



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0092-22
2. Advertiser :	Icon Ink
3. Product :	Other
4. Type of Advertisement/Media :	Poster
5. Date of Determination	11-May-2022
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification
AANA Code of Ethics\2.2 Exploitative or Degrading
AANA Code of Ethics\2.3 Violence

DESCRIPTION OF ADVERTISEMENT

This window display features two women.

Image 1 depicts a woman's face with piercings and tattoos. Image 2 depicts a woman's face with flames.

THE COMPLAINT

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

The large-size image in one window facing onto Green Street depicts a woman whose mouth appears to be cut and stitched, rather than merely pierced. The large number of chains around the woman's neck are suggestive of control and imprisonment. The image in a second window depicts a woman whose face is partly mutilated and mouth appears to bear scars from previously being stitched. I believe these images are incompatible with prevailing community standards in that they depict women who have been mutilated, silenced, subjugated and/or humiliated. Whether intentional or not, the underlying symbolism of these images is misogynistic and antithetical to community standards regarding sexism and violence against women.



Of particular concern with these images is the fact that the tattoo parlour is located on a busy suburban intersection (Green St and London St), directly opposite a childcare centre and only two blocks from a second childcare centre. These graphic, negative images of women are therefore highly visible to young children on their way to and from the childcare centre on a daily basis. The tattoo parlour itself is not the concern, it is the images that the business owners have chosen to depict in their windows within a family-oriented suburban area. Even if depicted in a more 'adult' area such as the centre of Northbridge, the images would still be offensive and inappropriate in terms of the underlying attitudes to women that they imply.

I hope that you will be able to take appropriate action to compel the business owners to replace these images with ones that do not, either intentionally or unintentionally, depict violence against women.

Violence and humiliation/subjugation of women implied in the images. Unacceptable in every way

I believe these images are incompatible with prevailing community standards in that they depict women who have been mutilated, silenced, subjugated and/or humiliated. Whether intentional or not, the underlying symbolism of these images is misogynistic, outdated and antithetical to community standards regarding sexism and violence against women.

Of particular concern is the fact that the tattoo studio is directly opposite a childcare centre (Green Leaves Early Learning Joondanna) and 2 blocks from another childcare centre (Kidz Galore Child Care Centre). These graphic images of mutilated women are therefore highly visible to young children on their way to and from the childcare centres on a daily basis.

I hope that the tattoo studio will replace these images with tattoo art that does not, either intentionally or unintentionally, depict or infer violence against women.

THE ADVERTISER'S RESPONSE

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

Advertiser did not provide a response.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainants' concerns that the advertisement:

- is degrading and dehumanising women
- depicts violence, humiliation and subjugation towards women
- is misogynistic, outdated and antithetical



The Panel viewed the advertisement and noted the advertiser did not respond.

Section 2.1: Advertising or Marketing Communication 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 Panel noted the AANA Practice Note which provides guidance on the meaning of:

- Discrimination - unfair or less favourable treatment
- Vilification - humiliates, intimidates, incites hatred, contempt or ridicule
- Gender – refer to the attributes, roles, behaviours, activities, opportunities or restrictions that society considers appropriate for girls or boys, women or men. Gender is distinct from ‘sex’, which refers to biological differences

The Panel noted the complainants’ comments regarding historical oppression towards women and that the images imply the violence towards, and humiliation and subjugation of, women.

The Panel noted that the issue of violence towards women continues to be of significant concern to the community.

However, the Panel considered that promoting negative connotations was not the intent of the advertiser, or the overall impression of this advertisement. The Panel noted that the advertised business is one which specialises in body modification, specifically tattoos. The Panel considered that extreme and exaggerated images are common in artistic expression, and considered that some members of the community do engage in extreme body modification.

The Panel considered that Image 1 appeared to be of main concern to the complainants, specifically relating to the number of chains visible at her neck and the modifications to her face. The Panel noted that the image was not of a real woman and was clearly a drawing rather than a photograph.

