



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0251-21
2. Advertiser :	SIR THE LABEL PTY LTD
3. Product :	Clothing
4. Type of Advertisement/Media :	Poster
5. Date of Determination	22-Sep-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

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

DESCRIPTION OF ADVERTISEMENT

This window display advertisement features a desert scene across seven window panels. Multiple images of the same two women are shown. The women are seen crawling through the desert on their hands and knees, in the fore- and middle-ground of the image. In the background the woman can be seen standing. The word "Sir." is superimposed on top of the image on three of the window panels, and the words "Coming this summer" appear on two of the panels.

THE COMPLAINT

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

Degrading, sexist, portrays women as will crawl to get to a man (SIR), continuation of gender stereotypes that lead to barriers to equality between men and women, and contributing to body image issues, health issues, domestic and other forms of violence against women and girls. Placing men on a superior level to women.

THE ADVERTISER'S RESPONSE



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

1.1. General Comments

SIR the Label (SIR) is disappointed to learn of the complaint made in relation to SIR's Resort Collection 2022 photographic campaign, as featured on a poster (window banner) affixed across three windows of SIR's retail storefront, located at Gould Street, in Bondi, New South Wales and which is presently under construction . A digital copy of the photographic campaign can be found at Annexure A.

The Campaign image features four adult women dressed in various SIR garments, which will be available for sale inside the retail store (a new retail space for SIR, currently under construction and due to open this summer), the windows of which presently feature the Campaign imagery.

The featured female characters are replicated and superimposed to represent a tribe of women who are seen crawling and walking across red rocky sands, moving in unison to reach the peak of a rock face, located in the background of the Campaign image. The Campaign imagery represents the four female protagonists adventuring to a new land and reaching new heights.

Superimposed across the Campaign imagery is the advertiser's brand name "SIR", featured in capitalised, white font, and which has been centred across the campaign image (for the purposes of the Campaign's application and reference to the retail store front, on whose windows the Campaign image is affixed). In addition, the advertiser's website domain name WWW.SIRTHELABEL.COM has been superimposed across the lower half of the Campaign image, and the words "COMING THIS SUMMER" (and the email address CAREERS@SIRTHELABEL.COM) are featured on side panels of the Campaign imagery.

SIR has reviewed and strongly disagrees with the concerns expressed in the Complaint that the Campaign is degrading to women or sexist, perpetuates gender stereotypes, or portrays women as inferior to men.

The Campaign does not insinuate or portray any of the female characters in a manner which discriminates against, or vilifies them on account of their gender. Similarly, the Campaign does not employ sexual appeal. Alternatively, the Campaign does not employ sexual appeal in a manner that is exploitative or degrading of the female characters portrayed.

SIR is a responsible advertiser and takes the AANA Advertiser Code of Ethics (Code) into consideration during the campaign creation, marketing planning and production process.

1.2 SIR Resort 2022 Campaign



SIR wishes to provide the Community panel with some general context in relation to the characterisation and narrative employed in its Resort 2022 Campaign (Campaign).

The SIR Resort 2022 Campaign tells a tale of coming home, of finding home in the unlikeliest of places, and of protecting it. It is also a moment of departure - born at a moment in time where the world was in confinement; the collection pushes forth with a feeling of desire to reclaim freedom.

The magical place portrayed in the Campaign, edging on Western Australia's tip, could be mistaken for Mars. Anchoring the storyline for SIR Resort 2022, this is a land held in balance by its traditional Aboriginal custodians and elders, and a place of special significance for SIR founders Nikki Campbell and Sophie Coote.

Unapologetically Australian, SIR Resort 2022 draws inspiration from summers past, refracting them through a thoroughly modern lens. In the campaign, the cornerstones of freedom and nostalgia are explored through cacophonous juxtaposition. The spirit of the SIR sisterhood is ever-present in the Campaign as muse Charlee Fraser reprises her role, joined this time by Lili Sumner, Manahou Mackay and Abeny Nhial. Ever-changing hair and make-up put further emphasis within the Campaign on individuality and chameleonic nature. Ragged, choppy haircuts are imbued with a do-it-yourself attitude, while make-up crescendos from barely-there roughness to iridescent colour or smudged reds and pinks caked in dashes of white clay.

