



CASE REPORT

1. Complaint reference number	283/06
2. Advertiser	CCH Publishers (Mid-Year Books)
3. Product	Officegoods/services
4. Type of advertisement	Print
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 8 August 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This print advertisement featured on the front of a brochure for “CCH – a Wolters Kluwer business” for “the most authoritative titles for the legal professional.” The photograph on the front of the brochure features four professional men wearing suits, with arms folded looking downwards at the camera.

THE COMPLAINT

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

The photograph is discriminatory in that it presents only a stereotype of a lawyer, being a caucasian male in his 40s – 50s. I find this highly offensive, especially given that more than 50% of the legal profession are women (although not at the level of Partner)...this is hardly representative of today’s diverse legal community.

The discriminatory stereotype represented by the photographed is emphasised by the words “most authoritative”.

...exactly the type of material that makes it difficult for people who are not caucasian men 45+ years, to advance through the profession.

THE ADVERTISER’S RESPONSE

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

The image selected was not intended to represent the entire Australian legal profession. It was intended to convey sense of nothing more than a legal environment. In the past we have used males and females as well as caucasians and non-caucasians in our marketing material, and we will continue to do so.

The term “The most authoritative titles for the legal profession” is not gender specific.

The whole brochure is written in a gender neutral manner.

We are unable to see how the use of this image might damage any person’s prospects of advancement in the legal profession.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”) in particular whether the advertisement portrayed

material that was discriminatory to women lawyers.

The Board noted that the advertisement depicted a number of men in their advertisement for a product targeted to the legal profession. The Board considered that the advertiser's use of male only models in the advertisement was not sensible from a marketing perspective given the proportion of women lawyers in Australia today. However the Board considered that the material was not discriminatory against women.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.