



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0565/14</b>
<b>2</b>	<b>Advertiser</b>	<b>South Road Cricket Club</b>
<b>3</b>	<b>Product</b>	<b>Sport and Leisure</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Internet</b>
<b>5</b>	<b>Date of Determination</b>	<b>14/01/2015</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

## DESCRIPTION OF THE ADVERTISEMENT

Image of a woman in a bikini and cricket pads. The woman is holding a bat and the text reads, "Wanted: Stuck at home Lawns to mow? Escape it all - come play Cricket!"

## THE COMPLAINT

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

*The image of a woman posing in a bikini displayed in the ad which has no relevance to the product being advertised, amounts to a depiction that makes use of the woman's sexual appeal in a manner that is both exploitative of and degrading to women. This is reinforced by the fact that there is no relationship in this advertisement between a woman in a bikini and the product or service being advertised.*

## THE ADVERTISER'S RESPONSE

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

*The ad was for a NOT-FOR-PROFIT local cricket club looking for new players. The ad has not been running for some time as the season is now half way through.*

*This is beyond non-sensical.*

*Apart from the fact the ad was discontinued quite some time ago (because it was only used at the start of cricket season for a not-for-profit local cricket club desperately trying to survive by finding new players) - your complainant has not been honest.*

*Furthermore, if the ad was somehow inappropriate - which it was not - why did Gumtree allow it to be up and take money to renew it?*

*Don't you think if your complainant was genuine, they would complain to Gumtree? It is clear they have a different agenda.*

*Our cricket comp is highly competitive - it would not surprise that someone with a wish to prevent us finding players is behind this petty nonsense.*

*Having read the complaint, it is clear the complainant is being vexacious, not only in the ridiculous nature of the complaint, but also by deliberately misleading you with their information.*

*The picture with the ad had a celebrity FULLY DECKED OUT IN CRICKET GEAR - ie pads, bat, stumps - hence the relevance. It was a cricket-related picture. For a cricket club. Yet your complainer says there was no relevance between the pic and the ad.*

*The suggestion it was not relevant is ludicrous! As is the suggestion it was gratuitous. The photo was used SPECIFICALLY because of the the cricketing relevance.*

*I seriously question the motivation of your complainer.*

*Please do not bother me any further with this nonsense - I am a full-time single Dad trying to make a full-time living and run a cricket club - it is an offensive waste of my time.*

## **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 in a bikini and cricket gear promoting a cricket club which is inappropriate, sexist and offensive. The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code 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 advertisement appeared on a local website that individuals use to sell products or promote events etc. This advertisement is a promotion for the South Road Cricket clubs encouraging people to join the club and includes an image of a woman in a bikini on a cricket ground and wearing cricket pads and holding a bat. The woman in the picture is Lara Bingle.

The Board noted that Lara Bingle is the former fiancée of Michael Clarke current Australian cricket captain.

The Board noted that in order to be in breach this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board noted that the woman in the picture is well known for her work as a model and is posed in a confident manner. The Board noted that she is well covered by her bikini, but that in the context of trying to gain the interest of new members, the use of an attractive woman is an image that could be considered exploitative as there is little relevance to a bikini clad woman and cricket. The Board considered, however that the association that Ms Bingle has to cricket and her confident pose does not amount to a depiction that is degrading.

The Board considered that people who are likely to search for sporting groups and would view this image would recognise Ms Bingle and would be familiar with her association to cricket and the Australian team captain.

The Board considered that the image is not employ sexual appeal in a manner which is exploitative and degrading of any individual and did not breach Section 2.2 of the Code.

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 that the advertisement appeared on a website and that the likely audience would be parents or carers looking to find a local cricket club for their children. The Board considered that in the context of a website promotion, the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.4 of the Code.

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