

Gender stereotypes in advertising

CAP and BCAP's evaluation of responses



1. Introduction

Following public consultation, the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) have decided to introduce new rules and guidance on the use of gender stereotypes in advertisements.

CAP and BCAP have published a separate regulatory statement setting out the rationale for their decision. This document provides detailed responses to specific comments received during the consultation.

1.1 How to use this document

This document should be read alongside the consultation document.

2. List of respondents [and their abbreviations used in this document]

	Organisation	Abbreviation
	BodEquality	BE
	British Toy and Hobby Association	BTHA
	End Violence Against Women, Rape Crisis England and Wales, Imkaan and Rape Crisis South London – joint response	EVAW+
	Equality and Human Rights Commission	EHRC
	Girlguiding	GG
	Institute of Practitioners in Advertising	IPA
	Let Toys Be Toys	LTBT
	London Fire Brigade	LFB
	Mottashaw Consulting Ltd	MCL
	National Education Union	NEU
	Nuffield Council on Bioethics	NCB
	Radiocentre	RC
	Sport Wales	SW
	Stonewall	SLL
	Women's Equality Party	WE
	Zero Tolerance	ZT
	An advertiser (confidential)	Org1
	An advertiser (confidential)	Org2
	Individual	Abbreviation
	Private Individual 1 (confidential)	PI1
	Private Individual 2 (confidential)	PI2

	Private Individual 3 (confidential)	PI3
	Private Individual 4 (confidential)	PI4
	Private Individual 5 (confidential)	PI5
	Private Individual 6 (confidential)	PI6
	Private Individual 7 (confidential)	PI7
	Private Individual 8 (confidential)	PI8
	Private Individual 9 (confidential)	PI9
	Private Individual 10 (confidential)	PI10
	Private Individual 11 (confidential)	PI11
	Private Individual 12 (confidential)	PI12
	Private Individual 13 (confidential)	PI13
	Private Individual 14 (confidential)	PI14
	Private Individual 15 (confidential)	PI15
	Private Individual 16 (confidential)	PI16
	Private Individual 17	PI17
	Private Individual 18	PI18
	Private Individual 19	PI19
	Private Individual 20	PI20
	Private Individual 21	PI21
	Private Individual 22	PI22
	Private Individual 23 (confidential)	PI23
	Private Individual 24 (confidential)	PI24
	Private individual 25	PI25
	Private individual 26	PI26
	Private individual 27	PI27
	Private individual 28	PI28
	Private individual 29 (confidential)	PI29
	Private individual 30 (confidential)	PI30
	Private individual 31	PI31
	Private individual 32	PI32

	Private individual 33	PI33
	Private individual 34 (confidential)	PI34
	Private individual 35	PI35
	Private individual 36 (confidential)	PI36
	Private individual 37	PI37
	Private individual 38	PI38
	Private individual 39	PI39
	Private individual 40	PI40
	Private individual 41	PI41
	Private individual 42	PI42
	Private individual 43 (confidential)	PI43
	Private individual 44	PI44
	Private individual 45	PI45
	Private individual 46	PI46
	Private individual 47	PI47
	Private individual 48	PI48
	Private individual 49 (confidential)	PI49
	Private individual 50	PI50
	Private individual 51 (confidential)	PI51
	Private individual 52 (confidential)	PI52
	Private individual 53 (confidential)	PI53
	Private individual 54 (confidential)	PI54
	Private individual 55	PI55
	Private individual 56 (confidential)	PI56
	Private individual 57	PI57
	Private individual 58	PI58
	Private individual 59	PI59
	Private individual 60	PI60
	Private individual 61 (confidential)	PI61
	Private individual 62 (confidential)	PI62

	Private individual 63	PI63
	Private individual 64 (confidential)	PI64

3. Evaluation of consultation responses

1.	Do you agree with CAP and 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.			
	Respondent/s	Comments	CAP and BCAP's (B/CAP's) evaluation:	
		The respondents listed on the left agreed with the proposal		
	PI10, PI15, PI17, PI18, PI22, PI28, PI31, PI35, PI36, PI40, PI42, PI44, PI45, PI49, PI58, PI59, PI61, PI62, NCB, Org 2, RC, SW	Support the proposal to introduce a rule and guidance, do not offer additional commentary	CAP and BCAP agree	
	PI8, PI9	Support the proposals, offered additional commentary on the guidance	CAP and BCAP agree and have evaluated additional commentary on the guidance under Q3	
	PI7, PI9, PI11, PI12, PI13, PI14, PI16, PI19, PI23, PI24, PI25, PI26, PI27, PI29, PI30, PI32, PI33, PI34, PI37, PI38, PI39, PI41, PI43, PI46, PI47, PI48, PI50, PI51, PI52, PI53, PI54, PI55, PI56, PI57, PI60, PI63, PI64, MCL	<p>Support the proposal to introduce a rule and guidance, offering the following rationale:</p> <ul style="list-style-type: none"> • Often see women portrayed as solely responsible for the housework with men portrayed as only occasionally being expected to help and inevitably cutting corners when they do. • It is very important for next generation to have diversity and not be limited by stereotypes. • Stereotypical depictions of women and men had the potential to reinforce negative stereotypes which are outdated and don't reflect real life. • Too many ads depicted men or women as unable to carry out 'unisex' tasks. • The evidence indicates that advertising has an effect on people's attitudes and behaviour. • Ads which depict housework and childcare as women's sole responsibility reinforce outdated views, make life difficult for women and can be internalised by children • Gender stereotypes promote gender discrimination and intolerance • Gender stereotypes can affect children as young as three in spite of parental intervention. • Gender stereotyping can be very damaging and can give messages to children that things and whole careers are 'not for them'. 	<p>CAP and BCAP agree and note additional comments.</p> <p>As noted in the consultation, CAP and BCAP consider that not all gender stereotypes are harmful or offensive, and the evidence base set out in the ASA report has enabled them to develop detailed guidance setting out what kinds of depictions are likely to be problematic</p> <p>CAP and BCAP consider that advertising is not the only influence that can reinforce gender stereotypes, but the evidence indicates it does play a role. Their proposed new rule and guidance are intended to respond proportionately to the potential for harm that can arise from the depiction of these kinds of stereotypes in advertising in relation to adults and children. The new rule is also intended to give a clearer basis on which to restrict ads that</p>	

	<ul style="list-style-type: none"> • Gender stereotypes that are reinforced through TV advertising and editorial can contribute to bullying in schools. • Children learn how to be adults from what they experience and observe around them and even subtle cues can influence their thinking and their behaviour in a lifelong way. • The guidance begins to approach the sort of advertising which could cause real harm in children's development into adults. • Gender stereotyping mainly stems from marketing, advertising and clothing aimed at children. These things influence children's choices of toys which can then affect their learning and in turn affect their career choices. • While parents and teachers try to tackle stereotypes, they are reinforced by advertising and the media, and can lead to outcomes such as girls giving up science subjects. • Seeing adults in gendered roles (e.g. only women doing housework, or only men driving luxury cars) can be harmful to children. • Depicting children in stereotypical gender roles can limit children's freedom of choice. • The narrow depiction of engineering, maths and engineering toys as only appealing to boys is harming the industry by putting girls off those subjects. Changing the depiction of STEM toys, clothes and professions in advertising can help open a pipeline of female talent for the engineering industry. • Many, if not most, adverts are explicitly or implicitly gendered in terms of stereotypes and believes this is harmful for children's development as they absorb information on gendered 'roles' from many sources, including adverts. • Ads can imply risky activities aren't for girls and cute cuddly stuff isn't for boys, which doesn't reflect real life • Gender stereotyping can be harmful, particularly to young children as they feel they have to conform to one type and can feel excluded or get bullied if they don't fit in • Children are exposed to explicit and implicit gender based stereotyping in marketing and products; respondent welcomes this as an opportunity to remove some of these influences from their lives. • Proposals are consistent with the ASA report 'Depictions, Perceptions and Harm' • It is important for children not to be subjected to the kind of stereotyping that is currently all around us. • Mocking, objectifying and sexualising are unacceptable. • The power of advertising is considerable - these nuances must be obliterated before gender inequality becomes ingrained in another generation. • Marketing and advertising play a significant role in children internalising gender stereotypes from an early age • TV advertising and often poster campaigns for historic locations will show very specific gender roles i.e. Boys always dressed as knights, girls as ladies in waiting. • Repeatedly showing e.g. girls playing with dolls and pink things, boys playing 	<p>include potentially harmful or seriously offensive depictions of gender stereotypes on the grounds of objectification, inappropriate sexualisation and for depicting unhealthily thin body images, as well as gender-stereotypical role and characteristics and depictions that mock people for not conforming to gender stereotypes.</p> <p>The evidence does not demonstrate that the use of gender stereotypes is always problematic, nor that the use of seriously offensive or potentially harmful stereotypes in advertising is endemic</p> <p>CAP and BCAP note that the ASA will consider future complaints about specific depictions on a case-by-case basis.</p> <p>CAP and BCAP note that 'Delusions of Gender' was cited in the ASA report</p>
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	<p>outdoors and blue things sends the message that girls can't be tough or clever and have to be pretty and demure, boys have to be loud, noisy and not caring or nurturing. This starts the cycle of girls giving up STEM subjects and sports, and boys not taking on caring / nurturing roles in society such as nursing and teaching.</p> <ul style="list-style-type: none"> • For the UK to succeed it is necessary to address the gender balance in the work place and this starts with ensuring young children are not coerced into fulfilling typical male/female stereotypes. • Girls feel excluded from science and sports when only boys feature in adverts for science and sports, or when they are actively told it's not for girls • Some boys in toy shops are stopped by adults from buying baby dolls because they are told: "that's for girls, see it's pink". Some boys feel excluded from stereotypically 'girls' toys by the ads they see. This limits boys' ability to develop their nurturing skills to become fathers or enter the caring profession • If marketing and advertising displays such segregation at an early age, by suggesting that boys and girls don't play together and can't like the same things, then children will grow up to believe they can't work equally with the opposite gender on the same things at the same level. • Telling children that certain toys, activities, personality traits, interests or jobs are only for men or women cuts them off from things they would enjoy, and prevents them from developing in a rounded way. • Advertising that directly contrasts stereotypically 'male' and 'female' characteristics has the potential to do harm, even when the intentions are benign • Lazy stereotyping has an impact on wider society - not only on women but also with boys/men being told they must inherently be "naughty" and repress their emotions. This "one size fits all approach" appears to create a toxic male persona – which is worrying when the level of male suicides is climbing. • Most adverts do not reflect that children are children and instead want to direct them into lazy stereotype roles. This limits play and research shows it does damage children and limit opportunities later in life. The power of advertising is immense; just like children are protected from toxic ads glamorizing smoking and alcohol; adverts creating gender stereotypes and directing what they should and shouldn't play with should also be removed to protect their mental well-being. • Parents and teachers involved in a day to day conversation with children can see the impact that these messages provide • Outdated gender stereotypes limit society's view of women. • There have been decades of negative and lazy stereotyping in advertising and this is a welcome opportunity to challenge it. • Gender is a limiting and damaging construct. • Any sex-based differences between girls and boys vanish in to insignificance compared with other influences on personality and development. • To enshrine gender differences in society as an inherent and immutable force severely limits the potential of humanity. 	
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- Not logical why society places such store on supposedly inherent differences between girls and boys, which are an even blunter and more aggregated stereotype than horoscopes which are themselves considered irrelevant.
- Advertisers should be prevented from reinforcing gender stereotypes as they cause harm. The evidence of this harm is clear in the terrible disparity between the achievement of men vs women - the CEOs, the MPs, the authors of front page articles, the people who run the world - this does not reflect that women are half the population and as such we are failing to realise the potential of a huge number of people, which can only limit society as it progresses.
- With role models being so important in shaping the ambitions of children, advertising can embed damaging stereotypes or it can work to unpick them. Given the amount of money society pours in to advertising, an expectation of doing no harm isn't too much to ask.
- Children shouldn't see adverts where only girls play with dolls or babies or sparkly shoes and only boys play with light up cars and water bombs. Children should be able to choose what to play with free from stigma.
- Children as young as three think there are things girls can't do and think a toy would be unsuitable for girls if an ad only depicted boys playing with it. Seeing other girls doing things would be the best way of showing children what's possible.
- It is well documented that gender stereotypes have a negative impact on the way people are viewed, especially women and girls. Women and girls are discriminated against because of their sex and gender is used to reinforce that. By removing stereotypes that imply only women and men can do certain things it helps to remove societal conceptions of gender.
- Gender stereotyping harms us all and should not be implicit in everything that children watch.
- Toxic masculinity is harmful to males' mental health as well as the safety of women and stems from unhelpful childhood stereotypes.
- Children watch TV and get strong messages from the adverts targeting their age. Advertisers need to be more responsible and not promote gender stereotypes.
- Too many people ignore common sense and boundaries, so more stringent rules are needed to spell out that harm can be done and this must stop now.
- This is long overdue. The number and range of offensive ads is astonishing and it is shameful that industry has got away with this for so long.
- Some ads create the impression that (i) it is a woman's job to clean up after others who can make a mess to their heart's content; (ii) that it is normal for a woman to do this cheerfully and willingly. If this were expected of me in real life I would feel humiliated.

Respondents provide the following evidence for their rationale, including:

		<ul style="list-style-type: none"> • Examples of ads • Citing their own research (not provided) • Anecdotal observations of their own experiences as parents, as well as in engineering and in teaching sectors • Books: 'Delusions of Gender', 'Lean In' and 'Pink Brain, Blue Brain' • BBC programme: 'no more boys and girls' • Research by Let Toys be Toys 	
	PI20	Considers the proposals a positive start but needed to go further to have meaningful impact, offered additional commentary on proposed rule and guidance	CAP and BCAP have evaluated additional commentary on the rule and guidance under Q2 and Q3
	PI21	Supports the proposal for new rule and guidance but considers that "advertising regulation must be fair to all parties and not force any view on others apart from normal behaviour and respect people that do not want to see minority stuff"	CAP and BCAP consider their proposals reflect the evidence base to prevent harm or serious or widespread offence. CAP and BCAP note that advertising regulation in the UK works on the principle of imposing standards in order to prevent ads that harm, mislead or offend. The Codes do not impose quotas for inclusion in ads on the basis that this could infringe upon freedom of commercial expression. CAP and BCAP consider that by preventing significant potential for ads to cause harm or serious or widespread offence, the overall potential for harm should be reduced.
	PI65	<p>Provides response based on work to support more girls into science, technology, engineering and maths (STEM) education and careers.</p> <p>Submits evidence from Gender disparity in specific sectors such as STEM is correlated with the perpetuation of various gender stereotypes, which negatively impact upon identity and aspirations.</p> <ul style="list-style-type: none"> • Girls are good at science, technology, engineering and mathematics (STEM) and they outperform boys in every subject at GCSE and A-level. • However, women make up just 14% of the UK's STEM workforce. • Children's career choices begin to be fixed from as early as age 4 – yet STEM toys are three times more likely to be advertised to boys than girls. <p>Notes that City Hall's consultation highlighted that in order to support more girls into STEM, pervasive gender stereotypes needed to be challenged early. It also showed</p>	<p>CAP and BCAP agree that research indicates children are more likely to internalise messages about whether a toy or activity is meant for them, which might harmfully limit their choices of play or hobby and ultimately their career choices later in life. Skills gained from certain types of play such as construction blocks are crucial to developing skills which impact on career choices.</p> <p>CAP and BCAP note that stakeholders and research indicate that marketing toys in binary ways can limit choices of behaviour, that children learn gendered roles from gendered</p>

	<p>that:</p> <ul style="list-style-type: none"> • Play helps to develop children's world views and aspirations where toys introduce topics and skills and that these correlate with future career paths. • Segregating toys by gender can lead to career opportunities being defined by a child's gender, rather than their potential. <p>Therefore considers that CAP and BCAP's proposals to move towards banning adverts that have harmful gender stereotypes are beneficial for everyone. Considers they will contribute towards the momentum building around people's skills and aspirations not being defined by gender - especially for children. Also help to broaden people's opportunities and ensure that those that fall outside of out-dated stereotypes can reach their full potential - with benefits to the individual, the economy and society.</p> <p>Cites numerous studies which indicate that children internalise gender stereotypes from a young age and that this can limit their career choices:</p> <ul style="list-style-type: none"> • 'Draw a Scientist' study - When asked to draw a scientist, girls draw on average 58% of scientists as men, with boys drawing 96% • Institute of Physics - For more than 30 years, only a fifth of those taking A-level physics have been girls • Women in STEM, Deloitte - Girls outperform boys in every STEM subject - yet women make up just 14% of UK STEM workforce • 3x more boys than girls took GCSE computing, 50% more boys took GCSE design and technology, and 40% more boys took STEM A-level subjects • "men are more likely to go into higher-paid work than women because of the academic choices they have made earlier in life" • Conclusion: 'encouraging and enabling more girls into STEM subjects and towards STEM-related careers will reduce the gender pay gap' • KidZania [Link 1] [Link 2] - Children's career choices fixed by gender as early as age 4 where gender stereotypes begin and persist for years • Institution of Engineering and Technology - Toys with a STEM focus are three times more likely to be targeted at boys than girls • Gender, toys and learning, Professor Becky Francis – UCL IoE - Toys typically associated with boys expose them to topics and technical skills that correlate to a STEM career, whilst toys associated with girls typically encourage a career in care 	<p>toys and that children feel under pressure to adhere to a specific image based on stereotypical ideas.</p>
BE	<p>Considers the proposals to be well overdue.</p> <p>Considers that the media and particularly advertising contribute in a significant way to wide-spread social dissatisfaction, informing people's thoughts, beliefs, decisions, ambitions, behaviours, lives and stress levels.</p> <p>Considers the ASA is failing in its mission to 'make every UK ad a responsible ad' and</p>	<p>As noted in the consultation, CAP and BCAP consider that advertising is obviously not the only influence that can reinforce gender stereotypes, but the evidence indicates it does play a role. Their proposed new rule and guidance are intended to respond proportionately to the potential for harm that can</p>

