

## Case Report

**Case number:** 0085-26  
**Advertiser:** Spotminders  
**Medium:** Facebook  
**Decision date:** 15-Apr-2026  
**Decision:** Breach  
**Action:** Ad not removed

### ISSUES CONSIDERED BY THE COMMUNITY PANEL

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- AANA Code of Ethics - 2.1 Discrimination or Vilification - breach
- AANA Code of Ethics - 2.3 Violence - breach
- AANA Code of Ethics - 2.6 Health and Safety - breach

### AD DESCRIPTION

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This Facebook ad relays a story of a man who explains: 'Now? I just want to be the guy who doesn't spend his Sunday morning doing a tactical sweep of the driveway because my wife forgot her phone again.'

He elaborates on his endeavours to find out where his wife is so that he can get her phone to her, and then adds 'I looked into those bulky white "tracking pebbles," but they felt ... well, a bit rude. Like I was tagging a suitcase or a golden retriever. She's my wife, not a piece of checked luggage.

Then I had a bit of a "Top Gear" moment. I found a cheat code. I slipped a Spotminders card into her wallet. It's 1.8mm thin. It looks just like a credit card, but it's actually a stealth mission for my own sanity. See, she might forget the phone, but she always takes the wallet. It's the one thing that never gets left behind.

Now, when she's out, I don't pace. I don't stare out the window like a worried gargoyle. I just open my phone, see the little green dot at the bakery, and ... I just breathe. It's brilliant. Truly.'

### SUMMARY

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#### Complaint

A complaint was received on the grounds that the ad featured a violent, albeit subversive action and puts a woman at potential risk of being unsafe should she go where the 'watcher' does not approve.

## Advertiser response

The advertiser did not submit a response.

## Decisions

The Panel found that the ad was in breach of section 2.1, 2.3 and section 2.6 of the AANA Code as the ad was discriminatory on the basis of gender, suggestive of coercive control and would likely be seen as contrary to community standards on health and safety.

## ASSESSMENT AND DECISIONS

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**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

## Panel assessment

The Panel considered that the narrative followed in this story suggests that the woman is careless or absentminded, and needs a man to assume control for her own wellbeing. While the Panel accepted that there might be instances in which one person would be required to assume control for the health and safety of another (for instance when medical or intellectual impairment calls for intervention). However, the Panel considered that the narrative in this ad did not suggest that such circumstances were relevant.

The Panel considered that the woman in this story is portrayed as forgetful to the point that she is not considered worthy of the knowledge that her partner is tracking her movements. The Panel also considered the suggestion that this happens regularly, which is why the man decides to stealthily start using this tracking device.

The Panel considered that the woman is not presented as having consented to the man's actions, and that there was nothing to suggest that she was even informed of his intentions.

The Panel considered that this suggested unfavourable treatment of the woman.

## Panel decision

Given the above, the Panel considered that the ad depicted unjustifiable discrimination against the woman in this story, and was in breach of section 2.1 of the AANA Code of Ethics.

**Section 2.3 (AANA Code of Ethics): Advertising shall not present or portray violence unless it is justifiable in the context of the product or service advertised.**

The Practice Note states:

Advertising shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

### Panel assessment

The Panel considered that the notion of ‘slipping’ into someone’s wallet in a way that resembles a ‘stealth mission’ suggests surveillance without consent, which is generally considered a form of coercive control. The Panel further noted that the story communicated in this ad portrayed the female character as absentminded and suggests that her absentmindedness was justification for nonconsensual surveillance.

The Panel considered that this depicted an unjustifiable infringement on another person’s legitimate right to privacy and free movement in a manner that constituted a form of violence or abuse.

The Panel considered that there would be other ways to promote the product’s purpose which did not involve stealth or a suggestion that these actions are permissible because someone is absentminded or would not notice the small device.

### Panel decision

Given the above, the Panel considered that the ad depicted unjustifiable coercive control, and therefore unjustifiable violence in breach of section 2.3 of the AANA Code of Ethics.

### **Section 2.6 (AANA Code of Ethics): Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.**

The Practice Note states:

Section 2.6 requires that advertising must not depict content that would encourage or condone unhealthy or unsafe behaviour having regard to Prevailing Community Standards.

### Panel assessment

The Panel considered that, in the context of the coercive control noted above, the ad created an impression that the husband’s behaviour bordered on stalking. The Panel considered that community standards would not likely condone such nonconsensual actions and would consider them as contrary to prevailing community standards on health and safety.

### Panel decision

Given the above, the Panel considered that the ad was in breach of section 2.6 of the AANA Code of Ethics.

### **OTHER CONSIDERATIONS**

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

**ACTION**

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The advertiser has not provided a response to the breach decision. The advertisement has been referred to Meta.