



CASE REPORT

1. Complaint reference number	162/00
2. Advertiser	Ben Sherman (Aust) Pty Ltd (Cut sharp shirt)
3. Product	Clothing
4. Type of advertisement	Print
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 13 June 2000
7. DETERMINATION	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

The print advertisement depicts a young man, eyes open and apparently dead, wearing check shorts and lying on a bed. His upper body is covered by a (Ben Sherman) shirt, the collar of which has blood on its tip and lies adjacent to the young man's throat on which blood also appears. Blood is on his hands, on and under his extended right arm and hand, on his left thigh, on the sheet and on the wall of the room. A handprint and the words, 'Help Me', in blood, also appear on the wall. At the top of the advertisement is a razor blade with 'Ben Sherman' written on it. The words 'Cut sharp', printed vertically, are adjacent.

THE COMPLAINT

Comments which the complainant made regarding this advertisement included the following:

'Clearly someone believes that suicide in men is "funny" and is a subject that can be used to advertise goods to make money. This is against the reality with 2000 men in Australia dying each year from suicide. This advertisement promotes suicide in men and in young people

THE DETERMINATION

The Advertising Standards Board ('the Board') considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics ('the Code').

The Board determined that the advertisement portrayed violence unjustifiable in the context of the product advertised, contravened prevailing community standards on health and safety and, accordingly, breached Sections 2.2 and 2.6 of the Code. The Board upheld the complaint on this basis.

Sections 2.2 and 2.6 of the Code provide that:

'2.2 Advertisements shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

2.6 Advertisements shall not depict material contrary to prevailing community standards on health and safety.'

In making this determination, the Board considered that the advertisement tended to trivialise suicide and, in light of Australia's having one of the highest incidences of youth suicide in the western world, was wholly inappropriate. However, the Board noted that the advertiser had withdrawn the advertisement following receipt of the complaint and commended the advertiser for its prompt response in this regard.

ADVERTISER'S STATEMENT

‘Ben Sherman Australia is, of course, disappointed that the meaning of this advertisement has been misconstrued. We have therefore taken what we believe to be the appropriate action in ceasing the use of the advertisement.’