	<p>that self-regulation leads to minimum standards which exclude the representation of large portions of society, including the elderly, the disabled, and those who don't conform to ideal body images.</p> <p>Considers that the current codes and self-regulation provide no minimum industry standards and that significant portions of our society are not. Considers this reflects on an individual's sense of validity, self-worth, self-acceptance, as well as huge missed markets for advertisers. This includes the elderly, (18% of our population), disabled (19% of our working age population) and those who don't conform to the ideal body image (95% of our population).</p>	
<p>Considers that:</p> <ul style="list-style-type: none"> • The media has a direct impact on depicting idealised body images which leads to individuals developing a negative body image. • This adversely affects women in particular by setting impossible standards for idealised women's bodies. • Pervasive negative body image is a public health issue which carries a significant social cost, and which can have serious consequences such as developing eating disorders. <p>Cites multiple sources of evidence to support that position: <i>López-Guimerà et al., 2010</i>; <i>Bryant and Oliver, 2009</i>; <i>Harper, UK Essays, 2008</i>; <i>Grabe et al., 2008</i>; <i>Bercedo Sanz et al. 2005</i>; <i>Greenberg et al. 2009</i>; <i>López-Guimerà et al., 2010</i>; <i>Levine and Murnen, 2009</i>; <i>Levine and Harrison 2004</i>; <i>Mayo Clinic, UK Essays, 2010</i>; <i>Alleva, 2018 – also Cash and Jakatdar, and Williams 2004</i>; <i>Cooley and Toray, 2001</i>; <i>Grogan, 2006</i>, <i>Halliwell, Diedrichs, and Orbach, 2014</i>; <i>Paxton, Neumark-Sztainer, Hannan, and Eisenberg, 2006</i>; <i>Grabe et al., 2008</i>; <i>Stice and Shaw (2002)</i>; <i>Birkeland, Thompson and Herbozo, 2005</i>; <i>Grabe et al. 2007</i>; <i>Johnson and Wardle, 2005</i>; <i>Numark et al., 2006</i>; <i>Paxton et al., 2006</i>; <i>Tiggeman, 2005</i>; <i>Tiggeman, 2006</i>; <i>Grabe, 2008</i>; <i>Mellin et al., 1997</i>; <i>Neighbors, 2007</i>; <i>Social Issues Research Centre; Eating Disorders: Body, 2008</i>; <i>Striegel-Moore and Bulik, 2007</i>; <i>Dohnt and Tiggemann, 2006</i>; <i>Be Real, 2018</i>; <i>Beat – the UK's leading eating disorder charity</i>. Also cites documentaries Embrace and The Illusionists</p>		
<p>Considers that the kind of negative body image indicated by the evidence can be mitigated against by the media depicting more diverse body shapes.</p> <p>Cites evidence to support this view: <i>"Dittmar and Howard (2004); Halliwell and Dittmar, 2004; Dittmar and Howe, 2005</i></p> <p>Notes that many brands are starting to use models with diverse body shapes, but expresses concern that this could be a short-term trend.</p>		<p>arise from the depiction of these kinds of stereotypes in advertising.</p> <p>CAP and BCAP consider that the weight of evidence suggests that, while not all stereotypes are harmful or offensive, certain gender stereotypes can lead to mental, physical or social harm which can affect how people interact with each other and the way they perceive themselves wherever they appear. .</p> <p>CAP and BCAP note that advertising regulation in the UK works on the principle of imposing standards in order to prevent ads that harm, mislead or offend. The Codes do not impose quotas for inclusion in ads on the basis that this could infringe upon freedom of commercial expression. CAP and BCAP consider that by preventing significant potential for ads to cause harm or serious or widespread offence, the overall potential for harm should be reduced.</p> <p>CAP and BCAP consider that their proposed new rule and guidance are intended to respond proportionately to the potential for harm that can arise from the depiction of these kinds of stereotypes in advertising. The new rules are also intended to give a clearer basis on which to restrict ads that include potentially harmful or seriously offensive depictions of gender stereotypes that depict unhealthily thin body images.</p> <p>The evidence does not demonstrate that the use of gender stereotypes is always problematic, nor that the use of seriously offensive or potentially harmful stereotypes in advertising is endemic.</p> <p>CAP and BCAP note that the ASA has a strong position which prevents ads from depicting models in a way which makes them appear underweight or unhealthy, and from presenting an unhealthy body image as aspirational, as set</p>

	<p>Notes that the diversity policy of advertising agency AMV BBDO makes a great attempt to cover all issues of diversity, yet makes no reference to body image:</p> <p><i>"To us, diversity means a variety of difference among people relating to factors such as age, employee level, gender, marital status, national origin, physical/mental ability, race, religious beliefs, sexual orientation and thinking style."</i></p> <p>Notes initiatives by models and the fashion industry to introduce policy preventing designers from using unhealthily thin models.</p> <p>Notes it is impossible to test whether body image dissatisfaction is just a "real-world indisputable gender inequality", yet evidence suggests that women from indigenous tribes which have minimal access to tech and media do not have the same issues around body confidence.</p> <p>Considers that up-to-date research indicates that there are experiences that both limit and expand a person's body-concept. Cites Alleva, 2018 and Fredrickson and Roberts, 1997.</p> <p>Considers that these results show that even a programme of re-training isn't enough to buffer the effects of a lifetime of media.</p> <p>Considers the fact that many adverts don't currently breach the code indicates, given the wealth of research proving harmful links between advertising and body image dissatisfaction, that the codes need to be changed.</p> <p>Considers that body image by far outruns the other concerns surrounding gender stereotyping, occurring so pervasively, yet it takes its place as sixth on the list of concerns in the proposed guidance. The prevalence of idealised body images and their potentially harmful effect should make this issue a priority.</p>	<p>out in guidance and multiple rulings.</p> <p>CAP and BCAP consider that the evidence around this issue indicates 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. This is reflected in the proposed guidance which states that an ad shouldn't imply that a person's body shape is a significant reason for being unsuccessful romantically or socially. CAP and BCAP note that the guidance around ads that mock people for not conforming to gender stereotypes might also apply to ads featuring people who are overweight.</p> <p>The ASA report notes a number of industry initiatives that proactively seek to include greater diversity in advertising as well as those that address body image specifically.</p> <p>CAP and BCAP note that the list of gender stereotyping categories is not presented in order of priority.</p>
	<p>Notes that the obesity crisis gives industry, regulators and commentators pause for thought when considering the depiction of diverse body shapes.</p> <p>Considered the obesity crisis should not be used as a reason not to feature diverse body shapes in advertising, for the following reasons:</p> <ul style="list-style-type: none"> • The links between being thin and healthy are starting to be questioned widely through research • There is a large variety of body shapes that are healthy that do not align with the "ideal body image" • A range of body shapes would provide more people with a realistic target and a varied depiction of what is classed as "beautiful", making efforts more achievable 	<p>CAP and BCAP acknowledge separate concerns about the obesity crisis and the potentially counter-productive effect of diet culture on long-term weight management. The CAP and BCAP Codes already include strict rules around ads for weight-loss products and services.</p>

	<ul style="list-style-type: none"> the current idealised norm is actually contributing to obesity, kick-starting a diet mind-set in girls at a young age which has been linked through research, with obesity in later life. <p>Cites evidence to support this view: <i>Haines and Neumark-Sztianer, 2006; Centres for Disease Control, 2006; Neumark-Sztianer and colleagues, 2007.</i></p>	
	<p>Cites evidence to support the view that media literacy initiatives have limited efficacy from: Grabe et al., 2008; Irving and Berel, 2001; McVey and Davis, 2002.</p> <p>Considers that while Media Smart is a laudable initiative, it is underfunded, lacks visibility and does not go far enough to help children and young people decode the messages they see in advertising.</p>	CAP and BCAP undertake to share this feedback and evidence with Media Smart
	<p>Calls for:</p> <ul style="list-style-type: none"> Acknowledgement and awareness-raising of the issue through: new codes, government initiatives and press, and for the ASA to hold brands accountable for portraying a greater range of healthy / diverse bodies. The formation of expert groups to inform CAP policy and ASA investigations on this issue made up of academics and ambassadors in the fields of women, gender, equality, body image; counsellors for eating disorders, doctors, teachers, social workers, social commentators, physios, body-workers, teachers, parents of those with eating disorders and especially young people. <p>The ASA and CAP work closely with stakeholders, including government departments and NGOs and provide extensive training and guidance to advertising practitioners.</p> <p>An important purpose of the consultation is to ensure the rules and guidance are easy to understand and easy to apply given the innumerable circumstances they may be relevant to. The ASA will reflect on its experience of administering the new rule and guidance after one year, taking into account where it has sought or been given expert insight in relation to gender stereotypes with a view to considering whether a GS expert panel is necessary or desirable. At present, following learning from the ASA Report and that amassed through the consultation process, the Committees don't consider there's a strong case for the establishment of such a panel.</p> <p>CAP and BCAP undertake to conduct a 12 month review of this rule and guidance to consider whether they are meeting their objectives to prevent ads from including potentially harmful or offensive gender</p>	

		stereotypes and to guard against unintended consequences.
BTHA	Fully supports the new rule and guidance, consider it a good thing to give companies something to work towards so they can be more confident in their practices going forward. Believes the guidance strikes the correct balance with ensuring no gender is excluded from aspirational goals and depictions without limiting companies in their development of products and services for specific genders.	CAP and BCAP agree and note additional comments
EHRC	<p>Considers that the new rule will strengthen ASA's ability to take action with regard to advertisements that propagate gender stereotypes. Considers that supporting guidance will help to provide clarity with respect to the operation of the new rule for advertisers and the public, and thereby ensure the new rule is consistently applied and effective.</p> <p>Considers this will help to promote equality and enhance UK compliance with domestic and international human rights law.</p> <p>Notes that the consultation document acknowledges that to the extent that the ASA, CAP and BCAP are public authorities, they are required to comply with the Human Rights Act 1998, which incorporates the European Convention on Human Rights (ECHR) into domestic law and the Public Sector Equality Duty (PSED) under s.149 of the Equality Act 2010 (EA2010). Notes that harassment, for the purposes of the EA2010i, involves conduct that has the purpose or effect of violating a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for them.</p>	<p>CAP and BCAP agree that the new rule will strengthen the ASA's ability to take action with regard to advertisements that propagate potentially harmful gender stereotypes in a way that is consistent with the HRA and PSED.</p> <p>The evidence does not demonstrate that the use of gender stereotypes is always problematic, nor that the use of seriously offensive or potentially harmful stereotypes in advertising is endemic.</p> <p>As noted in the consultation document, CAP and BCAP have sought to strike a balance in providing guidance that reflects the detailed evidence base available yet allows sufficient flexibility for advertisers to promote their products and services, and for the ASA to consider each ad on a case by case basis when implementing new rules.</p> <p>CAP and BCAP welcome the level of detail provided in this response which confirms their proposals are consistent with developing international and UK policy.</p>
	<p>Notes that the consultation sets out the requirements of Article 10 ECHR (right to freedom of expression). Considers that other relevant rights under the ECHR include</p> <ul style="list-style-type: none"> • Article 2 (right to life) • Article 3 (prohibition on inhuman and degrading treatment) • Article 8 (right to physical and psychological integrity), • Art 14 (non-discrimination in the enjoyment of Convention rights) 	CAP and BCAP consider that there are many factors which contribute to Violence against Women and Girls, and that perpetuating gender stereotypes is one of those factors. They acknowledge that advertising can play a role in reinforcing those stereotypes but consider that the depiction of harmful gender stereotypes in advertising is not endemic.

Considers these Articles contain positive obligations on the state to implement measures to prevent violations of the rights, including breaches that may occur as a result of sexual and physical violence against women and girls.

Considers the UK is required to comply with the international human rights treaties that it has ratified and the interpretation of ECHR rights, including their positive obligations, should be informed by them. Notes that treaties ratified by the UK include the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)ii.

Considers that Article 5 of CEDAW is particularly relevant to the new rule, and that general recommendations issued by the CEDAW Committee provide guidance on the interpretation of the Convention and include a recognition of the link between gender stereotypes, sexual objectification, and gender based violence as well as recommendations for effective measures to eliminate gender stereotypes in the media.

Notes that the Concluding Observations of the CEDAW Committee's report of its last examination of UK compliance with the Convention published in 2013 noted the Committee's concern about the high degree of stereotyping and use of sexual images of women in advertising, as highlighted in the Leveson Inquiry. The Committee recommended that the UK Government should continue to work with advertising industries to stop them presenting women and girls in a stereotypical way. Notes the UK is currently undergoing a fresh examination by the CEDAW Committee.

Notes that the UK has also signed and committed to ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), noting requirements in that Convention to challenge or eradicate gender stereotypes that might perpetuate harmful outcomes.

CAP and BCAP welcome the further evidence provided in this response and consider that the existing ASA position and CAP guidance on objectification, sexualisation and body image already mitigate against the kinds of stereotypes identified here. CAP and BCAP consider that the additional scenarios relating to gender-stereotypical roles, characteristics and idealised body shapes are intended to further mitigate against potentially harmful gender stereotypes.

CAP and BCAP undertake to conduct a 12 month review of this rule and guidance to consider whether they are meeting their objectives to prevent ads from including potentially harmful or offensive gender stereotypes and to guard against unintended consequences.

The evidence base demonstrates that gender stereotypes that depict roles and characteristics or unhealthy body images, or that mock people for not conforming to gender stereotype can be harmful to men, women, boys and girls. The evidence base for gender stereotypes that sexualise or objectify tends to focus more on the potentially harmful effects on women than on men.

CAP and BCAP consider that the international treaties cited are not binding on the ASA and CAP but that the relevant detail set out here is indicative of developing international policy and supports the proposals made in the consultation.

CAP and BCAP note that while advertising was not within the remit of the Leveson Inquiry a recent CEDAW report included an action for the committee to provide an update on progress made to collaborate with the Advertising Standards Authority in order to address

		<p>stereotypical imaging and objectification of women in the media and in advertising, particularly in tabloids. The ASA Executive has worked with the Government Equalities Office to provide a response.</p>
	<p>Agrees with CAP and BCAP's assessment that children may be particularly vulnerable to internalising potentially harmful stereotypes and notes this view is supported by the UN Convention on the Rights of the Child (CRC)^{vii}. Notes that the CRC's General Comment 16viii on business and children's rights clarifies the relevance of Article 17 to advertising and stereotyping, and the need for regulation. Notes that the CRC Committee's General Comment 20ix on the rights of children in adolescence further addresses gender inequalities, discrimination and stereotyping and that the CRC also requires the best interests of children to be a primary consideration in decisions that affect them. Considers this requirement should be reflected in the approach to complaints under the new rule which concern the impact of an advertisement on children.</p>	<p>CAP and BCAP agree that the evidence base demonstrates that children are more likely to internalise gender stereotypes, which can have limiting effect on their perception of themselves and other. CAP and BCAP consider that evidence supports the position set out in the proposed guidance that ads shouldn't convey that a children's product or activity is inappropriate for one or other gender.</p> <p>CAP and BCAP consider that the proposed scenarios relating to gender-stereotypical roles, characteristics and idealised body shapes are intended to further mitigate against potentially harmful gender stereotypes which can affect adults and children.</p> <p>CAP and BCAP consider that the ASA habitually considers the best interests of children in cases which concern the impact of an advertisement on children.</p>
EVAW+	<p>As organisations working in the Violence Against Women and Girls (VAWG) sector, strongly believe that societal attitudes including belief in and the propagation of stereotypes can have a catastrophic impact on the daily experiences of women and girls.</p> <p>Consider that the use of stereotypes in advertising act to further normalise and reinforce negative social attitudes and existing gender inequality which is both a cause and consequence of VAWG, they therefore disproportionately affect women and girls.</p> <p>Cites research from UM London which states that 44% of UK women say that advertising makes them think they're not good enough: (http://umww.co.uk/news/2017/07/three-quarters-of-uk-women-say-they-are-stereotyped-in-adverts).</p>	<p>CAP and BCAP consider that there are many factors which contribute to Violence against Women and Girls, and that perpetuating gender stereotypes is one of those factors. They acknowledge that advertising can play a role in reinforcing those stereotypes but consider that the depiction of harmful gender stereotypes in advertising is not endemic.</p> <p>CAP and BCAP welcome the further evidence provided in this response and consider that the existing ASA position and CAP guidance on</p>

	<p>Cites as evidence the findings of the Girlguiding Girls Attitudes Survey 2017, noting that it sends a significant message that girls and women continue to feel that gender stereotypes are entrenched in social expectations of how they should look and behave and that their self-esteem and potential is limited as a result.</p> <p>https://www.girlguiding.org.uk/social-action-advocacy-and-campaigns/research/girls-attitudes-survey/</p>	<p>objectification, sexualisation and body image already mitigate against the kinds of stereotypes identified here. CAP and BCAP consider that the additional scenarios relating to gender-stereotypical roles, characteristics and idealised body shapes are intended to further mitigate against potentially harmful gender stereotypes.</p> <p>CAP and BCAP undertake to conduct a 12 month review of this rule and guidance to consider whether they are meeting their objectives to prevent ads from including potentially harmful or offensive gender stereotypes and to guard against unintended consequences.</p>
GG	<p>Supports the proposal to introduce a new rule and supporting guidance into the Advertising Codes. Agrees that gender stereotypes should be considered in terms of their potential for real world harm and welcome the proposed broadened focus to regulate gender stereotyping around roles, characteristics and conforming to gender stereotypes, in a clear and easily enforceable way. Also agrees that gender stereotypes across all the areas included in the document can restrict people's choices, aspirations and opportunities as well as their interactions with others and how they view their own potential. Is pleased that advertising online falls under CAP's remit as this is where many young people spend a lot of time and are therefore exposed to advertising.</p> <p>Supported CAP and BCAP's 2017 decision to introduce a new rule preventing the sexualised depiction of under 18s in advertising. Noted that their latest survey indicated girls want to see the sexual objectification of women of all ages addressed.</p> <p>Notes that the proposals reflect the evidence base presented in the ASA report which includes evidence from Girlguiding including:</p> <ul style="list-style-type: none"> - The need to tackle the common and unacceptable emphasis within advertising on women's appearances to the exclusion of their skills and abilities - Particular vulnerability of children to stereotypes as well as their potential to affect people across society (who may then reinforce and reproduce these stereotypes 	<p>CAP and BCAP agree and note additional comments.</p> <p>CAP and BCAP consider that the proposed guidance reflects the evidence base presented here and mitigates against harmful stereotypes by preventing ads from:</p> <p>Suggesting that a person's happiness or success depends on conforming to an idealised gender-stereotypical body shape. For example, an ad shouldn't imply that a person's body shape is a significant reason for being unsuccessful romantically or socially.</p> <p>Exacerbating potential vulnerabilities of specific groups eg young people to conform to gender stereotypical norms.</p> <p>Suggesting that stereotypical roles or characteristics are always uniquely associated with one gender, the only options available to one gender, or never carried out or displayed by</p>

