

COMPLAINT NUMBER	18/391
COMPLAINANT	K Newton
ADVERTISER	The Knitter
ADVERTISEMENT	The Knitter, Print
DATE OF MEETING	11 December 2018
OUTCOME	Not Upheld

SUMMARY

The full-page magazine advertisement for The Knitter shows a photo of a woman with long hair wearing a hand-knitted woollen jumper and briefs. The woman is in a garden setting. The text says: “Happy, handmade knitwear.”

The Complainant was concerned the advertisement was using adolescent sexuality to sell an unrelated product because the model appears to be 18 or under and is presented in a very provocative pose that has nothing to do with the product being advertised.

The Advertiser said she is the model, designer and knitter for this product and she is 27 years old. The Advertiser said there is nothing sexual or provocative about this image.

The Complaints Board said the advertisement has been made using a particular style, one which is often used for high fashion garments. It is normal practice for the model’s body to be used to enhance the product being advertised, and the lack of other garments being worn helps put the viewer’s focus on the jersey. The Complaints Board said the language used in the advertisement “Happy, handmade knitwear” is not sexualised and the advertisement is not using sex appeal.

The Complaints Board said the advertisement did not reach the threshold to cause serious or widespread offence taking into account the context, medium, audience and product. The Complaints Board said the advertisement did not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people in society to promote the sale of products or services and had been prepared with a due sense of social responsibility to consumers and to society.

The Complaints Board ruled the advertisement was not in breach of Basic Principle 4 and Rules 4 and 5 of the Code of Ethics or Basic Principle 5 of the Code for People in Advertising.

The Complaints Board ruled the complaint was Not Upheld.

[No further action required]

Please note this headnote does not form part of the Decision.

COMPLAINTS BOARD DECISION

The Chair directed the Complaints Board to consider the complaint with reference to Basic Principle 4 and Rules 4 and 5 of the Code of Ethics and Basic Principle 5 of the Code for People in Advertising.

Basic Principle 4 required the Complaints Board to consider whether the advertisement had been prepared with a due sense of social responsibility to consumers and to society.

Rule 4 Decency required the Complaints Board to consider whether the advertisement contained anything which in light of generally prevailing community standards is likely to cause serious or widespread offence taking into account the context, medium, audience and product.

Rule 5 Offensiveness required the Complaints Board to consider whether the advertisement was likely to cause serious or widespread offence.

Basic Principle 5 of the Code for People in Advertising required the Complaints Board to consider whether the advertisement employed sexual appeal in a manner which is exploitative and degrading of any individual or group of people in society to promote the sale of products or services. In particular, people should not be portrayed in a manner which uses sexual appeal simply to draw attention to an unrelated product. Children must not be portrayed in a manner which treats them as objects of sexual appeal.

The Complaints Board ruled the complaint was Not Upheld.

The Complaint

The Complainant was concerned the advertisement was using adolescent sexuality to sell an unrelated product because the model appears to be 18 or under and is presented in a very provocative pose that has nothing to do with the product being advertised.

The Advertiser's response

The Advertiser said she is the model, designer and knitter for this product and she is 27 years old. The Advertiser said there is nothing sexual or provocative about this image.

The Media response

The Media said the magazine publisher Review Publishing Ltd advised that the magazine is a subscription only business to business fashion magazine for designers, manufacturers, suppliers and retailers. It is not a consumer magazine and is not available to the public.

The Media said there are many advertisements and advertorials/photographs in the business to business fashion industry that have only the garment that the designer has created in the image so that the focus to the retailer is on the garment. This practice is evident in both print, digital and fashion week runway shows. In this instance the waist high plain underwear is not to imply sexuality but to keep the eye trained on the jumper and to show size, detail and length. The advertisement is all about The Knitter who knits the knitwear, that is the designer in the photograph and she is advertising her brand.

Complaints Board Discussion

Consumer Takeout

The Complaints Board considered the consumer takeout of the advertisement. They noted that the advertisement appears in a business to business magazine for the fashion titled Apparel. They said the advertisement is directed at apparel industry subscribers to the

magazine, who might be potential retailers for this product. The advertisement would not be seen by the public.

The Complaints Board said the advertisement has been made using a particular style, one which is often used for high fashion garments. The imagery in the advertisement is in keeping with similar advertisements of this type. The outdoor, natural setting is an important part of the “look”. It is normal practice for the model’s body to be used to enhance the product being advertised, and the lack of other garments being worn helps put the viewer’s focus on the jersey.

The Complaints Board said the language used in the advertisement “Happy, handmade knitwear” is not sexualised and the advertisement is not using sex appeal. The Complaints Board noted the model is not an adolescent, she is 27 years old and is advertising her design and brand.

