

Case Report

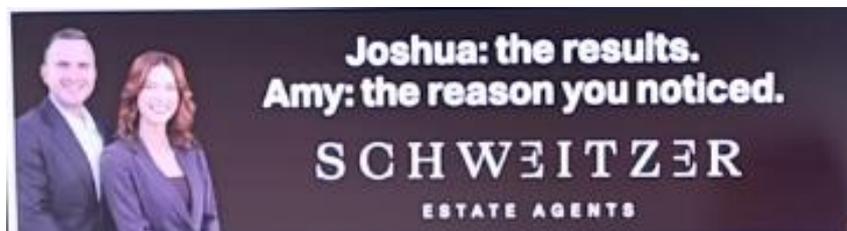
Case number: 0301-25
Advertiser: Schweitzer Estate Agents
Medium: Billboard
Decision date: 14-Jan-2026
Decision: Breach
Action: Ad modified

ISSUES CONSIDERED BY THE COMMUNITY PANEL

- AANA Code of Ethics - 2.1 Discrimination or Vilification – breach
- AANA Code of Ethics - 2.2 Exploitative or Degrading - breach

AD DESCRIPTION

This billboard ad features a photograph of a real estate team with the caption 'Joshua: the results. Amy: the reason you noticed' along with their company logo.



SUMMARY

Complaints

Complaints were received on the grounds that the ad was misogynistic and did not align to community sentiment around respect for women. The ad implied that the brand is only noticed because the woman is attractive, and offers no additional value, whereas the man provides results.

Advertiser response

The advertiser responded that the billboard message was clear; Joshua is the real estate agent, and Amy is the photographer who handles all marketing elements. The statement 'the reason you noticed' refers to her craft in marketing and photography, and has nothing to do with her appearance.

A copy of the advertiser's response is included as Appendix A.

Decisions

The Panel found that the ad was in breach of section 2.2 of the AANA Code of Ethics as the ad depicted content that could be seen as discriminatory and exploitative or degrading.

ASSESSMENT AND DECISIONS

Section 2.1 (AANA Code of Ethics): 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 Practice Note defines discrimination and vilification as:

Discrimination: unfair or less favourable treatment

Vilification: Humiliates, intimidates, incites hatred, contempt or ridicule

The Practice Note also defines gender as:

Gender - refer to the attributes, roles, behaviours, activities, opportunities or restrictions that society considers appropriate for girls or boys, women or men. Gender is distinct from 'sex', which refers to biological differences.

Panel assessment

The Panel considered the advertiser's explanation of the context in which the claim is made, particularly the explanation that Amy is responsible for marketing and photography, which is ultimately used to make people 'notice' this billboard. However, the Panel considered that this context is absent from the advertising, which means that the average person would not know this.

The Panel considered that the ad merely shows an image of Amy and states that she is 'the reason you noticed'. With no other explanation given in the ad, the Panel considered that the only reasonable interpretation would be that Amy drew attention because of her physical attractiveness, but nothing more.

The Panel considered that this presented Amy in a less favourable light, restricting her value to her appearance, rather than the valuable work she does at this agency.

Panel decision

The Panel found that the ad breached Section 2.1 of the AANA Code of Ethics.

Section 2.2 (AANA Code of Ethics): Advertising shall not employ sexual appeal:

(a) where images of Minors, or people who appear to be Minors, are used; or

(b) in a manner which is exploitative or degrading of any individual or group of people

The Practice Note defines exploitative and degrading as:

Exploitative: (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or (b) focusing on their body parts where this bears no direct relevance to the product or service being advertised.

Degrading: Lowering in character or quality a person or group of persons. Treating humans as sexual objects or commodities for sale perpetuates the harmful view that people, particularly women and girls, are evaluated based on their appearance and risks the premature sexualization of children.

The Practice Note adds that:

Material can be found to be exploitative or degrading even where the model is looking confident where the model is being depicted as a product or commodity or the focus on body parts is not relevant to the product or service being advertised.

Panel assessment

The Panel considered that sexual appeal does not necessarily imply partial nudity or suggestive poses. The Panel considered that Amy's role as a business partner and creative or marketing professional was not communicated in the ad. The Panel considered that people would, therefore, have no reason to attach her professional capacity to the statement that she was 'the reason you noticed'.

The Panel further considered that Amy is presented as a commodity with no inherent value besides her attractiveness, which could perpetuate the view that women are evaluated based on their appearance, and thus exploiting her sexual appeal as an individual.

The Panel considered that this exploited Amy's appearance in a way that was not directly relevant to the service advertised.

Panel decision

The Panel found that the ad breached Section 2.2 of the AANA Code of Ethics.

OTHER CONSIDERATIONS

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

ACTION

I have organised for the billboard to be changed which is expected to be executed within the next seven days.

APPENDIX A: ADVERTISER RESPONSE IN FULL

The message of the billboard is clear; Joshua is the real estate agent, Amy is the photographer & handles all the marketing. Our point of difference is that we handle everything to do with our business in house and are a local family business. "The reason you noticed" refers to her craft in marketing & photography, not her physical appearance. I actually can't believe someone would go to the extent of making a complaint. The thought of this being a 'sexist' message never crossed our mind because we are simply a young family trying to get our business off the ground and wanted to present our points of difference.