The Panel considered that the interpretation of Image 1 that the chain around the woman’s neck were suggestive of control and imprisonment was unlikely to be shared by the broad community.

The Panel considered that Image 1 did not depict a woman whose mouth is stitched closed and who has significant scarring, but rather depicted an artwork of a woman who has extensive body modification, such as lip piercings and tattoos. The Panel considered that while the piercings on the woman’s lips did line up, they were not one piercing across both lips but rather piercings on her upper and lower lip.

The Panel further considered that her face was not cut and stitched, but rather appeared to be tattooed in a line extending from her lips, with piercings covering the



line. The Panel considered that there is no suggestion that this body modification has been done against the woman's wishes.

The Panel considered that the complainants' interpretation of mutilation in Image 2 is unlikely to be shared by the broad community, and considered that most viewers would be likely to interpret the image as artistic and not inconsistent with the dramatic, unrealistic style of many tattoos.

The Panel noted that neither woman depicted in the advertisement appears to be in pain or discomfort, nor do they appear to be restrained or in an abusive situation.

The Panel acknowledged that some people viewing the advertisement may interpret it as the women having been unwillingly disfigured or injured, and that such an interpretation may raise concerns relating to the discrimination and vilification of women.

However, the Panel considered that the advertisement shows artwork of a woman with extensive body modification and an image showing an unrealistic image of a woman and flames, and considered that while such a depiction may make some viewers uncomfortable it is not showing the women depicted to receive unfair or less favourable treatment, nor does it humiliate, intimidate or incite hatred, contempt or ridicule of the women depicted or women in general.

Section 2.1 conclusion

Finding that the advertisement did not portray material in a way which discriminates against or vilifies a person or section of the community on account of gender, the Panel determined that the advertisement did not breach Section 2.1 of the Code.

Section 2.2: Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative or degrading of any individual or group of people.

The Panel noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

Exploitative - (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or (b) focussing on their body parts where this bears no direct relevance to the product or service being advertised. Degrading – lowering in character or quality a person or group of people.

Does the advertisement use sexual appeal?

The Panel noted that the advertisement depicts a woman with extensive body modification and a woman with flames on her face. The Panel noted that neither woman is depicted in a state of undress nor do they appear in a sexualised pose. The Panel considered that neither image contained sexual appeal.



Section 2.2 conclusion

Finding that the advertisement did not employ sexual appeal, the Panel determined that the advertisement did 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.

Does the advertisement contain violence?

The Panel noted that the issue of violence towards women is of significant concern to the community.

The Panel noted that the image depicted is an artistic illustration of a woman using a fantasy style, and that the advertised business is one which specialises in body modification, specifically tattoos.

The Panel considered that Image 1 did not depict a woman whose mouth is stitched closed and who has significant scarring, but rather depicted an artwork of a woman who has extensive body modification, such as lip piercings and tattoos. The Panel considered that while the piercings on the woman's lips did line up, they were not one piercing across both lips but rather piercings on her upper and lower lip. The Panel further considered that her face was not cut and stitched, but rather appeared to be tattooed in a line extending from her lips, with piercings covering the line.

The Panel noted that Image 2 depicts a stylised image of a woman whose face appears to be flaming. The Panel again noted that the image was a form of artistic expression. The Panel considered that flames are a common theme in tattoos, and noted that the woman depicted does not appear to be in pain or uncomfortable.

The Panel acknowledged that some people viewing the advertisement may interpret it as the women having been unwillingly disfigured or injured, and that such an interpretation may cause discomfort to viewers.

However, the Panel considered that the advertisement shows an artwork of a woman with extensive body modification and an image showing a woman and flames, and considered that while such a depiction may make some viewers uncomfortable it is not itself a depiction of violence.

Section 2.3 conclusion

In the Panel's view the advertisement did not depict violence and did not breach Section 2.3 of the Code.

Conclusion



Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaints.