

Case Report

1. Case Number :	0149-23
2. Advertiser :	Specialist Breast Clinic
3. Product :	Professional Service
4. Type of Advertisement/Media :	Print
5. Date of Decision:	26-Jul-2023
6. Decision:	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification
AANA Code of Ethics\2.2 Exploitative or Degrading

DESCRIPTION OF ADVERTISEMENT

This print advertisement features the text "Avoid a knocker shocker. How old are your existing implants" written in pink on a red background.



THE COMPLAINT

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

I find the terminology used "avoid a knocker shocker" to be extremely distasteful and crude. I find the wording an example of female sexualisation, and an example of the type of male inspired humour that would sit more comfortably in the 1970's. Moreover I question how this message is targeting those people who are likely to have implants, i.e. females.

THE ADVERTISER'S RESPONSE

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

The advertisement is part of a series focused on education around how to avoid shocks when it comes to breast health. The term avoid a knocker shocker is a play on words and was not designed to be offensive nor reminiscent of the 1970s male humour the complaint-ant has advised they believe it has. That was the furthest thing from the mind of the creative agency and also the specialist surgeon.

This series has been running since Feb 2023 and includes specifics around breast cancer and self checking to "avoid a knocker shocker" as well as replacement or breast implants that are over the recommended guidelines for implantation. We have not had nor seen any negative feedback nor complaints in market across print or digital advertising, and it has passed strict pre flight approvals in media to appear in the ACM Media newspaper the Illawarra Mercury and also the private owned Coal Coast Magazine.

Based on the feedback it appears this to be very singular in-opinion. We understand the complainant has taken this personally, however this was not the intention nor has it been perceived in the market with that intent. Our goal is to inform and educate women of all ages to understand the risks associated with delaying breast implant removal or replacement, and delaying breast screening or self check exams in relation to breast cancer.

THE DECISION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement is distasteful and crude in its reference towards women's breasts.

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

Section 2.1: Advertising shall not portray people 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 orientation, religion, disability, mental illness or political belief.

The Panel noted the AANA Practice Note which provides guidance on the meaning of:

- Discrimination - unfair or less favourable treatment
- Vilification - humiliates, intimidates, incites hatred, contempt or ridicule

- Gender – refer to the attributes, roles, behaviours, activities, opportunities or restrictions that society considers appropriate for girls or boys, women or men. Gender is distinct from ‘sex’, which refers to biological differences

Does the advertisement portray material in a way which discriminates against or vilifies a person on account of gender?

The Panel considered that the complainant’s overall concern appeared to relate to the use of the colloquial term “knockers” to refer to women’s breasts.

The Panel considered that there was the potential for the term “knockers” to be used in a manner which is humiliating towards women or lowers them in character or quality, but that the context of the advertisement was highly relevant.

The Panel noted that the advertisement is aimed at raising awareness about breast implants’ lifespan and the associated risks of delaying their removal and replacement.

The Panel considered that the advertisement highlights an important medical issue in a relatable manner, offering a way to seek assistance. The Panel considered that the rhyming of “knocker” and “shocker” was a clever wordplay designed to gain attention. The Panel noted that there is no accompanying imagery in the advertisement that is suggestive of women’s breasts, nor any other language which discriminates or vilifies women.

The Panel considered that while some members of the community might find the term “knockers” offensive regardless of context, most members of the community would not find this advertisement to depict women in a manner that is unfair or less favourable or in a manner that would be likely to humiliate, intimidate, incite hatred, contempt or ridicule.

Section 2.1 conclusion

Finding that the advertisement did not portray material in a way which discriminates against or vilifies a person or section of the community on account of gender, the Panel determined that the advertisement did not breach Section 2.1 of the Code.

Section 2.2: Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative or degrading of any individual or group of people.

The Panel noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

Exploitative - (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or (b) focussing on their body parts where this bears no direct relevance to the product or service being advertised.

Degrading – lowering in character or quality a person or group of people.

Does the advertisement use sexual appeal?

The Panel noted that the advertisement makes a reference to women's breasts in the context of plastic surgery and the age of such implants. The Panel noted that there is no imagery accompanying the text.

The Panel considered that in this context, most members of the community would be unlikely to find the advertisement to contain sexual appeal.

Section 2.2 conclusion

Finding that the advertisement did not employ sexual appeal, the Panel determined that the advertisement did not breach Section 2.2 of the Code.

Conclusion

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.