

Case Report

1. Case Number :	0205-23
2. Advertiser :	Unicharm Australasia (VIC)
3. Product :	Toiletries
4. Type of Advertisement/Media :	TV - On Demand
5. Date of Decision:	27-Sep-2023
6. Decision:	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This TV on demand advertisement depicts a mother picking up her baby from the floor to take it for a nappy change. She hears voices in her head of all the unsolicited advice she's received about how to prevent nappy leaks, including "For leaks try putting two nappies on", "You know Jess swears by a cloth topper", "At Bubba blog, we recommend a liner and double sheet", "Well I hear you just flip it around!" The last voice she hears is Dad's voice, to which mum jokingly says to baby 'Daddy's a silly one, isn't he?'.



THE COMPLAINT

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

Should it be the father changing the nappy and he were to say "mommy is silly isn't she?" That would not go down well. I am a mother of sons and I don't take kindly to any generalising comments to make men (or any of the genders) look any less than. I think the standards need to be reviewed whereby all genders and all people are treated equal. This add does not and in my opinion sexist.

THE ADVERTISER'S RESPONSE

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

In this spot, we hear a lot of different unsolicited pieces of advice in Mums head, the last one being from her husband, who's heard somewhere that you can just turn a nappy around to prevent leaks.

The words Mum says to her baby, with a big smile on her face, are "Daddy is a silly one isn't he!" which is in response to the myth Dad has obviously heard, and simply a loving, playful term of endearment to the man she loves.

It's not a vindictive comment or one that aims to cast aspersions over the male gender. Simply a playful moment between mum and bub in the privacy of their home and likely one she'd happily say to Dad himself! The comment is intended to represent the very common and normal playfulness and Aussie self-deprecating humour between parents in a loving relationship.

THE DECISION

The Ad Standards Community Panel (Panel) considered whether the advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement uses an offensive and negative stereotype of a man.

The Panel viewed the advertisement and noted the advertiser's response.

Section 2.1: Advertising or Marketing Communication 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, gender, age, sexual preference, religion, disability, mental illness or political belief.

The Panel noted the AANA Practice Note which provides guidance on the meaning of:
Discrimination - unfair or less favourable treatment
Vilification - humiliates, intimidates, incites hatred, contempt or ridicule
Gender - male, female or trans-gender characteristics.

The Panel noted the Practice Note for this section of the Code:

"Harmful gender stereotypes are unacceptable because they perpetuate unconscious bias and rigid norms of femininity and masculinity that shape what it means to be a girl, woman, boy or man. Advertisements should take care to avoid suggesting that skills, interests, roles or characteristics are:

- *always uniquely associated with one gender (eg. family members creating a mess while a woman has sole responsibility for cleaning it up);*
- *the only options available to one gender; or*
- *never carried out or displayed by another gender, as this may amount to discrimination on the basis of gender.*

“This includes, but is not limited to advertisements that:

- *mock people for not conforming to gender stereotypes;*
- *portray an activity or product as being inappropriate for a girl or boy because it is stereotypically associated with another gender; or*
- *portray one sex failing at a task that is stereotypically associated another gender (eg. a man trying and failing to undertake simple parental or household tasks).”*

Does the advertisement portray material in a way which discriminates against or vilifies a person on account of gender?

The Panel noted that the advertisement does not suggest that the father does not usually change nappies or take care of his child, or is incapable of these tasks. Rather, the advertisement suggests that he did not have specific knowledge about how to handle nappy leaks and is depicting a learning curve experienced by new parents.

The Panel considered that this was a depiction of an interpersonal relationship rather than a comment on men generally, and is not indicative of him being incapable of child-rearing or suggesting that he was generally incompetent. The mother’s comment that “Daddy is a silly one” is in relation to him not realising that the nappy product being advertised stops leaks, not a suggestion that he is an incompetent parent.

The Panel considered that the content of the advertisement did not show men to receive unfair or less favourable treatment because of their gender, and did not humiliate, intimidate or incite hatred, contempt or ridicule men because of their gender.

Section 2.1 conclusion

Finding that the advertisement did not portray material in a way which discriminates against or vilifies a person or section of the community on account of gender, the Panel determined that the advertisement did not breach Section 2.1 of the Code.

Conclusion

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