

<b>COMPLAINT NUMBER</b>	20/603
<b>ADVERTISER</b>	Ashley and Martin
<b>ADVERTISEMENT</b>	Ashley and Martin, Radio
<b>DATE OF MEETING</b>	14 December 2020
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Ashley and Martin radio advertisement promotes their hair loss and hair growth treatments. The advertisement has a man bumping into his ex-girlfriend and being aware she is focussing on his hair loss. The advertisement asks if this moment could be a turning point for him to consult with Ashley and Martin who claim a 98% success rate.

**The Chair ruled there were no grounds for the complaint to proceed.**

**Complaint:** Ashley and Martin are using "baldness shaming" as a way to promote its product/service. I never worry about my own hair loss except immediately after listening to their radio adverts. I've had enough of them advertising this way. It's really insulting what they are doing. It lowers my self esteem whenever I hear their adverts.

Imagine if their service was liposuction and their adverts were effectively shaming women for being overweight in order to prompt a response from them to get liposuction. It's a disgraceful thought right? Well it's no different to what they are doing to balding men.

**The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c);**

**Principle 1: Social Responsibility:** Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

**Rule 1(c) Decency and Offensiveness:** Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

**The Chair** noted the Complainant's concern the advertisement used baldness shaming to promote its product which is insulting and lowers the self-esteem of those with hair loss.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the advertisement was likely to cause serious or widespread offence, in light of generally prevailing community standards.

The Chair acknowledged the genuine concerns of the Complainant but said in this case the advertisement did not reach the threshold to cause serious or widespread offence. This is because it referred to a common issue that some men do have concerns about and offered an opportunity for them to address it.

The Chair said the advertisement had been prepared with the due sense of social responsibility required and ruled it was not in breach of Principle 1 or Rule 1(c) of the Advertising Standards Code.

The Chair ruled there were no grounds for the complaint to proceed.

**Chair's Ruling:** Complaint **No Grounds to Proceed**

**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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.