



## **CASE REPORT**

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|-------------------------------|-----------------------------------------------------|
| 1. Complaint reference number | 116/08                                              |
| 2. Advertiser                 | Michaelis Bayley Holdings (Homyped)                 |
| 3. Product                    | Clothing                                            |
| 4. Type of advertisement      | TV                                                  |
| 5. Nature of complaint        | Discrimination or vilification Gender - section 2.1 |
| 6. Date of determination      | Wednesday, 9 April 2008                             |
| 7. DETERMINATION              | Dismissed                                           |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement opens on three young women meeting in the street on their way to work, and as they walk comfortably, it is seen that they are wearing sneakers for the walk along the city street to the office. In the foyer they are seen to sit on a bench to change from their sneakers into stylish "office" footwear. Their eyes are then caught by another young woman entering the building wearing Homyped shoes, stylish and comfortable enough to carry her through the entire day. They sneer jealously at her as she passes, and is noticed by an older executive who looks up from his paper. As she approaches the lift, the door is held open for her by a young male colleague.

## **THE COMPLAINT**

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

*3 women wear joggers to work and a 4th wears Homy Peds, the reaction from the other 3 is bitchy, once again a negative message. Is Homy Ped girl meant to get the man while the others miss out? Get real!*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*What this ad is trying to demonstrate is that Homy Ped court shoes are attractive and so comfortable that you do not need to wear runners to work, a common practice you see in cities today. We certainly aimed for the jogger wearers to look jealous of the Homy Ped girl and indeed she gets to share a lift with an attractive young man because she has not stopped to change her shoes. I would certainly hope nobody thinks you "get the man" because of your shoes.*

*By and large we have had positive feedback on our commercial and we certainly did not intend to portray a negative message at all. I consider (the) complaint as somewhat trivial and I trust the ASB will as well.*

## **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 and reviewed the advertisement under Section 2.1 of the Code that deals with discrimination.

The Board viewed the television advertisement and noted that it was a humorous presentation for a

product aimed at young women. The Board noted that the reaction of the three woman could be considered normal for this age group.

The Board further noted that the advertisement did not imply that the young woman in the red shoes was going to 'get the man', he merely held the lift for her and admired her shoes.

The Board did not consider that this advertisement discriminated against women therefore it did not breach Section 2.2 of the Code.

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