

Decision of the ADVERTISING REGULATORY BOARD

Complainants	Darren van Rensburg Deven Naidu
Advertiser	Skye Distribution (Pty) Ltd
Consumer/Competitor	Consumer
File reference	217 - Converse - Darren van Rensburg & Another
Outcome	Dismissed
Date	6 June 2019

The Directorate of the Advertising Regulatory Board has been called upon to consider complaints by Darren van Rensburg and Deven Naidu against two television commercials promoting Converse Chuck Taylor All Star sneakers, which were flighted on DSTV. The commercials are also available on YouTube.

Description of the advertising

The first commercial features four young women – Karabo Poppy, Stacey-Lee May, Zulaikha Patel, and Just Robyn – telling their stories. During the commercial they can be heard

saying:

- “Everybody needs to tell their story, and everybody needs to be heard”;
- “My hair matters to me because my hair is an expression of who I am”;
- “I try and challenge what is seen as the norm”;
- “I’m just trying to change people’s way of thinking about spinning”;
- “When I started dancing women were always put in the back. We showed what we were capable of”;
- “The world needs more female voices”;
- “The revolution is still unfolding, and it is young and definitely female”.

The commercial switches scenes several times, and some scenes show Stacey-Lee May spinning her car and performing spinning-related stunts, including hanging upside down out of the driver-side window by her legs while the car is spinning.

The second, shorter commercial only features Stacey-Lee May, and shows her performing the same stunts as in the first commercial. She can be heard saying: “Spinning is like a complete stress reliever for me. It’s like the world is falling off my shoulders. It’s just me being me”.

Complaints

The First Complainant submitted that he saw the advertisement during family time between 7pm and 9pm on a channel that DSTV describes as “a youth focused entertainment channel for young Africans” and “family orientated entertainment”. He argued that the advertisement basically shows the youth that it is cool and ok to dance on top and outside of moving vehicles, when in fact it is dangerous.

The Second Complainant submitted that it is irresponsible for the Advertiser to promote spinning of a car which is associated with drag racing. The message sent to the youth is not a positive and inspiring one, but a wrong one.

Response

The Advertiser submitted that its focus and goal for the campaign has always been about women empowerment. It wanted to convey real-life stories that show that women are creating their own narratives and challenging the status quo more than ever before. Its main objective for the campaign was to evoke emotion and tell the stories of incredible women, from their own perspective and not in an expected way, but in a way that felt right and authentic. These are the stories of women who wear their hearts, style, attitude and ambitions the way they want them. Its campaign is about showcasing how women are capable of doing anything they put their mind to in a society that tells them they cannot.

With regard to the scene in question, there is a disclaimer stating that it was filmed in a closed environment and performed by a trained professional. It is also important to note that car spinning is now officially considered a sport in South Africa. Letters from the CEO of SA Motorsport and the Director of XS Promoters were submitted to the Directorate for consideration. All stunts were performed on the purpose built Nasrec raceway drift track, and it was closed to the public.

Application of the Code of Advertising Practice

The following clauses were considered in this matter:

Safety – Clause 13 of Section II

Children – Clause 14 of Section II

Decision

Having considered all the material before it, the Directorate of the ARB issues the following finding.

The essential question before the Directorate is whether the stunts shown are likely to influence young drivers to attempt to perform similar stunts on public roads. The Directorate

accepts that this is a valid concern, and that advertisers must exercise care in showing dangerous activities, including those related to driving, in advertising.

The Directorate also accepts that car spinning is a recognised motor sport in South Africa and that Stacy-Lee May is a professional and well-known spinner. This is not the same as showing unknown actors drag racing or showing off in advertising.

The commercial is based on inspirational stories about young women doing unusual activities – often things that would not stereotypically be expected of women. Karabo Poppy is a street artist, Zulaikha Patel is known for her stand on hair politics and Just Robyn is a singer and dancer. These women are being celebrated for their professional achievements – which becomes relevant in that it contextualises Stacy-Lee May’s car performance as a professional spinner.

It is also clear that the stunts in the commercials are performed in a controlled area and there is a disclaimer to that effect, stating: “Performed on a closed circuit by trained professionals. Do not attempt”.

The importance of the disclaimer is to bring it to the attention of the viewer that the stunts were monitored and performed by professionals in an environment that was safe for performance. The reasonable viewer would understand that this is not something that they can try on the road outside their house. The disclaimer also makes it clear that the performance should not be emulated.

The Directorate also notes that any person who obtains a driver’s licence is aware, or should be aware, that there are road rules and regulations applicable to all drivers in the country.

The overriding message of the commercial is that young women can achieve anything that they put their minds to, including excelling in professional sports that might not be traditionally female. This is an overwhelmingly positive message to the youth that are the subject of protection by the Code.

In the circumstances, the Directorate finds that the commercials are not inappropriate, nor unsafe, for children and therefore not in contravention of Clauses 13 and 14 of Section II of the Code of Advertising Practice.