



## Body Image in Advertising: Call for Evidence

### 1. A call for evidence

Today, the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) are announcing an open call for evidence to assist in their regulation of advertising which gives rise to potential harms relating to body image concerns. Body image is how we think and feel about ourselves physically, and how we believe others see us.

The [CAP and BCAP UK Advertising Codes](#) require that all advertising is legal, decent, honest and truthful and include rules that seek to prevent ads from misleading, harming or seriously offending their audience. The independent Advertising Standards Authority (ASA) enforces the Code in the public's interest.

CAP and BCAP will evaluate the evidence they receive from the call for evidence with the primary objective of understanding whether there are body image harms arising from advertising that are not adequately addressed by existing rules and guidance, or the ASA's application of those. CAP and BCAP will publish its analysis, together with an outline of any related actions, in 2022.

### 2. Why now?

In August 2019, the Scottish Government's Body Image Advisory Group initiated a six-month review across Scotland to examine the impact of body image on children and young people's mental health and wellbeing. The Advisory Group, which advocated for a public health approach to support good body image, published a [report](#) in March 2020 which recommended a range of potential multi-faceted interventions to help children and young people in Scotland to achieve a good body image, including further regulatory action on advertising, for example continued restrictions on advertising of cosmetic surgery, dieting and slimming ads to prevent those ads from reaching children and young people online.

Also in March 2020, the Women and Equalities Select Committee launched an [inquiry](#) which sought to examine causes and impact of poor body image, including the impact on groups who share characteristics protected by the Equality Act 2010 and the impact on individuals' mental and physical health. The inquiry considered how body image perceptions can be impacted by companies, media consumption, advertising and Government policy. A [special report](#) revealed a number of findings from a UK wide survey that was conducted as part of the Inquiry, including: that women, people with disabilities and transgender people are at higher risk of experiencing negative emotions around their appearance; that body image dissatisfaction in both adults and young people had been exacerbated as a result of increased consumption of media and exposure to adverts for products with the purposes of changing a person's appearance, especially weight loss products, during Covid-19 lockdown; and that social media use could be damaging to an individual's body image perceptions, which could be affected by influencers or ads on social media. The conclusions and recommendations in the Inquiry report can be found [here](#).



Additionally, a Private Members' Bill was introduced, in September 2020, which seeks to require “advertisers, broadcasters and publishers to display a logo in cases where an image of a human body or body part has been digitally altered in its proportions, and for connected purposes”<sup>1</sup>. The Bill has yet to receive a Second Reading in the House of Commons.

A [report](#) commissioned by the Department for Digital, Culture, Media and Sport as part of its Online Advertising Review assessed the different categories of harm that could arise from online advertising. Amongst other areas, the report also considered that mental health issues resulting from the portrayal of body image to be an emerging area of concern.

In 2021, the Government Equalities Office published [research](#) commissioned under the previous government, which considered the impact of increased usage of social media and edited images on negative body image, and the impact on different demographic groups. The research identified that body image was affected by many factors, including cultural and societal norms, mental health, peer-to-peer dynamics, families and mass media. The research also found that whilst direct causality is difficult to establish, most researchers agree that the impact of social media on body image might be more harmful than that of traditional media.

Given the continued political focus on efforts to tackle body image issues, CAP and BCAP consider it important to assess whether the current protection offered by the UK Advertising Codes, and the independent ASA's enforcement of them, remain effective in addressing body image related harms arising from advertising, particularly in view of recent reports and evidence.

CAP and BCAP are aware that many stakeholders regard greater diversity and prevalence of different body shapes in different aspects of life, including in media and advertising, as being important in addressing negative body image. Advertising regulation in the UK operates on the principle of imposing standards in order to prevent ads that harm, mislead or offend, including placing restrictions on the inclusion of content that can cause potential harm, or inappropriate targeting of ads. The UK Advertising Codes, and the ASA's enforcement of the Codes, do not impose requirements or quotas to include a diversity of body types in the content of ads, nor do they prevent ads from featuring glamorous, attractive, successful, aspirational or healthy people or lifestyles (unless the content and context of the ad is irresponsible or is likely to mislead), as this has the potential to infringe upon freedom of commercial expression.

In launching this call for evidence, CAP and BCAP would like to seek an up-to-date understanding of the current evidence base surrounding the potential body image related harms from advertising and the potential detrimental impact of those harms on consumers.

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<sup>1</sup> [Digitally Altered Body Images Bill - Parliamentary Bills - UK Parliament](#)

### 3. Policy background

CAP and BCAP's general policy objective is to set standards to ensure that all marketing communications are legal, decent, honest and truthful and prepared with a due sense of social and professional responsibility. CAP and BCAP intend their Codes to be based on the enduring principles that marketing communications should be responsible, respect the principles of fair competition generally accepted in business and should not mislead, harm or offend. It seeks to maintain an environment in which responsible advertising can flourish. The rules are intended to be transparent, accountable, proportionate, consistent, targeted only where regulation is needed and written so that they are easily understood, easily implemented and enforced. The protection of consumers against potential harms arising from advertising is at the heart of CAP and BCAP's regulation, and this includes the protection against potential body image related harms from advertising.

