



## SPOTLIGHT ON PUBLIC POLICY

### UNITED KINGDOM

#### COMMITTEE OF ADVERTISING PRACTICE RULES AGAINST GENDER STEREOTYPING

New rules aimed at curbing gender stereotyping in advertisement were introduced by the Committee of Advertising Practice (CAP) in the UK in June 2019.

British advertising is regulated through two independent sister organizations, the CAP and the Advertising Standards Association (ASA). The members of the advertising industry prepare advertising rules through the CAP and ensure that they are being followed through ASA, which conducts reviews and oversees a ban on ads that fail to comply.

The advertising codes are based on standards that are required by UK law,<sup>1</sup> such as the UK Equality Act 2010 which prohibits discrimination of “protected characteristics”, including sex, sexual orientation, gender reassignment, pregnancy and maternity, race and religion.<sup>2</sup> The law is enforced through ASA as a preliminary step, which takes action without the case having to go to court.<sup>3</sup>

#### KEY FEATURES OF RULES

- Advertisements must not include gender stereotypes that are likely to cause harm, or serious or widespread offence (Committee of Advertising Practice Rule 4.9 and the Broadcast Committee of Advertising Practice Rule 4.14).
- Gender stereotypes cause harm and offence by reinforcing perceptions of gendered appearances and behaviours,

potentially lowering people's self-esteem and restricting their potential to advance in life, and which can also have a detrimental impact on society.

- CAP guidance identifies certain stereotypes such as a woman cleaning a messy home, or a man changing a tyre.

## BACKGROUND

Gender stereotyping came under ASA's scrutiny in 2012 during a review into ads that had the potential to cause harm and offence. In 2015, an ad that mentioned the phrase "beach body ready" led to 380 complaints to ASA. The case, along with ASA's own reviews, led the organization to look into developing a position on gender stereotypes in case of more complaints.<sup>4</sup> The UK Advertising Codes already addressed harmful or offensive ads, but did not specifically address gender stereotypes.

In April 2016, an ASA project focused on gender stereotyping in ads and on whether advertising codes addressed them sufficiently.<sup>5</sup> The report suggested that a tougher stance was needed.<sup>6</sup>

## RULES

Consequently, new rules were developed. CAP Rule 4.9 and the Broadcast Committee of Advertising Practice (BCAP) Rule 4.14 state: "[Advertisements] must not include gender stereotypes that are likely to cause harm, or serious or widespread offence."<sup>8</sup> According to guidelines issued by CAP, harm and offence are caused by gender stereotypes as they reinforce perceptions of how certain genders should look and behave, which can lower people's self-esteem and

## GUIDANCE

CAP issued guidance to help advertisers comply with the requirements of CAP and BCAP rules and to ensure that gender stereotypes are not depicted in advertisements. The ASA takes into account this guidance in its assessments.

The guidance includes a list of some scenarios and principles.

The guiding principle is avoiding the suggestion that roles and characteristics are always:

- Uniquely associated with one gender
- The only options available to one gender
- Never carried out or displayed by another gender.<sup>10</sup>

### ASA identified six categories of gender stereotypes:<sup>7</sup>

- Occupations or positions usually associated with a specific gender
- Attributes or behaviours associated with a specific gender
- Mocking people for not conforming to stereotype
- Portraying individuals in a highly sexualized manner
- Depicting someone in a way that focuses on their body or body parts
- Depicting an unhealthy body image.

restrict their potential to advance in life, a situation that can have detrimental impact on individuals as well as on society.

CAP also used the evidence found in the ASA report to clarify standards on already existing regulatory positions on ads that objectify women and girls, and suggest unhealthy appearance standards.

### Potentially harmful categories identified by CAP include:<sup>9</sup>

- Women shown as cleaning up a messy home, reinforcing perceptions that they are primarily responsible for care duties
- Men shown performing a "masculine" activity, such as changing a tyre, and women shown as dainty
- A person of a particular gender failing in an activity normally assigned to other genders
- Women prioritizing their appearance
- Men being demeaned for sharing emotions.

## IMPACT

Since the rules were launched in June 2019, several ads have been banned, mostly because of the way they portray gender roles and characteristics.<sup>11</sup> One of the lessons learned since the ban was enforced is that humour should not act as a mitigating factor when presenting a harmful stereotype, such as fathers not being adept at

taking care of their children. Similarly, terms such as “girl boss” should not be used as they depict the concept of a female boss as something novel and frivolous. Another lesson is that women and men performing roles associated with their gender is allowed, provided this is not shown to be uniquely associated with one gender.

## CONCLUSIONS

The UK advertising industry, supported by UK law, has taken a concerted step towards advancing gender equality in marketing and advertising practices by introducing rules that are easy to understand and implement. In only one year, the new rules have created positive changes in the advertising industry, with an increased understanding

that representation plays an important role in shaping people’s perceptions about gender roles and characteristics. Prohibiting negative gender stereotypes, therefore, are crucial for making advancements towards gender equality in society as a whole.

## ENDNOTES

1. Advertising Standards Authority/ Committee of Advertising Practice, *Depictions, Perceptions and Harm. A report on gender stereotyping in advertising*, Summary Report. Available at: <https://www.asa.org.uk/asset/FAOCDD1A-6453-42FF-BD2892D70C53C5E7/>
2. Equality and Human Rights Commission, “Protected characteristics”, Equality Act. Available at: <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>
3. Advertising Standards Authority, “Self-regulation and co-regulation”. Available at: <https://www.asa.org.uk/about-asa-and-cap/about-regulation/self-regulation-and-co-regulation.html>
4. ASA/CAP, *Depictions, Perceptions and Harm*.
5. Ibid.
6. Ibid.
7. Ibid.
8. Advertising Standards Authority, “Harm and Offence: Gender Stereotypes”, 13 August 2020. Available at: [www.asa.org.uk/advice-online/harm-and-offence-gender-stereotypes.html](http://www.asa.org.uk/advice-online/harm-and-offence-gender-stereotypes.html)
9. Committee of Advertising Practice, *Advertising guidance on depicting gender stereotypes likely to cause harm or serious or widespread offence*. Available at: <https://www.asa.org.uk/uploads/assets/uploaded/f39a881f-d8c9-4534-95f180d1bfe7b953.pdf>
10. Ibid.
11. ASA/CAP, “Gender stereotyping – Lessons one year on”, 17 July 2020. Available at: <https://www.asa.org.uk/news/gender-stereotyping-lessons-one-year-on.html>



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