	<p>with their children or children they work/come into contact with).</p> <p>Is pleased that CAP and BCAP feel that unacceptable depictions are unlikely to be mitigated by the use of humour and banter as these have been used as ways to justify and perpetuate harmful stereotypes.</p> <p>Agrees that it's important for advertisers and consumers to better understand what is acceptable and unacceptable in terms of gender stereotyping and found the examples included in the guidance very helpful for illustrating this. Consider that having specific examples relating to children and vulnerable groups (including young people and new mothers) is also helpful and considers that advertisers should have a responsibility to consider the impact of their adverts on consumers' wellbeing.</p> <p>Supports the clarification of broad categories that the rule and guidance would not apply to such as:</p> <ul style="list-style-type: none"> - Successful, healthy or glamorous people (where this was not depicted in a way that pressures people or makes them feel like a particular body shape leads to success for their gender) - One gender for products for that gender - Gender stereotypes used to challenge the negative effects of gender stereotyping <p>Considers it important to have these practical examples so that the guidance is clear, implemented and followed properly.</p> <p>Strongly agrees that the ASA should particularly consider the viewpoints of those represented in adverts (i.e. individuals watching adverts seeing their gender, ethnicity, disability etc. represented in adverts) over what is considered the 'general accepted standard' of what is offensive and acceptable. Considers it's important that individuals' views are considered over any such standard within society in that, as put by one of the contributors to the ASA report (p53), the society we live in remains 'institutionally and intrinsically sexist'.</p> <p>Believes it is useful to highlight the finding that more advertisers are realising the commercial benefits of more accurately reflecting their consumer base (as opposed to using outdated and inaccurate stereotypes). However, considers it important to note that stereotypes <i>may</i> sometimes accurately reflect consumers' views or choices, due to the way that stereotypes are internalised and normalised within society. Therefore appreciates the consultation's acknowledgement that reinforcing stereotypes can have harmful real world consequences – e.g. showing gender stereotypes of girls and boys playing with different kinds of toys is likely to lead to affect real children's toy choices and, as a consequence, potentially their feelings about themselves, their abilities and future career choices. Consequently, supports CAP and BCAP's proposals to prevent</p>	another gender.
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	<p>advertisers from perpetuating harmful stereotypes.</p> <p>Appreciates the nuanced position in the proposed guidance to ensure that roles and characteristics associated with genders can be included so long as it's not implied that they're unique to that gender, that there's no other way to be within that gender or that no-one from another gender could perform them. Would never want to restrict girls' and young women's choices and wouldn't call for them not to like or ever see representations of aspects traditionally associated with girls – only for them not to be restricted solely to these.</p> <p>Cites evidence from its annual Girls' Attitudes Survey – the largest UK survey of girls and young women – which gathers the views and opinions of over 1,600 girls and young women aged 7 to 21, from inside and outside guiding. Notes results of that survey indicate that girls' and young women's self-esteem is damaged by stereotypical media images and that advertising can affect their education, aspirations and careers.</p> <p>Reports that the 2017 Girls' Attitudes Survey showed that girls become increasingly aware of gendered marketing and advertising as a problem. When choosing clothes and toys, girls of all ages know when they are being targeted by manufacturers and advertisers because of their gender, through the use of blatant stereotypes such as a reliance on pink or use of words like 'pretty'. This can make them feel uncomfortable and annoyed as it suggests there are limits to what they are supposed to like or do. Girls reported that they were surrounded by negative, limiting and stereotypical portrayals of girls and women. The research showed that the vast majority of girls recognise how widespread a problem this is and the impact it has.</p> <p>Cites data from its 2017 evidence which indicated that,</p> <ul style="list-style-type: none"> • 47% of girls aged 11 to 21 had seen stereotypical images of women and men in the media in the previous week that made them feel less confident to do what they want • 42% had seen adverts portraying women or girls that they thought were sexist. • 11 to 21, 89% of 11-21 yr old girls/women had seen gender stereotypes in TV, film, magazines or newspapers (25% sometimes and 64% often) <p>Notes their research also indicated that younger girls, those aged 7 to 10, held similar views about how women are portrayed. Considers the evidence shows that girls are affected by negative stereotypes from an early age, and have an awareness that the women represented in advertising, and the media more generally, show only a partial picture of the roles girls and women can play in the world.</p> <p>Notes that in its research, girls aged 11 to 21 had indicated what they want to see in advertising:</p>	
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- 95% said the advertising industry should stop using gender stereotypes of men and women
- 95% of girls aged 11 to 21 think the advertising industry should show more positive, diverse representations of girls and women
- 88% said it should make sure all adverts that have been airbrushed are marked to say they have been altered
- 88% said it should stop using sexualised images of women and men
- 85% said it shouldn't advertise toys using gender stereotypes

Notes the majority of girls and young women surveyed considered that gender inequality - including stereotyped and sexist representations of girls and women in the media and public life – negatively affects how women are treated in society. It also affects their education, aspirations, careers, body image and confidence and their relationships.

Notes its 2015 Survey showed that among girls aged 7 to 10, 16% think they are more likely to be successful if they look like celebrities, and 14% sometimes feel embarrassed about the way they look because they are not like the girls and women on TV.

- 37% of girls aged 11 to 21 feel they should try to look more like the pictures of girls and women they see in the media.
- 33% think they are more likely to be successful if they look like celebrities, rising to 43% among those aged 17 to 21.
- Almost half of girls (45%) sometimes feel ashamed of the way they look because they are not like girls and women in the media. The numbers who feel this way increase from 36% among those aged 11 to 16, to 52% of girls aged 17 to 21.

Considers that appearance pressures can have a harmful impact on girls. 39% aged 11 to 21 told us they often stop themselves taking part in fun activities because they are self-conscious about their appearance, and 30% take part less in the classroom/at work because they feel concerned about their appearance.

Considers the proposed guidance will help to ensure advertisers and consumers are clearer on what is acceptable and unacceptable in terms of sexualised content.

Notes its 2016 Girls' Attitudes Survey revealed that:

- *61% of 13 to 21 year olds feel that when women are portrayed as 'sex objects' it makes girls feel disempowered*
- *70% of 11 to 16 year olds and 80% of 17 to 21 year olds feel that women are too often shown as sex objects in the media and online*

Notes its 2015 Survey found that half of girls aged 11 to 21 (48%) think women are not portrayed fairly in the media. This is a substantial increase compared to 5 years before when 27% of girls thought women were not portrayed fairly. That survey also asked them about the impact of media and found that:

- 42% had read something in the media that trivialised violence or abuse towards women.
- 55% had seen the media talk about women's appearance before their achievements/job.
- 53% had heard a remark that belittled/degraded a girl/woman in a film or on TV.
- 75% of girls and young women aged 11 to 21 say that there are too many images of naked or nearly naked women in the media.
- Half of girls (48%) aged 7 to 10 think there are too many women on TV who don't have enough clothes on.

Notes its 2017 Survey shows that girls of all ages are aware of gender stereotypes in advertising:

- 68% of girls aged 7 to 10 and 70% aged 11 to 21 could identify products they thought were being targeted at girls or boys
- 51% aged 11 to 21 said these adverts are harmful to women being treated fairly and having equal opportunities to men and 33% aged 7 to 10 said these stereotypes showed girls are treated less fairly compared to boys
- 35% aged 11 to 21 said these adverts limit girls' future opportunities
- 46% aged 11 to 21 said they make girls seem less important than boys

Includes verbatim comments, noting that girls surveyed reported how ads using gender stereotypes made them feel.

Girls aged 7-10:

'Disappointed and underestimated – plus I don't like pink!'

'As if the companies are sexist because of what they think girls/boys like. For instance I'm a girl but I like navy blue. It doesn't mean I'm a boy.'

Aged 11-16:

'Confused and annoyed – women can be just as strong and powerful as men.'

'It makes me feel angry because it is clearly implying that girls are less important and capable than boys.'

	<p>Aged 17-21</p> <p><i>'Annoyed because it shows that women are only liked for their appearance.'</i></p> <p><i>'Like I have to conform and be as perfect as the model but at the same time I know that it's all Photoshopped.'</i></p> <p>Notes that on the other hand, 71% aged 11 to 21 said adverts that challenge gender stereotypes are helpful to women being treated fairly and having equal opportunities to men and 54% aged 7 to 10 said these adverts are helpful in showing girls being treated fairly compared to boys. Notes that girls surveyed reported how those adverts make them feel:</p> <p>Girls aged 7 to 10:</p> <p><i>'Like girls can be as fun as boys.'</i></p> <p><i>'Brave and strong.'</i></p> <p><i>'Proud to be a girl'</i></p> <p>Aged 11 to 16:</p> <p><i>'It's very inspiring and I want to see a lot more of things like this'</i></p> <p><i>'Confident and free to do what I love.'</i></p> <p><i>'Empowered because it shows girls breaking the stereotype that we should be weak and fragile.'</i></p> <p>Aged 17 to 21:</p> <p><i>'Like women can be strong.'</i></p> <p><i>'Happy for the future.'</i></p> <p><i>'Hopeful that girls can be seen as equal.'</i></p> <p>Notes that in 2014 it asked young women aged 17 to 21 what they would like to see media organisations do to improve the representation of women.</p> <ul style="list-style-type: none"> - <i>89% think they should publicly commit to making sure they represent all women fairly.</i> - <i>84% think they should commit to showing more positive female role models.</i> - <i>77% agree that they should agree not to show airbrushed images of women.</i> <p>Notes its 2014 Survey also found that:</p> <ul style="list-style-type: none"> - <i>65% agree that too often women appear in the media only because they are the girlfriend or wife of a famous man.</i> 	
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		<ul style="list-style-type: none"> - 55% feel that there are not enough positive female role models in the media. - 49% of girls aged 13 to 21 say that this portrayal of women restricts what they do or aspire to in some way. 	
IPA		<p>Notes it fully appreciates that gender stereotyping – defined as a widely held but fixed and oversimplified image or idea of a particular type of person that can be negative - is an important societal issue and needs to be addressed. However, even with an issue of this sensitivity, it is important to find a balance between the rights of people not to be subjected to offensive stereotypical depictions and the rights of businesses to advertise their products and services. To the extent that they feature in advertising, gender stereotypes are typically used as scene-setting shortcuts – for example, a mother cooking a meal for her children. Such portrayals are unlikely to be damaging or otherwise detrimental to society.</p> <p>Notes that the executive summary to the consultation explains that CAP and BCAP consider that the ASA report “Depictions, Perceptions and Harm” makes an evidence-based case for regulatory change. It notes that the ASA already applies CAP and BCAP rules on offence and social irresponsibility to ban ads that include gender stereotypes on various grounds and that although advertising is not the only influence that can reinforce gender stereotypes, it does play a role. Hence, CAP/BCAP’s recommendation is for a new rule and guidance intended as a “proportionate” response to the potential harm that can arise through the depiction of gender stereotypes in advertising.</p> <p>The ASA report also acknowledges that advertising is just one of many factors that can reinforce gender stereotypes. It goes further, noting that <u>“the overwhelming majority of ads do not include gender stereotypes that are likely to cause harm or serious or widespread offence”</u> (p. 12).</p> <p>Key learnings from the ASA report point out that <u>“the ASA has typically decided that depictions of stereotypical gender roles or characteristics or ads that mock people for not conforming to a gender stereotype are unlikely to cause harm, serious or widespread offence, or be otherwise socially irresponsible. This report indicates that ASA decisions relating to body image, sexualisation and objectification are broadly in the right place, and that it would be helpful for its existing position to be formalised to reflect the evidence base”</u>.</p> <p>The executive summary to the consultation echoes the ASA report, acknowledging that <u>“the evidence does not demonstrate that the use of gender stereotypes is always problematic, nor that the use of seriously offensive or potentially harmful stereotypes in advertising is endemic.”</u></p> <p>The ASA report and CAP and BCAP therefore accept that there is not a significant problem with the use of gender stereotypes in advertising. Both acknowledge that</p>	<p>As noted in the consultation, complaints about gender stereotypes are currently considered under a variety of existing rules that prevent ads from being socially irresponsible or causing harm or serious or widespread offence. The ASA report notes that prior to the publication of the report, the existing position around some categories of stereotypes was broadly in the right place; CAP and BCAP’s proposals ensure that future rulings are all in the right place, by reflecting the evidence base on potential harm and addressing all depictions of gender stereotypes.</p> <p>The evidence indicates that depicting some kinds of gender stereotypes can reinforce potentially harmful or seriously offensive outcomes, but that advertising is not the only influence which contributes to those outcomes. In the light of this, the Committees consider that introducing the proposed new rule with detailed supporting guidance would help advertisers to ensure that their ads do not include content which has the potential to harm or cause serious or widespread offence.</p> <p>CAP and BCAP agree that the evidence does not demonstrate that the use of gender stereotypes in ads is always problematic, nor that the use of seriously offensive or potentially harmful stereotypes in advertising is endemic. Their proposals ensure that the ASA is able to take appropriate action against any ads that do depict potentially harmful stereotypes.</p> <p>CAP and BCAP note that the qualifier ‘likely’ is used in a number of rules in the CAP and BCAP Codes and gives the ASA flexibility to consider complaints on a case-by-case basis and assess</p>

	<p>advertising is just one of many other factors that contribute to “unequal gender outcomes” and that most ads are not a cause for concern. Both do conclude, however, that despite this, new rules aimed specifically at gender stereotypes in advertising should be introduced.</p> <p>Supports the proposal for new rules and guidance, provided they are clear, fair and proportionate. Consider it is also important that they avoid unintended, damaging consequences, such as the stifling of creativity, the creation of new stereotypes or the encouragement of characteristics or behaviour that might be detrimental to society, including physical health.</p> <p>Concludes that rules and guidance aimed specifically at gender stereotyping would be timely and signal the industry’s concern with gender stereotyping in society, generally.</p> <p>However, since neither the ASA report nor CAP or BCAP consider that advertising is particularly problematic, any new rules and guidance must not only be clear and easy to understand, but they must also be proportionate. Does not believe that the new rule should include an unqualified reference to “harm” and we do have concerns that the guidance might be difficult for practitioners to apply when read alongside the new rules. Care should also be taken to avoid unintended, detrimental consequences, such as the stifling of creativity or the encouragement of characteristics or behaviour that might be detrimental to society.</p>	<p>the evidence in each case to reach an informed decision.</p> <p>CAP and BCAP note that the ASA is accustomed to dealing with cases where there is potential for harm and that the evidence included in the ASA report, alongside the detailed guidance supporting the proposed new rule, will enable the ASA to reach informed decisions on whether a specific gender stereotype in an ad has the potential to cause harm.</p> <p>As part of its process, CAP and BCAP pre-consulted advertising practitioners to help meet objectives that rules and guidance should be easily understood, easily implemented and easily enforced. CAP and BCAP consider the proposed rule and guidance reflect the evidence base while allowing advertisers to effectively and creatively market their products to consumers.</p> <p>Additional comments about the wording of the new rules are evaluated under Q2.</p>
LTBT	<p>Agrees with the need for a new rule.</p> <p>Considers that gender stereotyping causes significant harm, particularly to children, who are actively seeking cues and guidance to learn what it means to be a boy or a girl.</p> <p>Considers repeated exposure to narrow stereotypes and templates in advertising can turn children away from their true interests and limit their chances to grow and develop, feeding directly into the inequalities we see in adult life.</p> <p>Submits its report http://lettoysbetoys.org.uk/what-do-toys-have-to-do-with-inequality/ which includes research by Welsh equality organisation Chwarae Teg which notes that children start to develop ideas about jobs that are suitable for boys and girls by late primary age.</p>	CAP and BCAP agree and note that the evidence cited here is consistent with the evidence collated in the ASA report.

	<p>Cites its own 2015 research into TV toy ads, which includes:</p> <ul style="list-style-type: none"> • Evidence of the strongly stereotyped messages of TV toy ads supported by statistical analysis and word clouds • Why gender stereotyping in toy ads is a problem • Commentary from parents and children on the effect of stereotyped ads. <p>Also cites the BBC2 documentary 'No More Boys and Girls', noting this showed in a live setting how reducing stereotyped messages, and directly challenging stereotypes has dramatic positive effects, particularly on girls' self-esteem, maths performance, and boys' behaviour.</p>	
LFB	<p>Agrees with CAP and BCAP's proposals to introduce a new rule and supporting guidance into the Advertising Codes. Believes the proposed introduction of CAP rule 4.9 and BCAP rule 4.14 and supporting guidance will specifically support its view that marketing communications and advertisements should not:</p> <ul style="list-style-type: none"> • Exclude or cause harm or offence to serving women firefighters. • Cause harm by reinforcing perceptions that could deter girls and / or women from considering a career as a firefighter. <p>Reports on its own Inclusion Strategy (called Safer Together) which includes an action to proactively engage advertising agencies, journalists, publishers and broadcasters to improve the representation of firefighting as a diverse and inclusive industry in the media. https://www.london-fire.gov.uk/about-us/equality-and-diversity/inclusive-culture/</p> <p>Notes that its Firefighting Sexism campaign which forms a part of that strategy aims to challenge perceptions that influence girls and/or women from considering a career as a firefighter. That campaign calls for media to use the term firefighter and not to use the out-of-date term fireman so as not to exclude or offend women firefighters and to challenge perceptions reinforced by terminology that the firefighting profession is a career only men can do. The term fireman has not been used on employment contracts for over 35 years.</p> <p>Notes it has also developed a recruitment campaign in 2017 (Firefighting. It means so much more) to challenge perceptions of what it means to be a firefighter, using images of women firefighters, as well as male and BAME firefighters and directly addressing the perceived barriers for women to become firefighters that its research had identified.</p> <p>Notes that both the Firefighting Sexism campaign and recruitment campaign were developed using LFB research conducted by consultants Future Thinking.¹ Future Thinking explored the barriers to women considering a career as a firefighter and asked</p>	CAP and BCAP agree and note additional comments.

¹ <http://moderngov.london-fire.gov.uk/mgconvert2pdf.aspx?id=5777>

	<p>how LFB could overcome those barriers. Provided quotes from a sample group of women filmed as part of this research which indicate that gender stereotyping was a factor in putting them off joining the Fire Service and that challenging that perception in marketing could overcome that barrier.</p> <p>Considers that the scenarios featured in the CAP guidance relating to gender-stereotypical roles and characteristics and those aimed at or featuring children are of particular relevance to the LFB views and concerns outlined above.</p> <p>Cites a number of ads which it considers include potentially harmful gender stereotypes.</p>	
NEU	<p>Cites its own research "It's Just Everywhere"² which shows that gender and sexist stereotypes are pervasive³ throughout a pupil's school-life and that this can have harmful effects on their self-confidence, opportunities and relationships with others. For instance, students raised concerns about the school activities that they are, or are not, allowed to participate in: some girls said they were not allowed to play football; some boys said they found it difficult to do artistic activities/ subjects like dance and drama because of the perception that it is not a 'boys' subject. Considers that stereotypical ideas around what boys and girls should do clearly limit their opportunities and development. As such, particularly welcomes the guidance given on 'scenarios aimed at or featuring children' – which seeks to stop ads which portray certain activities, play or careers as inappropriate for one gender or another.</p> <p>Expresses concern about how gender stereotypes can create an environment in which sexual harassment and sexual violence is allowed to flourish and become normalised. According to NEU research over a third (37%) of female students at mixed-sex schools have personally experienced some form of sexual harassment at school and almost a quarter (24%) have been subjected to unwanted physical touching of a sexual nature while at school. Notes this has a huge impact on girl's confidence and self-worth. It also highlights the need for this guidance to be seen as part of a wider attempt to address advertisements that fuel young girls' objectification and sexualisation and that feed into stereotypes of what it means to be a girl/boy and woman/man.</p> <p>Welcomes the focus on tackling advertising that promotes the idea that idealised, gender-stereotypical physical appearance of a particular body shape is necessary for social, romantic or emotional wellbeing or which suggests appearance should be prioritised at the expense of other qualities in order to gain the acceptance of peers. There is increasing evidence that many children and young people are affected by</p>	CAP and BCAP agree and note additional comments.

