



Case Report

1	Case Number	0055/16
2	Advertiser	The Iconic
3	Product	Clothing
4	Type of Advertisement / media	Billboard
5	Date of Determination	24/02/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

This billboard advertisement features two models, one male and one female, wearing sports clothing available for purchase from The Iconic website.

THE COMPLAINT

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

In the photos of the male, it is obvious he is undertaking some form of identifiable sporting activity - boxing. The female, however, seems to be playing the unknown sports of hair touching and hoodie fixing. Why is it that the female is not shown undertaking an identifiable sport? It is blatantly sexist and demeaning. It is stating that men can play sport, while women stand around looking sexy in their active wear.

THE ADVERTISER'S RESPONSE

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

GENERAL COMMENTS

The Advertisement features two models, one male and one female wearing sports apparel. They showcase the women's and men's collection of sportswear available on THE ICONIC

website.

As the sportswear is the sole focus of the advertisement, each model is posed in such a way that the products are displayed in the centre, and draw attention to the products with the help of certain gestures.

The female is wearing sports apparel (being a hoodie and exercise top). Lighting and makeup is strongly suggestive of a woman who has engaged in exercise. The male is showing holding his hands in boxing type stance. Both images and various poses are designed to highlight the sporting apparel.

AANA CODE OF ETHICS

THE ICONIC takes great care in ensuring that it is in compliance with the AANA code of Ethics (the Code). The Advertisement is not intended to be nor is it suggestive of any gender stereotype, nor does it discriminate against any gender in any way.

In relation to Section 2 of the Code, we provide the following response that addresses all parts of Section 2:

2.1 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 race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

The advertisement does not contain any text or images material that discriminates against or vilifies any person or section of society.

The Advertisement showcases products from the women's and men's 'Sport' section of the website. Both male and female models in the photographic images are featured in equally active but different poses that are designed to showcase the clothing.

Both of the models are shown in an active pose showcasing their upper torso and arms and nothing should be drawn from the different poses used to illustrate the products

The complainant's assertion that the advertisement is sexist and demeaning has no grounds and we submit that the Board should determine that the advertisement does not breach Section 2.1 of the Code.

2.2 Advertising or Marketing Communications shall not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.

The advertisement does not employ sexual appeal in an exploitative or degrading manner. There are no lewd, offensive or suggestive poses in any of the images featured on the Advertisement.

There is no depiction that makes use of either the male's or female's sexual appeal in a manner that is exploitative of or degrading in any way.

We submit that the Board should determine that the advertisement does not breach Section

2.2 of the Code.

Section 2.3 Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

The Advertisement does not contain any violence.

2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

There are no sexualized images and certainly no nudity. Neither the male or female is posed in a suggestive or sexualized position.

Section 2.5 Advertising or Marketing Communications 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 Advertisement does not contain any offensive, strong or obscene language.

Section 2.6 Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

There are no health or safety issues arising from the Advertisement.

CONCLUSION

THE ICONIC considers that the Advertisement fully complies with the Code.

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 depicts an image of a woman which is sexist and demeaning.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray 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 preference, religion, disability, mental illness or political belief.'

The Board noted this billboard advertisement depicts images of a man and a woman wearing sports clothing.

The Board noted the complainant’s concern that the man is depicted wearing sports clothing

and undertaking a sport, boxing, whilst the woman is depicted in a passive pose playing with her hair and that overall this is a sexist representation of the genders.

The Board expressed concern that the manner in which men and women are depicted differently in advertising is still happening in the current day, in this instance with a man as a participant in a sporting activity but a woman presented as a model to showcase products rather than as a participant. The Board noted however that advertisers are free to use whomever they wish in their advertisements and considered that whilst it is disappointing that the genders are often portrayed in a different manner this is not an issue under the Code provided that advertisers do not present any person in a manner which is discriminatory or vilifying.

The Board noted that the advertiser is promoting sportswear available on their fashion website and considered that it is appropriate for the advertiser to use models showcasing those products in their advertisements. The Board noted that the female model is wearing a hooded, sleeveless top over a white cropped top and considered that although her breasts are prominent they are covered by material and the focus is not solely on her breasts. The Board noted that the woman's skin is glowing and considered that the images do suggest she has engaged in sporting activity prior to the photographs being taken. The Board noted that the man is wearing a singlet and tape over his hands and that he is depicted in a boxing stance. The Board noted that the man's skin is also glowing and considered that the overall impression given by the images is of a stylised representation of two models engaging in, or having recently participated in, a sporting activity. The Board considered that overall whilst it is unfortunate that the female model is not depicted as actively participating in a sporting activity in the Board's view this is not of itself grounds for discrimination as the advertiser can present models how it wishes. The Board considered that the manner in which the female model is presented in this advertisement is not demeaning to women.

The Board considered that overall the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of their gender.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

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