Complaints which raise body image related concerns in ads have generally been considered under the Code rules on social responsibility by the ASA (CAP Code rule 1.3 and BCAP Code 1.2):

*Marketing communications must be prepared with a sense of responsibility to consumers and to society.*

There are a number of scenarios in which this rule has been applied that are of relevance to concerns about negative body image.

Complaints about ads featuring models who appear to be overly thin have, in general, been upheld by the ASA where the images suggest, potentially harmfully, that being unhealthily thin is somehow glamorous or otherwise desirable. However, other cases have not been upheld in instances where the model was thin but didn't appear unhealthy or underweight, or where the impression of thinness was clearly caused by a particular pose or styling<sup>2</sup>.

The ASA has previously considered ads for cosmetic interventions which exploit individuals' insecurities (including that of children, young people and vulnerable groups) about their bodies to be irresponsible, including by portraying individuals as only being confident or happy by undergoing cosmetic surgery or that an individual is abnormal for not having surgery<sup>3</sup>.

The ASA also investigates complaints concerning the use of post-production techniques on images shown in ads, most of which are considered under the Code rules which prohibit misleading advertising<sup>4</sup> (for example where post-production techniques have been used to

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<sup>2</sup> [CAP AdviceOnline on Social responsibility: Body image](#)

<sup>3</sup> [CAP AdviceOnline on Cosmetic interventions: Social responsibility; CAP Advertising Guidance on the marketing of surgical and non-surgical cosmetic procedures \(page 10\)](#)

<sup>4</sup> [CAP AdviceOnline on Beauty and Cosmetics: The use of production techniques; CAP Advertising Guidance on the use of pre and post-production techniques in ads for cosmetics](#)

exaggerate the performance of a cosmetic product, including the use of photo filters<sup>5</sup>). However in 2019, the ASA investigated a number of social media ads, including influencer marketing, which promoted weight control products<sup>6</sup>; amongst other issues, the ASA concluded that the ads, which included the use of digital alteration techniques on particular body parts in the images shown, were irresponsible.

In 2017, the ASA published a report, [Depictions, Perceptions and Harms](#), which considered whether, in line with their regulatory objectives, CAP, BCAP and the ASA are doing enough to address the potential for harm or offence arising from the inclusion of gender stereotypes in ads. The report concluded that the ASA's position on body image, one of the categories of gender stereotypes identified, in advertising was broadly in the right place and that it would be helpful for its existing position to be formalised through ASA rulings to reflect the evidence base.

Following the publication of the ASA's Depictions, Perceptions and Harms report, CAP and BCAP launched a [public consultation](#) on proposals to introduce the following rule (CAP Code rule 4.9 and BCAP Code rule 4.14):

*Marketing communications must not include gender stereotypes that are likely to cause harm, or serious or widespread offence.*

*See Advertising Guidance: "[Depicting gender stereotypes likely to cause harm or serious or widespread offence?](#)"*

In their [evaluation](#), CAP and BCAP considered that the existing ASA position and CAP guidance already mitigate harms arising from ads which depict models in a way which makes them appear underweight or unhealthy, or present an unhealthy body image as aspirational. CAP and BCAP also considered that the evidence indicated that the most significant potential for harm would arise from an ad suggesting that a person's happiness depends on conforming to an idealised gender-stereotypical body shape. To reflect this, the [CAP guidance](#), which accompanied the introduction of the rule, contains the following guiding principles and a number of scenarios where these principles are applicable.

Page 5 'Scenarios featuring pressure to conform to an idealised gender-stereotypical body shape or physical features':

*Ads may feature glamorous, attractive, successful, aspirational or healthy people but they should take care to avoid suggesting that an individual's happiness or emotional wellbeing should depend on conforming to an idealised gender-stereotypical body shape or physical features.*

Page 7 'Scenarios aimed at or featuring potentially vulnerable groups':

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<sup>5</sup> [A20-1073858 We Are Luxe Ltd](#); [A20-1073854 Skinny Tan Ltd](#); [G21-1110608 BPerfect Ltd](#)

<sup>6</sup> [A19-564759 Protein Revolution Ltd](#); [G19-1018366 BoomBod Ltd](#)



*Ads should be sensitive to the emotional and physical well-being of vulnerable groups of people who may be under pressure to conform to particular gender stereotypes.*

In addition, the Advertising Codes contain rules which seek to protect children and young people from potential harms related to body image arising from inappropriate targeting of ads for specific products or services. These include placement and scheduling restrictions on ads for weight control and slimming products and services:

CAP Code:

**13.3** *Marketing communications for any weight-reduction regime or establishment must neither be directed at nor contain anything that is likely to appeal particularly to people who are under 18 or those for whom weight reduction would produce a potentially harmful body weight (BMI of less than 18.5 kg/m<sup>2</sup>). Those marketing communications must not suggest that being underweight is desirable or acceptable.*

BCAP Code:

