



Case Report

1	Case Number	0586/17
2	Advertiser	Nova Entertainment
3	Product	Beauty Salon
4	Type of Advertisement / media	Radio
5	Date of Determination	24/01/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.2 - Objectification Exploitative and degrading - women

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement features a female voice stating that she is the voice in your head that points out your flaws and then describes cosmetic surgery deals available from the advertiser.

THE COMPLAINT

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

The ad was degrading to women, the closing line from the high pitched female narrator was "That will shut me up", should describe the tone of the ad.

THE ADVERTISER'S RESPONSE

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

The advertisement the subject of complaint reference number 0586/17 does not constitute a breach of Section 2 of the AANA Advertiser Code of Ethics in the following circumstances:

- *2.1 – the advertisement does not portray people 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, in fact the advertisement relates solely to representation of a cosmetic*

surgical procedure;

- 2.2 – *the advertisement does not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people, in fact the advertisement relates solely to representation of a cosmetic surgical procedure with no characterisation of sexual appeal whatsoever;*
- 2.3 – *the advertisement does not present or portray violence, the advertisement relates solely to representation of a cosmetic surgical procedure;*
- 2.4 – *the advertisement does not address sex, sexuality or nudity, which would otherwise require sensitivity to the relevant audience. The advertisement does not contain any reference to sex, sexuality or nudity whatsoever;*
- 2.5 – *the advertisement does not use language which is inappropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language is not included in the advertisement whatsoever; and*
- 2.6 – *the advertisement does not depict material contrary to Prevailing Community Standards on health and safety.*

Moreover, given the advertisement’s subject matter, dealing solely with representation of a cosmetic surgical procedure, there are no plausible or reasonable grounds to assert that the advertisement constitutes a breach of any other section of the Code, nor for that matter the AANA Code for Advertising and Marketing Communications to Children, AANA Food and Beverages Marketing and Communications Code or AANA Wagering Advertising and Marketing Communications Code noted in the letter of the ASB of 15 December 2017.

In the above circumstances, while we respect the right of the complainant to have provided the feedback the subject of reference number 0586/17, we do not agree with the suggestion and assertion in the complaint that the advertisement in question in any way constitutes a breach of Section 2 of the AANA Advertiser Code of Ethics.

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 is degrading to women.

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

The Board then 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 that in order to be in breach of 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 this radio advertisement features a female voice stating that she is the voice in your head that points out your flaws and then describes cosmetic surgery deals from the advertiser.

The Board noted the complainant's concern that the advertising is degrading to women.

The Board noted that in order to breach this section of the Code the advertisement would need to use sexual appeal in an exploitative and degrading manner.

The Board noted that the advertisement's references to women and cosmetic surgery were not sexualised and the Board considered the advertisement did not contain sexual appeal, and therefore Section 2.2 of the Code did not apply.

The Board determined that the advertisement did not breach Section 2.2 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 that the advertisement is presenting a woman's inner voice to suggest that cosmetic surgery is available from the advertiser for a set price.

The Board noted that there is community concern about advertising services by making women believe that they should have cosmetic surgery to feel good and look better as this can be damaging to mental health, especially of young women.

The Board noted that such services are allowed to be advertised provided that they comply with the Code.

The Board considered that the reference to a woman's 'voice in your head pointing out flaws' could be seen to be suggestive of mental health concerns, however the majority of the Board considered that the advertisement is using the concept of a woman's inner voice to promote the product. The Board considered that while unpleasant, the advertisement was not suggesting that all women need cosmetic surgery or should have cosmetic surgery but rather was encouraging women who would like to look better to use the advertised service.

The Board considered that the advertiser is using the inner-voice to communicate that women who have been considering cosmetic surgery should be aware of deals offered by the advertiser and considered that the advertisement was not suggesting that all women need cosmetic surgery.

The Board considered that the advertisement did not depict material that would be contrary to prevailing community standards on health and safety.

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.

