



Case Report

1	Case Number	0386/10
2	Advertiser	Status Anxiety
3	Product	Retail
4	Type of Advertisement / media	Print
5	Date of Determination	27/10/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Disability

DESCRIPTION OF THE ADVERTISEMENT

A man dressed like a homeless person, lying on some cardboard with a status anxiety wallet in his hand.

THE COMPLAINT

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

Initially I thought the ad was in support of people with an anxiety disorder, a serious mental health illness. On closer inspection I realised it was an ad for a brand of wallets. It made light of the seriousness of mental health issues and was in extremely poor taste. It only serves to increase the stigma associated with mental health issues.

THE ADVERTISER'S RESPONSE

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

I would like to raise attention firstly to the issue which the complainant addressed. Firstly that anxiety is a serious social issue. This is precisely what our business is about, raising

awareness of the irony of the fashion industry and how people will, at any cost purchase symbols of status whether they can afford it or not. The unkept man (a friend of mine) is intended to symbolise all people through the use of exaggeration (commonplace in all forms of advertising) who are striving to be 'successful' and to have the right car, live in the right suburb, or to be wearing the right labels (even a wallet label).

It would be right also for us to note that in previous advertising campaigns we have used a wealthy looking person, dressed in the coolest clothes, standing next to his Audi R8 sports-car, but in the background is a very average looking house in a very average looking suburb. The point is that this is not discrimination, but rather an advertisement which is playing on the fact that ALL people (whether you have much or nothing) have some form of status anxiety. If we were to give in to the minority who have complaints such as this, we would have to censor most of what we read, see and hear through the myriad of forms of communication that our society has today.

I might also add, that rather than making light of people less fortunate, our business is actively involved in a financial capacity with a number of charities.

I hope that common sense will prevail and this matter dismissed.

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 makes light of the seriousness of mental illness and is in poor taste.

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

The Board considered whether the advertisement was in breach of section 2.1 of the Code. Section 2.1 of the Code states: “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 .. disability..”.

The Board noted that the issue of poor taste is not one which falls under the provisions of the Code.

The Board noted that the advertisement features a man lying on the ground in front of a cardboard recycling repository. The man is lying on his side and has a wallet in his right hand. The Board noted that the man has the appearance of someone with no fixed abode.

The Board considered that the message of the advertisement was not very clear and that the tagline of “Status @ any cost” could be interpreted in a number of ways. The Board considered that despite the unclear advertising message, most members of the community would not interpret the advertisement as portraying a link between the image of the man and mental illness.

The Board noted that some people, including the complainant, could consider this advertisement to be in poor taste; however the image does not amount to discrimination or vilification of a person with a disability.

The Board determined that, in this instance, the advertisement did not depict any material that discriminated against or vilified any person or section of society on account of their disability. The Board determined that the advertisement did not breach section 2.1 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.