And so, in coming home, the Resort 2022 SIR woman sheds her sweetest, more romantic guise. She has grown - bolder and more confident. SIR's signature minimalist aesthetic is taken to new heights, injecting a sense of fun and modern verve into the brand's fundamental signature shapes. There are also gentler moments: backless dresses with gently ballooning sleeves, rendered in white or in the season's vintage print, or semi-sheer linen pieces complete with delicate smocking.

Home, then beyond the horizon, the SIR women continue to evolve and prosper, finding fearlessness and freedom.

The Campaign imagery contains no text or language other than the advertiser's brand name "SIR", an acronym for "Separates, Intimates, Ready-to-wear" apparel, featured in bold, white, capitalized font. The inclusion of the advertiser's website WWW.SIRTHELABEL.COM, also in white capitalized font, reinforces that "SIR" is the advertiser's brand name. Finally, the words "COMING THIS SUMMER" are included (comprising a dual reference, to the opening of the Bondi retail store on whose windows the Campaign imagery is affixed and the arrival of the Resort 2022 collection of high fashion garments, as featured in the Campaign imagery).

2 AANA Advertiser Code of Ethics

We refer to Sections 2.1 and 2.2 of the AANA Code of Ethics effective 1 February 2021 (the Code) regarding advertising that is:



a) found to discriminate or vilify (Section 2.1); or

b) deemed to be exploitative or degrading (Section 2.2).

SIR takes great care in ensuring that any advertising or marketing campaigns are created in compliance with the Code. The Campaign is not intended to be, nor is it suggestive of any gender stereotype, and neither does it discriminate against any gender in any way.

2.1 AANA Code Section 2.1 – Discrimination or Vilification / Gender

SIR understands the requirement pursuant to Section 2.1 of the Code that advertising 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 (amongst other defined attributes).

The Practice Note for Section 2.1 of the Code defines “Gender” as “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 Practice Note for Section 2.1 goes on to elaborate on the above, defining:

a) *“Discrimination” as “unfair or less favourable treatment”; and*

b) *“Vilification” as “humiliation, intimidation, incites hatred, contempt or ridicule.”*

2.1.1 The Campaign does not depict the female characters in manner that is unfair, or would be likely to humiliate or incite contempt or ridicule of women, based on their gender.

2.1.1.1 The Campaign depicts the female characters in various, highly stylized poses. All of the female characters wear high fashion garments, taken from SIR’s Resort 2022 Collection.

2.1.1.2 The Campaign contains no language or imagery to indicate that the female characters are represented in a humiliating or less favourable manner, based on their gender.

2.1.1.3 The reference to ‘SIR’ in the Campaign is not a reference to a male character, but rather to the SIR brand name, an acronym for “Separates, Intimates, Ready to Wear”. This is clear from the inclusion of the domain name WWW.SIRTHELABEL.COM in white capitalized font, featured across the centre lower half of the Campaign image.

2.1.1.4 SIR notes, in response to the complaint received, that the female characters in the Campaign are not portrayed as crawling toward a male character. There is no male character depicted or implied by the Campaign. Further, it is clear that the



crawling figures are not crawling toward the 'SIR' brand name: three of the five crawling figures self-evidently crawl beyond, and away from, the positioning of the 'SIR' brand, and toward the rocky, higher ground, located in the background (at the top edge) of the Campaign image. In addition, those three figures are not looking (backwards) in the direction of the 'SIR' brand. The two other crawling (and one side-seated) models, positioned in the foreground of the Campaign image, are similarly not looking toward the 'SIR' brand name, but alternatively raising their faces to the sun, or looking toward the other female characters (their peers) in the background of the Campaign image.

2.1.1.5 All of the female characters are fully dressed. The characters are alternatively sitting, or moving towards something (or some place) in the top half of the Campaign image, which appears as a higher, rocky ground.

2.1.1.6 The female characters are not depicted in distress or as being held against their will.

2.1.1.7 The female characters are portrayed as confident and in control of their own actions. Some of the female characters look back at each other, while others raise their faces to the sunlight.

2.1.1.8 It is not discriminatory to use imagery of female characters to advertise clothing, where those females are not depicted in a demeaning manner. The female characters in the Campaign are not depicted in a way which could be considered demeaning, or which discriminates against, or vilifies them. (In that regard, SIR refers the Community Panel to comments made in the determination of case no. 0155-16.)

2.1.2 There is no reduction of the female characters in the campaign to sexual objects, nor any representation that they are positioned for men's pleasure, such as to present them in a manner which could be deemed degrading or less favourable.