**12.5** *Advertisements for slimming or weight control products or services must not be addressed to people under 18, use creative treatments likely to be of particular appeal to them, or feature any person whose example people under 18 are likely to follow or who has a particular appeal to them. This rule does not apply to advertisements for calorie-reduced or energy-reduced foods and drinks, provided the product is not presented as part of a slimming regime and the advertisement does not use the theme of slimming or weight control.*

**32.2** *These may not be advertised in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to audiences below the age of 18:*

**32.2.4** *slimming products, treatments or establishments (an exception is made for advertisements for calorie-reduced or energy-reduced foods and drinks, if they are not presented as part of a slimming regime and provided the advertisements do not use the theme of slimming or weight control)*

In September 2020, CAP and BCAP published a public [consultation](#) on proposals to introduce age-based targeting rules for cosmetic interventions advertising. The outcome of the consultation is expected to be announced before the end of 2021.

If implemented, the rules would prohibit non-broadcast ads for cosmetic interventions from being directed at under-18s through the selection of media or context in which they appear, including online media, social media platforms, and influencer marketing on social media.

This would mean cosmetic interventions advertising cannot be placed in non-broadcast media that are aimed at under-18s, and in media in which 25% or more of the audience profile are under-18s. Broadcast ads for cosmetic interventions would be prohibited from being scheduled to appear during or adjacent to television and radio programmes commissioned for, principally directed at or likely to appeal to audiences below the age of 18.

## 4. Evidence

How we think and feel about ourselves physically, and how we believe others see us is likely to be influenced by a high number of factors, such as family and social interactions (such as peer pressure), education, cultural and societal norms, media, and advertising, amongst others. The resulting impact of negative body image perceptions and body dissatisfaction can be wide ranging and may lead to low level of confidence and self-esteem, changes in individual and social behaviours, mental health conditions and sometimes, other health disorders. **Given the complexities in this area, CAP and BCAP invite stakeholders to submit evidence which focuses on evidence of harm linking advertising and body image perceptions.**

In addition to previous research and reports undertaken as set out in section 3 above, CAP and BCAP welcome evidence that updates and improve their understanding of the following areas:

- 1. Types and themes of ad content that give rise to body image concerns** – While concerns about body shapes and sizes featured in advertising remains, CAP and BCAP would like to understand the impact of advertising on body image perceptions based on, for example, facial features, hair and skin, visible differences (a scar, mark or condition either on an individual's face or body that makes them appear different) particularly in view of the prevalence of portrait-style images on social media and the shift in focus on those body parts.

CAP and BCAP would also like to understand the potential impacts on consumers arising from advertising in social media which may subscribe to similar themes found in social media content, such as 'Thinspiration', 'Fitspiration', and 'Wellness'.

- 2. Impact of advertising on self-perception of body image experienced by different audience groups** – Recent evidence suggests that body image perceptions may vary across different demographic groups and change over time<sup>7</sup>. In addition to gender which was explored in the previous ASA report, gender identity, race, ethnicity, sexuality, age, disabilities, health conditions and visible differences may also be a factor in an individual's body image perceptions. CAP and BCAP would like to further understand the potential impact of advertising on consumers who share those characteristics and their body image perceptions.

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<sup>7</sup> [Government Equalities Office report 'Negative body image: causes, consequences & interventions ideas', 2019](#)

3. **Impact of social media advertising, including influencer marketing, on body image concerns, in light of increased online media use** – Given the prevalence of online and social media use, as well as social media influencer marketing, CAP and BCAP seek to understand the extent to which advertising on social media and video sharing platforms, including influencer marketing, may disproportionately influence consumers’ body image perceptions.
4. **Potential impact of advertising content for specific product sectors** – CAP and BCAP are interested in understanding whether, and to what extent, the content and targeting of advertising for certain products or services intended to change an individual’s appearance, in particular, could give rise to potential body image related harms. These may include advertising for cosmetic interventions, weight control products, weight reduction regimes and establishments, fitness products or services, beauty and cosmetic products, health related products, clothing (examples include fashion ads, ads for products such as shapewear).
5. **Positive impact of advertising** – As well as considering the potential body image related harms, CAP and BCAP would like to understand the extent to which advertising can be a positive impact on consumers’ body image perceptions.

## 5. Submitting your evidence

CAP and BCAP provide a document, [Evidence-based policy-making](#), to support stakeholders’ submission of evidence, including for those who wish to argue for regulatory change or to better understand CAP and BCAP’s approach to evidence-based policy making. Whilst CAP and BCAP look at the broad evidential picture when considering any advertising policy issues and recognise that evidence can take many forms, CAP and BCAP favour evidence, such as studies or research, which examines the direct impact of advertising on affected groups of consumers and which:

- identifies the nature, scale and impact of any detriment;
- is fair and impartial and follows a recognised methodology;
- takes into account confounding variables;
- is carried out on a representative cross-section of a population similar to that of the UK or on a representative sample of the relevant part of the population; and
- mitigates against potential bias.

Stakeholders are therefore encouraged to consider the document prior to making an evidence submission.

Submissions should be sent to [bodyimage@cap.org.uk](mailto:bodyimage@cap.org.uk) by **5pm on Thursday 13 January 2022**.