² National Education Union and UK Feminista (2017) "It's Just Everywhere" A study on sexism in schools – and how we tackle it. Available online at:https://www.teachers.org.uk/sites/default/files/2014/ie-2-pages-per-view_final-06.12.17.pdf

³ A quarter (25%) of all secondary school teachers say they witness gender stereotyping and discrimination in their school on a daily basis, and a further 26% say they witness it on a weekly basis.

		<p>negative body image. Notes the APPG on Body Image heard evidence that girls as young as five were worrying about their size and appearance⁴. Girlguiding research⁵ shows that 47% of girls aged 11-21 say the way they look stops them from doing everyday things they'd like to do and that from as young as seven, girls say they feel embarrassed and ashamed of how they look.</p> <p>Considers that challenging gender stereotypes is intrinsic for the promotion of positive body image. Believes this new guidance can play an important role in limiting the production of problematic and stereotypical ideas around body image for children and young people.</p>	
	NCB	<p>Support the consultation, which highlights themes that were raised in the Council's 2017 report cosmetic procedures: ethical issues.</p>	CAP and BCAP agree and note additional comments.
	SLL	<p>Supports the proposed new rule and guidance to 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.</p> <p>Welcomed the publication of <i>Depictions, Perceptions and Harm</i> 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.</p> <p>Considers that 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.</p> <p>Cites The Teacher's Report (2014), Stonewall research with YouGov, which 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.</p> <p>Considers that 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.</p>	CAP and BCAP agree and note that the evidence cited here is consistent with the evidence collated in the ASA report.

⁴ Please see the APPG on Body Image (2012) *Reflections on body image*, YMCA. Available online: <http://www.berealcampaign.co.uk/help-and-resources/2014/09/19/appg-reflections-on-body-image/>

⁵ Girlguiding (2016) *Girls' Attitudes Survey*, Girlguiding. Available online [here](#).

	<p>Considers that 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.</p> <p>While progress has been made, depictions of LGBT people in advertising and broadcasting continue to be limited in their frequency and diversity: for example, <u>Unseen on Screen</u> (2011), Stonewall research into youth television, found that 49 per cent of the recorded portrayals of LGB people depicted LGB people as stereotypes.</p> <p>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, <u>All About Trans</u> support media organisations to represent trans people in a fair, accurate and diverse way.</p>	
	<p>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.</p>	<p>CAP and BCAP note that gender identity is not presently a protected characteristic and that the proposed guidance would prevent ads from mocking people who do not conform to gender stereotypes.</p> <p>CAP and BCAP note that they are in the process of evaluating the Codes to ensure they meet the requirements of the Equality Act 2010 and the Public Sector Equality Duty and plan to publish the outcome of this work by the end of 2018.</p>
	<p>Welcomes the recognition in the guidance that '<i>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.</i>' 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 addressed Question 3.</p>	<p>Additional comments on the proposed guidance are evaluated under Q3.</p>
WE	<p>Believes that advertising as a whole has a duty to create content that will build up and encourage, not knock down and belittle people because of their gender or any other factor.</p>	<p>CAP and BCAP note that advertising regulation in the UK works on the principle of imposing standards in order to prevent ads that harm, mislead or offend. The Codes do not impose</p>

			<p>quotas for inclusion in ads on the basis that this could infringe upon freedom of commercial expression. CAP and BCAP consider that by preventing significant potential for ads to cause harm or serious or widespread offence, the overall potential for harm should be reduced.</p>
		<p>Asks for more concrete definitions of “anything that is likely to cause serious or widespread offence.”</p>	<p>The ASA has considerable experience in considering ads that may cause serious or widespread offence and CAP has produced extensive guidance on how this is likely to be interpreted. General guidance on offence including links on specific types of offence is available on the CAP website: https://www.asa.org.uk/advice-online/offence-general.html. The extensive evidence base included in the ASA report has enabled CAP and BCAP to propose detailed guidance on what is likely to be unacceptable under the proposed new rule.</p>
		<p>Notes there is no evidence in this consultation as to how outcomes will be measured and how advertisers will be held accountable. Without clearly understanding the entire process which the ASA is undertaking, any suggestions given here are in a bit of a vacuum.</p>	<p>CAP and BCAP own and write the advertising Codes to reflect legislation and social policy. The ASA is the independent body responsible for administering the CAP and BCAP Codes and ensuring that the self-regulatory system works in the public interest.</p> <p>The ASA assesses complaints from the public and industry. Decisions on investigated complaints are taken by the independent ASA Council. The ASA Council's rulings are published on the ASA's website and made available to the media. If the ASA Council upholds a complaint about an ad, it must be <u>withdrawn or amended</u>.</p> <p>Any rule change to the CAP or BCAP Codes is accompanied with ongoing training and guidance for advertisers.</p> <p>CAP and BCAP undertake to conduct a 12 month review of this rule and guidance to consider whether they are meeting their</p>

			objectives to prevent ads from including potentially harmful or offensive gender stereotypes and to guard against unintended consequences.
		<p>Finds the rule “<i>Advertisements must not cause serious or widespread offence against generally accepted moral, social or cultural standards,</i>” deeply problematic. In a world that is already so dependant and accepting of gender stereotypes this guideline does little to push gender equality forward. A few decades ago what was considered socially acceptable, such as racism, is now abhorrent. Considers that merely setting guidelines on what is okay now is simply a weak guideline.</p> <p>Requests a clearer understanding of what constitutes “physical, mental or moral harm”. Without these boundaries clearly defined, there is an absolute possibility that ‘harm’ will merely be defined by advertisers.</p>	<p>As noted in the consultation, the committees consider that the weight of evidence suggests that, wherever they appear or are reinforced, certain gender stereotypes can lead to mental, physical or social harm which can affect how people interact with each other and the way they perceive themselves.</p> <p>The committees note that the ASA is accustomed to dealing with cases where there is potential for harm and that the evidence included in the ASA report, alongside the detailed guidance supporting the proposed new rule, will enable the ASA to reach informed decisions on whether a specific gender stereotype in an ad has the potential to cause harm.</p> <p>CAP and BCAP consider the proposed new rules will prevent ads that have potential to cause harm by playing a contributory role in restricting people’s choices, aspirations and opportunities, which can lead to real-world harm in the way people interact with each other and the way they view their own potential.</p> <p>In its consideration of complaints, the ASA will consider an ad’s likely impact when taken as a whole and in context. That may depend on the medium in which the ad appeared, the audience and its likely response. The ASA is likely to consider stereotypes from the perspective of the group of individuals being stereotyped alongside evidence of potential harm and serious or widespread offence.</p>
ZT		Supports the new rule and associated guidance and is pleased to see that the harms of gender stereotyping and sexist advertising are acknowledged throughout. Believes this	CAP and BCAP agree and note that the evidence cited here is consistent with the

	<p>will go some way to challenging the norms and values which permit and excuse violence against women (VAW).</p> <p>Notes that the Scottish Government rightly recognises that VAW is a cause and consequence of gender inequality. Unequal power relationships and expectations of how women and men are supposed to act, cause violence and allow it to continue. This is outlined in Equally Safe: Scotland's Strategy for the Elimination of Violence Against Women and Girls, which states within its foreword: 'We need to eliminate the systemic gender inequality that lies at the root of violence against women and girls'.</p> <p>Notes this strategy is equally clear on the role of the media, stating that it has a 'key role to play' in shaping attitudes. There is compelling evidence that people who hold stereotypical views about gender are also more likely to tolerate violence against women and girls or hold attitudes which perpetuate it.</p> <p>Notes the Scottish Social Attitudes Survey found that 'those with stereotypical views on gender roles were less likely to think that the man slapping his wife after she has had an affair was seriously wrong and caused her harm.'</p> <p>Notes there is also much evidence that gender stereotypes contribute to homophobia and transphobia.</p> <p>Considers advertising therefore has a key role in the production and reproduction of gender stereotypes which fuel inequality and violence, and is therefore delighted to see the ASA take steps to challenge gender stereotyping in advertising.</p>	<p>evidence collated in the ASA report.</p> <p>CAP and BCAP consider that there are many factors which contribute to Violence against Women and Girls, and that perpetuating gender stereotypes is one of those factors. They acknowledge that advertising can play a role in reinforcing those stereotypes but consider that the depiction of harmful gender stereotypes in advertising is not endemic.</p> <p>CAP and BCAP welcome the further evidence provided in this response and consider that the existing ASA position and CAP guidance on objectification, sexualisation and body image already mitigate against the kinds of stereotypes identified here. CAP and BCAP consider that the additional scenarios relating to gender-stereotypical roles, characteristics and idealised body shapes are intended to further mitigate against potentially harmful gender stereotypes.</p> <p>CAP and BCAP undertake to conduct a 12 month review of this rule and guidance to consider whether they are meeting their objectives to prevent ads from including potentially harmful or offensive gender stereotypes and to guard against unintended consequences.</p>
Org1	<p>Appreciates that the portrayal of gender stereotypes can have a negative impact, but questions whether the guidance for advertisers is required. Notes that creatives consider they have yet to be in a scenario where this approach would be employed. Notes that its brand specifically takes care to ensure that no gender stereotypes are portrayed in our advertising and this is indicative of the brand's democratic DNA.</p>	<p>CAP and BCAP agree that the evidence does not demonstrate that the use of gender stereotypes is always problematic, nor that the use of seriously offensive or potentially harmful stereotypes in advertising is endemic.</p> <p>As part of its process, CAP and BCAP pre-consulted advertising practitioners to help meet objectives that rules and guidance should be easily understood, easily implemented and easily enforced. CAP and BCAP consider the case for a new rule and guidance on ads that depict gender stereotypes is persuasive.</p>

		The respondents listed on the left disagreed with the proposal	
	P13, P15, P16	Disagree with the proposals to introduce a rule and supporting guidance, do not offer additional commentary.	As noted in the consultation, CAP and BCAP consider that the ASA report makes a persuasive, evidence-based case for regulatory change.
	P12, P14	<p>Disagree with the proposals, offering the following rationale:</p> <ul style="list-style-type: none"> • Harm and offence are often subjective and difficult to measure. • A study by Rensselaer Polytechnic Institute which found that when just 10 percent of the population holds an unshakable belief, their belief will always be adopted by the majority of the society. 	<p>As noted in the consultation, CAP and BCAP consider that the weight of evidence suggests that, while not all stereotypes are harmful or offensive, certain gender stereotypes can lead to mental, physical or social harm which can affect how people interact with each other and the way they perceive themselves wherever they appear. CAP and BCAP note that the ASA is accustomed to dealing with cases where there is potential for harm and that the evidence included in the ASA report, alongside the detailed guidance supporting the proposed new rule, will enable the ASA to reach informed decisions on whether a specific gender stereotype in an ad has the potential to cause harm.</p> <p>CAP and BCAP note that their proposals draw from the ASA report, which bases its conclusions on a combination of contextual, academic, stakeholder-generated and qualitative evidence which builds up a picture of the case for change. Therefore the Committees consider that the proposals reflect that combined evidence base rather than a minority opinion or an unfounded, unshakeable belief.</p>
	P11, P14	Disagree with proposals and express specific concerns over the scope and content of the guidance in relation to idealised body shapes.	CAP and BCAP have evaluated additional commentary on this aspect of the guidance under Q3
	P134	Considers it unlikely that the ASA would enforce the rule evenly to stereotypical depictions of men and women	CAP and BCAP consider that as the rule applies equally to all adults and children, it should be applied by the ASA to gender-stereotypical depictions of men as well as those featuring women – as demonstrated by the examples given in the proposed guidance. As noted in the

			consultation, the guidance uses neutral terms where the evidence relates to all people. Where the evidence base relates to specific elements which are more likely to be linked to harmful outcomes for men, women, boys or girls, this is reflected in the terminology
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.		
Respondent/s	Comments	CAP and BCAP's (B/CAP's) evaluation:	
	The respondents listed on the left agreed with the wording of the proposed new rules		
PI8, PI13, PI15, PI16, SW, PI22, PI24, PI25, PI27, PI28, PI30, PI32, PI36, PI37, PI39, PI40, PI43, PI44, PI45, PI47, PI51, PI53, PI58, PI65, GG, LTBT, MCL, NCB, NEU, RC, SLL	Agreed with the proposed rules, did not offer further commentary	CAP and BCAP agree	
PI9, PI26, PI50, PI54, PI55, PI62, PI63	<p>Consider the wording to be clear overall but would like it to go further. Include the following additional comments:</p> <ul style="list-style-type: none"> • The phrasing “likely to be problematic” and “likely to be unacceptable” are not strong enough and could give advertisers room to make unacceptable adverts and then argue their case. Considers a minority of companies may consider an ASA investigation to be positive PR - attention is brought to their product even if the ad is eventually banned. • Companies want to sell their products and they don’t seem to care how they do this. • Would like the rule to go further to prevent implicit and cumulative messages. • There should be an outright ban on marketing products specifically to one gender unless they are intimate products such as tampons, etc. • Would like the rules to go further in terms of protection of children against gender-specific advertising as it has a far more profound effect on children. 	<p>CAP and BCAP consider that their proposals are proportionate to the evidence base while allowing advertisers to market their products and services appropriately.</p> <p>CAP and BCAP note that the qualifier ‘likely’ is used in a number of rules in the CAP and BCAP Codes and gives the ASA flexibility to consider complaints on a case-by-case basis and assess the evidence in each case to reach an informed decision.</p> <p>The ASA system requires advertisers to hold evidence to demonstrate compliance with the Codes before an ad appears; this would apply</p>	

			<p>equally in the case of these proposed new rules.</p> <p>The ASA has a wide range of sanctions available which mean most advertisers are highly motivated to avoid upheld complaints: https://www.asa.org.uk/codes-and-rulings/sanctions.html</p>
	PI10	Queries whether gender should just be seen in terms of male or female?	CAP and BCAP consider that gender stereotypes are usually expressed in these binary terms
	PI11	Proposes including a definition.	CAP and BCAP consider that the proposed guidance offers detailed illustrations of how the rule is likely to be interpreted by the ASA council.
	PI48	Agrees strongly with the proposals and expresses concern at constant and relentless stereotyping in adverts, particularly at those aimed at children. Considers that multiple pieces of research show that stereotyping of both genders is having a negative impact on mental health and limiting life choices. Considers people should be treated as people. Would welcome this helpful and much needed rule to remind advertisers to be creative and not lazy; considers their power to influence is immense.	CAP and BCAP note additional comments
	BTHA	Considers the rules to be reasonable. Notes that for industry, guidance to support the ruling is important to help translate this into practice. Suggests it might be useful to highlight the ASA's six categories of gender stereotypes (defined by CAP) as a reference point in relation to the ruling (maybe in the guidance if not to be covered in the finalised ruling overview/info).	<p>CAP and BCAP consider that the proposed guidance addresses the six categories included in the ASA report and notes that the ASA may refer to them directly in future rulings.</p> <p>CAP and BCAP undertake to conduct a 12 month review of this rule and guidance to consider whether including the list of categories would provide additional clarity for advertising practitioners</p>
	EHRC	<p>Considers that the new CAP and BCAP rules as drafted are capable of achieving of their aim of restricting ads that 'portray certain gender stereotypical roles and characteristics,' and provide a clearer basis on which to restrict ads that include 'potentially harmful or seriously offensive depictions of gender stereotypes on the grounds of objectification, inappropriate sexualisation' and depict 'unhealthily thin body images'.</p> <p>Given the need identified in the consultation for such a rule to supplement the existing 'harm' and 'offence' provisions in the CAP and BCAP Codes, its addition appears to be necessary and proportionate to address gender stereotypes that perpetuate</p>	CAP and BCAP agree and note additional comments.

		discriminatory attitudes and gender inequalities in society.	
	Org2	We suggest the wording says "Marketing communications must not include gender stereotypes that cause serious or widespread offence". This removes the likelihood element and brings the language in line with the recent Portman Code Consultation review (proposed new rule at 3.3): "A drink, its packaging and any promotional material or activity should not cause serious or widespread offence..."	CAP and BCAP consider that the phrase 'likely to cause' gives the ASA the opportunity to consider complaints against ads where they may not be direct physical harm or offence but where the evidence suggests the inclusion of a gender stereotype has the potential to cause the type of harm set out in the ASA report.
		The respondents listed on the left disagreed with the wording of the proposed new rules	
	PI60	Disagrees with the proposed wording, does not offer further commentary	CAP and BCAP consider the case for a new rule and guidance on ads that depict gender stereotypes is persuasive. The proposed rule and guidance reflect the evidence base collated in the ASA report.
	PI1, PI2, PI3, PI4, PI5, PI6, PI21	<p>Disagree with the proposals, offering the following rationale:</p> <ul style="list-style-type: none"> • CAP and BCAP should be more quantitative in the measurements of harm, and offence. Don't judge on a case-by-case basis. • The proposition is woefully subjective on immeasurable external factors, such as time of day, and happiness levels. • Unnecessary and extremely restrictive; please don't publish • 'Harm' • Totally unnecessary • This is ideologically driven. • "do not force types of gender on people use normal terms and respect normal behaviour" 	<p>CAP and BCAP note that advertising regulation in the UK works on the principle of imposing standards in order to prevent ads that harm, mislead or offend. The Codes do not impose quotas for inclusion in ads on the basis that this could infringe upon freedom of commercial expression. CAP and BCAP consider that by preventing significant potential for ads to cause harm or serious or widespread offence, the overall potential for harm should be reduced.</p> <hr/> <p>As noted in the consultation, the Committees consider that the weight of evidence suggests that, wherever they appear or are reinforced, certain gender stereotypes can lead to mental, physical or social harm which can affect how people interact with each other and the way they perceive themselves. CAP and BCAP note that the ASA is accustomed to dealing with cases where there is potential for harm and that the evidence included in the ASA report, alongside the detailed guidance supporting the proposed new rule, will enable the ASA to reach informed decisions on whether a specific gender</p>

			stereotype in an ad has the potential to cause harm.
PI34	Doesn't oppose the wording but considers that history has shown that the ASA is incapable of applying the rules evenly to men and women.	CAP and BCAP note that the ASA is accustomed to dealing with cases where there is potential for harm and that the evidence included in the ASA report, alongside the detailed guidance supporting the proposed new rule, will enable the ASA to reach informed decisions on whether a specific gender stereotype in an ad has the potential to cause harm. The Committees consider that as the rule applies equally to all adults and children, it should be applied by the ASA to gender-stereotypical depictions of men as well as those featuring women – as demonstrated by the examples given in the proposed guidance. As noted in the consultation, the guidance uses neutral terms where the evidence relates to all people. Where the evidence base relates to specific elements which are more likely to be linked to harmful outcomes for men, women, boys or girls, this is reflected in the terminology	
PI7	Considers it is not clear from the rule what is meant by "likely to cause harm or serious or widespread offence". Queries whether CAP and BCAP have considered including further examples relating to the portrayal of women as dirty or smelly in connection with their periods, teenagers in relation to acne, older women and incontinence products and women generally such as hair removal products.	CAP and BCAP consider the case for a new rule and guidance on ads that depict gender stereotypes is persuasive and indicates a clear link between the potential for harm and serious or widespread offence in relation to some kinds of gender stereotypes. The ASA is used to dealing with issues of harm or serious or widespread offence. The proposed rule and guidance reflect the evidence base collated in the ASA report which does not directly refer to those additional examples given here. CAP and BCAP undertake to conduct a 12 month review of this rule and guidance to consider whether they are meeting their objectives to prevent ads from including potentially harmful or offensive gender	

			stereotypes and to guard against unintended consequences.
PI12	<p>Considers that while the wording is generally clear, it might be difficult to prove that an advert has actually 'caused harm', whereas it might be possible to add "...gender stereotypes which are likely to be detrimental to the way gender roles are perceived".</p> <p>Considers that the problem with "serious or widespread offence" is that offence could still be caused to those with 'minority' views that may be as valid as offence caused to those with a 'majority view', bearing in mind that "stereotypes" are by their nature based on a (often misguided) majority view. It is quite possible that a lot of women would actually agree that men do not 'help around the house', i.e. not causing them offence.</p>	<p>As noted in the consultation, CAP and BCAP consider that the weight of evidence suggests that, wherever they appear or are reinforced, certain gender stereotypes can lead to mental, physical or social harm which can affect how people interact with each other and the way they perceive themselves.</p> <p>The Committees note that the ASA is accustomed to dealing with cases where there is potential for harm and that the evidence included in the ASA report, alongside the detailed guidance supporting the proposed new rule, will enable the ASA to reach informed decisions on whether a specific gender stereotype in an ad has the potential to cause harm.</p> <p>CAP and BCAP consider this rule will prevent ads that have potential to cause harm by playing a contributory role in restricting people's choices, aspirations and opportunities, which can lead to real-world harm in the way people interact with each other and the way they view their own potential.</p> <p>In its consideration of complaints, the ASA will consider an ad's likely impact when taken as a whole and in context. That may depend on the medium in which the ad appeared, the audience and its likely response. The ASA is likely to consider stereotypes from the perspective of the group of individuals being stereotyped alongside evidence of potential harm and serious or widespread offence.</p>	
PI14	<p>Expresses concerns about the word 'likely' in the proposed rule, noting that it had previously been the subject of legal debate.</p> <p>Requests a more definitive statement, placing greater emphasis on the advertiser to assure themselves that it is highly unlikely or unreasonable for their advert to cause</p>	<p>CAP and BCAP note that the qualifier 'likely' is used in a number of rules in the CAP and BCAP Codes and gives the ASA flexibility to consider complaints on a case-by-case basis and assess the evidence in each case to reach an informed</p>	