2.1.2.1 The female characters are not positioned within the Campaign imagery in a manner that implies any degree of sexuality or servility, as alleged in the complaint.

2.1.3 The female characters are not represented as, nor reduced to, "products for sale" such as could be considered humiliating or degrading.

2.1.3.1 There is nothing in the Campaign that objectifies the female characters, or suggests they are available for sale. Rather, the Campaign features the female characters wearing the garments that SIR is advertising for sale. (In that regard, SIR refers the Community Panel to comments made in its determination of case no. 0471-18.)

2.2 AANA Code Section 2.2 - Exploitative or Degrading (Women)

SIR understands that Section 2.2 of the Code requires that advertising shall not employ sexual appeal:



- a) *where images of Minors, or people who appear to be Minors, are used; or*
- b) *in a manner which is exploitative or degrading of any individual or group of people.*

The AANA Practice Note, which provides guidance on Section 2.2 of the Code, elaborates. SIR notes that the term “sexual appeal” is undefined, but would be considered by the Community Panel to include “images such with a suggestion of sex, some nudity, a sexual pose or tight clothing.”

The term “Exploitative” is defined by the AANA Practice Note to mean:

- a) *“taking advantage of the sexual appeal of a person, or group of people, by depicting them as commodities; or*
- b) *focussing on their body parts where this bears no relevance to the product or service being advertised.”*

The Practice Note defines “Degrading” as “lowering in character or quality a person or group of persons”.

2.2.1 The Campaign does not employ sexual appeal.

2.2.1.1 The Campaign does not represent or portray the featured female characters in any manner that could be deemed to embody “sexual appeal”, such as has been considered by the Community Panel in previous determinations.

2.2.1.2 The positioning of the (fully-clothed) female characters in the Campaign does not evoke any suggestion of sex, nudity, or sexual poses. The female characters are portrayed as highly stylised, avante garde figures, each moving across the red dirt plains towards a higher ground, where certain other female characters stand waiting.

2.2.1.3 There is no nudity or sexuality depicted. The female characters are fully clothed, each wearing various long and short styles of dress, featuring an identical floral print, and which represent styles from the SIR Resort 2022 Collection.

2.2.2 Alternatively, there is no sexual appeal used in a manner that is exploitative or degrading to any individual or group of people.

2.2.2.1 There is no objectification of the women portrayed, nor depiction as an object or commodity.

2.2.2.2 There is no employment of sexual appeal with images of minors. The models used in the campaign are clearly adults of consensual age.

2.2.2.3 The Campaign does not have any particular focus on the bodies, or any particular body part, of the featured female characters, such as could be considered to bear no



relevance to the product or service being advertised. Alternatively, if there is a focus on particular body parts, then the depiction of the female characters in that regard is relevant to the style of clothing promoted for sale. (SIR refers the Community Panel to its earlier decision and comments in case no. 0471-18 and case no. 0253-16).

2.2.2.4 The female characters portrayed in the Campaign are fully dressed, and pictured wearing garments (specifically high fashion dresses, in long and short styles and featuring an identical floral print) from SIR's Resort 2022 Collection, and which are soon to be made available for sale by SIR.

2.2.2.5 The use of female characters in the Campaign is not of itself exploitative, particularly when those female characters are featured wearing garments, which are the direct focus of the advertisement. The female characters are directly relevant to the products being advertised for sale. (SIR refers the Community Panel to its earlier decision and comments in case no. 0040-21).

2.2.3 The portrayal of the female characters featured in the Campaign is directly relevant to the promotion of the advertiser's (clothing) products.

2.2.3.1 The female characters' bodies are largely covered, and are depicted from various angles, which has the effect of providing viewers of the Campaign with a more comprehensive representation of the relevant garments.

2.2.3.2 The angles and positioning of the female characters are entirely relevant to an advertisement for fashion clothing, in so far as the garments are depicted from various angles. (SIR refers the Community Panel to its earlier decision and comments in case no. 0040-21).

2.2.3.3 In addition, the figures wearing a shorter dress style have been dressed in knee length, purple socks. In that regard, SIR submits that these character cannot be considered to be dressed in a manner which could be deemed as overtly sexual or revealing, such that it is irrelevant to the promotion of the advertised products.

2.3 Other Sections of the Code

The Campaign does not breach any of the remaining Code Sections 2.3 to 2.7.

