



## Case Report

1	Case Number	0543/17
2	Advertiser	Cheap as Chips
3	Product	Retail
4	Type of Advertisement / media	Print
5	Date of Determination	06/12/2017
6	DETERMINATION	Upheld - Not Modified or Discontinued

### ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading
- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.6 - Health and Safety Within prevailing Community Standards

### DESCRIPTION OF THE ADVERTISEMENT

A catalogue advertisement of an office party for "Cheap as Chips" which features images of people from an office situation celebrating in the office with drinks and Christmas items.

### THE COMPLAINT

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

*The photo of the office party 2017 is offensive on several levels. The promotion of alcohol appears excessive, the man-kini is inappropriate but the perceived behaviour of "Father Christmas" appears at a glance as though he is groping his female coworker, standing over her with an over familiar expression on his face. While I'm on a roll, ever the female's overtly sexy apron just adds to the overall excessive image portrayed*

*The image on the cover has a man wearing barely nothing. Only a small novelty Christmas mankini covers his genitals. This advertising was in our letterbox which is accessible to children. It is not what I would have expected to see in such a publicly distributed catalogue. The advertiser has not treated nudity with sensitivity to the relevant audience. There are also Santa toys, Christmas hats, and Christmas trees in the same ad which attract the interest of children and as such exposes them to the inappropriate image.*

*The prevalence of sexual assaults and workplace harassment.*

## **THE ADVERTISER'S RESPONSE**

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

*The Advertiser did not provide a response.*

## **THE DETERMINATION**

The Advertising Standards Board (the "Board") considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the "Code").

The Board noted the complainants' concerns that the advertisement is offensive and inappropriate for viewing by children and the general public.

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

The Board then considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience."

The Board noted this print (pamphlet) advertisement is for the Cheap as Chips store which is a discount variety store. The print advertisement features a group of people in the office drinking and celebrating. The text included reads: Cheap and Chips – Check out our Christmas Stuff and Office Party 2017. There is information about item prices and detail on the right hand side. The images include a man in the foreground dressed in a man-kini while on the phone, a man with a Santa wrapped around his legs and another man dressed as Santa with his hand appearing to be on a woman's chest.

The Board noted the complainants' concerns that the advertisement does not treat sex and nudity with sensitivity to the relevant audience.

The Board noted that the image is a depiction of an office party and that the workers are located in the office drinking and celebrating. The Board noted that the advertisement is promoting the range of Christmas paraphernalia including aprons, costumes and novelty man-kinis. The Board noted that one man is located at the front of the image and is wearing a man-kini which comprises a Santa head placed over his genitals.

The Board noted that the additional images in the office such as the man grabbing the woman's breast, the text 'office party' and the presence of alcohol are all elements that add to an overall sexualised context to a work Christmas party

The Board also considered that the inclusion of the man wearing only a man-kini was quite prominent in the advertisement and was imagery that drew attention to his nudity.

The Board noted that the advertisement is part of a catalogue which is distributed in mail boxes and that the audience for material distributed in this manner is likely to include Children, particularly in the lead up to Christmas. The Board considered that the advertisement was a sexualised depiction and that the sexualised suggestion in the advertisement was not appropriate for an audience that would include children.

The Board considered the advertisement did not treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and did breach section 2.6 of the Code.

The Board then 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 complainants concerns that the behaviour of the man dressed as Santa in particular makes it appear as though he is groping her and that this is inappropriate behaviour.

The Board noted that there is significant community concern regarding sexual harassment and appropriate behaviour in the workplace and that the depiction of the man grabbing the woman on the breast is not behaviour that is acceptable in this environment. The Board noted that the woman is wearing a novelty apron and that it is likely that her actual breast is not being fondled. In the Board’s view however, the impression is that she is being touched and that the advertisement is suggesting it is acceptable to do so because of the party situation.

The Board noted that the woman does not appear upset by the situation however, the overall impression is one of an office party that is involving obvious sexual activity and that this is activity that is against prevailing community standards and did breach section 2.6 of the Code.

Finding that the advertisement did breach section 2.4 and section 2.6 of the Code, the Board upheld the complaints.

## **THE ADVERTISER'S RESPONSE TO DETERMINATION**

Our response to the claims of nudity and the apparent groping of a female employee on the front cover of our 15 November Christmas Catalogue is that the picture is meant to depict an office Christmas Party scene, the man in the Santa suit is leaning over telling the woman in the apron a funny joke to which she is laughing at. If you look carefully in his hand is a red cup, unfortunately the red cup is blending in with the red apron. He was in no way touching the lady. Cheap as Chips do not condone the harassment of any woman and if you look closely this is not what is happening in this picture. The mankini being worn by a staff member actually has more body coverage than some of the men’s bathers and lingerie that are advertised on the front page of many catalogues.

