

2nd Quarter 2024

NEWSLETTER

**ADVERTISING
REGULATORY
BOARD**

Consumer protection
through responsible advertising

A note from the CEO ...



At the beginning of this year, we committed to exploring and growing our training offerings – and that has indeed turned out to be the focus of the second quarter of 2024.

The Red & Yellow ARB course is now up and running, we've started preparing the shorter influencer course, we've conducted a number of webinars and we held an amazing training morning with AfricaCheck. While this last event, which focussed on truth and substantiation, was not as well attended as we had hoped, those that came reported that they found it stimulating, interesting and well worth the effort. We hope to offer more with Africa-

Check, and will perhaps repeat this particular talk too. This is all on top of the usual training that the ARB offers – remember, I'm a bit like a crazed evangelist – invite me, and I will be happy to come and do our fun and interactive ARB 101 presentation!

It feels to me like we have grappled with a number of really interesting issues this year so far – from whether it's acceptable to compare a wife to a used handbag (spoiler alert – it's not) to hormones in milk to the sexualisation of children to whether menstrual blood can be shown in ads. But again and again, we find ourselves coming down to the old question: why is it so hard for advertiser's to just tell the truth in ads?

We also show off our fancy new stats this quarter – with some interesting results showing for the first six months.

Finally, we have made a decision that going forward, while we will share the name of the complainant with the Advertiser themselves, we will not publish their names on our decisions anymore.

We have found that the way that the media "name and shame" consumers who are simply trying to draw attention to an advertising issue to be problematic. We looked at what other jurisdictions do, and found that most do not publish the complainant's names – so going forward we will follow this trend.

Warm regards

Gail

TRAINING MASTERCLASS

On Friday 10 May, the ARB and Africa Check held a masterclass training workshop at Vega School about substantiation in relation to advertising claims.



RED & YELLOW CREATIVE SCHOOL OF BUSINEES



On 23 May, Gail took Red & Yellow students through how the organisation works, and presented an interactive quiz where they got to experience recent advertising complaints and judge for themselves whether they should be upheld or dismissed.

Afterwards she joined their Chief Commercial Officer Andrew Allison in a conversation about how to be a responsible influencer.

CFO DAY

Gail Schimmel, spoke about the need for authenticity in the story that your advertising tells at the annual "CFO South Africa Day" held at The Leonardo on 14 May.



ADS OF INTEREST



“WE BUY BRANDS”

In this matter, the complainant took issue with the advertiser comparing a wife to a used designer item.

The Directorate said, “To clarify the link between objectification and abuse, when women are objectified or seen as lesser humans or possessions of their partners or husbands, it becomes easier to commit acts of violence against them.

Objectification also robs women of their autonomy, granting them a role only in relation to the men who believe that they possess them – just as they would possess a second-hand designer item such as those.

The message in the Advertisement comes down to: You already “own” one pre-loved item, so you should own more.”

It's a really interesting decision – please do go and read it!

ADS OF INTEREST



“MR PRICE - KIDS”

We don't often get complaints about the issue of children posing in an unnecessarily sexualised manner – which doesn't mean that it isn't an issue. However, we received a complaint on this basis against Mr Price.

The Directorate said: “It could possibly be argued that the child is conveying attitude – possibly in imitation of adult models in a similar context – rather than any kind of sexualised message.

However, whatever the intention of the pose, the combination of the various elements (spread legs, hands on hips, pout) have the potential to be perceived sexually.

The Directorate underscores that there is no argument or justification for a child to be positioned in a way that can be perceived as sexually suggestive.”

ADS OF INTEREST



“NETFLORIST” APPEAL

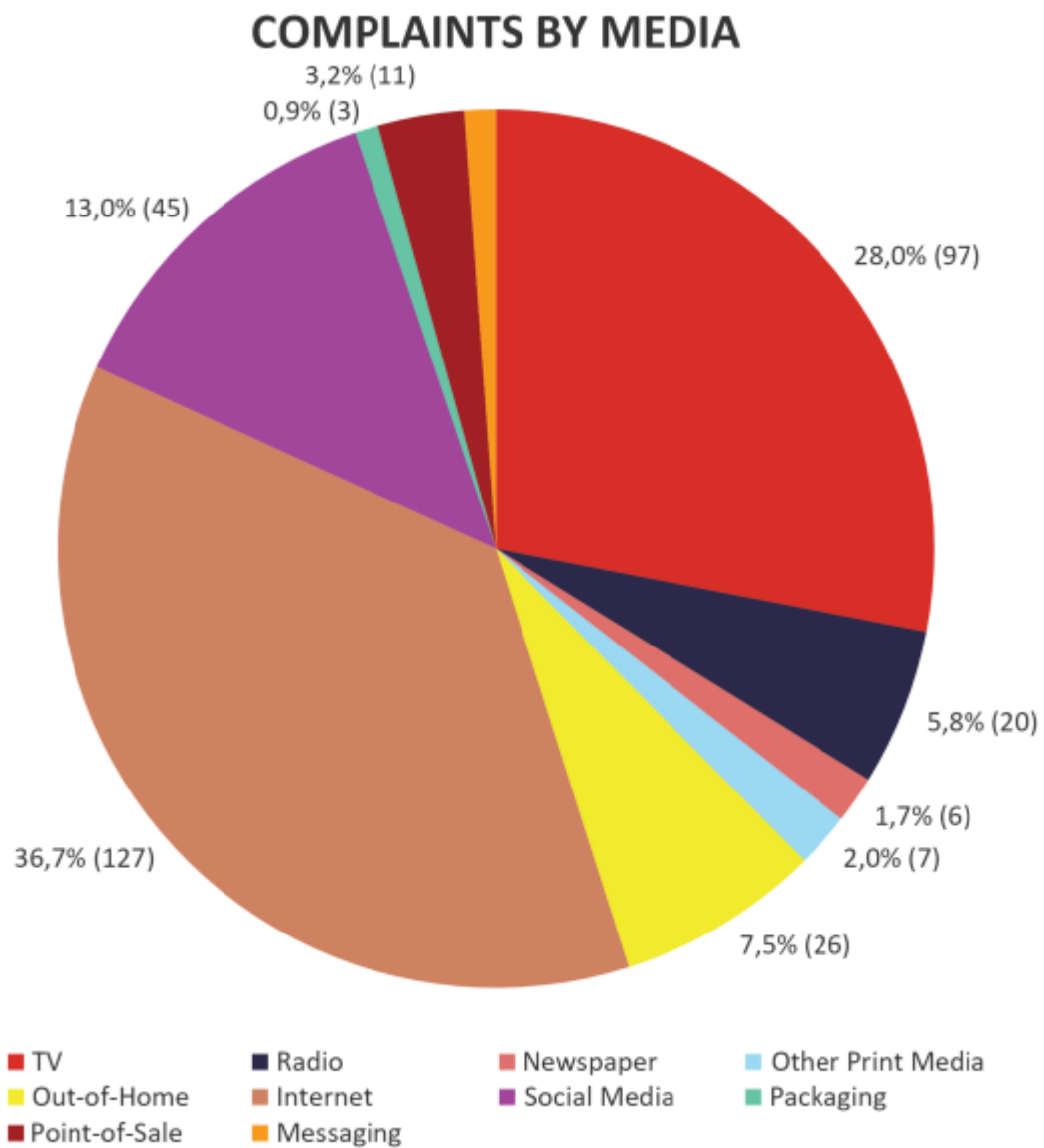
The Advertising Appeals Committee heard an Appeal against the Directorate's decision in Netflorist, where a woman spits into her husband's coffee because he forgot to give her flowers for Valentine's Day.

The AAC agreed with the Directorate that this is not offensive, saying, “Having considered these factors, it is clear that the advertisement is not intended to cause offence but it is intended to be uncomfortable to watch and is a spoof.

That is what makes the advertisement funny. While spitting in public may not be regarded as in “good taste” or “decent” – no actual spit is visible in the advertisement and therefore it is unlikely to cause offence to the general public.

