



CASE REPORT

1. Complaint reference number	80/04
2. Advertiser	Diana Ferrari
3. Product	Clothing
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 11 May 2004
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The advertisement depicts a male and female making out in the back of a car in a car park. The female notices another female walking past wearing Diana Ferrari shoes. She stops making out with the man and presses his face up against the window so that she can look at the female passer-by. The tagline is "Diana Ferrari. Cause an effect."

THE COMPLAINT

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

"The ad is offensive as it depicts a sexist act and can be seen as female dominance over male submissiveness through a physical action."

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

"The message has been deliberately treated in a humorous way and is consistent with the hyperbole of depicting a person becoming completely distracted when they see a woman dressed in Diana Ferrari shoes and apparel."

"The female in the motor vehicle is not attempting to dominate the man, but has simply forgotten he is there, because she has been distracted."

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted that in the context of prevailing community standards, the majority of people would find this advertisement humorous rather than offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to discrimination (sex)/vilification.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.