2.3.1 Section 2.3 – Violence

2.3.1.1 The Campaign contains no imagery that could be considered to represent or portray violence, toward the female characters or otherwise.

2.3.2 Section 2.4 – Sex, Sexuality and Nudity

2.3.2.1 As set out at paragraph 2.2 above, the Campaign does not contain sex or nudity.



2.3.2.2 The Campaign does not include sexuality, or alternatively, does not contain overt sexuality that could be deemed inappropriate when considering the relevant audience – SIR’s core customer being female consumers aged between 18 and 35 years.

2.3.2.3 SIR notes that due to the Campaign’s positioning in a public place, the Community Panel may take a broader view of the relevant Campaign “audience” and may deem that audience to include children.

2.3.2.4 The female characters are not employed in sexual or sexually compromising poses. All are portrayed fully clothed, wearing high fashion garments. The Campaign imagery would certainly not be considered contradictory to Prevailing Community Standards.

2.3.2.5 The female characters are depicted wearing the advertised products, being fashion clothing. The garments worn by the female characters in the Campaign, are depicted in the manner they are intended to be worn. (In that regard, SIR refers the Panel to comments in its determination of case no. 0253-16, regarding the depiction of garments on models’ bodies, in the context of items which are available to purchase, and which are in keeping with current fashions.)

2.3.2.6 As such, the Campaign complies with the requirement of Section 2.4 of the Code, that advertising shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

2.3.3 Section 2.5 – Language

2.3.3.1 The Campaign does not include strong or obscene language.

2.3.3.2 The Campaign features the advertiser brand name ‘SIR.’, and website domain name ‘www.sirthelabel.com’, with the only other additional text being the words “COMING THIS SUMMER”, to indicate the arrival date of the Resort 2022 Collection, as featured in the Campaign imagery (as well as the opening date of the store on whose windows the Campaign is applied).

2.3.4 Section 2.6 – Health and Safety

2.3.4.1 The Campaign contains no material contrary to Prevailing Community Standards on health and safety.

2.3.5 Section 2.7 – Distinguishable as Advertising

2.3.5.1 The Campaign is clearly distinguishable as advertising. The ‘SIR’ brand is centrally featured in large, bold, capitalized, white font across the photographic images, denoting the identity of the advertiser. Also clearly featured is the domain name ‘www.sirthelabel.com’ in smaller, white, capitalized font located across the centre, lower half of the Campaign image, and the email address



'CAREERS@SIRTHELABEL.COM' in smaller, capitalised, white font located across the lower half of the LHS window panel image.

In addition, the Campaign is featured across a retail store window.

3 Additional information

3.1 SIR – Brand and Background

Taking its name from an acronym, meaning, “Separates, Intimates and Ready-to-wear”, SIR promotes a conscious approach, continuously evaluating its social and environmental impact to facilitate educated and sustainable business growth. Gearing all brand operations towards a more sustainable future, relationships with makers and energy-efficient production models are supported by mandates of inclusivity, diversity and transparency, reflecting care confidently back into each of the brand's designs. The brand works actively to effect change and uphold its core values, working with people, planet and partners to implement fair and inclusive standards, reduce environmental impact and give back to the community.

Established in Australia in 2014 by Nikki Campbell and Sophie Coote, SIR has garnered international acclaim for its singular aesthetic, centred on sustainable basics and distinct, minimalist silhouettes. Neutral tones and delicate fabrics form the foundation of the SIR offering, punctuated by thoughtful feminine details designed to complement the body.

In addition to global market recognition of the brand, SIR is the registered owner of Australian trade mark registration no. 1640338 and US trade mark registration no. 6383832, for its brand name, “SIR THE LABEL”, registered in respect of clothing, footwear and headgear, retail clothing stores, and clothing and fashion design services (in classes 25, 35 and 42, respectively).

Spearheaded by two women, SIR currently employs 21 female employees, comprising 88% of the brand's workforce. These (long-standing) employees have played vital roles in shaping the business to date, and SIR considers them integral to the brand's continued success. Within the business, a supportive and nurturing culture has been forged, whereby all employees are uplifted, encouraged and guided to achieve their goals. This culture radiates through all avenues of the SIR business: from head office, to retail stores and offshore manufacturers.

SIR was created to deliver wardrobe staples women can rely on to feel empowered and confident as they move through their everyday life. This notion is, and has been, carried through every facet of the SIR business over the past seven years - from collection conceptions, to visual campaigns, and long-standing partnerships forged in support of women.

