



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0591/17</b>
<b>2</b>	<b>Advertiser</b>	<b>Total face group</b>
<b>3</b>	<b>Product</b>	<b>Professional Service</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Poster</b>
<b>5</b>	<b>Date of Determination</b>	<b>24/01/2018</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.6 - Health and Safety Within prevailing Community Standards

## DESCRIPTION OF THE ADVERTISEMENT

The poster advertisement depicts a woman in a yellow dress walking down a street. Behind the woman are two men dressed in suits looking back at the woman and smiling. To the bottom right hand side of the image is text that states; “There are looks, then there are good looks”.

## THE COMPLAINT

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

*Located across the street from a K to 12 school, the advertising not only encourages women (and school girls) to measure their self-worth by the reaction they get from men, but also potentially encourages girls to put up with behaviour which might be predatory or aggressive. Advertising cosmetic surgery is one thing, but doing it in plain sight of a school is below the belt.*

## THE ADVERTISER’S RESPONSE

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

*Total Face Group is an ASX listed medical aesthetic group with 15 clinics across NSW, VIC, ACT and QLD.*

*We provide non-surgical cosmetic treatments to men and women and pride ourselves on our high level of education, medical advice, treatments and governance through our group of 20 doctors and 40 nurses and dermal therapists.*

*In 2015 we worked with Be Brands to identify exactly why our clients wanted these cosmetic treatments, what motivates them and what is important to them. We learned that people buy on emotion, they want to feel confident and be the best version of themselves. This is why our branding talks about "Good Looks" - the looks you portray but also the looks you get from others.*

*It is against the Australian Medical Board Advertising Standards to mention products (such as BOTOX and Juverderm) as these are S4 drugs, we also feel it is inappropriate to advise price. Therefore our advertising is about promoting confidence. Not just for women but for men too.*

*I strongly believe our advertising does not in any way vilify, objectify or discriminate women, in fact the opposite as our advertising also includes men looking at men and women looking at men.*

*With regards to the window display being opposite a school, this is incorrect. The International School is 2 blocks away from our clinic and located at 4 - 8 Kelly Street, Ultimo. We do not believe this is an inappropriate display for children nor agree that it encourages women/girls to measure their self worth by the reaction they get from men. In fact, it does the opposite by encouraging women and men to be confident in themselves with a choice to look and be who they want to be.*

## **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 vilifies and objectifies women and young girls.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray 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.'

The Board noted the Practice Note to Section 2.1 of the Code which provides the following definitions:

“Discrimination – unfair or less favourable treatment  
Vilification – humiliates, intimidates, incites hatred, contempt or ridicule”.

The Board noted this advertisement features a poster of a fully clothed woman walking down a street. Behind the woman are two men dressed in suits looking back at the woman smiling. To the bottom right hand side of the image is text that states; “There are looks, then there are good looks”.

The Board noted the complainant’s concerns that the advertisement encourages women to measure their self-worth by the reaction from men.

The Board considered that the advertisement is promoting a product designed to improve people’s looks and that some members of the community would consider advertising such services as objectifying of women or undermining of women’s natural beauty.

The Board noted these concerns but considered that the promotion of a service to make women feel that they look more attractive is not discriminatory or vilifying of women. The Board also considered that the depiction of a woman with men looking admiringly at her is not humiliating in the context of this advertisement.

The Board determined that while the advertisement is presenting women with a stereotype that they should look nicer to be admired, that this is not discriminatory or vilifying of women and does not breach section 2.1 of the Code.

The Board also considered whether the advertisement complied with section 2.3 of the Code which provides that ‘advertising or marketing communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.’

The Board noted the complainant’s concern that the advertisement potentially encourages women to put up with predatory behaviour.

The Board noted that the men in the advertisement are behind the woman and are smiling at her with the implication being that they are admiring her beauty. The Board noted the complainant’s concerns and noted that some behaviour can be predatory, however the Board considered that there is no violence in the advertisement and the men looking backwards towards the women is not suggestive of predatory behaviour or violence.

Finding that the advertisement did not breach section 2.3 of the Code or any other grounds, the Board dismissed the complaint.