The Complaints Board said the advertisement did not reach the threshold to cause serious or widespread offence taking into account the context, medium, audience and product. The Complaints Board said the advertisement did not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people in society to promote the sale of products or services. The Complaints Board said the advertisement had been prepared with a due sense of social responsibility to consumers and to society.

The Complaints Board ruled the advertisement was not in breach of Basic Principle 4 and Rules 4 and 5 of the Code of Ethics or Basic Principle 5 of the Code for People in Advertising.

Accordingly, the Complaints Board ruled the complaint was Not Upheld.

DESCRIPTION OF ADVERTISEMENT

The full-page magazine advertisement for The Knitter shows a photo of a woman with long hair wearing a hand-knitted woollen jumper and briefs. The woman is in a garden setting. The text says: “Happy, handmade knitwear.”

COMPLAINT FROM K NEWTON

This advert appeared most recently in Apparel Magazine, October 2018, Vol 51, No 10, page 3. I have attached a pdf of both the advert (entitled 'The Knitter') and the cover of the Apparel Magazine in which it appears. My complaint is that the model appears to be 18 or under and is presented in a very provocative pose that has nothing to do with the product being advertised. The advert makes no sense in that the product is a big woolly jumper and the model is posing outdoors in the bush - wearing only knickers on the bottom half of her body. I believe that the only way this advert makes sense is to see it as using adolescent sexuality to sell their product. I have tried to contact the advertiser but am unable to contact them - the website and the email address on the advert are incorrect (ie there is no such email or website). I have also contacted Apparel Magazine to complain about the advert when it appeared in an earlier issue. They responded to thank me for my complaint but then re-ran the advert in their latest issue

CODES OF PRACTICE

CODE OF ETHICS

Basic Principle 4: All advertisements should be prepared with a due sense of social responsibility to consumers and to society.

Rule 4: Decency - Advertisements should not contain anything which clearly offends against generally prevailing community standards taking into account the context, medium, audience and product (including services).

Rule 5: Offensiveness - Advertisements should not contain anything which in the light of generally prevailing community standards is likely to cause serious or widespread offence taking into account the context, medium, audience and product (including services).

CODE FOR PEOPLE IN ADVERTISING

Basic Principle 5: Advertisements should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people in society to promote the sale of products or services. In particular people should not be portrayed in a manner which uses sexual appeal simply to draw attention to an unrelated product. Children must not be portrayed in a manner which treats them as objects of sexual appeal.

RESPONSE FROM ADVERTISER, THE KNITTER

I am the model in this image. I am also the designer begin the Knitter. I am 27 years old.

My boyfriend and I shot this image in the trees behind my family home where I grew up, nestled in the beautiful New Zealand forest, with my dog Max, playing at my feet. I created this knit with my own two hands, took to the trees for an adventure, and decided to shoot my work ever so simply and without a team. It was just me, my happy knit, my dog, and my boyfriend of ten years. It is only innocent and magical. There is nothing sexual or provocative about this image. I am a women who is comfortable in my own skin and I am not underaged.

Imagine saying to a women wearing a bikini on a New Zealand beach, to put pants on. Or every man and women in the Farmers catalogue selling bras and undies, to cover up. Because their skin offended you. We live in an amazing country, where we can wear what we want too, as a form of freedom and self expression. Where budgie smugglers and a pair of stubbies are part of our culture. Well at least they were in the seventies and the eighties. I love this image so much.

I have never heard from Karen herself and she has never reached out to me. My email address and website are both correct.

RESPONSE FROM PUBLISHER, REVIEW PUBLISHING LTD

Apparel magazine is a subscription only business to business fashion magazine for designers, manufacturers, suppliers and retailers, it is not a consumer magazine and is not available to the public.

The advertisement referred to as "the Knitter" is a one of a series of full page advertisements showing the designer herself (age 27), the focus is on the handknitted jumper. We and the advertiser vehemently disagree that the advertisement is using adolescent sexuality to sell jumpers to fashion retailers. The designer is not an adolescent and is selling handknitted and crafted jumpers around the world under her brand "The Knitter".

When contacted by the complainant we acknowledged her complaint and referred her complaint to the advertiser. Both the advertiser's email and website are active and in use. To our knowledge, no contact was received by the advertiser from the complainant.

There are many advertisements and advertorials/photographs in the business to business fashion industry that have only the garment that the designer has created in the image so

that the focus to the retailer is on the garment. This practice is evident in both print, digital and fashion week runway shows. In this instance the waist high plain underwear is not to imply sexuality but to keep the eye trained on the jumper and to show size, detail and length. The advertisement is all about The Knitter who knits the knitwear, that is the designer in the photograph and she is advertising her brand.

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.