

Stonewall response to A consultation on CAP and BCAP's proposal for a rule and guidance to address the use of gender stereotypes in advertising

1. Stonewall welcomes the opportunity to respond to this consultation. The creation of this new rule and guidance promises to be a key step in restricting the depiction of harmful gender stereotypes in advertising. This response will focus on how the proposed rule and guidance can be strengthened to ensure that advertisers do not reinforce gender stereotypes which negatively impact lesbian, gay, bi and trans (LGBT) people, or compound negative stereotypes about LGBT people, in their ads.
2. Stonewall is Britain's largest organisation campaigning for LGBT equality. We have commissioned [research](#) into how LGBT people are represented in broadcasting, and work with regulators including the ASA and Ofcom, and broadcasters including the BBC, ITV and Channel 4, through our [Diversity Champions](#) programme to help promote the diverse and accurate representation of LGBT people in advertising and broadcasting.

Question 1 – Do you agree with CAP & BCAP's proposal to introduce a new rule and supporting guidance into the Advertising Codes? Please include relevant evidence to support your view, whether you agree or disagree with the proposals.

3. We support the implementation of this new rule and guidance which take a tougher line on ads that feature potentially harmful stereotypical gender roles or characteristics, including ads that mock people for not conforming to gender stereotypes. We warmly welcomed the publication of *Depictions, Perceptions and Harm* and the CAP and BCAP's subsequent decision to consider gender stereotypes through the prism of harm and develop the new rule and guidance to reflect this.
4. Gender stereotypes underpin much anti-LGBT prejudice and abuse: for example, a person who does not conform to the stereotypical role or characteristics of 'what a man is', or 'what a woman' is, may face ridicule or abuse for being LGBT, irrespective of whether they are or not. Among young people in particular, those who do not conform to gender stereotypes (whether they are LGBT or not) are often targeted with anti-LGBT bullying: [The Teacher's Report \(2014\)](#), Stonewall research with YouGov, found that among primary school teachers who were aware of homophobic bullying in their schools, **49 per cent** said that boys who 'behave or act like girls' and **15 per cent** of girls who 'behave or act like boys' experience homophobic bullying.

I have short hair and I was told that I must be a lesbian (or lezza as they called it) because I have short hair. Zoe, 12, secondary school (England)

[School Report \(2017\)](#)

5. Gender stereotypes are also closely linked to stereotypes about LGBT people: for example, the stereotype that gay men are 'effeminate' is both used to mock gay men who do not conform to stereotypes of 'what a man is', and to imply that all gay men are the same, obscuring the diversity that exists in the community.
6. Gender stereotypes can therefore negatively shape both how LGBT people see themselves (and their self-esteem, wellbeing and mental health) and public attitudes towards LGBT people, and so advertising that perpetuates harmful gender stereotypes poses specific harm to LGBT communities.

7. **Stonewall welcomes the recognition in the guidance that ‘the use of other stereotypes can compound the effect of gender stereotypes and increase the likelihood of harm and/or offence being caused by the depiction of gender stereotypes. Stereotypes associated with gender can include gender reassignment and sexual orientation.’** However, it is vital that this is reflected in the scenarios and guiding principles outlined within the guidance – suggestions for how this could be achieved are listed in our response to Question 3.
8. **Stonewall strongly recommends that rule 4.1 in the CAP code is updated to include specific reference to causing offence on the grounds of gender identity, in line with the other protected characteristics listed, to ensure that advertisers are clear on their duty not to use transphobic depictions in their ads.**
9. While progress has been made, depictions of LGBT people in advertising and broadcasting continue to be limited in their frequency and diversity: for example, [Unseen on Screen \(2011\)](#), Stonewall research into youth television, found that **49 per cent** of the recorded portrayals of LGB people depicted LGB people as stereotypes.
10. **In line with this new rule and guidance, Stonewall also recommends that rule 4.1 should consider these offensive communications through the prism of harm, given that they can underpin prejudice against people with protected characteristics. We strongly recommend that associated guidance is developed on addressing the use of harmful stereotypes associated with people with protected characteristics, including LGBT people, to support advertisers in restricting their use. The ASA should ensure that they regularly consult with relevant communities and organisations to support this – for example, [All About Trans](#) support media organisations to represent trans people in a fair, accurate and diverse way.**

Question 2 – Do you agree with the wording of the proposed new CAP and BCAP rules? If not please include suggestions for how the proposed rules could be improved to achieve the aims set out in this consultation.

11. Stonewall agrees with the wording of the proposed new CAP and BCAP rules.

Question 3 – Do you consider the draft guidance to be clear and practicable? If not please include suggestions for how it could be improved to achieve the aims set out in this consultation.

12. **Stonewall welcomes the inclusion of scenarios in the guidance to clearly illustrate what unacceptable depictions of gender stereotypes look like. However, it is crucial that specific scenarios are included which explicitly refer to harmful depictions of gender stereotypes which relate to LGBT people.**
13. In *Scenarios featuring gender-stereotypical roles and characteristics*, a scenario should be included that makes it clear that advertisers should take care to avoid reinforcing gender stereotypes which imply that being LGBT is abnormal, for example:
 - An ad targeted at women which implies that women only date men, or vice versa

14. In *Scenarios featuring people who don't conform to a gender stereotype*, we recommend that scenario 13 is amended to include specific reference to LGBT people, given that they are the group most commonly mocked for not conforming to stereotypical expectations of their gender. For example:

- An ad that mocks groups or individuals for not conforming to stereotypical expectations of their gender, for example an ad that mocks a 'masculine-presenting' lesbian by depicting her as being mistaken for, or referred to, as a man

15. **While Stonewall welcomes the creation of guidance which makes it clear what unacceptable depictions look like, we also recommend that guidance and signposting is provided to proactively support advertisers to challenge gender stereotyping and represent people of different genders in fair, diverse, accurate and inclusive ways.**