



## **CASE REPORT**

1. Complaint reference number	396/08
2. Advertiser	First National Real Estate
3. Product	Real Estate
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Wednesday, 8 October 2008
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement shows a young couple meeting a real estate agent in a suburban street. The agent shows them a house - a mansion. The couple are stunned and the woman says the house is not what they want. The agent says he knows that, but it's his house and he likes to show it to people. A caption comes on screen which reads: "Some real estate agents care more about themselves". The ad then cuts to the final screen which is the First National Real Estate logo and the slogan: "We put you first".

## **THE COMPLAINT**

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

*The First National Real Estate ad where a man, saturated with self-regard, is showing off to a bemused couple his own house. I do believe there are as many, if not more, female real estate agents. But of course, only a male is allowed to be seen in such an obvious negative light. I understand that by itself, this ad is quite harmless, but taken with the welter of other ads, it highlights the alarming television trend that has blighted our screens since its invention. Please know that it is the opinion of trained psychologists, as well as all thinking responsible people, that the constant bombardment of negative depictions concerning males on movies and TV directly causes the high rates of male suicide and depression in society. Thus I am obliged to put out this clarion call to ad makers everywhere to end the ignorance and be more fair and responsible in future.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*Accordingly, we are meticulous in our processes, and in this case, of ensuring our advertising is reflective of the general standard acceptable to the Australian public. As part of the approval process, all our TV advertising material is submitted to Commercials Advice Pty Ltd (CAD) by our advertising agency Spinach. We accept the rating given to us as part of this process, and in this case please note we received a G rating.*

*While we cannot speak for CAD, we can only hypothesise that a G rating was deemed appropriate for this advertisement due to the "tongue in cheek" situation our characters find themselves in – while we may be guilty of leveraging a stereotypical view held by some in the community, in no way are we attempting to portray any person of any particular race, ethnic group, nationality, sex, age group, sexual preference, religion, disability or political belief in a negative light.*

*Whilst there maybe a small minority of the general public who take exception with specific*

*elements of our approach, we contend that the great majority of the Australian public see the “tongue in cheek” style of our advertisement for what it is, and take no offence whatsoever; in so doing endorsing the decision of CAD that the Advertisement (in its entirety) is suitable for viewing by a General audience.*

*Additionally, we note the other Clauses included in Section 2 of AANA Code of Ethics and can see no potential for our advertising to breach any of those particular clauses.*

## **THE DETERMINATION**

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

The Board considered the application of Section 2.1, relating to discrimination on the basis of gender. The Board agreed the advertisement uses a tongue-in-cheek, stereotypical depiction of a real estate agent, which does not discriminate on the basis of gender or otherwise.

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