



Case Report

1	Case Number	0407/15
2	Advertiser	Distinct Property Management
3	Product	Real Estate
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	28/10/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement depicts a property owner called Brian who has a property manager that is causing him stress and anxiety, described as PMS by the voiceover. The man is tearing the petals off his favourite type of flower in frustration. Brian then switches management to Distinct Property Management and is no longer stressed. Images of the Distinct Property Management online portal are also shown.

THE COMPLAINT

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

It was an utterly sexist advertisement, which, through its reference to PMS, implied that women with PMS are overly emotional and irrational.

THE ADVERTISER'S RESPONSE

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

The complaint relates to the ad being sexist through its reference to PMS. The complaint goes further to assume that the ad implies women with PMS are overly emotional and irrational.

We believe the complaint is completely unfounded.

The voiceover within the ad specifically states "When Brian had to rent his beloved home to relocate for work he developed PMS - Property Manager Stress. This made him irritable and irrational." The direct assertion in the ad is that the fact Brian is renting out his home is making him irritable and irrational and that he is suffering from Property Manager Stress.

The complaint asserts that the ad is utterly sexist. The ad uses a male actor, defines the problem the actor is having as Property Manager Stress. The basis of the complaint is completely unsubstantiated. The ad does not in any way breach any part of Section 2 of the Advertisers Code of Practice.

The complaint goes on to note that the ad, through its reference to PMS implies that women with PMS are overly emotional and irrational. We assume that the complainant is referring to Premenstrual syndrome however this is not defined in the complaint. We specifically note that the character in the ad (Brian) is male, there is no reference to premenstrual syndrome in the ad and the complainant has made a large number of incorrect assumptions and assertions.

This is not the case; the ad clearly defines PMS as Property Manager Stress. PMS is an acronym for Property Manager Stress. It appears the complainant has confused Property Manager Stress with Premenstrual Syndrome.

We note that according to the website acronym finder (<https://www.acronymfinder.com/PMS.html>) there are more than 206 different defined uses for the acronym PMS. The most commonly used reference to PMS is "Pantone Matching System" which is a global accepted standard for colour matching.

Our ad makes no reference to PMS as a medical condition, it makes no reference to women, it makes no inference direct, or otherwise, that women with PMS are overly irrational and emotional.

We have carefully reviewed Section 2 of the Advertiser Code of Practice and believe that the ad does not breach any part of the Code on the basis of the above.

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 sexist and implies women are emotional and irrational prior to menstruating.

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 that this television advertisement features a property owner called Brian who has a property manager that is causing him stress and anxiety, described as PMS by the voiceover. Brian then switches management to Distinct Property Management and is no longer stressed. Images of the Distinct Property Management online portal are also shown. The Board noted that the advertisement is for a Property Management business.

The Board noted that 'PMS' is generally understood to mean premenstrual syndrome which refers to the physical and emotional symptoms that can occur one to two weeks prior to a woman's period. In the current advertisement the Board noted the reference to PMS stands for property manager stress.

The Board noted the advertiser's response around definitions of the acronym PMS but considered that most members of the community associate PMS with the female menstrual cycle.

The Board further noted that most members of the community are aware of, and associate tension and stress with women who are 'pre-menstrual' and that it is not uncommon for women to feel uncomfortable or irritable at this time.

The Board noted that the advertisement does not specifically mention premenstrual syndrome and although the reference to PMS in the advertisement does make a subconscious association to the mentioned syndrome, the reference does not amount to discrimination or vilification.

The Board considered that the advertisement did not suggest premenstrual women are emotional and irrational and the actions of the man in connections with the voiceover are a clear expression of his frustration and stress over the property management dilemma he is in. Following considerable discussion, the majority of the Board considered that most members of the community would recognise that advertisers often use commonly understood practices or exaggerated scenarios in their advertisements in order to quickly get a message across to the viewer and in this instance the Board noted that the advertisement does not suggest that all women feel these symptoms or behave in this manner when menstruating.

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 their 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.