		<p>offence.</p> <p>Considers the ‘likelihood’ of potential harm should be assessed from the perspective of the consumer group in question and not a general public presumption in order to provide protection for vulnerable groups and children.</p>	<p>decision.</p> <p>The ASA system requires advertisers to hold evidence to demonstrate compliance with the Codes before an ad appears; this would apply equally in the case of these proposed new rules.</p> <p>In its consideration of complaints, the ASA will consider an ad’s likely impact when taken as a whole and in context. That may depend on the medium in which the ad appeared, the audience and its likely response. The ASA is likely to consider stereotypes from the perspective of the group of individuals being stereotyped.</p>
	PI18	<p>Considers that advertisers/marketeers can breach the rules if something shown is “in good humour”. Considers the code should be altered to specifically state that humour should not be used to bypass the Code.</p> <p>Considers this has been the case with oversexualised adverts, or those showing nudity, often involving men. Cites examples of ads where men are objectified by women, which had previously been considered acceptable by the ASA, due to the ‘humorous’ nature.</p>	<p>CAP and BCAP agree that it is not appropriate to use humour to depict gender stereotypes that are otherwise unacceptable and consider this is reflected in the introduction to the guidance which states:</p> <p>“The use of humour or banter is unlikely to mitigate against the types of harm or serious or widespread offence identified in this guidance .”</p> <p>The Committees consider that as the rule applies equally to all adults and children, it should be applied by the ASA to gender-stereotypical depictions of men as well as those featuring women – as demonstrated by the examples given in the proposed guidance. As noted in the consultation, the guidance uses neutral terms where the evidence relates to all people. Where the evidence base relates to specific elements which are more likely to be linked to harmful outcomes for men, women, boys or girls, this is reflected in the terminology</p>
	PI19	<p>Proposes additional wording for the new rule:</p> <p>“Advertisements must not include gender stereotypes that are likely to cause harm, or serious or widespread offence, <i>or that perpetuate gender discrimination</i>”</p>	<p>CAP and BCAP consider that prohibiting gender stereotypes that are likely to cause harm or serious widespread offence will prevent ads from perpetuating gender discrimination. CAP and BCAP consider this proposed addition does</p>

			not change the meaning of the proposed rule.
	PI41	Agrees but also suggests there is some wording included to cover representation of transgender roles.	CAP and BCAP consider that the representation of transgender roles is addressed in the proposed guidance which prevents ads from presenting gender-stereotypical roles as only available to one or another gender and from mocking those who do not conform to gender stereotypes
	PI57	Considers the rule could be stronger, by not just commenting on explicit differentiation between gender but also the implicit messages sent by gender roles in adverts.	CAP and BCAP consider this rule will prevent ads that have potential to cause harm by playing a contributory role in restricting people's choices, aspirations and opportunities, which can lead to real-world harm in the way people interact with each other and the way they view their own potential.
	PI20, PI35, PI59	<p>Think the rule could be stronger in relation to ads targeting children, offering the following additional commentary:</p> <ul style="list-style-type: none"> • Should prevent implicit as well as explicit suggestions that a particular toy is appropriate for one or other gender. No toy should be marketed to girls or boys in particular. Therefore any ad which shows a toy being played with by only girls or only boys is creating gender stereotypes. Gender-based targeting needs to go altogether. • Rule is important but doesn't go far enough. It will take out the worst adverts but will not encourage advertisers to look hard at their practice over a wide range of adverts. • One quick win would be to say that adverts should not show single-sex groups (3 or more) of young children playing with any toy. That would do a lot to break down the harmful assumption that there are 'boys' toys'; and 'girls' toys' and would be simple to implement. • Go further so as to prohibit children's adverts showing only one gender playing with the product being advertised. 	CAP and BCAP intend the rule to be as simple and clear as possible with illustrative examples drawn out in guidance – detailed responses about the proposed guidance for ads featuring or targeted at children have been evaluated under Q3.
	MCL	<p>Proposes additional wording to strengthen the rule in relation to children:</p> <p>"Advertisements must not include gender stereotypes that are likely to re-enforce gender based interests and activities as these are likely to cause long term harm to children's goals and aspirations."</p>	CAP and BCAP note this suggestion and consider that 'likely to cause harm' in their proposed wording has the same meaning.
	PI49	Proposes additional wording to the proposed rules:	CAP and BCAP consider that the guidance

		<p>'Advertisements must not include gender stereotypes that are likely to cause harm, or serious or widespread offence (and in the case of children's advertising, appear to be targeting only one sex).'</p>	<p>supporting the new rules will prevent advertisements from explicitly excluding boys or girls. This position has been evaluated in detail under Q3.</p>
PI56, PI64		<p>Note that gender and sex are very different. Consider the term gender is used here when it should be referring to sex.</p> <p>Considers the new rules (cap 4.9 and BCAP 4.14) should reflect sex-based expectations that lead to gender stereotypes which limit women's potential and create an expectation around how they should look and behave.</p> <p>Consider this is particularly harmful for lesbian and gay people who do not conform to gender stereotypes</p>	<p>CAP and BCAP agree that sex and gender are separate terms with different legal standing. In this context, 'gender stereotypes' is used to reflect the distinct set of cultural expectations, beliefs and pressures that have been accorded to men, women, boys and girls based on their sex.</p> <p>CAP and BCAP note that while the evidence base in the ASA report relates primarily to gender, it also takes into account other stereotypes which may interact with and potentially exacerbate the effect of gender stereotypes.</p> <p>CAP and BCAP consider this rule will prevent ads that have potential to cause harm by playing a contributory role in restricting people's choices, aspirations and opportunities, which can lead to real-world harm in the way people interact with each other and the way they view their own potential.</p> <p>CAP and BCAP consider that the guiding principles set out in the proposed guidance would prevent the most egregious examples of the harm described here.</p>
		<p>Consider that CAP rule 4.1 should include 'sex'.</p>	<p>CAP and BCAP note that they are in the process of evaluating the Codes to ensure they meet the requirements of the Equality Act 2010 and the Public Sector Equality Duty and plan to publish the outcome of this work by the end of 2018.</p>
	BE	<p>Cites evidence supporting the view that presenting one, idealised and gender-stereotypical female body shape can have harmful implications on individual's self-image, leading to body image dissatisfaction and eating disorders, and contributes to</p>	<p>CAP and BCAP note that advertising regulation in the UK works on the principle of imposing standards in order to prevent ads that harm,</p>

	<p>wider harms in objectifying women as evidenced in the recent #metoo and #timesup campaigns. Considers that advertising presently reinforces this potential for harm but could play a significant role in supporting better diversity in the future.</p> <p>Considers the ASA is failing in its duty to prevent advertising that harms, mislead or offends and notes that in its 2017 annual report, the ASA notes that of the 2017 Ten Most Complained About Adverts, two weren't investigated and eight weren't upheld, on the basis that they "would not cause serious or widespread offence".</p> <p>Proposes the new wording should be more specific by stating "Advertisements must portray diverse body"</p>	<p>mislead or offend. The Codes do not impose quotas for inclusion in ads on the basis that this could infringe upon freedom of commercial expression. CAP and BCAP consider that by preventing significant potential for ads to cause harm or serious or widespread offence, the overall potential for harm should be reduced. See additional points evaluated under Q1</p>
EVAW+	<p>Any stereotype is likely to cause harm, so a better rule would be not to use them at all and to challenge them as ethical best practice.</p> <p>Provides additional comments to Q1 and Q3 for examples of how these rules and guidance could be strengthened.</p>	<p>CAP and BCAP consider that their proposals are proportionate to the evidence base while allowing advertisers to market their products and services appropriately.</p> <p>Additional comments on the proposed guidance have been evaluated under Q3.</p>
IPA	<p>Expresses concern about the unqualified use of the word "harm" in the proposed new rules.</p> <p>The proposed new rules are:</p> <p><i>Marketing communications (CAP) / Advertisements (BCAP) must not include gender stereotypes that are likely to cause harm, or serious or widespread offence.</i></p> <p>The proposal is for the rules to sit within section 4 of each Code – Harm and Offence. Although the consultation paper refers to other rules in the Codes, the new rules are most similar to rules 4.1 of the CAP Code and 4.2 and 4.8 of the BCAP Code:</p> <p><i>CAP 4.1 Marketing communications must not contain anything that is likely to cause serious or widespread offence. Particular care must be taken to avoid causing offence on the grounds of race, religion, gender, sexual orientation, disability or age. Compliance will be judged on the context, medium, audience, product and prevailing standards.</i></p> <p><i>Marketing communications may be distasteful without necessarily breaching this rule. Marketers are urged to consider public sensitivities before using potentially offensive material.</i></p> <p><i>The fact that a product is offensive to some people is not grounds for finding a marketing communication in breach of the Code.</i></p>	<p>CAP and BCAP consider that the evidence base clearly indicates that some depictions of gender stereotypes have the potential to cause harm by playing a contributory role in restricting people's choices, aspirations and opportunities, which can lead to real-world harm in the way people interact with each other and the way they view their own potential.</p> <p>The new rule is intended to give a clearer basis on which to restrict ads that include potentially harmful or seriously offensive depictions of gender stereotypes on the grounds of objectification, inappropriate sexualisation and for depicting unhealthily thin body images.</p> <p>CAP and BCAP consider it is always unacceptable for an ad to feature anything that has the potential to cause harm. The ASA report collates the evidence base that has enabled CAP and BCAP to draft proportionate and balanced guidance to illustrate what kinds of depictions might be considered harmful under the proposed new rules.</p>

	<p><i>BCAP 4.2 Advertisements must not cause serious or widespread offence against generally accepted moral, social or cultural standards.</i></p> <p><i>BCAP 4.8 Advertisements must not condone or encourage harmful discriminatory behaviour or treatment. Advertisements must not prejudice respect for human dignity.</i></p> <p>Notes that the consultation states that rule 4.1 of the CAP Code and 4.2 of the BCAP Code already cover serious or widespread offence, in the case of the CAP Code, including on the grounds of gender. Rule 4.1 of the CAP Code also contains useful caveats which are not being proposed for the new rules (though the new guidance does include caveats).</p> <p>Notes that none of the existing rules set out above refer to the concept of "harm". Rule 4.8 of the BCAP Code includes "<i>harmful discriminatory behaviour or treatment</i>", however, and the Principle to Section 4 says that: "<i>Advertisements must not be harmful or offensive. Advertisements must take account of generally accepted standards to minimise the risk of causing harm or serious or widespread offence</i>". And yet the Principle to Section 1 of the BCAP Code (Compliance) says that "<i>advertisements should not mislead or cause serious or widespread offence or harm</i>".</p> <p>The Principle to Section 4 of the CAP Code says that: "<i>Marketers should take account of the prevailing standards in society and the context in which a marketing communication is likely to appear to minimise the risk of causing harm or serious or widespread offence.</i>" We consider that the inclusion of "harm" in the proposed new rules is unnecessary and vague without clarification or qualification. The concept of "serious or widespread offence" is clear and ought to achieve a <u>proportionate</u> deterrent. Without any clarification or qualification, "harm" could be interpreted in different ways and could, theoretically, apply if only a single individual claims to have suffered harm.</p>	<p>As part of its process, CAP and BCAP pre-consulted advertising practitioners to help meet objectives that rules and guidance should be easily understood, easily implemented and easily enforced. As a routine part of the process, a consumer perspective was also sought from the Advertising Advisory Committee.</p>
LFB	<p>LFB would like to suggest the addition of the words 'misinform' or 'mislead' as shown in italics below to the proposed new rule:</p> <p>Depicting gender stereotypes likely to misinform or mislead, cause harm or serious or widespread offence.</p>	<p>CAP and BCAP consider that the evidence base in the ASA report relates to the potential for gender stereotypes to cause harm or serious or widespread offence, rather than to misinform or mislead. CAP and BCAP note that gender stereotypes that could misinform eg by suggesting that men can't perform domestic tasks would be prevented by the proposed guidance on the basis that that stereotype has the potential to cause harm.</p>
ZT	Expresses concern about the power of advertising to perpetuate gender inequality through stereotyping.	CAP and BCAP consider that their proposals are proportionate to the evidence base while allowing advertisers to market their products and

		Provides additional comments to Q1 and Q3 for examples of how these rules and guidance could be strengthened.	services appropriately. Additional comments on the proposed guidance have been evaluated under Q3.
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.			
	Respondent/s	Comments	CAP and BCAP's (B/CAP's) evaluation:
		The respondents listed on the left agreed with the proposal	
	PI15, PI16, PI19, SW, PI24, PI25, PI32, PI40, PI41, PI44, PI47, PI50, PI51, PI53, PI58, PI61, PI65, Org2, RC	Agree with the proposals, do not offer additional commentary	
	PI8, PI10, PI12, PI13, PI14, PI22, PI23, PI37, PI46, PI42, PI52, PI54	<p>Agree with the proposed guidance, provide the following additional comments:</p> <ul style="list-style-type: none"> • Clear and concise • Set out in a logical way • Easy to understand • Much needed • Considers some examples are leading, would like to see more balanced examples. • Good examples generally lacking in the young person's section • Would like more examples • Suggest presenting guidance with guiding principles on the left and scenarios on the right • Consider adding and amending scenarios over time while guiding principles likely to remain the same 	<p>As noted in the consultation document, CAP and BCAP have sought to strike a balance in providing guidance that reflects the detailed evidence base available yet allows sufficient flexibility for advertisers to promote their products and services, and for the ASA to consider each ad on a case by case basis when implementing new rules.</p> <p>As with all its guidance, CAP and BCAP will keep the guidance under review and amend as relevant.</p> <p>CAP and BCAP consider that the format of the proposed guidance helpfully allows readers to consider illustrative scenarios before guiding principles, and that industry practitioners supported this format in pre-consultation workshops.</p>
	PI9	Particularly welcomes the guidance on ads that focus on body image as there is so much pressure on young people to conform to an ideal body image/type/size. Notes body image and diet issues amongst young people are prevalent. Considers any	CAP and BCAP note additional comments

		<p>regulation that specifies that body image cannot be portrayed as the root of happiness/success is welcome and will go towards challenging the pressure put on teenagers.</p>	
	PI56	<p>Considers gender should be used when discussing stereotypes but sex should be used when referring to people.</p> <p>Proposes that the exclusion in the introduction to the guidance should be amended to state it is not intended to prevent ads from featuring: "for products developed for and aimed at one sex"</p>	<p>CAP and BCAP agree that sex and gender are separate terms with different legal standing.</p> <p>CAP and BCAP have amended the introduction to clarify that In this context, 'gender stereotypes' is used to reflect the distinct set of cultural expectations, beliefs and pressures that have been accorded to men, women, boys and girls based on their sex.</p>
	PI8, PI9, PI26, PI29, PI38, PI42, PI43, PI49, PI62	<p>Agree with scenarios 8 and 9, offer additional comments as follows:</p> <ul style="list-style-type: none"> • Think the part about advertising to children should not be directed at one gender or the other is particularly relevant. • Children are far more subtly and strongly affected by advertising messages and the guidance should therefore specifically and far more strongly address advertising targeted at children. • The following sentence allows stereotyping to carry on, which should not be allowed: 'This doesn't prevent an ad from depicting children undertaking an activity stereotypically associated with their gender, using colours, language, music or settings which are also stereotypically associated with that gender.' Advertising has been so oversaturated with stereotypes that there should no longer be room for any. Why can't adverts show both genders playing with a toy? Such as a boy and girl paying with a barbie doll or hot wheels car. • Would like to see clearer suggestions on ads featuring groups of children • Proposed guidance around children will not prevent advertisers from, for example, featuring only girls in adverts for make-up and dolls. Considers children are more likely to internalise gendered roles than adults. Would prefer it if advertisers were expected to include both sexes in advertising aimed at children. This would ensure boys do not think creative and nurturing based toys are not for them and that girls are aware that they are allowed to play with tech, science and construction based toys. • Would like to see stronger wording in the guidance for adverts aimed at children. Particularly, actively avoiding implicit support for narrow stereotypes through colour coding and showing play in single-sex groups. • It's harmful for children's advertisements to be aimed at just boys or just girls. • Need stronger guidance around children in particular, especially where gender- 	<p>CAP and BCAP often need to consider the extent to which advertising – among multiple other factors - may play a role in harmful outcomes and, accordingly, to what extent changes in advertising policy are proportionate to addressing these outcomes. We must weigh these considerations against advertisers' freedom to market their products and services without undue regulatory interference. Given this legitimate constraint on our work, the guidance identifies and bans creative content that, if used, is likely to explicitly endorse gender stereotypes that carry significant potential to harm or offend; the Committees have to consider very carefully whether it is proportionate to ban content that falls below this threshold. The Committees consider that ads that depict single-sex groups are not, inherently, likely to endorse unacceptable gender stereotypes, but they recognise that other elements of an ad's content can, in combination, contrive to explicitly endorse such stereotypes e.g. leading to a strong suggestion that a toy is not appropriate for one sex. In the event that ASA rulings identify factors, which – in combination with the depiction of single-sex groups – combine to explicitly endorse unacceptable gender</p>

