



CASE REPORT

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| 1. Complaint reference number | 81/04 |
| 2. Advertiser | Diana Ferrari |
| 3. Product | Clothing |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Other – section 2.1 |
| 6. Date of determination | Tuesday, 11 May 2004 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement features a man swinging a child around by the arms in the park. The man notices a lady walking past wearing Diana Ferrari boots and he lets go of the child. The tagline is “Diana Ferrari. Cause an effect.”

THE COMPLAINT

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

“I am offended that this ad gives the wrong message about the treatment of children, by their parents.”

THE ADVERTISER’S RESPONSE

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

“The message has been deliberately treated in a humorous way and is consistent with the hyperbole of depicting a person becoming completely distracted when they see a woman dressed in Diana Ferrari shoes and apparel.”

“The hyperbole is exemplified in the final scene of the commercial, when we see the child’s feet wiggling comically in a bush.”

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 that in the context of prevailing community standards, the majority of people would find this advertisement humorous rather than offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to discrimination (parental authority) or vilification.

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