Throughout the brand's history, SIR has nurtured a growing cohort of muses who have regularly featured in the brand's campaigns and who continue unwaveringly to



support the SIR brand. Each collection introduces new muses to the ever-growing SIR family, establishing a sense of community and sisterhood as a cornerstone for the brand. This collective of women are fundamental to SIR's brand and celebrated for their strong sense of self and their admirable achievements; their stories told through the "YES SIR" platform, as featured on the SIR website and via creative collaboration, with a common goal being to share stories of inspirational women with the broader SIR community.

SIR's campaigns are anchored on the pillar of sisterhood and are reflective of the diverse tight-knit community of women who encompass the SIR brand. SIR explores this sentiment through an ongoing time-travel lens, brought to life with visual storytelling of an evolving exploration of what it means to be a woman today, and the many facets of womanhood.

Successive SIR Campaigns follow the journey of these women from the beginning of time, through new stages of evolution, as new worlds are discovered, and as the female protagonists discover themselves, through artistic representation of exploration, often depicted with the land and environment as an anchoring point.

A sense of storytelling is another fundamental pillar, reflected in spectacular locations that celebrate quintessential Australia and beyond, imbuing each brand touchpoint with a sense of travel and wonder. Translating its collections into an ongoing narrative, SIR aims to continue nurturing emotional connection with its clients and followers, whether through brand image or its conscious business practices.

Exploration through movement is a key motif throughout SIR's successive campaigns, and in particular, this was a focus in SIR's Spring Summer 2021 campaign imagery, as women and men moved on the same playing field. The characters' movement within this particular campaign is embodied in different forms; crawling, climbing, wandering and wading. The focus was directed not to the specific manner in which the characters were seen to move, but rather, to the encouragement and empowerment the characters receive from nature's elements, as is often the consequence of exploration, in its many forms.

SIR's Spring Summer 2021 campaign was the start of this particular story (continued in the Resort 2022 Campaign). A group of protagonists arrives at the beginning of the world, to an unknown land, ready for exploration. The cast, including a man, are seen exploring this new world as they move through the scenes, wading through water, climbing jagged rocks and crawling through sand, and in doing so, discovering their connection to the environment, to each other, and to themselves. Images from the Spring Summer 2021 campaign can be seen in Appendix B.

The Resort 2022 Campaign is an evolution of this journey, taking form in a new world. The cast are grown, and more confident as they navigate this "new world", exploring the land below them as they crawl to explore, and ultimately finding a point of higher ground they are reaching for, in order to claim the narrative that is their own. The cast, superimposed to represent the power of coming together, to support and uplift



each other as they reach their higher selves, artistically represents the continued notion of a SIR sisterhood.

Externally, SIR has also cultivated long-standing partnerships to uplift and support women in vulnerable communities. These partnerships are integral to the core values of the brand.

3.2 Additional Creative Context – SIR Resort 2022 Campaign

SIR's creative director for the Campaign wishes to provide the Community Panel the following additional creative context:

"It is with great disappointment that I address the formal complaint received against my advertisement campaign for SIR.

First, the brand name 'SIR' is an acronym standing for Separates, Intimates and Ready-to-Wear, and does not, nor has ever alluded, to a male figure. The brand is spearheaded and co-owned by women and employs a vast majority of female employees (88%). I have great admiration for the company and their values, which align with my own.

Throughout my career and involvement with SIR, I always sought to uphold diversity and female empowerment to the best of my abilities. I have functioned as creative director for most of the brand's advertising campaigns shot since 2019 (Resort 2020 being the first season), and I am myself female. Several of my team members, including my agent, producers, make-up team and hair assistants, are female.

The evolving, broader storyline that I have developed for the SIR brand since Resort 2020 centres on the core pillar of sisterhood explored through an ongoing time-travel lens. The theme of sisterhood has been highlighted as the essential pillar to drive the entire brand aesthetic, as this was something that already highly resonated in the base connection between the brand and its clients - a very tight-knit community of like-minded women. Another central theme I wished to highlight throughout our campaigns is an evolving exploration of what it means to be a woman today, and the many facets of womanhood - sometimes gentler, sometimes powerful, and self-assured about their own sexuality.

