



Case Report

1	Case Number	0079/17
2	Advertiser	PG Forklifts
3	Product	Hardware/Machinery
4	Type of Advertisement / media	Internet
5	Date of Determination	22/02/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

Various photos of the forklifts that are available to buy. The images include either a woman in black workout gear or a blonde woman in denim shorts and a black a bikini top.

THE COMPLAINT

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

*Obviously women and children see these adverts and it's degrading to women.
This is a business that should not be advertising in such a way.
The above link is very offensive to women and uses women's bodies to promote forklifts, exposing legs, breasts etc in order to promote products.*

THE ADVERTISER'S RESPONSE

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

The advertiser did not provide a response.

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 images are degrading to women and inappropriate.

The Board viewed the advertisement and noted that the advertiser failed to provide a response.

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: “Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.”

The Board noted the complainants’ concerns that the advertisement uses women’s bodies to sell forklifts. The Board noted that in order to be in breach of this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board noted the Practice Note for Section 2.2 which provides the following definitions:

“Exploitative means clearly appearing to purposefully debase or abuse a person, or group of person, for the enjoyment of others, and lacking moral, artistic or other values;

Degrading means lowering in character or quality a person or group of persons.”

The Board acknowledged that some members of the community would consider it to be exploitative to use attractive women to sell a product that has little relevance to them.

Based on the practice note definitions above, the Board considered that the use of women in this particular advertisement, promoting forklift hire and purchase has little relevance to the product or service.

The Board noted that the women in the advertisement are suitably covered and considered that the manner in which they are depicted is not exploitative in the context of the advertised service, and is not degrading either to these women or to women in general. The Board noted that the women appear happy and in control of their environment.

The Board determined that the advertisement did not breach Section 2.2 of the Code.

The Board then considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted one woman is wearing a bikini top and denim shorts and the other in sports training gear. The Board noted that the style of bikini adequately covers the woman’s body and it is not uncommon to see women in bikinis during warmer weather. The Board considered that the level of sexual appeal was very mild and not inappropriate in the context of a broad audience which would include children. The Board considered that there is no prohibition on including images of women in brief clothing in advertising irrespective of the

product or service being sold as long as the advertisement complies with the requirements of the Code.

The Board considered that this particular advertisement was not overtly sexualised and that there is no direct reference to sex or nudity. The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience which would likely include children and determined that the advertisement did not breach Section 2.4 of the Code.

The Board then 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 that there were images in the group of images that included one of the women holding a glass of champagne. The Board considered the safety concerns regarding alcohol consumption and the operation of heavy vehicles. The Board considered that the woman was not actually consuming the champagne and that it was included in the image as a prop together with the balloons to give a light and celebratory feel.

The Board considered that the inclusion of the champagne was not condoning or encouraging the consumption of alcohol when operating vehicles such as forklifts and did not depict material that was contrary to prevailing community standards on health and safety.

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