



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0353/12</b>
<b>2</b>	<b>Advertiser</b>	<b>ShearEwe</b>
<b>3</b>	<b>Product</b>	<b>Professional Service</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Internet - Social</b>
<b>5</b>	<b>Date of Determination</b>	<b>12/09/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Upheld - Modified or Discontinued</b>

### ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women

### DESCRIPTION OF THE ADVERTISEMENT

Image of a woman wearing a pink jumpsuit reclining on a chair whilst a man appears about to shear her as if she were a sheep. The text reads, "Shear Ewe Livestock Services. Taking the hard work out of hobby farming".

### THE COMPLAINT

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

*I read with interest that a recent complaint about this ad was upheld by you and yet the company continues to defend and use the ad as their 'profile' picture on their Facebook page which I find insulting and an example of self regulation not working. Would you please look into it. As per the original complaint the ad is sexist commodifies the women and demeans her by presenting her as an animal. She is also being held down by the male who is in a position of dominance.*

### THE ADVERTISER'S RESPONSE

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

*As the complaint seems to be aimed at both us and the ASB, because it has claimed we have been non-compliant, we would just like to state clearly that we complied with the ASB's initial decision to remove the ad from our business flyer. We were not instructed to remove any other advertisement however we reduced the picture on our Facebook page from the main banner to the small profile picture which includes our business information in writing over it. A very good reason for keeping this picture was to allow the average person to take a look at it and have their own opinion, which did attract a lot of attention. Before dealing with the second part of this Facebook complaint we would like to reiterate that we are a very small business, we do not have a big advertising campaign, in fact we do most of it ourselves. The picture was simply taken (with permission) and used from another advertising campaign in Norway where surveys had been done to show that 94% were not offended by the photograph. This being said we welcome the opportunity to be able to once again defend our advertising.*

*Section 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. We would like to start with the statement that the ad is sexist, commodifies the women and demeans her by presenting her as an animal. As you can see there is only one woman in this photograph, Kari Traa, having her woollen jumpsuit cut away from her leg by a male shearer. 1. - Most shearers are male 2. - To shear a sheep you are trained to use a cutting device in a safe manner, much the same as a hairdresser 3. - The better the shearer, the less danger they represent to the animal 4. - The model is obviously the main object in the photograph 5. - The objective of the advertising campaign before we used it, and our objective as well, is to relay trust in the shearer, so therefore no danger and the whole point of having a model there rather than a sheep is to point out the fact that there is no danger and that the shearing is well executed, in fact so good that you would trust the shearer to cut a tight fitting thermal garment away from your body 6. - In context with the advertising, the model is a necessary part of the message and can be portrayed as mildly amusing but not demeaning at all; although the model is being portrayed as being sexy the point of the advertisement has nothing to do with her sex appeal but more the appeal of being in the safe hands of the shearer 7. - The distinction whether she is being portrayed as an animal or not is derived from the fact that the shearer would usually shear sheep and that shearers either side of him are doing just that, however she is obviously not a sheep, in fact she is dressed in bright pink, there is no part of the costume that suggests that she is a sheep. Rather the point is to imply the shearer would see the sheep as important as a beautiful woman and to take care not to harm 8. - In context with the purpose of the advertising it is in fact essential that she be seen as an important human or VIP and not as an animal. In fact the campaign is more obvious in this regard than the distorted point of view of the complainant As seen in the above explanation ShearEwe has not discriminated against or vilified a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief*

*Section 2.2 - Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people. In regards to the second statement in the complaint that "she is also being held down by the male who is in a position of dominance" 1. - In the shearing process the shearer has to be in a position of control which although can be perceived as 'dominance' does not necessarily have to be; ask any hairdresser, dental surgeon etc. 2. - The position she is seated in is regarded to be a shearing position among those in the industry 3. - It is very obvious that the model is holding herself up with her own arms, and not being restrained by any restraints and therefore is in that position of her own free will 4. - In the picture the shearer has only one hand lightly resting on her upper arm as the other hand is being used to hold / use the shearing implement.*

5. - *The shearers hand on her arm is mildly cupped with the thumb on the outside; in this way he is unable to grip her at all. You can clearly see that it is not clenched or grabbing her arm at all but merely resting there, in fact if anything he is assisting her to hold herself up unlike the shearer to the right of the picture who is firmly holding the sheep down with an open spread out hand in order to shear it* 6. - *The shearer is also bent over with his head down, concentrating on the work he is doing and clearly not displaying dominance. The look on Kari Traa's face and her body language displays nothing but confidence and trust, which is how we like to portray the industry* 7. - *Even though the picture may portray the 'potential' for nudity there is actually no unacceptable nudity, far less than a full piece bathing suit seen on a beach. It is merely the minimal amount necessary to demonstrate the skill of the shearer* 8. - *We agree the picture congers up feelings that mean different things to different people but it does this without actually portraying any sex violence or discrimination. This may make it controversial or inspiring but that does not mean it is non-compliant, but rather it is a well thought out and well executed work of art In summary, the complainants are claiming breaches on a photo that only shows potential for those breaches and that in context the photo does not actually or specifically breach the code at all, and they base this on their own opinion of the photograph and not what is actually there. We believe it complies without exaggeration of context and without a distorted perspective, therefore the ASB having common sense should see it as it is, light-hearted and humorous, not degrading or demeaning or discriminating as the majority sees it; and uphold their code as it is and not as it may potentially be perceived and dismiss the complaint and possible future complaints.*

## **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 is offensive and is objectifying and demeaning to women.

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

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board then considered whether the advertisement complied with Section 2.2 of the Code which 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 image of the woman depicted as a ‘sheep’ about to be shorn which is

featured on the Facebook page for ShearEwe.

The Board noted it had recently upheld this image in the medium of ‘mail’ (reference 0239/12) where it found:

“... the image makes use of the woman’s sexual appeal and attractiveness. The Board noted that advertiser’s response that the image uses an artistic work which was used as part of promotional material during a shearing competition.

The Board considered that the image depicts the man in a position of power and the woman in a submissive position. The Board also considered that the image depicts the woman in a position in which she is compared to an animal, with a suggestion also of commodification (i.e. that there is, as there is in shearing, many others to be shorn).

The Board considered that the representation of the woman as a sheep being shorn was irrelevant to the service advertised. The Board considered that the impact of the advertisement as a whole is exploitative of women and is also degrading. The Board determined that the advertisement breached section 2.2 of the Code.”

The Board noted the change in medium and that the advertisement is available on the advertiser’s Facebook page. The Board noted however that the issue of relevant audience does not apply to Section 2.2 of the Code and consistent with its previous determination the Board considered that the image of the woman being sheared is exploitative and degrading and that it does breach Section 2.2 of the Code.

Finding that the advertisement breached section 2.2 of the Code, the Board upheld the complaints.

## **ADVERTISER RESPONSE TO DETERMINATION**

The Advertiser confirmed they will remove the image from their Facebook page as soon as they can.