



CASE REPORT

1. Complaint reference number	97/06
2. Advertiser	Yooralla
3. Product	Employment
4. Type of advertisement	Transport
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 11 April 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This advertisement displayed on public transport reads “Have you got what we’re looking for? Initiative” followed by details regarding a career working with and supporting people with disabilities. The image features young women depicted in a long queue outside a toilet labelled “Women”, trying patiently to await their turn. Alongside is shown a toilet labelled “Men” with no queue, but a young woman exiting the door with a smile.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

The sanctity of male space is not a laughing matter. If this advertisement had the sexes reversed, it would not have hit the press.

It also sends the wrong message to potential carers who have to lead and be role models to disabled people through the philosophy of normalisation, which is the fundamentals (sic) of all law governing the disabled and their carers.

THE ADVERTISER’S RESPONSE

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

...a series of illustrated and humorous cartoons aimed at our target market, depicting certain types of people demonstrating the characteristics that we are seeking in new employees.

Depicts a young woman demonstrating her sense of practical thinking – outside of the square some would say...

If a female with a disability was in dire need of using a toilet, but only a male toilet was available, would (the complainant) think it more appropriate that the female have an embarrassing accident in public while stuck in a queue?.

At no time has Yooralla gone out of its way to insult, discriminate, or vilify any person or section of the community with any of its advertising.

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 that the complainant’s concern was that the advertisement undermined the sanctity of

a male only space – the male toilet.

The Board considered that the advertisement depicted a not uncommon scenario of a woman using the men's facilities when the women's facilities are too crowded.

The Board did not consider that this discriminated against or vilified men.

The Board noted the advertiser's intention of attracting applications from people who can think of different ways of doing things. The Board considered that the advertisement depicted an example of lateral thinking of the kind sought by the advertiser. The Board did not consider that the advertisement sends the wrong message to potential carers.

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