventually change jobs because any complaint I lodged was laughed off! People seem to think we're being silly if we complain about left handed problems today, yet left handed discrimination can still be serious, and Beyond Blue trivialising the issue is just making it harder. And finally, I am offended by this advertisement causing, whether intentional or not, a community connection with alternative sexual lifestyles and left handedness. Already people are teasing and laughing at people who make it know that they are left handed since the campaign started. Beyond Blue has actually now cause and increase in discrimination and mocking of left handed people. A poor showing for a campaign that "urges Australians to stop discriminating against people because they're simply being themselves" (Beyond Blue website).*

*I am left handed and i am offended that they are likening being left handed to being gay. It is hard enough with "scientists" linking left hand people to being gay. Surely they can use some other simile.*

## **THE ADVERTISER'S RESPONSE**

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

*In response to the complaints received, we comment as follows:*

*Intention of the Communication. The intention of the communication is to draw attention to hurtful discrimination Gay, Lesbian,*

*Bisexual, Transsexual and Intersex (GLBTI) people experience, and to highlight the risk that this may lead to depression.*

*Advertiser Code of Ethics, Section 2 The most relevant provision of Section 2 of the Code is Section 2.1 which provides that :*

*"Advertising or Marketing Communications 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."*

*We do not believe the work is in contravention of the code. Our intention is not to deride, nor to encourage discrimination against left-handed people, or to suggest that there is a correlation*

*between being left-handed and sexuality.*

*We use hyperbole to demonstrate the unacceptability of discriminating against individuals for being who they are, and the consequences of what this type of treatment can lead to. In addition, the sexuality of GLBTI people is as much part of them as being left-handed is in people. Our aim is to help stop discrimination against GLBTI people simply for being who they are.*

*In conclusion, as stated in our mission: "beyondblue is an organisation committed to provide a national focus and community leadership to increase the capacity of the broader Australian community to prevent depression and respond effectively. We aim to build a society that understands and responds to the personal and social impact of depression, works actively to prevent it, and improves the quality of life for everyone affected."*

## **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 complainant's concern that the advertisement depicts scenes of bullying and discrimination that is inappropriate and offensive.

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

The Board first 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, sex, age, sexual preference, religion, disability or political belief.' The Board noted that the advertisement shows scenes of a young teenager being physically and verbally confronted by school peers and family members about the fact that he is left handed. The voiceover at the end describes how discriminating against people who are Gay, Lesbian, Bisexual, Transsexual and Intersex (GLBTI) is hurtful and the advertisement ends with the tagline Stop, Think, Respect.

The Board noted that the advertisement uses a left handed people as an identifiable category of people in order to base the overall theme and purpose of the campaign. The Board considered that most members of the community would understand that people who are left handed were once made to change their preferred hand but that this is not behavior that still happens in today's society.

The Board considered that the depiction of a group of people that have no choice or control over the physical characteristic they portray ie: being left handed was a powerful metaphor to demonstrate the unacceptability of discriminating against individuals for being who they are.

The Board considered that the message given in the advertisement relating to discrimination against left handed people is not intended to offend people who are left handed but rather to draw attention to how hurtful discrimination is of any kind. The Board considered that this type of demonstration did not of itself amount to discrimination against a person or section of the community and did not breach section 2.1 of the Code.

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 of the Code 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 agreed that the images displayed in the advertisement were confronting and depicted bullying and that the purpose of the advertisement was to deliver a message that was realistic. The Board noted that the target audience for the campaign would be young teenagers who would be able to make a connection to the 'real life' situation that can occur in schools and among peers.

The Board considered that the depiction of the bullying against the boy was very realistic, however this was in the context of being unacceptable behaviour. The Board considered that the depiction of violence was not unjustifiable in the context of the community awareness message.

The Board considered that the advertisement was sending a strong message to parents, educators and carers and was not likely to encourage the replication of this action but would generate valuable discussion and questions about the behavior taking place in the advertisement.

The Board considered that the scenes are relevant to the important mental health message that the advertisement is attempting to convey and that the graphic nature of the images was justified by the important mental health message.

The Board considered that most members of the community would be in support of the message being advertised in this manner for the benefit of the community as a whole and determined that the advertisement did not breach section 2.3 of the Code.

The Board then considered whether the advertisement was in breach of Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Board considered in particular the potential impact on the physical or mental health of viewers of the advertisement on the grounds of “alarm and distress and emotive bullying”.

The Board considered that the showing of such images was confronting and could be distressing to some viewers. The Board considered that the images gave the advertisement greater impact, and that this was justifiable by the significant message being advertised.

The Board considered that the broadcast of this advertisement in a television environment was not inappropriate and was not excessively graphic considering the important community awareness message that the advertiser is endeavouring to communicate.

The Board noted that the depiction of bullying in this instance was used to emphasise a message and that the bullying behaviour was reflected as poor behaviour and was not rewarded or shown in a positive way at all.

The Board noted that the two versions of the advertisement complied with Commercial Television Industry Code of Practice and the advertisements were classified with a “PG and M” rating and only appeared in the appropriate timeslots for the rating given.

The Board determined that the advertisement did not depict material that was contrary to prevailing community standards on health and safety and did not breach Section 2.6 of the Code.

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

