

Case Report

Case number: 0240-25
Advertiser: Woolworths Group Limited
Medium: TV - Pay
Decision date: 8-Oct-2025
Decision: Breach
Action: Ad removed

ISSUES CONSIDERED BY THE COMMUNITY PANEL

- AANA Code of Ethics - 2.5 Language - breach

AD DESCRIPTION

This Pay TV ad features a woman saying "How good's school holidays? So good". Various images of children playing (or misbehaving) are shown including a child laying on the lounge who gives the middle finger which is pixelated.



SUMMARY

Complaints

Complaints were received on the grounds that the ad depicts inappropriate nonverbal language by a child.

Advertiser response

The advertiser explained that the purpose of this new brand platform is to show families (particularly mums) that BIG W understands how chaotic and less-than-perfect family life can

be. The gesture shown is fleeting, is not done in an aggressive manner or in a way that undermines the parent's authority, and is not obscene.

The ad spots were bought to show up against people older than 25 years of age, based on individual publisher demographic segmentation (the advertiser's full response is included as Appendix B).

Decisions

The Panel found that the ad was in breach of Section 2.5 of the AANA Code of Ethics, as the relevant scene, though fleeting and pixelated, is gratuitous, and was inappropriate non-verbal language by community standards.

ASSESSMENT AND DECISIONS

Section 2.5 (Code of Ethics): Advertising shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.

The Practice Note states that:

Nonverbal representations of the "f" word are also generally not permitted.

There is a higher sensitivity in the community relating to the use of inappropriate language by children, even when it is not used in a demeaning or aggressive manner.

Panel assessment

The Panel noted the ad showcases several instances where children appear to be misbehaving or otherwise causing noise or frustration. The Panel considered that this was done in a manner that sympathised with parents who need to manage such behaviour.

However, the Panel considered that the scene showing the young girl sticking her middle finger up, even if it is fleeting and pixelated, left little to the imagination of any viewer. The Panel considered that such non-verbal language would be considered by most members of the community to be inappropriate for children to use, even if done in a playful setting.

The Panel acknowledges the advertiser's reference to an earlier case under reference 0206-23. In this matter, the Panel concluded that an unpixelated image of a young child extending the middle finger was not in breach of the AANA Code of Ethics. However, the Panel notes that, in the prior instance, the ad was promoting an artistic festival aimed at challenging norms, and that this ad appeared at a location targeted at likely attendees. The Panel considered that the current ad, however, is directed at a much broader audience, who would not necessarily want to challenge societal norms, and would consider a child displaying the middle finger as inappropriate for a broad audience.

The Panel considered that that the scene featuring this gesture was not appropriate for the circumstances, and that the child's behaviour was not shown to be condemned or corrected, as would likely be the case in many households. The Panel considered that the behaviour shown was presented as acceptable, when prevailing community standards would likely view it as inappropriate.

Panel decision

The Panel considered that the ad did breach Section 2.5 of the Code.

OTHER CONSIDERATIONS

The Panel found that the ad did not breach any other section of the advertising codes.

ACTION

The advertiser provided the following response:

BIG W thanks the Panel for their time and confirms that the advertisement has already been discontinued or hidden across all channels. BIG W will not use the advertisement in its original form going forward.

APPENDIX A: ADVERTISER RESPONSE IN FULL

Woolworths Group Limited trading as BIG W (BIG W) takes advertising complaints seriously and is grateful for the opportunity to respond to the Complaints.

BIG W respectfully submits that the Advertisement does not breach any part of section 2 of the AANA Code of Ethics (the Code).

The Advertisement

The Advertisement starts with a mum who is depicted as having been stopped on the street by BIG W for an interview. She asks the question “How good’s school holidays?” and replies to her own question with a wry smile and the words “So good”.

This is immediately followed by a series of UGC style clips of children doing a range of fun, chaotic and less than perfect things that children typically do when bored at home, including a handstand on the couch (the couch is soft and the child’s legs are supported against the wall), lying or sitting on the floor whilst yelling out “I’m Booorreed!”, walking around the house whilst playing a tuba, doing a skateboard trick off the couch (the child is wearing a helmet and the floor has a rug for soft landing), bouncing on a trampoline, spinning around on a swivel chair, smearing paint on themselves and the table, and walking around the house with a plastic bucket over their head. The final UGC style clip is of a girl who is smiling and lying comfortably on the couch in her pyjamas when she cheekily and unexpectedly makes a gesture that is pixelated (the gesture).

After this clip, the words “Enjoy time-out” appear on the screen. The chaos of the UGC style clips have been replaced by a child playing with an indoor basketball set, with his mum watching nearby with a warm drink in hand. The name of the product and price appear on the screen followed by a voiceover that says “How Good’s That. BIG W”. The Advertisement ends with the child trying to shoot the basketball into the net (but missing) and his mum saying supportively, “Nailed it”.

The Advertisement has appeared in the following channels:

- TV free to air
- BVOD
- SVOD
- YouTube
- YouTube (Organic)

The Advertisement has only received a very small number of complaints, particularly when compared to the estimated number of views across the above channels. This reflects BIG W’s intention to create a playful campaign, as explained further below.

Campaign context

The Advertisement is part of the launch campaign of BIG W’s new brand platform - “How Good’s That”. The purpose of this new brand platform is to show families (particularly mums) that BIG W understands how chaotic and less-than-perfect family life can be, however BIG W is here to help and give mums the “How Good’s That” moment they deserve.

