



**ADVERTISING  
STANDARDS  
BUREAU**

Level 2, 97 Northbourne Avenue, Turner ACT 2612  
Ph (02) 6173 1500 | Fax (02) 6262 9833  
[www.adstandards.com.au](http://www.adstandards.com.au)  
ACN 084 452 666

# Case Report

<b>1</b>	<b>Case Number</b>	<b>0111/14</b>
<b>2</b>	<b>Advertiser</b>	<b>ANZ Banking Group Ltd</b>
<b>3</b>	<b>Product</b>	<b>Finance/Investment</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Internet</b>
<b>5</b>	<b>Date of Determination</b>	<b>23/04/2014</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

## DESCRIPTION OF THE ADVERTISEMENT

The advertisement displays an offer driven headline “It’s not everyday you could get \$100 for opening a new bank account”. The image in the advert is a youthful girl on roller skates with her hands in the air in a celebratory stance. She is on a boardwalk next to the beach. The offer of \$100 for opening an everyday ANZ bank account is supported with qualifying copy for customers to see what else they need to do to be eligible for the offer.

## THE COMPLAINT

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

*The woman in the advert was unnecessarily under-dressed, especially given the nature of the services being offered (e.g. banking services) and the fact that the advertiser could have conveyed the same message with a person dressed appropriately. This will deter me from encouraging my children (especially my daughter) to read major newspapers.*

## THE ADVERTISER’S RESPONSE

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

*The \$100 advert in question forms part of a wider, integrated everyday banking campaign (examples of campaign creative are attached). The strategy underpinning the campaign is that when you're young, progress is about broadening your mind through rich experiences today that shape you and set you up for the future. The campaign creative approach differentiates ANZ by highlighting how ANZ Everyday Banking, with ANZ Access Advantage, ANZ Online Saver, ANZ goMoney™ and ANZ Visa Debit card with Visa payWave, provides easy access to your money, anywhere, any time, to enable you to enjoy life's experiences. The \$100 offer advertisement is a direct response execution, very targeted towards youth. The image was chosen to convey attributes such as extraordinary, joy and freedom. Also, the stance of the girl at the beach suggests she is celebrating i.e. celebrating getting \$100 (reflecting the offer we are promoting). Given she is roller skating at the beach her outfit is appropriate for her age in this type of location.*

*This advertisement appeared for a limited period (1 March – 31 March), and is no longer in market. It ran online, in the Sydney mX newspaper (which over-indexes in youth readership) and across various outdoor sites in NSW around transport hubs, shopping centres and 7-11s, which are highly frequented by youth.*

*ANZ, along with its media agency and creative agency, takes great care when developing its advertisements to ensure they comply with the AANA Advertiser Code of Ethics, and to ensure that its advertisements do not discriminate against, or exploit, degrade or offend, any member of the general public. We had considered these and other potential negative sentiments before we ran the advertisement. Due to the campaign strategy cited above, which was supported by internal response testing conducted within the target segment, we felt that this image integrated with the wider advertising campaign, described (visually) the excitement of the strong offer and most importantly, talked to the target audience – youth. We respond as follows to the issues raised by Section 2 of the Advertiser Code of Ethics (with the specific sub-sections you identified highlighted with an asterisk):*

*\*2.1 - Discrimination or vilification (gender biased – not intentional gender bias, message outtake would have worked just as well with a male)*

*\*2.2 - Exploitative and degrading (towards women – not intended to be either exploitative or degrading, as the image outtake is intended to signify a celebration)*

*2.3 – Violence (N/A. There are no violent connotations within the advert)*

*\*2.4 - Sex, sexuality and nudity (in the context of the environment – i.e. beach, it was deemed appropriate for the girl to be wearing beach clothing)*

*2.5 – Language (N/A. No offensive language was used in the advertisement)*

*2.6 - Health and Safety (N/A. Nothing promoted risk of health and safety)*

*While ANZ acknowledges the complainant's concerns, we firmly believe that the advertisement does not breach the AANA code.*

*For the reasons above, we request that the complaint be dismissed.*

*We look forward to receiving the results of the Board's determination.*

## **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 concern that the advertisement depicts a skimpily dressed woman which is not appropriate for a banking advertisement.

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 that this online advertisement features an image of a young woman roller blading in pink shorts and a cropped bra-style top.

The Board noted that whilst some members of the community would prefer that women were not used in advertising in this manner the Board considered that it is not of itself discriminatory to use a young attractive woman in an advertisement in order to promote a product or attract attention and that the image of her rollerblading is an everyday scene and she is dressed typically for that scene.

The Board considered that in this instance the woman is not depicted in a manner which discriminates or vilifies a section of the community on account of gender.

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

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 that in order to be in breach of this section of the Code the image would need to be both exploitative and degrading. As noted above, the Board recognised that some members of the community could find the use of a woman wearing minimal clothing to be exploitative but considered that the woman is presented sporting beach wear while rollerblading in a manner which is not degrading to either her or to women in general.

The Board determined that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading and did not breach Section 2.2 of the Code.

The Board 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 it had previously dismissed a complaint about a similar online advertisement in case 0458/11 which featured two young women in shorts and bra tops wearing roller skates:

"The Board considered that the women are wearing clothing which is not inconsistent with outdoor activity and that although their poses could be considered mildly sexualised they are not offensive or inappropriate."

The Board noted in this instance that whilst the woman's clothing is minimal her private areas are fully covered. The Board noted that the setting of the image is a palm tree lined path next to some water and considered that clothing of the woman is consistent with female

roller skaters next to beaches. The Board noted that the woman is also wearing headphones and that her arms are stretched above her head and considered that her pose is suggestive of happiness and is not sexualised or inappropriate.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and determined that the advertisement did not breach Section 2.4 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 that the women rollerblading is not wearing a helmet.

The Board noted that whilst there is a general consensus in the community that wearing appropriate safety gear including helmets is preferable when using rollerblades, there are no rules regarding the use of helmets except in South Australia ([http://www.transport.sa.gov.au/pdfs/safety/skateboarders\\_brochure.pdf](http://www.transport.sa.gov.au/pdfs/safety/skateboarders_brochure.pdf)).

The Board noted it had previously dismissed a complaint about a depiction of a young man using a skateboard without a helmet in case 0388/13 where:

“The Board noted that the scene featuring the young men on their skateboards is fleeting and considered that the depiction of the men using their skateboards is consistent with how youth use their skateboards. The Board considered that the brief scene in the advertisement showing young males not wearing any safety equipment including helmets is not a depiction which is contrary to prevailing community standards on health and safety and that it is unlikely to encourage people to use skateboards in a manner which is unsafe.”

The Board considered that in this instance the depiction of the young woman not wearing any safety equipment including a helmet is consistent with how rollerblades are used and is not a depiction which is contrary to Prevailing Community Standards on health and safety and it is unlikely to encourage people to use rollerblades in a manner which is unsafe.

The Board determined that the advertisement does 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.

