



## CASE REPORT

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| 1. Complaint reference number | 84/09   |
| 2. Advertiser                 | GIO Australia                                 |
| 3. Product                    | Insurance                                     |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Other - Causes alarm and distress to children |
| 6. Date of determination      | Wednesday, 11 March 2009                      |
| 7. DETERMINATION              | Dismissed                                     |

### **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement from GIO for its home insurance products shows a family arriving at a new house and excitedly running in. The mother says: "We've got our house back". The family is shown in several rooms and the father calls out: "See kids, just like before". A young girl is shown running up a staircase and opening a door which has a name on it. She looks shocked and her father calls out: "Except for your room". Viewers then see a brick wall behind the open door. A voiceover then tell viewers to switch to GIO to receive a safety net of 25% to cover cost of rebuilding. The advertisement ends with the GIO logo and slogan.

### **THE COMPLAINT**

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

*I am unhappy with this insurance add where a house has been rebuilt by a rival insurance company and the young girl finds her bedroom door opens onto a brick wall. It is the attitude of the father which upsets me, having worked with domestic violence. I feel this is very close to some instances I have seen. I am not usually a complainer, yet I consider these companies could present themselves in a much better manner.*

*The message of the commercial is to make sure you insure your home in order to rebuild your home fully. It could very well have been any other part of the house that was incomplete because of the funding shortfall to get the same message across. What I see is a form of child abuse because the father appears as though he couldn't give a rats about his daughter's predicament.*

*This advertisement ran twice immediately after Channel 7 news updates about the horrific fires in Victoria. The specific media placement of these ads caused much distress, is highly inconsiderate and is plain exploitation of one of the worst natural disasters in Australian history.*

### **THE ADVERTISER'S RESPONSE**

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

*A complainant is concerned that the advertisement depicts a form of child abuse because "the father appears as though he couldn't give a rats about his daughter's predicament".*

*GIO disagrees with this view. There was no intent to portray the child in the advertisement as a victim of child abuse and we do not consider the advertisement does this. The intent of the advertisement was to communicate in a visual way the serious consequences of being underinsured and how, GIO's Safety Net could be of benefit in this situation.*

*We also do not consider that the advertisement is in breach of Section 2 of the AANA Advertiser*

### ***Code of Ethics (“the Code”).***

*In our view, the most relevant obligation under the Code in the context of this complaint is section 2.1 which provides that the advertisement must not depict people or 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.*

*Prior to publication of any television commercial GIO undertakes rigorous testing of the commercials with consumer groups and in this instance the commercial was received in a positive manner.*

*In addition, GIO follows a thorough review and sign-off process on all advertising material to ensure compliance with its many statutory and other legal obligations prior to publication. As part of these processes, consideration is given to our obligations under the Code and our view was, and remains, that the advertisement does not contravene any of GIO’s obligations.*

*While we obviously regret if the advertisement has caused any offence or distress, this was not intended and GIO remains very comfortable that the advertisement does not contravene any section of the Code.*

### ***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' concern about the depiction of a child being deprived of their bedroom, and the placement of the advertisement following bushfires in Victoria.

The Board noted that occasionally advertisements will be broadcast at a time or in a program or news item where the context may be seen as undesirable to some viewers. The Board empathised with the complainant but indicated that this was not an issue that could be addressed by the Board.

The Board noted the depiction of the girl in the advertisement and that she does appear somewhat bemused by the fact that she does not have a bedroom as part of the new home. The Board noted the concern that this is suggestive of domestic violence. The Board considered that most viewers would see the advertisement as a humorous depiction of the perils of underinsuring your home and not as suggestive of violence. The Board determined that the advertisement did not breach section 2.2 of the Code.

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