

Case Report

1. Case Number :	0097-24
2. Advertiser :	The Blind Factory
3. Product :	House Goods Services
4. Type of Advertisement/Media :	Radio
5. Date of Decision:	17-Apr-2024
6. Decision:	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This radio advertisement features a man saying, "If you remember one thing this autumn, remember the Blind Factory Autumn sale. I only remember one thing and that's the Blind Factory Autumn sale. I don't remember where I parked the car, where my brother Stirling lives or whether or not I'm wearing trousers...I don't actually remember if I do have a brother named Stirling but I bet if I do he's at the Blind Factory Autumn sale. I don't remember. It's cold in here. Where are my trousers?"

THE COMPLAINT

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

This ad really upsets me because the character speaking in the ad makes jokes about forgetfulness. I really find that offensive as so many Australians are living with Dementia/Alzheimers or know someone with dementia/Alzheimers or are carers of someone with dementia/Alzheimers aqnd know first hand that forgetfulness and memory loss are no laughing matter.

THE ADVERTISER'S RESPONSE

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

Advertiser did not provide a response.

THE DECISION

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

The Panel noted the complainant's concern that the advertisement makes jokes about forgetfulness which is insensitive to people with dementia and/or Alzheimer's Disease.

The Panel viewed the advertisement and noted the advertiser had not provided a response.

Section 2.1: Advertising 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 orientation, religion, disability, mental illness or political belief.

The Panel noted the Practice Note to Section 2.1 provides the following definitions:

- *Discrimination – unfair or less favourable treatment.*
- *Vilification – humiliates, intimidates, incites hatred, contempt or ridicule.*
- *Disability - a current, past or potential physical, intellectual, psychiatric, or sensory illness, disease, disorder, malfunction, malformation, disfigurement or impairment, including mental illness*

A minority of the Panel considered that the advertisement provided extreme examples of forgetfulness, such as the man losing his pants and forgetting his brother, and such examples indicate a disorder such as Alzheimer's Disease. The minority of the Panel considered that the advertisement did depict the man in a manner which was ridiculing and humiliating and which was vilifying of people with a memory disorder.

The majority of the Panel considered that the advertisement is presenting an exaggerated depiction of forgetfulness, and is not depicting any particular disorder. The Panel considered that the advertisement is light-hearted and the man in the advertisement does not appear to be distressed or embarrassed by the circumstances, nor is he treated negatively or held up to ridicule.

The Panel considered that the advertisement did not depict material in a way which discriminates against or vilifies a person or section of the community on account of disability.

Section 2.1 conclusion

The Panel found that the advertisement did not breach Section 2.1 of the Code.

Conclusion

Finding that the advertisement did not breach any other section of Code the Panel dismissed the complaint.