



Case Report

1	Case Number	0477/17
2	Advertiser	General Pants Group
3	Product	Clothing
4	Type of Advertisement / media	Poster
5	Date of Determination	22/11/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

- Other Social Values
- 2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

The advertisement is a large store poster featuring a collage of images of young people in various poses. One man in the advertisement has his middle finger up towards his open mouth.

THE COMPLAINT

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

What am I supposed to tell my young child when he decides to copy that at school to peers to his teacher? Since when is the middle finger up acceptable?

A few metres down there is a childcare area. This is poor taste to expose children to such an image. I feel that this image is not appropriate to be displayed in a shopping centre. This is not age appropriate. For me to be walking around shopping with my children and my friends children and see this image clearly plastered on the outside of a clothing shop is appalling and a violation.

THE ADVERTISER'S RESPONSE

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

Thank you for taking the time to communicate to us why you feel our campaign was an issue, we have every desire to address your needs and provide you with any information required for the complaint response.

Whilst the intention of our editorial campaign was to be an expression of youth angst and modern day culture, we are sincerely apologetic to anyone who found our image to be inappropriate and we may have been upset. This was an error in our judgement.

Please accept our sincerest apologies for any inconvenience caused.

Again we appreciate your feedback and will take the social values on board for future campaigns.

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 complainants’ concerns that the advertisement depicts an image of a young male holding his middle finger up toward his mouth and is not appropriate to be viewed by children.

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

The Board considered whether the advertisement was in breach of Section 2.5 of the Code (including Prevailing Community Standards). Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided”.

The Board noted the complainants’ concerns regarding an image portrayed in the poster of a young person holding his middle finger to his mouth and the impression the advertisement may have encouraged or endorsed children to use inappropriate language. The Board also noted that the advertising material appears on a poster within a shopping centre and is visible to a broad audience that would include children.

The Board noted that the advertisement is for a fashion clothing brand called General Pants and is a large store poster featuring a collage of images of young people in various poses. The Board noted that one young man in the advertisement has his middle finger up towards his open mouth. The Board’s view was that this image is mild in nature and non-aggressive.

The Board noted that there is a genuine level of community concern about strong or inappropriate language (Community Perceptions Research, https://adstandards.com.au/sites/default/files/community_perceptions_report_2012.pdf, 2012) particularly where children are exposed or included.

The Board noted that whilst most members of the community would not expect an image to be displayed of a teenager holding their middle finger up it considered that the overall tone of

the image is not aggressive and with the finger touching the boy's mouth there is less impact and did not promote anti-social behaviour or endorse inappropriate language.

The Board considered that the advertisement did not use strong or obscene language and considered that the depiction in this context was not inappropriate and determined that the advertisement did not breach Section 2.5 of the Code.

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