		<p>based marketing is less explicitly set out. So called 'traditional' colours and activities that code female/male are absorbed by children without being explicitly stated and this, as well as explicitly sexist advertising, has to be stopped.</p>	<p>stereotypes, CAP and BCAP are committed to reflecting these factors in updated guidance.</p> <p>With this in mind, CAP and BCAP commit to undertaking a review of the rules and guidance 12 months after their introduction and additionally updating the guidance to reflect ASA rulings on an ongoing basis.</p>
	BTHA	<p>The examples of what is likely to be seen as unacceptable supported by the "guiding principles" are very helpful for companies to make their own judgements in the future.</p> <p>We feel the final report has reflected the importance of allowing products which may appeal more to one gender over another can be marketed in such a way – i.e. a traditionally girls product only featuring girls in the ads / marketing. As long as there is no harmful portrayal of either gender, in either the product or the marketing, then companies should be able to continue to develop product based on the likes and demands of children and their families.</p> <p>The new guidance is helpful to members for advertising their brands, particularly:</p> <ul style="list-style-type: none"> • Neither the rule nor the guidance are intended to prevent from featuring one gender only, including in ads for products developed for and aimed at one gender; • Ads can be targeted at and feature a specific gender but should take care not to explicitly convey that a particular children's product, pursuit, activity, including choice of play or career, is inappropriate for one or another gender. • Ads shouldn't explicitly depict members of a specific gender being excluded from or dismissive of an activity. This doesn't prevent an ad from depicting children undertaking an activity stereotypically associated with their gender, using colours, language, music or settings which are also stereotypically associated with that gender. 	CAP and BCAP agree and note additional comments
	EHRC	<p>Broadly welcomes the guidance to accompany the rules but considers it should be expanded to:</p> <p>(i) recognise the link between gender stereotyping and gender based violence, and the consequent societal harm such stereotypes may cause;</p> <p>(ii) clarify when adverts for the sex industry will fall foul of the new rule in light of the harm and offence they may cause; and</p> <p>(iii) set out how the ASA will approach compliance with the Public Sector Equality Duty in its adjudication of complaints under the new rule.</p> <p>Welcomes the clarity in the guidance that the new rule will cover gender stereotypes relating to all protected characteristics under the Equality Act 2010, including gender</p>	CAP and BCAP note the guidance acknowledges that "gender stereotypes can have a potentially harmful impact on persons who share the protected characteristics of gender reassignment, pregnancy and maternity, sex or sexual orientation. 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. Other stereotypes include those relating to age, disability, race and religion

	<p>reassignment.</p> <p>Notes that the focus of the supporting guidance is on adverts that portray stereotypical gender roles, characteristics (including physical attributes) and behaviours. This emphasis presents a welcome challenge to discriminatory gender norms in society that limit equality of opportunity and entrench inequality.</p> <p>However, notes that no explicit link is made in the guidance between gender stereotypes and gender based violence, despite the recognised connection between them, or in the related guidance on 'Offence: sexualisation and objectification', 'Social responsibility: body image' or 'Children: sexual imagery'.</p> <p>Considers that in order to reflect the requirements of domestic and international human rights obligations, set out above, the guidance should acknowledge that gender stereotypes, including adverts for the sex industry that objectify and commoditise women's bodies, may cause societal harm by contributing to gender based violence, as well as serious or widespread offence. Proposes the guidance should also set out how the ASA will respond to related complaints.</p> <p>Considers this particularly important with respect to the CAP Code which covers adverts in newspapers, public spaces and online which are unrestricted and to which children may be exposed. Notes that the BCAP Code already contains specific restrictions on adverts for the sex industry. For example, it prohibits adverts for prostitution and sexual massage services, for escort agencies on television, and limits adverts for pornography and telecommunications-based sexual entertainment services to restricted access adult channels.</p> <p>Considers that the guidance also provides an important opportunity to set out how the ASA and the ASA Council will approach compliance with the PSED in the adjudication of complaints under the new rule. In particular, it should set out how the ASA will have due regard to the need to eliminate discrimination and harassment, as well as promote equality of opportunity.</p>	<p>or belief."</p> <p>In 2018, the ASA made changes to its procedures to ensure that PSED is embedded in its decision making. This included a review of complaint-handling processes and reminding the ASA council of PSED when considering relevant cases. CAP and BCAP note that they are in the process of evaluating the Codes to ensure they meet the requirements of the Equality Act 2010 and the Public Sector Equality Duty and plan to publish the outcome of this work by the end of 2018.</p> <p>CAP and BCAP consider that there are many factors which contribute to Violence against Women and Girls, and that perpetuating gender stereotypes is one of those factors. They acknowledge that advertising can play a role in reinforcing those stereotypes but consider that the depiction of harmful gender stereotypes in advertising is not endemic.</p> <p>CAP and BCAP consider their role is to establish the evidence base for harm, offence or misleadingness and provide advertising practitioners with clear rules and guidance to prevent problematic ads from appearing, but it does not in those rules and guidance draw explicit links to specific kinds of harms, offence or misleadingness. CAP and BCAP undertake to recommend to the ASA Council and Executive that they participate in training on these types of harms prior to enforcing the new rules.</p>
GG	<p>Notes that the consultation document indicates that the new rule is also designed to give a clearer basis on which to restrict ads that include potentially harmful or seriously offensive depictions of gender stereotypes on the grounds of objectification, inappropriate sexualisation and for depicting unhealthily thin body images (i.e. the</p>	<p>CAP and BCAP consider the proposed guidance clearly signposts and links to the relevant guidance</p>

		<p>aspects that are already regulated). It was difficult to find how and where the guidance related to these existing aspects, so it would be good to include reference to these areas and examples (similar to the useful ones given for characteristics, roles, conforming to stereotypes and other areas) to ensure advertisers and consumers are clear about what is acceptable and unacceptable.</p>	
	LFB	<p>Considers the draft guidance to be clear and practicable but suggest an additional scenario is added under the heading “Scenarios featuring gender-stereotypical roles and characteristics” to prevent adverts from harm by deterring girls and women from considering certain professions. Propose the following additional scenario:</p> <ul style="list-style-type: none"> - An ad in which a profession is depicted as being for only one sex e.g. a firefighter or group of firefighters presented as men, using terminology that is no longer used e.g. fireman. <p>For the reasons set out above LFB is particularly supportive of the guiding principle set out under the heading “Scenarios aimed at or featuring children” which sets out that:</p> <ul style="list-style-type: none"> - Ads can be targeted at and feature a specific gender but should take care not to explicitly convey that a particular children’s product, pursuit, activity, including choice of play or career, is inappropriate for one or another gender. 	<p>CAP and BCAP often need to consider the extent to which advertising – among multiple other factors - may play a role in harmful outcomes and, accordingly, to what extent changes in advertising policy are proportionate to addressing these outcomes. We must weigh these considerations against advertisers’ freedom to market their products and services without undue regulatory interference. Given this legitimate constraint on our work, the guidance identifies and bans creative content that, if used, is likely to explicitly endorse gender stereotypes that carry the greatest potential to harm or offend; the Committees have to consider very carefully whether it is proportionate to ban content that falls below this threshold.</p> <p>The Committees consider that the guidance allows for the ASA to consider ads that use inaccurately gendered terminology alongside other factors that may contribute to harmful gender stereotyping on a case-by-case basis.</p> <p>The Committees consider that ads that depict single-sex groups are not, inherently, likely to endorse unacceptable gender stereotypes, but they recognise that other factors, in combination, may contrive to do so e.g. leading to a strong suggestion that a toy is not appropriate for one sex. Should ASA rulings identify factors, which – in combination with the depiction of single-sex groups – combine to endorse unacceptable gender stereotypes, CAP and BCAP are committed to reflecting these factors in updated guidance.</p> <p>With this in mind, CAP and BCAP commit to</p>

			undertaking a review of the rules and guidance 12 months after their introduction and additionally updating the guidance to reflect ASA rulings on an ongoing basis.
	NEU	<p>Particularly welcomes the principle that ‘unacceptable depictions are unlikely to be mitigated by the use of humour or ‘banter’ as this is a common way sexism is justified, normalised and accepted.</p> <p>Considers the inclusion of scenarios are helpful for clarifying what is and what is not acceptable.</p> <p>Welcomes the inclusion of a section on advertisements aimed at or featuring children as well as advertisements aimed at or featuring potentially vulnerable groups, including young people. Agree that ‘young people appear to be in particular need of protection from harmful stereotypes as they are more likely to internalise the messages they see’ - hence why it is so important to focus on these groups in the guidance.</p> <p>Considers the guidance could be improved by highlighting the ways in which gender stereotypes intersect and reinforce stereotypes about race, sexual orientation and gender identity. It would be helpful to include further examples of these intersections in the guidance.</p> <p>Considers for example that the guidance could show how LGBT+ people are harmed by gender stereotypes by highlighting the concerns identified with the “Spot the stallions from the mares!”⁶ advert. Similarly, further examples featuring protected characteristic groups could be inserted within the section ‘scenarios featuring people who don’t conform to a gender stereotypes.’ LGBT+ people, as well as other groups, can be perceived as not conforming to gender stereotypes and this can lead them to be depicted in harmful and discriminatory ways (the idea that gay men are not ‘masculine’ enough, for instance).</p> <p>Considers it would also be helpful to link the guidance to current CAP or BCAP rules which cover protections on the grounds of sexual orientation or gender identity – including CAP Rule 4.1.</p>	<p>CAP and BCAP note that while the evidence base in the ASA report relates primarily to gender, it also takes into account other stereotypes which may interact with and potentially exacerbate the effect of gender stereotypes.</p> <p>As noted in the guidance, CAP and BCAP consider that gender stereotypes can have a potentially harmful impact on persons who share the protected characteristics of gender reassignment, pregnancy and maternity, sex or sexual orientation. 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. Other stereotypes include those relating to age, disability, race and religion or belief.</p> <p>CAP and BCAP undertake to conduct a 12 month review of this rule and guidance to consider whether they are meeting their objectives to prevent ads from including potentially harmful or offensive gender stereotypes and to guard against unintended consequences.</p> <p>CAP and BCAP note that they are in the process of evaluating the Codes to ensure they meet the requirements of the Equality Act 2010 and the Public Sector Equality Duty and plan to publish the outcome of this work by the end of 2018.</p>
	NCB	Supports the proposed guidance, particularly scenarios 6 and 7 and the accompanying	CAP and BCAP consider that the addition

⁶ <https://www.asa.org.uk/rulings/paddy-power-plc-a12-188096.html>

		<p>guiding principle.</p> <p>Recommends that CAP makes it clear that claiming, or strongly implying, that there is a likely link between cosmetic procedures and emotional benefit, is not acceptable in advertisements. Consider that the guiding principle offered by CAP in its consultation document is a positive step forward in addressing the Council's recommendation from its 2017 report cosmetic procedures: ethical issues.</p> <p>Suggests that scenario 6 might be amended to include a clause that refers explicitly to cosmetic procedures, as we indicate with emboldened text:</p> <p><i>"An ad that depicts a person who was unhappy with multiple aspects of their life, then implies that all their problems were solved by changing their body shape alone (e.g. through the use of cosmetic procedures) to conform to gender-stereotypical norms without addressing other aspects of their life. This does not prevent responsible ads for weight loss products or services."</i></p>	<p>proposed here is not required, since the proposed wording would capture an ad featuring cosmetic procedures if it met the conditions set out in this scenario.</p> <p>CAP and BCAP also note that the ASA already has a clear position on ads for cosmetic procedures, which is reflected in guidance.</p>
	SLL	<p>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.</p> <p>In <i>Scenarios featuring gender-stereotypical roles and characteristics</i>, 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:</p> <p>An ad targeted at women which implies that women only date men, or vice versa</p>	<p>CAP and BCAP consider that this proposed addition could have unintended consequences and disproportionately impact on commercial freedoms of expression. CAP and BCAP also consider that an ad which suggested that being LGBT was abnormal would be prevented by the proposed guidance.</p>
		<p>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:</p> <p>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</p>	<p>CAP and BCAP consider that the example set out here would be prevented by scenario 13 in the proposed guidance.</p>
		<p>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.</p>	<p>CAP and BCAP note that advertising regulation in the UK works on the principle of imposing standards in order to prevent ads that harm, mislead or offend. The Codes do not impose quotas for inclusion in ads on the basis that this could infringe upon freedom of commercial expression. CAP and BCAP consider that by preventing significant potential for ads to cause</p>

			harm or serious or widespread offence, the overall potential for harm should be reduced. The ASA report notes a number of industry initiatives that proactively seek to include greater diversity in advertising.
	Org1	<p>As per the above, the guidance is clear however in practice, we wouldn't envisage encountering these issues. Nevertheless, we do understand that should there ever be any doubt, there will in future be clear guidance to refer to.</p> <p>Would like to see more specific examples under scenario 13 in the proposed guidance.</p>	<p>CAP and BCAP agree that supporting guidance will be helpful for advertisers and note additional comments</p> <p>CAP and BCAP consider the wording of scenario 13 is sufficiently clear for the ASA to make case-by-case decisions</p>
	WE	<p>Hopes that advertisers will not see these new guidelines as a limiting, but instead an opportunity to display more creativity in the way that they sell their products.</p> <p>Encourages the ASA to present these new guidelines as a form of creativity rather than censorship. If a product is worth selling and is economically viable it should not be dependent on gendered stereotypes and tired assumptions in order to sell.</p> <p>Believes that advertising as a whole has a duty to create content that will build up and encourage, not knock down and belittle people because of their gender or any other factor.</p>	<p>CAP and BCAP note that advertising regulation in the UK works on the principle of imposing standards in order to prevent ads that harm, mislead or offend. The Codes do not impose quotas for inclusion in ads on the basis that this could infringe upon freedom of commercial expression. CAP and BCAP consider that by preventing significant potential for ads to cause harm or serious or widespread offence, the overall potential for harm should be reduced.</p> <p>The ASA report notes a number of industry initiatives that proactively seek to include greater diversity in advertising.</p>
		<p>Wishes a warning notice to be included on any images of models with a very low unhealthy body weight.</p>	<p>CAP and BCAP note that the ASA has a strong position which prevents ads from depicting models in a way which makes them appear underweight or unhealthy, and from presenting an unhealthy body image as aspirational, as set out in guidance and multiple rulings. CAP and BCAP do not consider that the evidence suggests this position needs to be reviewed at this time.</p>
		<p>Wishes to see a mandate in Advertising Standards Authority guidelines on airbrushing to require disclaimers notifying viewers or readers that a person's image has been altered, including an explanation as to why the image has been retouched. No airbrushing of children's bodies will be permitted.</p>	<p>CAP and BCAP note that the ASA has a strong position on airbrushing, as set out in guidance and multiple rulings. CAP and BCAP do not consider that the evidence suggests this position</p>

			needs to be reviewed at this time.
		<p>Expresses disappointment that there is no mention of disability in this consultation.</p> <p>Notes that while disability affects all genders and is not strictly a gendered issue, advertising can use disability to break down gender stereotypes. For example, showing male and female paralympic athletes empowers all genders in the belief that they can achieve their best.</p>	<p>CAP and BCAP note that while the evidence base in the ASA report relates primarily to gender, it also takes into account other stereotypes which may interact with and potentially exacerbate the effect of gender stereotypes.</p> <p>As noted in the guidance, CAP and BCAP consider that gender stereotypes can have a potentially harmful impact on persons who share the protected characteristics of gender reassignment, pregnancy and maternity, sex or sexual orientation. 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. Other stereotypes include those relating to age, disability, race and religion or belief.</p> <p>CAP and BCAP note that they are in the process of evaluating the Codes to ensure they meet the requirements of the Equality Act 2010 and the Public Sector Equality Duty and plan to publish the outcome of this work by the end of 2018.</p>
ZT		<p>Considers the draft guidance is mostly clear and practicable but considers it should be stronger. Provides additional commentary:</p> <p>Considers most of this stereotyping is subtle and will not be prevented by the new guidance.</p> <p>Expresses concern that the draft guidance does not take into account the cumulative impact of gender stereotyping in advertising as it still allows for individual adverts to use stereotypes. Considers that any action taken which fails to place individual adverts within a wider context of gender inequality within advertising and the media will have a limited impact.</p>	<p>CAP and BCAP note that advertising regulation in the UK works on the principle of imposing standards in order to prevent ads that harm, mislead or offend. The Codes do not impose quotas for inclusion in ads on the basis that this could infringe upon freedom of commercial expression. CAP and BCAP consider that by preventing significant potential for ads to cause harm or serious or widespread offence, the overall potential for harm should be reduced.</p>
		<p>While pleased that the new rule acknowledges the harm caused by gender stereotyping, expresses concern that the guidance only refers to 'some' or 'certain kinds' of gender stereotyping as being harmful. Considers all gender stereotyping to be harmful, and</p>	<p>CAP and BCAP consider that advertising is not the only influence that can reinforce gender stereotypes, but consider that the evidence</p>

	<p>challenges the ASA to identify a form of gender stereotyping that does not cause harm.</p> <p>Would like to see the guidance remove all references to 'some' or 'certain kinds' of stereotypes being harmful. Urges the ASA to take a clearer stance, like the Scottish Government, by explicitly connecting gender stereotypes and VAWG.</p> <p>Considers for example, that the continual stereotypical portrayal of women as domestic with primary responsibility for childcare and domestic duties is a cumulative process of messaging across many advertisements. Similarly considers that the portrayal of men as strong, in leadership positions and powerful, is continuous and runs through multiple advertisements. Considers that taken together, this stereotyping creates a landscape and culture with the very real potential to cause harm through the promotion of inequality. Additionally, considers this is harmful to the wellbeing of people of all genders who do not fit into gendered expectations.</p>	<p>indicates it does play a role. Their proposed new rule and guidance are intended to respond proportionately to the potential for harm that can arise from the depiction of these kinds of stereotypes in advertising. The evidence does not demonstrate that the use of gender stereotypes is always problematic, nor that the use of seriously offensive or potentially harmful stereotypes in advertising is endemic.</p> <p>CAP and BCAP consider that there are many factors which contribute to Violence against Women and Girls, and that perpetuating gender stereotypes is one of those factors. They acknowledge that advertising can play a role in reinforcing those stereotypes but consider that the depiction of harmful gender stereotypes in advertising is not endemic.</p> <p>CAP and BCAP consider that the proposed rule and guidance offer a proportionate response to the evidence base by preventing ads from containing gender stereotypes that are likely to limit adults' and children's' potential in life and reinforce harmful expectations.</p> <p>CAP and BCAP consider that depicting a gender stereotype such as a woman doing housework is not necessarily harmful in and of itself, but that it becomes harmful if the conditions set out in the proposed guidance are met.</p>
	<p>Would like to see the guidance take a much stronger stance on gender stereotyping in advertisements aimed at children. Cites its 2015 of over 1,300 Scottish parents on gender stereotyping in the early years to find out about parents' perceptions of how and where gender stereotyping influenced their children. Had asked parents where they saw gender stereotyping occurring most frequently: 60% of parents responded that their children see gender stereotyping occurring most frequently in children's TV and media:</p> <p><i>"The main issue is TV and if there was any way to lobby commercial TV to be more responsible about the advertising then this would have a huge impact. You can't stop your kids watching TV (well I can't) but adverts are completely backwards in terms of gender equality."</i> Respondent to parents' survey, 2015</p>	<p>CAP and BCAP often need to consider the extent to which advertising – among multiple other factors - may play a role in harmful outcomes and, accordingly, to what extent changes in advertising policy are proportionate to addressing these outcomes. We must weigh these considerations against advertisers' freedom to market their products and services without undue regulatory interference. Given this legitimate constraint on our work, the guidance identifies and bans creative content</p>

