



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0413/16</b>
<b>2</b>	<b>Advertiser</b>	<b>Allaro Homes</b>
<b>3</b>	<b>Product</b>	<b>Real Estate</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>12/10/2016</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.3 - Violence Violence

## DESCRIPTION OF THE ADVERTISEMENT

The advertisement opens with a woman in a swimming pool. As she emerges and reclines in the sun she is noticed by the pool owners. The man throws a thong at the woman, as she is on his property, and she climbs over a wall to the next house. The woman next to him comments, "is that another one?"

## THE COMPLAINT

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

*In this advert the male home owner throws his shoe at a young woman who was swimming in his pool uninvited and hits her with it. I find this offensive and inappropriate as it demonstrates violence as a means to solve problems and in particular against women.*

## THE ADVERTISER'S RESPONSE

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

*Allaro Home's public, official and obvious stance is that we do not in any way condone violence against women or as a means to solve a problem.*

*This advert is purely comedic in nature satire and in no way were any models hurt in the*

*making of this advert.*

*This television advert won the 2013 Queensland Multi Media Awards Best TV Commercial OPEN category.*

*In 2012 Managing Director of Allaro Homes won Cairns Business Women of the year and is considered a mentor.*

*Allaro Homes Townsville is Managed by a 28 year old women.*

*This year Allaro won the HIA Presidents Award, the highest honour given to a building company.*

*The reason we have re-run this 2012 television advert is due to the overwhelming request for us to re-play the advert in both Cairns and Townsville.*

*I trust that this email is a satisfactory representation of Allaro Homes and will suffice as a response to the complaint.*

## **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 concerns that the advertisement depicts a man throwing a shoe at a woman which is offensive and violent.

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

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 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 noted that this television advertisement features a man throwing his shoe at a woman he discovers using his home pool facilities.

The Board noted the advertiser’s response that the advertisement first aired 3 years ago and a minority of the Board considered that due to the significant shift in community concern in recent years, especially in light of the increased awareness being raised in the media regarding domestic violence and the number of women who die each week as a result of such violence, to depict an act of violence by a man against a woman in an advertisement for real estate is not appropriate regardless of whether the woman appears injured or if the overall tone is intended to be light-hearted. A minority of the Board considered that the advertisement did depict violence which was not justifiable in the context of the product or service advertised.

Following considerable discussion however, the majority of the Board acknowledged that there is a high level of community concern around domestic violence but considered that in this instance the man’s behaviour in throwing his shoe at the woman is light-hearted and in the vein of shooing off an intruder and is not an act of violence toward a woman. The Board

noted that the man's shoe is a thong and considered that although it does appear to strike the woman's bag her reaction indicates that she was not injured and she is still able to climb a wall to escape from the man's property. The majority of the Board noted the tone of the advertisement and considered that it is light-hearted, the level of violence is very low-level and in the Board's view the message is that the advertiser's homes will make people want to use them rather than men should throw shoes at women.

Based on the above, the majority of the Board considered that the advertisement did not present or portray violence and determined that the advertisement did not breach Section 2.3 of the Code.

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