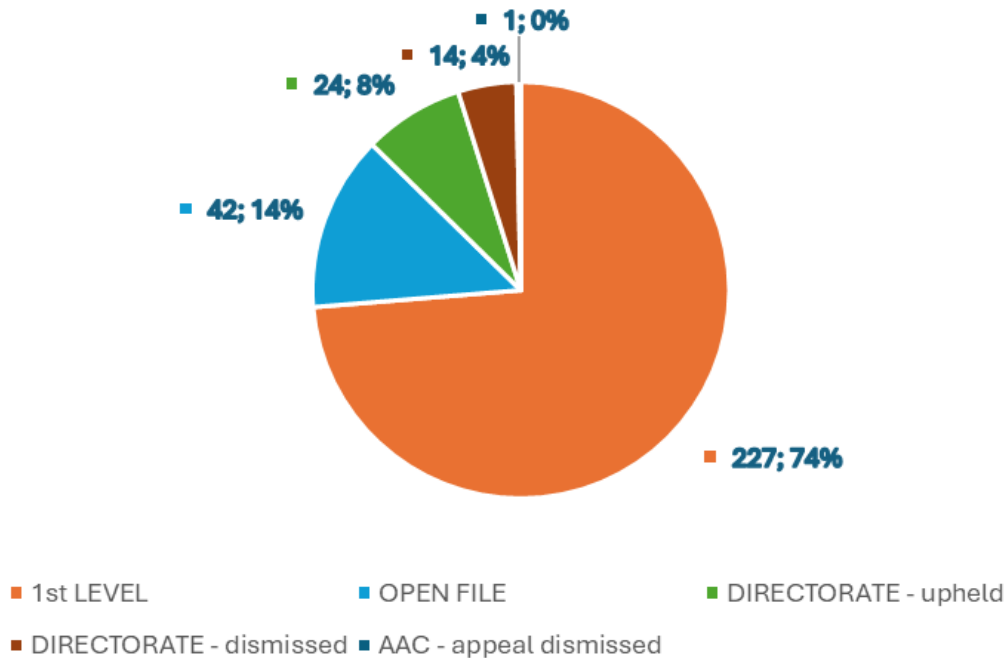
The idea of a woman spitting in her partner's coffee is certainly not pleasant or polite but just because something is not pleasant or polite does not render it in contravention of the Code. “

STATISTICS — 1 Jan 2024 to 30 June 2024

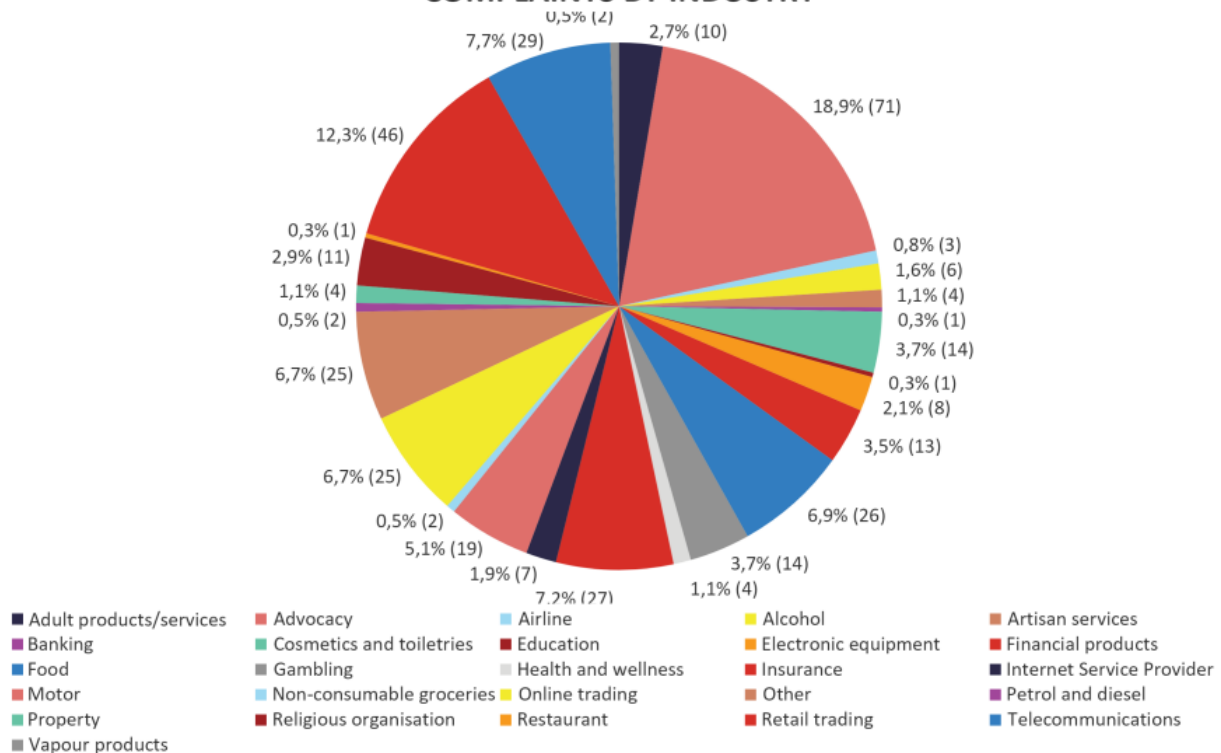


STATISTICS — 1 Jan 2024 to 30 June 2024

COMPLAINTS BY OUTCOMES





COMPLAINTS BY INDUSTRY





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**“Consumer Protection through
Responsible Advertising”**