



## Case Report

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|----------|--------------------------------------|------------------------|
| <b>1</b> | <b>Case Number</b>                   | <b>0027/13</b>         |
| <b>2</b> | <b>Advertiser</b>                    | <b>Surf Dive n Ski</b> |
| <b>3</b> | <b>Product</b>                       | <b>Clothing</b>        |
| <b>4</b> | <b>Type of Advertisement / media</b> | <b>Poster</b>          |
| <b>5</b> | <b>Date of Determination</b>         | <b>10/04/2013</b>      |
| <b>6</b> | <b>DETERMINATION</b>                 | <b>Dismissed</b>       |

### ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.6 - Health and Safety Within prevailing Community Standards

### DESCRIPTION OF THE ADVERTISEMENT

Image in store window of three people on a beach: two men and one woman. One of the men is wearing speedos and is readjusting them, the woman is wearing a bikini and the second man is wearing boardies. The text reads, "life is better in boardshorts".

### THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

*The image clearly is offensive to women and it is demeaning and reinforces the body image issues about weight. I am a teacher of young women and this company is targeting this market segment. It is also problematic that it appears to be a man's statement that some women bodies are offensive or unappealing if they are fat. Please have this poster removed.*

### THE ADVERTISER'S RESPONSE

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

*No response received from Advertiser as of 10 April 2013.*

## **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 the complainant’s concerns that the advertisement is offensive in its suggestion that women need to cover their bodies if they are fat.

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

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: “Advertising or Marketing Communications 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...gender..”

The Board noted that the advertisement features three people on a beach; a man and a woman with their backs to the camera and a man facing the camera and laughing.

The Board noted the complainant’s concerns that the text, “Life’s better in board shorts” is demeaning to women because the woman in the advertisement is a bit overweight. The Board noted that one of the men pictured is wearing speedos and is in the process of adjusting them to remove sand and that the laughing man is wearing boardies. The Board considered that the most likely interpretation is that boardies are more comfortable to wear and as there is both a man and a woman not wearing boardies the advertisement appears to be directed at both genders. The Board considered that the advertisement is not suggesting that women, or men, should cover up their bodies but that they would feel better if they wore boardies rather than uncomfortable bikini bottoms.

The Board determined that the material depicted did not discriminate against a section of the community and did not breach Section 2.1 of the Code.

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Board noted the complainant’s concern that the advertisement reinforces body image issues about weight. The Board noted that whilst the woman in the advertisement does appear to be a bit overweight in the Board’s view the advertisement is depicting a realistic scene which can be found on Australia’s beaches every day and considered that the advertisement is not suggesting that the woman should cover herself up because she is overweight but rather is a comment on the unflattering nature of a bikini compared to board shorts.

The Board considered that the advertisement did not depict material contrary to prevailing community standards on health and safety surrounding body image.

The Board determined that the advertisement did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board

dismissed the complaint.