



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0368/16</b>
<b>2</b>	<b>Advertiser</b>	<b>Western Australian Local Government Association</b>
<b>3</b>	<b>Product</b>	<b>Community Awareness</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>14/09/2016</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.6 - Health and Safety Within prevailing Community Standards

## DESCRIPTION OF THE ADVERTISEMENT

We see a male and female couple in a bedroom room. The male is dressed, sitting on the foot of the bed looking at his phone while he waits for his girlfriend to put the finishing touches on her outfit in front of the mirror. As she looks at herself in the mirror she poses the question to her boyfriend, "Does my bum look big in this". The boyfriend is caught off guard, not sure how to answer the question. The TVC then cuts to a full screen shot of the WALGA website [www.knowyourcouncil.com](http://www.knowyourcouncil.com), and a VO describes it as the place to get straightforward answers on Local Government issues.

## THE COMPLAINT

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

*This is sexist, body shaming and inappropriate for young people to see in regards to their body image.*

## THE ADVERTISER'S RESPONSE

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

*In responding to all aspects of Section 2 of the AANA Advertising Code of Ethics, we state that the ad in question does not portray people or depict anything which discriminates against or vilifies a person or section of the community (relating to race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief).*

*We would like to address some of the concerns and provide commentary relating to our advertising approach and the specific claims raised against Section 2 of the AANA Advertiser Code of Ethics. The television ad in question is one within a suite of four commercials designed to expose a human truth whereby every day we are asked questions to which we are often given misleading or confusing answers. In this particular commercial we show a confident, mature woman admiring herself in the mirror as she prepares to leave the house with her boyfriend. She then asks a question which most people have asked of their partner, irrespective if they are male or female. We have used a common moment experienced by most couples to dramatise the point that we can sometimes get non-straightforward answers to our questions.*

*Other versions in the suite of ads involve a lady receiving an awkward gift from a friend and being asked if she likes it; or a young girl asking her mother innocently where do babies come from. All scenarios pose a common situation we have all been in where we are likely to receive an answer to our question that is not all that clear.*

*With regards to section 2.6 of the AANA Code of Ethics - Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety, we would like to make the point that this commercial does not contravene this in relation to Body image/self-esteem. Our lead female talent is confident in her body and not overweight. The commercial is addressing her choice of pants, not her body shape. She is a mature woman who would not be confused as a young woman or child. Her body shape is fit and healthy and she is confident with her wardrobe selection, with one slight question over her jeans for which she turns to her boyfriend for clarification.*

*We don't consider any other categories within section 2.6 to be relevant to the complaint or likely to be relevant to 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 features a woman asking if her bum looks big in the clothes she is wearing which is sexist.

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 this television advertisement features a woman looking at herself in a mirror then asking a man, who is sitting on a bed next to where she is standing, if her bum looks big in the clothes she is wearing.

The Board noted the complainant's concern that the advertisement is sexist.

The Board noted that it is the woman asking the question about her appearance and considered that the advertisement does not suggest the woman should be concerned about how she looks, or that women in general should be asking this question. The Board noted that the man does not reply to the woman's question and considered that the depiction of a woman asking a man a common question is not of itself discriminatory against or vilifying of women but rather is playing on a stereotype of women being worried about their appearance and a stereotype of men being uncomfortable about being asked about women's appearances. The Board noted that the comedy in the advertisement comes from the man's discomfort at being asked about the woman's appearance and considered that there is no suggestion that the woman should be judged or mocked over how she looks.

Overall the Board 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.

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 the advertisement depicts a woman seeking confirmation on her appearance and considered that the scenario presented is one which would be familiar with many members of the community. The Board noted that the man does not provide a response to the woman's question and considered that there is no suggestion that the woman is being shamed for her appearance but rather that she has asked her partner a question he clearly feels reluctant to answer.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards on healthy body image.

The Board determined that the advertisement did 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.