	<p>Notes that studies have found that watching three to four hours of television a day can make children more likely to believe that others think boys are better than girls. Consider it therefore important that advertisements aimed at children not only avoid perpetuating harmful gender stereotypes but also provide examples of people doing the opposite of gender stereotypes, i.e. boys being nurturing and caring, girls being active and assertive.</p> <p>Note that under scenario 8, the proposed guidance states that, “<i>Ads shouldn’t explicitly depict members of a specific gender being excluded from or dismissive of an activity. This doesn’t prevent an ad from depicting children undertaking an activity stereotypically associated with their gender, using colours, language, music or settings which are also stereotypically associated with that gender.</i>”</p> <p>Considers that in the highly gender segregated culture we live in, using certain colours and settings will act as a barrier for children when viewing these adverts. These limits placed on children and perpetuated through advertising will hinder them from engaging in the activities and play they want to. Would like to see the guidance emphasise the importance of countering gender stereotypes as well as simply avoiding them.</p> <p>Would also like to see the wording of scenario 9 strengthened by changing, “<i>An ad that seeks to emphasise the contrast between a boy’s stereotypical personality (e.g. daring) with a girl’s stereotypical personality (e.g. caring) needs to be handled with care. Explicit labelling of children that contrasts stereotypical characteristics in a way that reinforces perceptions of what children can or cannot be, because of their gender, is more likely to be problematic.</i>” to, “<i>An ad that seeks to emphasise the contrast between a boy’s stereotypical personality (e.g. daring) with a girl’s stereotypical personality (e.g. caring) reinforces perceptions of what children can or cannot be, because of their gender, is more likely to be problematic.</i>”</p> <p>Urges the ASA to take a stronger stance on representations of idealised bodies. The new proposed guidelines currently read, “<i>Ads may feature idealised body shapes and physical features stereotypically associated with women (e.g. a small waist) and men (e.g. an abdominal ‘six pack’)</i>”. Consider this wording suggests that advertisers can continue to prescribe what a “good” and “attractive” body is.</p> <p>Consider the proposed guidance does not address the fact that these standards are often sexist, racist and ableist nor does it acknowledge the fact that unhealthy beauty standards are disproportionately forced on women and that that this is harmful gender stereotyping.</p>	<p>that, if used, is likely to explicitly endorse gender stereotypes that carry the greatest potential to harm or offend; the Committees have to consider very carefully whether it is proportionate to ban content that falls below this threshold. The Committees consider that ads that depict single-sex groups are not, inherently, likely to endorse unacceptable gender stereotypes, but they recognise that other factors, in combination, may contrive to do so e.g. leading to a strong suggestion that a toy is not appropriate for one sex. Should ASA rulings identify factors, which – in combination with the depiction of single-sex groups – combine to endorse unacceptable gender stereotypes, CAP and BCAP are committed to reflecting these factors in updated guidance.</p> <p>CAP and BCAP consider that the proposed wording for scenario 9 urges advertisers take a cautious approach to emphasising stereotypical contrasts while allowing the flexibility for the ASA to consider ads on a case-by-case basis.</p> <p>CAP and BCAP commit to undertaking a review of the rules and guidance 12 months after their introduction and additionally updating the guidance to reflect ASA rulings on an ongoing basis.</p> <p>CAP and BCAP consider it is appropriate for ads to feature glamorous, attractive, successful, aspirational or healthy people or lifestyles, as long as those depictions don’t meet the conditions set out in scenarios 6 and 7.</p> <p>As noted in the consultation, the committees consider that the weight of evidence suggests that, wherever they appear or are reinforced, certain gender stereotypes can lead to mental, physical or social harm which can affect how people interact with each other and the way they perceive themselves.</p>
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The committees note that the ASA is accustomed to dealing with cases where there is potential for harm and that the evidence included in the ASA report, alongside the detailed guidance supporting the proposed new rule, will enable the ASA to reach informed decisions on whether a specific gender stereotype in an ad has the potential to cause harm.

CAP and BCAP consider this rule will prevent ads that have potential to cause harm by playing a contributory role in restricting people's choices, aspirations and opportunities, which can lead to real-world harm in the way people interact with each other and the way they view their own potential.

CAP and BCAP note that while the evidence base in the ASA report relates primarily to gender, it also takes into account other stereotypes which may interact with and potentially exacerbate the effect of gender stereotypes.

The guidance notes that "gender stereotypes can have a potentially harmful impact on persons who share the protected characteristics of gender reassignment, pregnancy and maternity, sex or sexual orientation. 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. Other stereotypes include those relating to age, disability, race and religion or belief".

CAP and BCAP note that they are in the process of evaluating the Codes to ensure they meet the requirements of the Equality Act 2010 and the Public Sector Equality Duty and plan to publish the outcome of this work by the end of 2018

	<p>Considers that some advertisers may deliberately create sexist and racist adverts in order to generate controversy and thus additional coverage. Cites recent that it considers benefitted from negative publicity. Considers that all publicity, even negative publicity, is desirable to certain advertising campaigns particularly where women or people of colour are not the target audience.</p> <p>Considers the ASA should reconsider its sanction of publishing rulings and giving non-compliant companies negative publicity due to the potential for some advertisers to actively seek this out. Suggests that advertisers should instead simply have media space revoked. Considers this approach would mitigate the likelihood of advertisers deliberately breaking the rule in order to receive additional, free publicity.</p>	<p>The ASA has a wide range of sanctions available which mean most advertisers are highly motivated to avoid upheld complaints: https://www.asa.org.uk/codes-and-rulings/sanctions.html</p> <p>CAP and BCAP note that ASA sanctions are not subject to this consultation.</p>
	<p>Makes a number of recommendations regarding the introduction to the guidance:</p> <p>Is pleased that in the section titled, 'Key factors guiding the ASA's assessment', the ASA recognises that jokes at the expense of a gender stereotype are not acceptable. Humour is often used as an excuse for abhorrent views that should be dismissed along with that defence.</p>	<p>CAP and BCAP agree and note additional comments</p>
	<p>However, considers that if depictions are "unacceptable" the response should be stronger than "unlikely to be mitigated". Proposes this wording is changed to 'Unacceptable depictions will not be mitigated by the use of humour or banter.'</p>	<p>CAP and BCAP have amended the wording in the guidance to read:</p> <p>The use of humour or banter is unlikely to mitigate against the types of harm or serious or widespread offence identified in this guidance. CAP and BCAP consider this urges advertisers to carefully consider the use of humour or banter in ads depicting gender stereotypes while allowing the ASA the flexibility to consider complaints on a case by case basis.</p>
	<p>Supports the ASA's position stated in the section titled, 'Key factors guiding the ASA's assessment' that it will be likely to consider stereotypes from the perspective of the group of individuals being stereotyped.</p> <p>However, queries why the ASA is only 'likely' to consider such an important perspective. Proposes that the ASA always considers stereotypes from the perspective of the group being stereotyped, to ensure that this key perspective is not overlooked.</p>	<p>In its consideration of complaints, the ASA will consider an ad's likely impact when taken as a whole and in context. That may depend on the medium in which the ad appeared, the audience and its likely response. The ASA is likely to consider stereotypes from the perspective of the group of individuals being stereotyped alongside evidence of potential harm and serious or widespread offence.</p> <p>CAP and BCAP consider this position ensures that the ASA will consider the perspective of</p>

		those represented while allowing the flexibility to consider evidence of potential harm or serious or widespread offence on a case-by-case basis
	Proposes that section 4 of the 'Scenarios featuring gender-stereotypical roles and characteristics' section should be amended from, "Care should be taken not to suggest in an ad that women should prioritise their appearance over their professional conduct in the workplace." to, "Care should be taken not to suggest in an ad that women should prioritise their appearance over their professional ambition or other aspects of their life."	CAP and BCAP consider this amendment is consistent with the intention of that scenario and have amended the guidance accordingly.
	The respondents listed on the left disagreed with the proposal	
PI60	Disagrees with the proposal to introduce a rule, does not offer additional commentary	CAP and BCAP consider their proposals are evidence-based and proportionate, as set out in the consultation.
PI2, PI3, PI4, PI5, PI6, PI34	Disagree with the proposed guidance, offering the following rationale: <ul style="list-style-type: none"> • There are no measurements, just a general umbrella term of Harm and Offence. These are not good enough! • Don't publish the guidance • 'Harm' • Totally unnecessary • It can't be practical as the ASA is not fit for purpose. • This is ideologically driven. 	CAP and BCAP consider their proposals are evidence-based and proportionate, as set out in the consultation.
PI1	Considers that the guiding principles for "scenarios featuring pressure to conform to an idealised gender-stereotypical body shape or physical features" are contrary to public health objectives around obesity. Notes that an overweight or obese person striving to achieve a healthy muscular-toned physique may feel happier if they achieved that objective. Considers that as a population we should incentivise people to adopt a healthy lifestyle and body type that would be more associated with good health. Considers that inspirational targets presented as imagery of athletic people can play an important role in this end.	CAP and BCAP consider the proposed guidance does not prevent ads from depicting healthy people or lifestyles nor from featuring people losing weight or adopting a healthy lifestyle. It does prevent ads from suggesting that an individual's happiness or emotional wellbeing should depend on conforming to an idealised gender-stereotypical body shape or physical feature. CAP and BCAP consider that their proposals are compatible with the weight control and slimming rules in the CAP and BCAP codes which permit responsible ads for weight control, slimming foodstuffs and aids, including exercise; diets, clinics and medicines.

	PI1, PI4	Consider that if images of unhealthily thin people were banned, the same should apply to images of unhealthily fat people	CAP and BCAP consider that their proposals are compatible with the weight control and slimming rules in the CAP and BCAP codes which permit responsible ads for weight control, slimming foodstuffs and aids, including exercise; diets, clinics and medicines. The proposed guidance does not prevent ads from featuring people losing weight or adopting a healthy lifestyle, it does prevent ads from suggesting that an individual's happiness or emotional wellbeing should depend on conforming to an idealised gender-stereotypical body shape or physical feature.
	PI7	Proposes the guidance should include information for the public about how to submit complaints. The complaints process needs to be much easier and should be made simple with internet technology.	CAP and BCAP note that the ASA website includes clear information about the complaints process, including an online form.
	PI11	Considers the guidance could be clearer and more precise.	CAP and BCAP consider that the scenarios set out in their proposed guidance reflect the evidence base. As part of its process, CAP and BCAP pre-consulted advertising practitioners to help meet objectives that rules and guidance should be easily understood, easily implemented and easily enforced. CAP and BCAP consider the proposed rule and guidance reflect the evidence base while allowing advertisers to effectively and creatively market their products to consumers.
	PI17	Considers gender stereotyping policy should also tackle age. Notes as an example that women over 70 are only seen on TV adverts involved with life assurance or funeral costs, considers the implication is that women of this age group only have death to look forward to and should be equally represented in ads for other products and sectors. Also notes that women under 25 are featured in ads for sanitary products and women over 50 are featured in incontinence products. Considers this fails to represent women of 25-50 and women who suffer from weak bladder after having children from the age of	CAP and BCAP note that while the evidence base in the ASA report relates primarily to gender, it also takes into account other stereotypes which may interact with and potentially exacerbate the effect of gender stereotypes. The guidance notes that "gender stereotypes can have a potentially harmful impact on persons who share the protected characteristics

	<p>20. Considers this is not a true representation of the age groups.</p> <p>Finally, considers that car insurance, home insurance and energy products are usually advertised by men or cute creatures, and women are rarely visible. Considers it damaging to children and the population as a whole to only see women under 25 being happy, healthy, beautiful and thin in TV adverts. Considers that with rare exceptions, advertising does not usually depict diverse families and relationships.</p>	<p>of gender reassignment, pregnancy and maternity, sex or sexual orientation. 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. Other stereotypes include those relating to age, disability, race and religion or belief."</p> <p>CAP and BCAP consider that requiring the inclusion of specific social groups within ads would be contrary to commercial freedom of expression, but note that many advertisers and agencies are working on new initiatives to make advertising more inclusive.</p>
PI19	<p>Would like the guidance to include examples of what is considered to be in breach of the code, so that advertisers and members of the public are more aware of what is/is not acceptable. At the moment, it is very abstract.</p>	<p>CAP and BCAP consider that the scenarios set out in their proposed guidance reflect the evidence base.</p> <p>As part of its process, CAP and BCAP pre-consulted advertising practitioners to help meet objectives that rules and guidance should be easily understood, easily implemented and easily enforced. CAP and BCAP consider the proposed rule and guidance reflect the evidence base while allowing advertisers to effectively and creatively market their products to consumers.</p> <p>CAP and BCAP undertake to conduct a 12 month review of this rule and guidance to consider whether they are meeting their objectives to prevent ads from including potentially harmful or offensive gender stereotypes and to guard against unintended consequences.</p> <p>.</p>
PI30	<p>Considers it would be good to encourage advertisers to show different genders interacting or using the product on an equal footing.</p>	<p>CAP and BCAP consider that requiring the inclusion of specific social groups within ads would be contrary to commercial freedom of expression, but note that many advertisers and agencies are working on new initiatives to make</p>

			advertising more inclusive.
	PI31	Requests 'more examples'	CAP and BCAP consider that the scenarios set out in their proposed guidance reflect the evidence base.
	PI57	Make the guidance stronger in its message.	CAP and BCAP consider that the scenarios set out in their proposed guidance reflect the evidence base.
	PI56	Consider the terminology should refer to sex, not gender ie that ads shouldn't depict members of a specific SEX being excluded from an activity.	CAP and BCAP agree that sex and gender are separate terms with different legal standing. In this context, 'gender stereotypes' is used to reflect the distinct set of cultural expectations, beliefs and pressures that have been accorded to men, women, boys and girls based on their sex.
	PI42	<p>Considers the wording is acceptable, but should go further to make it completely clear that adverts should have a gender balance. So much gendered advertising is implicit not just explicit and this is a great opportunity to include that in this new guidance.</p> <p>Considers a similar approach is needed for packaging.</p>	<p>The ASA system works on the basis of preventing ads from containing anything that may harm, mislead or offend.</p> <p>CAP and BCAP consider that requiring the inclusion of specific social groups within ads would be contrary to commercial freedom of expression, but note that many advertisers and agencies are working on new initiatives to make advertising more inclusive.</p> <p>The ASA's remit does not extend to packaging, unless that packaging includes a promotion.</p>
	PI21	"blue for boy pink for girl is not a problem but delabelling what most find ok is a problem"	CAP and BCAP consider that the scenarios set out in their proposed guidance reflect the evidence base.
	PI27, PI28, PI33, PI34, PI35, PI36, PI39, PI45, PI48, PI20, , PI46, PI52, PI55, PI59, PI63	<p>Propose that scenarios 8 and 9 and their guiding principles are made stronger and clearer. Make the following additional comments:</p> <ul style="list-style-type: none"> • Guidance should clarify that its objective is not making boys wear dresses nor making girls play with cars, but giving all children the same opportunities in life by not steering them in narrow directions which narrows their life choices. • Guidance should be made stronger in relation to children to tackle all the implicit messages that we know kids see and learn from. 	CAP and BCAP often need to consider the extent to which advertising – among multiple other factors - may play a role in harmful outcomes and, accordingly, to what extent changes in advertising policy are proportionate to addressing these outcomes. We must weigh these considerations against advertisers' freedom to market their products and services

