



CASE REPORT

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| 1. Complaint reference number | 442/09 |
| 2. Advertiser | Fairfax Media |
| 3. Product | Real Estate |
| 4. Type of advertisement | Radio |
| 5. Nature of complaint | Discrimination or vilification Other – section 2.1 |
| 6. Date of determination | Wednesday, 14 October 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

Radio advertisement with a man calling the mental crisis centre because he cannot bear looking for a home anymore. This advertisement relates to the rental market and deficiency in housing availability.

THE COMPLAINT

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

This ad does not comply with Section 2 of the AANA Code of Ethics. Firstly, exploitation of a '000' emergency crisis service for the mentally ill (the government crisis service in question is the 'CATT -- Community Assessment & Treatment Team accessible through 000) for the purpose of getting attention about the stressful housing market is unethical, inappropriate, and extremely distressing! Secondly, distressed people who listen would feel stigmatized and ridiculed. Thirdly Carers and loved ones who must make a 'crisis' call are undergoing a lot of trauma and this is a serious issue not to be taken so lightly. Finally, the prevention of stigma is a part of the current mental health reform strategy and this ad stigmatizes the most vulnerable in the community.

THE ADVERTISER'S RESPONSE

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

I believe the complaint is a simple misunderstanding. The ad actually refers to a "Rental crisis centre" and not a "mental crisis centre". Domain.com.au is an online property website that allows people to buy and sell property as well as rental and share properties. The ad in question is about a person who is frustrated about not being able to find a place to rent and has called the rental crisis centre for assistance. Please note that the ad is no longer in rotation as we have new creative and a new tagline.

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 broadcast was exploitative of a real social issue in the Australian community.

The Board considered whether the advertisement was in breach of section 2.1 of the Code. Section 2.1 of the Code states:

"Advertising or Marketing Communications shall not portray people 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 listened to the advertisement and were empathetic to the views and concerns of the complainant. Although the Board felt that the advertisement was perhaps a poor play on words "rental sounding similar to mental" they agreed that it was a tongue in cheek play on words and most members of the community would not be offended or upset by the advertisement as it clearly related to people search for rental accommodation not people with a mental illness. The Board agreed 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 complaint.