Resort 2022 (the season relating to the complaint) centres around a story of female power and fearlessness; our four female protagonists embody the characters of bell-makers and shape-shifters, living in a self-sufficient community at the edges of the world; the echelons of a new civilisation, they represent a search for freedom and individuality. The campaign is also about finding a home in the unlikeliest of places and protecting it at all costs. It is an unapologetic celebration of Australia and all the wonders its landscapes offer. Tinged with nostalgia, the campaign is also about growing up - shedding one's sweeter guise and becoming true to oneself, bolder and more confident. The models included in the campaign include a South Sudan-born, Australia-raised female model, an Indigenous Australian female model, a female model from New Zealand and a Maori trans female model."



3.3 People And Initiatives

SIR wishes to provide the Community Panel with additional information about its external partnerships, which focus on uplifting and supporting women in vulnerable communities or those facing challenging social, cultural and economic conditions.

3.3.1 The Batchelor Institute of Indigenous Tertiary Education

The Batchelor Institute is a not-for-profit organisation that 'brings together Indigenous Australian traditions of knowledge and Western academic disciplinary positions and cultural contexts, and embraces values of respect, tolerance and diversity'.

"As an Australian business that built our success in the fashion industry through technology, this partnership is very synergistic. The projects that the institute runs focus on the progression of fashion with technology, so, naturally, we're thrilled to be working together."

(Sir Co-founder, Nikki Campbell).

Donations from SIR enabled the institute to digitally print student artworks onto fabrics, which were then made into garments, and showcased for the first time at the Darwin Aboriginal Art Fair's runway. SIR's donations will be further utilised in future projects as a part of its ongoing partnership with the Batchelor Institute.

SIR and The Batchelor Institute continue their partnership with the development of an ongoing, tiered mentorship program with students, consisting of lectures presented by the SIR team, with the aim of helping students understand the various aspects of a fashion house, from design to day-to-day business operations.

3.3.2 Worn for Good

Worn for Good is a social enterprise that gives back 100% of profits to charities that support women. SIR regularly donates items to Worn For Good in aid of their support of vulnerable women.

On International Women's Day SIR joined forces with Worn For Good, in support of Women's Community Shelters who work to protect women escaping homelessness and domestic violence. SIR donated items from its Spring Summer 2021 collection, which were available to shop via Worn For Good, with 100% of profits going to Women's Community Shelters.

3.3.3 Thread together

With a mission to deliver new, high quality clothing to people doing it tough, Thread Together have restored dignity and hope for women, men and children by providing complete wardrobes of clothes.



SIR has a long-standing relationship with Thread Together, making regular donations to the cause and providing women with clothing to empower as they rebuild.

3.3.4 i=change

SIR gives back with every sale through its partners at i=change. \$1 from every online sale made via the SIR website is donated to one of three charities, chosen by the customer at the online checkout.

The women's focused charities SIR has chosen to support through i=change include Dress for Success, Women's Community Shelters, National Breast Cancer Foundation and UN Women – End Violence Against Women.

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 complainant's concern that the advertisement is degrading and sexist.

The Panel viewed the advertisement and noted the advertiser's response.

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 - male, female or trans-gender characteristics.

Does the advertisement portray material in a way which discriminates against or vilifies a person on account of gender?

The Panel noted the complainant's concern that the advertisement is degrading and sexist by depicting women as crawling in a servile manner towards the word "Sir", suggestive of them crawling towards a male authority figure.

The Panel considered the advertiser's response regarding the artistic direction of the campaign, in that it is intended to depict the woman moving towards the peak of a rock face, however the Panel noted that the peak is not apparent in the advertisement.



The Panel considered that while the women are depicted crawling, there is a theme of strength and of them continuing to push forwards as a group, rather than an impression of submission or surrender.

The Panel considered that there is no man in the advertisement. The Panel noted the advertiser's submission that the brand name SIR is an acronym for Separates, Intimates & Ready-to-wear and considered that the interpretation that the women are crawling for or towards a man is unlikely to be shared by the broad community.

Section 2.1 conclusion

The Panel considered that 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 gender and 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 four women in various poses and placements. The Panel noted that the women are fully dressed, and although some are depicted crawling there is no focus on their bodies and the imagery is not sexualised.

The Panel considered that the advertisement did not contain sexual appeal.

Section 2.2 conclusion

Finding that the advertisement did not employ sexual appeal in a manner which is exploitative or degrading of an individual or group of people, the Panel determined that the advertisement did not breach Section 2.2 of the Code.

Conclusion

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