The UGC style clips are intended to highlight the real, raw and unfiltered moments that make family life both joyful and chaotic. Overall, the Advertisement is designed to be humorous and cheeky, like the children that it features.

Rating and target audience

The Advertisement was given a P rating by ClearAds, which means parental guidance is recommended and the Advertisement can be broadcasted at any time of day, except during children or preschool programs, or adjacent to children or preschool programs.

BIG W, in coordination with its media buyer, have taken deliberate steps during the media planning and buying process to ensure that the above broadcasting requirements have been complied with, and will remain complied with.

The Advertisement has also been shown on Broadcast Video on Demand (BVOD), Subscription Video on Demand (SVOD), Youtube and Youtube organic. BIG W notes that:

- paid advertisement views (BVOD and SVOD) are bought to show up against people older than 25 years of age, based on individual publisher demographic segmentation;
- Youtube channel followers and subscribers will receive an alert that the video is available, however to follow and subscribe to our YouTube channel an account must be held; and
- Youtube organic content can only be found by looking for the activity and is not proactively shown to anyone.

The above reflects BIG W's commitment to responsible advertising.

Section 2.5 - mild language use

Practice Note 2.5 of the Code "prohibits the use of strong or obscene language and requires that the language used in advertising must be appropriate for the circumstances. Words and phrases which are innocuous and in widespread and common use in the Australian vernacular are permitted provided they are used in a manner consistent with their colloquial usage, for example with gentle humour, and not used in a demeaning or aggressive manner" [own emphasis added].

The gesture in the Advertisement is not strong or obscene. Whilst it is suggestive of a middle finger, the gesture is pixellated and therefore the precise details of the gesture cannot be determined for certain by the viewer. The gesture is also fleeting (1 second long) and therefore any impact of the gesture is diluted. We also note:

- Practice Note 2.5 which says that "Advertising which sufficiently beeps or censors language so that it cannot be understood will not be seen to be strong or obscene language"; and
- the Panel has on previous occasions acknowledged that the middle finger gesture is commonly used as part of Australian culture, and that when used in a non-aggressive way it is not strong or obscene. The Panel has previously dismissed complaints about the use of the middle finger gesture in cases 0206-23, 0155-22, 0360-19, 0534-18, and 0477-17.

The gesture in the Advertisement is also appropriate in the context of the broader Advertisement and campaign. As explained above, the purpose of the Advertisement and "How Good's That" campaign is to show families (particularly mums) that BIG W understands how

chaotic and less-than-perfect family life can be. The clip of the gesture fits in with the rest of the UGC style clips which are all of children in raw, unfiltered moments.

The gesture in the Advertisement is also not used in a demeaning or aggressive manner. The child is comfortably lying on the couch in her pajamas, and smiling, when she cheekily and unexpectedly makes the gesture.

Practice Note 2.5 states that “There is a higher sensitivity in the community relating to the use of inappropriate language by children, even when it is not used in a demeaning or aggressive manner.” However BIG W submits that the gesture in the Advertisement does not breach this part of Practice Note 2.5 as the gesture:

- is pixelated and fleeting;
- shows what the broader community already knows - that family life can be chaotic and less-than-perfect;
- does not promote aggression towards parents or the undermining of parental authority. Rather, the Advertisement promotes the calm win (boy playing with the indoor basketball set with his mum watching nearby) over the chaos; and
- the Panel has previously dismissed complaints received in relation to an advertisement that consisted entirely of a child giving the middle finger (case 0206-23). In this case, the gesture was not pixelated, the child was younger, and the advertisement was shown outdoors where children are more likely to see it.

Other parts of the Code

In respect of section 2.6 of the Code (Health and Safety):

- Attention and care were taken by BIG W to ensure that the UGC style clips in the Advertisement do not promote unsafe practices. For example, the clip of the child doing a handstand on the couch shows the child’s legs supported against the wall, with no other dangerous objects or furniture nearby which would make for an unsafe landing. Similarly, the clip of the child doing a skateboard trick on the couch shows the child wearing a helmet and a rug on the floor to enable a soft landing, and the clip of the child on the trampoline features a trampoline with high safety netting to prevent falling off the trampoline. The final seconds of the Advertisement also feature the mum supervising her child whilst playing with the indoor basketball set. The child is wearing sneakers and the rug on the floor is a non-slip rug.

In respect of the AANA Children’s Advertising Code:

- The Advertisement is clearly not marketing to children. The intended audience is adults (specifically mums) which is made clear at the start of the TVC where a mum is being interviewed, and the end frame which promotes “me-time”. Whilst the clips are all of children, the rapid UGC style nature of them and lack of bright colours or characters does not make them particularly appealing or impactful to children. As explained above, the Advertisement has also been rated P by ClearAds and has not been aired during, or adjacent to, children or preschool programs.

BIG W submits that the Advertisement is not in breach of any other section of the Code as it does not discriminate or vilify any person or section of the community (section 2.1), does not employ sexual appeal to exploit or degrade any person or section of the community (section 2.2), does not present or portray violence (section 2.3), does not feature, reference or portray

sex, sexuality or nudity (section 2.4), and because the Advertisement is clearly distinguishable as advertising (section 2.7).

Conclusion

For the reasons set out above, BIG W submits that the Advertisement does not breach any part of section 2 of the AANA Code of Ethics. We respectfully request that the Complaints be dismissed.