



Case Report

1	Case Number	0547/17
2	Advertiser	2SM
3	Product	Automotive
4	Type of Advertisement / media	Radio
5	Date of Determination	06/12/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

The advertisement features a woman talking about buying a vehicle and stating that “as a female” she was very nervous. The woman goes on to explain that the service at Peter Warren made her feel comfortable. The details of the car sales location and details are heard.

THE COMPLAINT

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

I find the ad offensive by placement of the words "as a female." The message is that ALL females are incapable of assertiveness and ALL females would be nervous and uncomfortable walking into a car dealership. It portrays women as incompetent, and needing help in this situation. It is sexist.

THE ADVERTISER'S RESPONSE

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

Peter Warren Automotive Pty Ltd (PWA) takes all complaints very seriously and this concern raised with the Advertising Standards Board (Board) on 2 November 2017 is no different.

We are a family owned business that does not discriminate against or vilify women. We are

an equal opportunity employer and a significant component of our workforce is female.

We believe the radio advert may have been misinterpreted. The advert makes no reference to “ALL females” nor does it suggest anything about “assertiveness” being required to buy a car. The advert simply suggests that PWA provides a large range of brands together with a respectful buying experience. The advert does not present or portray material in a way which discriminates against or vilifies a person or section of the community on account of gender.

In our opinion, the advert is not a breach of Section 2.1 of the Advertiser Code of Ethics (Code), however we “pulled” the advert immediately upon being notified of this complaint pending the Board’s review of this matter.

We have reviewed all the other elements of Section 2 of the Code and we don’t believe the advert could be challenged on any of those grounds.

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 is offensive and portrays women as incompetent.

The Board listened to 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 the advertisement features a woman talking about buying a vehicle and stating that “as a female” she was very nervous. The woman goes on to explain that the service at Peter Warren made her feel comfortable. The details of the car sales location and details are heard.

The Board noted the complainant’s concerns that the advertisement generalises by making it sound like all women are incapable of buying a car on their own.

The Board considered the overall impression of the advertisement could be interpreted as having two stereotypical scenarios. The first scenario stereotyping women as not being able to

deal with car related matters and the second that all car sales places are looking to take advantage of women or people who have less experience.

The Board considered that most members of the community would understand the statement “as a female” to mean that she felt that women can be taken advantage of in such a scenario. The Board considered that the advertiser is using a stereotype – women lacking confidence in making decisions about motor vehicles - to make a point that their business is friendly and helpful to all customers. In the Board’s view the advertisement depicted the woman as nervous about her knowledge of cars but did not portray this woman or women in general in a negative way and therefore did not discriminate against or vilify a person or section of the community on account of gender and determined that the advertisement did not breach Section 2.1 of the Code.

The Board also noted that the advertisement could be seen to be suggesting that car salesmen take advantage of some women’s lack of knowledge of motor vehicles to make bad purchases. The Board considered that again this is a stereotype of car salesmen, but in the Board’s view the focus of the advertisement is on how welcoming for all customers this business is – and there is not a strong focus on the stereotype to amount to a negative depiction of car salesmen.

The Board considered that the dealership is promoting their business and is using one stereotype of women to communicate that women and men alike should feel comfortable buying a car with them.

The Board noted the advertiser had voluntarily removed the advertisement while the Board considered the matter.

The Board considered that the advertisement did not breach section 2.1 of the Code.

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