

<b>COMPLAINT NUMBER</b>	21/178
<b>ADVERTISER</b>	Laybuy
<b>ADVERTISEMENT</b>	Laybuy, Email
<b>DATE OF MEETING</b>	19 April 2021
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Laybuy email advertisement states "This International Women's Day, lets honour the social, economic, cultural and political achievements of women around the globe. The advertisement show cases five women including Laybuy Co-Founder, Robyn Rohloff.

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

**Complaint:** Claims to be celebrating women for international women's day but showcase 4 pākehā women out of 5 therefore they are celebrating white women and advertising white women as I and many of my friends are not included as women according to this advertisement.

**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 was concerned the advertisement celebrating women and their achievements was not inclusive enough.

The Chair carefully reviewed the advertisement and said while she agreed it was good to be inclusive, there is no requirement in the Advertising Standards Code for advertisers to feature a diverse range of ethnicities in advertisements.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the lack of diversity in the very small sample of women showcased in this context was likely to cause serious or widespread offence in light of generally prevailing community standards. The Chair said that despite the Complainant's objection to the advertisement, it did not reach the threshold to cause serious or widespread offence for most consumers.

The Chair said the advertisement was socially responsible, taking into account context, medium, audience and product and 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.