	<ul style="list-style-type: none"> • There is a need to tackle the combined effect of many ads presenting gender stereotypes, rather than just individual cases. For example, encouraging more groups of girls and boys playing together, or boys and girls playing outside gender stereotypes would be better. Children are very susceptible, and advertisers need to be socially responsible in how they target this age group. • Include guidance about challenging gender stereotypes. Represent both boys and girls playing with toys. Children see patterns and learn the implicit messages within • Guidance relating to children should be stronger based on the known insidious effects of gender stereotyping at an early age. • It needs to be clearer with regards to children. Currently there is too much marketing aimed specifically at boys OR girls, when all toys or clothes are for any child. Girls are as capable as boys and boys are as sensitive as girls. For example blue is not just for boys and pink is not the only colour a girl wants to buy. Children have been brainwashed into thinking they can only like 'their' gender's things. • Guidance should tackle the fact that implicit exclusion is the main problem, is harmful, and is easily tackled. My daughter loves playing with toy trucks, cars and trains but it is so rare to see related adverts ever showing girls in them. (Unless the truck is pink, which then means no boy can ever touch it, least they may be mistaken for a girl!) The same with toy kitchens - most children love playing "home" but it is rare to see boys depicted in this environment. There are some positive examples but overwhelming barrage of adverts (including YouTube paid for adverts by individuals) are gendered and thru their power direct children to what is "appropriate". • In current form, guidance won't be in the slightest effective to achieve stated aims. Sadly it's not the instances of overt gender bias (eg, saying openly that a toy is for girls or for boys) but the overall cumulative reinforcement of images which visually show that. To meet the aims of removing gender bias, ads needs to show girls and boys, men and women doing activities with the same frequency and emphasis. That's what the guidelines need to push towards. • Require that advertisers use all colours, not having a primary focus colour that is pink or blue. • Would like to see stronger wording in the guiding principles to a) tackle the fact that the vast majority of the stereotyping in ads aimed at children is implicit rather than explicit, and b) accept the harm caused by the repetition of narrow gender stereotypes across multiple ads. In particular stop showing girls being weak and more inclusion of mixed groups of children playing together, just as they do in real life. • Would like to see scenario 8 go further. Suggest adding "...but care should be taken to avoid implicitly excluding boys or girls by only using such colours, language etc, or by including only girls or boys in a group of more than 3 or 4 children, without good reason." • Implicit gender stereotyping should also be included as when repeated across multiple formats, still result in the message that certain genders can't do certain 	<p>without undue regulatory interference. Given this legitimate constraint on our work, the guidance identifies and bans creative content that, if used, is likely to explicitly endorse gender stereotypes that carry the greatest potential to harm or offend; the Committees have to consider very carefully whether it is proportionate to ban content that falls below this threshold. The Committees consider that ads that depict single-sex groups are not, inherently, likely to endorse unacceptable gender stereotypes, but they recognise that other factors, in combination, may contrive to do so e.g. leading to a strong suggestion that a toy is not appropriate for one sex. Should ASA rulings identify factors, which – in combination with the depiction of single-sex groups – combine to endorse unacceptable gender stereotypes, CAP and BCAP are committed to reflecting these factors in updated guidance.</p> <p>CAP and BCAP consider that the proposed wording for scenario 9 urges advertisers take a cautious approach to emphasising stereotypical contrasts while allowing the flexibility for the ASA to consider ads on a case-by-case basis.</p> <p>CAP and BCAP commit to undertaking a review of the rules and guidance 12 months after their introduction and additionally updating the guidance to reflect ASA rulings on an ongoing basis.</p>
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		<p>things.</p> <ul style="list-style-type: none"> Suggest: "Ads can be targeted at and feature a specific gender but should take care not to explicitly convey or strongly imply that a particular children's product, pursuit, activity, including choice of play or career, is inappropriate for one or another gender." Suggest alternative wording for scenario 8: "Ads shouldn't explicitly depict members of a specific gender being excluded from or dismissive of an activity. This doesn't prevent an ad from depicting children undertaking an activity stereotypically associated with their gender, using colours, language, music or settings which are also stereotypically associated with that gender.[addition] but care should be taken to avoid implicitly excluding boys or girls by only using such colours, language etc, or by including only girls or boys in a group of more than 3 or 4 children, without good reason." Suggest alternative wording for scenario 9: "An ad that seeks to emphasise the contrast between a boy's stereotypical personality (e.g. daring) with a girl's stereotypical personality (e.g. caring) is likely to be problematic. Contrasting stereotypical characteristics in a way that reinforces perceptions of what children can or cannot be, because of their gender, is more likely to be problematic. Scenarios aimed at children are far too ambivalent and accepting of stereotyping, need more explicit guidance. If they are still giving pink and blue messages then they are reinforcing stereotypes. Only having little girls play with dolls and boys with construction kits should be consigned to history. Recommend saying that adverts should not 'strongly imply' that any toy or children's activity is inappropriate for one sex. Would like more concrete guidance about not showing sequences of ads which just show boys or girls, I think there should be boys and girls in all adverts aimed at them Guidance needs to be more specific about gendered language and use of colour to portray gender-based interest <p>Respondents provide the following evidence for their rationale, including:</p> <ul style="list-style-type: none"> Examples of ads Anecdotal observations of their own experiences BBC programme: 'no more boys and girls' Research by Let Toys be Toys 	
	BE	<p>Disagrees with proposals, considers guidance should take a stronger position on actively promoting diverse body shapes.</p> <p>Considers that while scenarios 6 and 7 are essential to the consideration of the narrative</p>	CAP and BCAP note that advertising regulation in the UK works on the principle of imposing standards in order to prevent ads that harm, mislead or offend. The Codes do not impose

		<p>around the body image issue, it is hoped that the consultation will acknowledge that the issue is not present in just such obvious, niche and specific scenarios but that the constant flooding of body-ideal images causes real harm and needs to be addressed across the industry, not just in these specific examples.</p> <p>Cites evidence evaluated in Q1, above</p>	<p>quotas for inclusion in ads on the basis that this could infringe upon freedom of commercial expression. CAP and BCAP consider that by preventing significant potential for ads to cause harm or serious or widespread offence, the overall potential for harm should be reduced.</p> <p>The ASA report notes a number of industry initiatives that proactively seek to include greater diversity in advertising as well as those that address body image specifically.</p> <p>Additional evidence considered under Q1, above</p>
	EVAW+	<p>Would like to see better contextualising of how gender stereotypes reinforce and reproduce gender inequality which is a 'harm'.</p> <p>Considers the scenarios 8 and 9 and the accompanying guiding principle in the proposed guidance still allow products that are essentially genderless to be aimed at one gender.</p> <p>Cites 2015 research from 'Let Toys Be Toys' In their 2015 research Who Gets To Play? which found that:</p> <ul style="list-style-type: none"> • Boys were shown as active and aggressive, and the language used in adverts targeted at them emphasises control, power and conflict. Not one advert for baby or fashion dolls included a boy. • Girls were generally shown as passive, unless they were dancing. The language used in the ads focuses on fantasy, beauty and relationships. Out of 25 ads for toy vehicles, only one included a girl. • Ads targeted at boys were mainly for toys such as vehicles, action figures, construction sets and toy weapons, while those targeted at girls were predominantly for dolls, glamour and grooming, with an overwhelming emphasis on appearance, performing, nurturing and relationships. <p>Considers that these toys are not inherently gendered, they are just toys. Considers such gendered advertising harms children by limiting them to stereotypical gendered behaviour and punishing those who do not conform to these rigid ideas.</p> <p>Proposes the guidance could be more specific by requiring that ads featuring larger groups of children in toy advertisements should include mixed-sex groups and that ads</p>	<p>CAP and BCAP consider the potential for gender stereotypes to reinforce harm is explored at length in the ASA report on which the proposed rules and guidance are based.</p> <p>CAP and BCAP often need to consider the extent to which advertising – among multiple other factors - may play a role in harmful outcomes and, accordingly, to what extent changes in advertising policy are proportionate to addressing these outcomes. We must weigh these considerations against advertisers' freedom to market their products and services without undue regulatory interference. Given this legitimate constraint on our work, the guidance identifies and bans creative content that, if used, is likely to explicitly endorse gender stereotypes that carry the greatest potential to harm or offend; the Committees have to consider very carefully whether it is proportionate to ban content that falls below this threshold. The Committees consider that ads that depict single-sex groups are not, inherently, likely to endorse unacceptable gender stereotypes, but they recognise that other factors, in combination, may contrive to do so e.g. leading to a strong suggestion that a toy is not appropriate for one sex. Should ASA rulings identify factors, which – in combination</p>

	<p>should not explicitly or strongly imply that a particular children's product, pursuit, activity, including choice of play or career, is inappropriate for one or another gender.</p>	<p>with the depiction of single-sex groups – combine to endorse unacceptable gender stereotypes, CAP and BCAP are committed to reflecting these factors in updated guidance.</p> <p>CAP and BCAP consider that the proposed wording for scenario 9 urges advertisers take a cautious approach to emphasising stereotypical contrasts while allowing the flexibility for the ASA to consider ads on a case-by-case basis.</p> <p>CAP and BCAP commit to undertaking a review of the rules and guidance 12 months after their introduction and additionally updating the guidance to reflect ASA rulings on an ongoing basis.</p>
	<p>Notes that the introduction to the guidance states that: '<i>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; other stereotypes can include those relating to age, disability, race, religion, beliefs, marriage, civil partnership, pregnancy or maternity.</i>'</p> <p>Considers this could helpfully be illustrated by examples in the guidance. Notes that stereotypes such as those based on age, disability, race etc as well as sexuality interlock with gender stereotypes meaning that gender stereotypes themselves are not fixed.</p> <p>Proposes the guidance should include recognition of how, for example, stereotypes of older women differ from those associated with girls, and black and minoritised ethnic women are stereotyped in a different way to white women. Cites packaging for a baby sling as an example of stereotypes interacting. The product had 2 types of packaging one which featured a solo black woman wearing a baby in a sling and another (for the same product) showing an image of a white hetero-normative family unit where the women is carrying a baby in the sling. Considers this product imagery covers a number of interacting stereotypes, women as nurturing, black single mums and heteronormative family units. Considers this is only obvious when the 2 types of packaging are next to each other. i.e. the solo black woman and baby juxtaposed next to the white 'family unit'.</p>	<p>CAP and BCAP note that while the evidence base in the ASA report relates primarily to gender, it also takes into account other stereotypes which may interact with and potentially exacerbate the effect of gender stereotypes.</p> <p>The guidance notes that "gender stereotypes can have a potentially harmful impact on persons who share the protected characteristics of gender reassignment, pregnancy and maternity, sex or sexual orientation. 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. Other stereotypes include those relating to age, disability, race and religion or belief."</p> <p>CAP and BCAP note that they are in the process of evaluating the Codes to ensure they meet the requirements of the Equality Act 2010 and the Public Sector Equality Duty and plan to publish the outcome of this work by the end of 2018</p>
	<p>Considers that in some places the guidance appears contradictory in that its aim is to prevent gender stereotyping as it's harmful, yet includes 'guiding principles' which clarify</p>	<p>As noted in the consultation document, CAP and BCAP have sought to strike a balance in</p>

	<p>it's okay to show some of these stereotypes, particularly around 'idealised bodies'.</p> <p>Consider it is well researched that advertising contributes to women and girls experiencing significant pressure to conform to a body type which in some cases can lead to severe mental health issues. Notes that increases in diagnosis of eating disorders over time have been well publicised.</p> <p>Additionally, as cited in response to question 1, many women and girls feel inadequate upon seeing these images. Cites recent research by Level Up which indicated that the context of advertising is also important. Notes that research had surveyed 4000 adult viewers of Love Island about their responses to the show, of which 250 were women aged 18-34. 40% of women said the show made them feel more self-conscious of their bodies. Notes that Level Up had publicly criticised the advertisements that appeared around the show when it was aired calling ITV irresponsible for selling advertising space to cosmetic surgery and diet companies. Notes the research also highlighted that 30% of millennial women had considered going on a diet to lose weight, while 11% had thought about getting lip fillers after watching Love Island.</p> <p>Considers that it would be preferable for the guidance to actively promote challenging gender norms as ethical practice/social responsibility to promote equality, rather than proscribing specific stereotypes. Cites DFID report 'Shifting social norms to tackle violence against women and girls', which includes following points:</p> <ul style="list-style-type: none"> • In order to tackle harmful social norms, interventions need to create new shared beliefs within an individual's reference group, which in turn change expectations around behaviour. • Whilst not all forms of violent behaviour are held in place by specific social expectations about the behaviours themselves, all forms of VAWG are sustained by gender norms that embody gender inequality and unequal power relations. • VAWG interventions that aim to transform these gender norms and inequalities have proven more effective at reducing violence than those that only address individual attitudes and behaviours without tackling harmful gender norms (such as harmful notions of masculinity) which perpetuate VAWG. • Emerging evidence and insights from practitioners suggests that in order to shift harmful social norms programmes need to: a) shift social expectations not just individual attitudes, b) publicise the change and c) catalyse and reinforce new norms and behaviours. 	<p>providing guidance that reflects the detailed evidence base available yet allows sufficient flexibility for advertisers to promote their products and services, and for the ASA to consider each ad on a case by case basis when implementing new rules.</p> <p>CAP and BCAP consider it is appropriate for advertisers to depict healthy, glamorous and aspirational people as long as they don't exert the kind of pressure to conform set out in scenarios 6 and 7.</p> <p>CAP and BCAP consider that there are many factors which contribute to Violence against Women and Girls, and that perpetuating gender stereotypes is one of those factors. They acknowledge that advertising can play a role in reinforcing those stereotypes but consider that the depiction of harmful gender stereotypes in advertising is not endemic.</p> <p>CAP and BCAP welcome the further evidence provided in this response and consider that the existing ASA position and CAP guidance on objectification, sexualisation and body image already mitigate against the kinds of stereotypes identified here.</p> <p>CAP and BCAP consider that the additional scenarios relating to gender-stereotypical roles, characteristics and idealised body shapes are intended to further mitigate against potentially harmful gender stereotypes.</p> <p>CAP and BCAP undertake to conduct a 12 month review of this rule and guidance to consider whether they are meeting their objectives to prevent ads from including potentially harmful or offensive gender stereotypes and to guard against unintended consequences.</p>
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	<p>Proposes that the phrase ‘vulnerable groups’ in relation to scenarios 10 and 11 be reframed to reflect inequality or marginalisation. Notes that groups are made vulnerable through the unequal distribution of power in society, not by virtue of their own characteristics.</p> <p>Proposes the section around ‘scenarios featuring people who don’t conform to a gender stereotype’ should be clearly linked to the harassment and violence people experience from others, particularly in public spaces and linked to people’s specific experience’s.</p> <p>As specialist women’s organisations, offers to deliver training for advertisers to implement these guidelines, to ensure that the guidelines are framed around the harms that these stereotypes cause.</p>	<p>CAP and BCAP note concerns about the term ‘vulnerable’ but consider that it is consistent with established legal and regulatory terminology, including additional CAP and BCAP guidance.</p> <p>CAP and BCAP note that the scenarios 12 and 13 are based on the evidence included in the ASA report which includes the link to the kinds of harms described here. The ASA may refer to that report in its future considerations but CAP and BCAP consider it is not necessary to set out the potential harms in practical guidance for advertising practitioners.</p> <p>CAP and BCAP note the offer for specialist training.</p>
IPA	<p>Appreciates the various explanations used throughout the new guidance, including as set out in the “Understanding this Guidance” section, but expresses concern that practitioners will find it difficult to understand whether a particular treatment might breach the new rules.</p> <p>With regard to the particular scenarios:</p> <p>Guidance Scenario 2:</p> <p><i>Ads that directly contrast male and female stereotypical roles or characteristics need to be handled with care. An ad that depicts a man being adventurous juxtaposed with a woman being delicate or dainty is likely to be unacceptable.</i></p> <p>Does not believe the example in the second sentence is necessary or useful.</p> <p>Guidance Scenario 8:</p> <p><i>Ads shouldn't explicitly depict members of a specific gender being excluded from or dismissive of an activity. This doesn't prevent an ad from depicting children undertaking an activity stereotypically associated with their gender, using colours, language, music or settings which are also stereotypically associated with that gender.</i></p> <p>This scenario appears under the heading: “Scenarios aimed at or featuring children” yet the first sentence does not expressly refer to children. The guidance in the second sentence is unclear and does not seem to be particularly relevant to the first sentence.</p>	<p>As part of its process, CAP and BCAP pre-consulted advertising practitioners to help meet objectives that rules and guidance should be easily understood, easily implemented and easily enforced.</p> <p>CAP and BCAP consider the second sentence of scenario 2 provides helpful illustration.</p> <p>CAP and BCAP have amended ‘members’ in scenario 8 to ‘children’ and consider the second sentence of that scenario helpfully clarifies that the guidance is not intended to preclude the kind of ads described.</p> <p>,</p>
LTBT	Cites its own research into toy ads in 2015 which found that boys and girls were largely	CAP and BCAP often need to consider the

	<p>shown in ads playing separately, with different kinds of toys, very different colour and sound palettes, clothing, language and levels of activity.</p> <p>Similarly, cited research into toy catalogues in 2016 and 2017 which showed that the images of children portrayed children's play in an overwhelmingly stereotyped way.</p> <p>Considers that little or none of this implicit stereotyping would be tackled by the proposed guidance.</p> <p>Would like the guiding principles to be reworded to acknowledge that implicit exclusion is also important and harmful, and should be avoided.</p> <p>Suggests following additional text to the guiding principle linked to scenarios 8 and 9:</p> <p>"Ads can be targeted at and feature a specific gender but should take care not to explicitly convey or strongly imply that a particular children's product, pursuit, activity, including choice of play or career, is inappropriate for one or another gender."</p> <p>Suggests the following additional text to strengthen scenario 8:</p> <p>"Ads shouldn't explicitly depict members of a specific gender being excluded from or dismissive of an activity. This doesn't prevent an ad from depicting children undertaking an activity stereotypically associated with their gender, using colours, language, music or settings which are also stereotypically associated with that gender but care should be taken to avoid implicitly excluding boys or girls by only using such colours, language etc, or by including only girls or boys in a group of more than 3 or 4 children, without good reason".</p> <p>Considers this would give grounds for complaint against a catalogue which included many pages of baby dolls without featuring a single image of a boy, for example, and would encourage the good practice of assuming that any larger group should be mixed.</p> <p>Notes this would reflect the positive changes in practice that it had identified in its own research.</p> <p>Cites examples of ads that have begun adopt this practice, noting:</p> <ul style="list-style-type: none"> • All the Nerf ads it saw in 2015 featured only boys in the 'classic' range or only girls playing with pink 'Rebelle' products, but a 2018 ad featured a mixed group: • A recent Chad Valley ad depicted boys and girls playing together as they do in real life 	<p>extent to which advertising – among multiple other factors - may play a role in harmful outcomes and, accordingly, to what extent changes in advertising policy are proportionate to addressing these outcomes. We must weigh these considerations against advertisers' freedom to market their products and services without undue regulatory interference. Given this legitimate constraint on our work, the guidance identifies and bans creative content that, if used, is likely to explicitly endorse gender stereotypes that carry the greatest potential to harm or offend; the Committees have to consider very carefully whether it is proportionate to ban content that falls below this threshold. The Committees consider that ads that depict single-sex groups are not, inherently, likely to endorse unacceptable gender stereotypes, but they recognise that other factors, in combination, may contrive to do so e.g. leading to a strong suggestion that a toy is not appropriate for one sex. Should ASA rulings identify factors, which – in combination with the depiction of single-sex groups – combine to endorse unacceptable gender stereotypes, CAP and BCAP are committed to reflecting these factors in updated guidance.</p> <p>CAP and BCAP consider that the proposed wording for scenario 9 urges advertisers take a cautious approach to emphasising stereotypical contrasts while allowing the flexibility for the ASA to consider ads on a case-by-case basis.</p> <p>CAP and BCAP commit to undertaking a review of the rules and guidance 12 months after their introduction and additionally updating the guidance to reflect ASA rulings on an ongoing basis.</p>
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	<p>Proposed the following amendments to strengthen scenario 9:</p> <p><i>"An ad that seeks to emphasise the contrast between a boy's stereotypical personality (e.g. daring) with a girl's stereotypical personality (e.g. caring) is likely to be problematic needs to be handled with care. Explicit labelling of children that contrasts Contrasting stereotypical characteristics in a way that reinforces perceptions of what children can or cannot be, because of their gender, is more likely to be problematic."</i></p> <p>Cites an example of an ad that aired in France to demonstrate how implicit stereotyping can be very strong even within a single ad, with the 'imagination of children' limited to a stark contrast between the boy (wearing shorts and t shirt) actively playing pirates outdoors and the girl passively playing princess, wearing a pretty dress in her pink bedroom.</p> <p>Considers its proposed changes would give grounds for complaint against the tired trope of directly contrasting boys and girls' behaviour eg where boys' mastery of toy weapons, tricks or remote control vehicles is contrasted with a girl needing to be rescued/being 'grossed out', or putting her appearance before action, or a boy is unable to do something creative or delicate.</p> <p>Considers its proposals reflect the changes already underway in advertising, contrasting a Wild Pets ad from 2015 with a Fingerlings Untamed Raptors spot from 2018, noting the latter includes a girl who is (literally) part of the team, dressed in the same sports kit as the boys, and in on the joke.</p>
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