



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0051/13</b>
<b>2</b>	<b>Advertiser</b>	<b>Virtual Scaffolding</b>
<b>3</b>	<b>Product</b>	<b>Professional Service</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Outdoor</b>
<b>5</b>	<b>Date of Determination</b>	<b>13/02/2013</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

### DESCRIPTION OF THE ADVERTISEMENT

Cartoon image of a woman wearing a red bikini top, brown toolbelt across her hips, work boots and a blue hard hat. Next to her are the words, "Virtual Instant Access Guaranteed Right Away Scaffolding".

### THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

*The advertisement assumes that 'instant access' to this woman is 'guaranteed'- which has two major problems. Firstly, it could be construed that the reason why 'instant access' (or, sex) is guaranteed with the woman depicted is because she is wearing revealing clothing. Secondly, sex is never guaranteed, and this advertisement fails to show the woman's consent- merely saying that 'male erection = sex'. Advertisements like this propagate 'rape culture' and 'slut shaming', and make it easier for other issues of consent (e.g. 'she was wearing a mini skirt, so she was asking for it' or 'she was drunk, of course she wouldn't say no') to be overlooked. Despite the company name focusing on a male issue, the ad focuses on the sexual objectification of the woman. She is presented as a human form of 'viagra'- a product designed to give instant erections. Her hard hat and safety boots are showing that her 'job' is to turn men on. It is implied that this is the only reason a woman would be on a building site. As a female structural engineer who will be working on several building sites this year, I'm*

*uncomfortable with (and object to) a work environment that supports an advertisement objectifying women in an already-male-dominated industry. Please note- the name of the company itself and even their tagline ('for quick erections') does not offend me; it's just this ad.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*In response to your notification of complaint against our advertising banner as displayed on our scaffolding at the above named site.*

*In no way, shape or form does our banner suggest or infer that access to any woman (let alone this fictitious, almost cartoon like character, featured on the banner) is guaranteed, as the slogan for our company, Virtual Instant Access Pty Ltd, suggests that the erection of scaffolding equipment is to be virtually guaranteed right away.*

*Therefore proposing that our workforce are competent, and work in such a proficient manner that they can erect a scaffold satisfactorily and to the requirement of our client in a fast, safe and professional manner.*

*At no time is any reference made to suggest that you focus your attention on the female (fictitious) character featured and that this female is dressed appropriately in her hard hat, steel toe capped boots and with other PPE readily available.*

*The depiction of the ad focusing on the sexual objectification of the woman is purely based on each individuals interpretation of the banner and we refute any suggestion that we are profiling woman in such a manner.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainant’s concerns that the advertisement depicts a woman in a manner which is objectifying and suggests that women are available for sex.

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: “Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of...gender...”

The Board noted that the advertisement features a cartoon image of a woman wearing a bikini, tool belt and work boots and text which reads, “Virtual Instant Access Guaranteed Right Away Scaffolding”.

The Board noted the complainant’s concerns that the woman is presented in a manner which is not appropriate for a construction site and that this image is not an accurate reflection of women who work in the building industry. The Board noted that the woman is depicted in cartoon form and considered that whilst her attire is clearly not appropriate for a building site she is presented as a strong powerful woman and this image does not present woman in a manner which would be considered to be vilifying or discriminatory by most members of the

community.

The Board determined that the material depicted did not discriminate against or vilify any person or section of the community on account of gender and did not breach Section 2.1 of the Code.

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: “Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.”

The Board noted the complainants’ concerns that the advertisement presents a woman in a manner which is objectifying and considered that whilst some members of the community would consider that the use of a woman, albeit in cartoon form, wearing only a tool belt and a bikini top could be considered exploitative, in the Board’s view the overall cartoon image is not degrading as the woman is presented as strong and empowered.

The Board considered that the woman is not presented in a manner which is exploitative and degrading.

The Board determined that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading to men and that the advertisement did not breach Section 2.2 of the Code.

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted the complainant’s concerns that the advertisement presents a woman as a “human form of Viagra” and that the overall message is that she is instantly available for sex. The Board noted that the first letters of the slogan ‘virtual instant access guaranteed right away’ spell Viagra and considered that this reference to a sexual performance drug in conjunction with the cartoon image of the woman gives a sexual tone to the advertisement but is a play on words intended by the Advertiser to be humorous and to catch the attention of adults.

The Board noted that the outdoor display of this advertisement means it could be seen by a broad audience including children and considered that the cartoon woman’s body is sufficiently covered to be appropriate for outdoor display and that the reference to Viagra is very unlikely to be understood by children. The Board considered that the advertisement did not suggest that all women are instantly available for sex and that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience.

Based on the above the Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.4 of the Code.

Further finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.

