



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0026/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Network Ten Pty Limited</b>
<b>3</b>	<b>Product</b>	<b>Entertainment</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Outdoor</b>
<b>5</b>	<b>Date of Determination</b>	<b>08/02/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.4 - Sex/sexuality/nudity      S/S/N - nudity

### DESCRIPTION OF THE ADVERTISEMENT

The advertisements feature either Michelle Bridges or Tiffiny Hall, two of the trainers from the Network Ten television program, The Biggest Loser. Michelle sits naked except for her sneakers. She is posed in such a way as to obscure parts of her body. Tiffiny is in a similar pose but you can see she is wearing shorts as well as sneakers. The TEN logo is visible to the side of each image and below is the outline of two measurement rulers between which is the text, "LEARN TO LOVE YOURSELF" and "THE BIGGEST LOSER".

### THE COMPLAINT

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

*The picture is very large and of a woman who is completely naked...regardless of whether you can actually see her breasts etc. It is highly sexual and advertising a weight loss program. The advertisement is very large and cannot be missed as it is at the bottom of an escalator. We can come what control what our children see on TV by not having it on or not seeing ads but we should not be faced with this at the shops. I was quite shocked and also made a complaint to the shopping centre in question. I don't want to see a picture naked person at the shops.*

*The nudity is offensive. This has always been a family show and has been an inspiration to many to see people overcome their weight and emotional problems. My 12 year old daughter has loved this show for years and she always wanted to be "someone like Michelle who can help and inspire others and who is so self disciplined". I feel that this ad of her posing nude is*

*extremely offensive and in poor taste. It is so unnecessary to resort to this - what kind of role model is she now??!! I am unlikely to let her and other members of my family watch this show now.*

*A nude photo is inappropriate in public spaces at all times*

*Nudity is not part of biggest loser*

*One billboard in our local area of Dural NSW is on a school walkway/bridge at Dural. All traffic that drives under this bridge plus all the children who get dropped off at the school view this poster of Michele Bridges sitting naked with her legs and arms just covering her personal parts.*

*We have also seen other posters scattered through Westfield Shopping Centres specifically Hornsby and Castle Hill. This type of advertising has gone too far and so unnecessary to market the show. There would be little dispute that this trainer is attractive but having her naked on advertising that children so commonly see is unacceptable.*

*It is in direct view of children accessing the area. Exposing our children to sex is a huge problem in this country and this contributes to that problem. Seeing naked pictures of a woman teaches children to objectify female bodies.*

## **THE ADVERTISER'S RESPONSE**

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

*TEN comments regarding the complaints and compliance with Section 2 of the AANA Code of Ethics (the Code)*

*The section of the Code that may be relevant to the Advertisement is Section 2.4.*

*2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.*

*TEN submits that the image of Michelle Bridges is not "highly sexual" and "extremely offensive" as variously described by the complainants, nor is it exploitative or degrading but rather is advertised with appropriate sensitivity.*

*The advertisement promotes The Biggest Loser Singles, the new series of the popular and widely recognised Australian reality television program broadcast by Network Ten, in which overweight singles participate in a contest to lose the most percentage of weight. Each contestant hopes to transform their lives with the guidance of the program's trainers – Michelle Bridges, Tiffiny Hall, Shannan Ponton and The Commando.*

*The media campaign features images of all four trainers including Michelle Bridges. Two of the complaints refer specifically to the image of Michelle Bridges, while the other complaints are nondescript. There is also an image of another of The Biggest Loser trainers, Tiffiny Hall who is posed in a similar manner but she is wearing shorts as well as sneakers.*

*The images are not sexually suggestive. Michelle and Tiffiny are not posed in a sexually suggestive or provocative manner, nor is there any sexual innuendo. While Michelle appears naked except for her sneakers, care has been taken to ensure her arms and legs obscure her breasts and genitalia. Hence nudity is implied rather than actually depicted. Nor do the images exploit or degrade women.*

*The images are consistent with the overall advertising campaign which features tastefully shot images of the program's health and fitness experts. The campaign was shot by one of the*

*world's best photographers, Karin Catt, who has worked with President Clinton, President Bush and the Dalai Lama. The idea behind the campaign is that with the right guidance everyone can be a happier person.*

*The advertisement is relevant to the theme of the program that shows obese people taking affirmative action to improve their lives so they too can be fit, healthy and learn to love themselves (as Michelle Bridges and Tiffiny Hall do). Ms Bridges and Ms Hall, along with the other trainers, are role models for a fit and healthy society.*

*The campaign also ties in with TEN's 1 Million Kilo Challenge - a free initiative that runs for 10 weeks and promotes healthy eating, exercise and happier lifestyles for all Australians who join. Episodes of the program are variously classified G or PG under the Commercial Television Industry Code of Practice, depending on the content of the particular episode. Material classified G must not contain any matter likely to be unsuitable for children to watch without supervision.*

*The images in question are suitable for broadcast within G classified episodes.*

*The television program is not directed primarily at children. Similarly, the advertisement (and campaign) is not directed primarily at children and hence the AANA's Code of Advertising & Marketing Communications to Children does not apply, in accordance with clause 3.1 of the Code. Care has been taken to ensure the images have been tastefully and sensitively shot.*

*Hence, TEN submits that the advertisement complies with clause 2.4, 3.1 and all other relevant provisions of the AANA Advertiser Code of Ethics.*

## **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 shows a highly sexualized image of a woman which is inappropriate and offensive.

The Board viewed the advertisement and noted the advertiser's response.

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

The Board noted that the advertisement features an image of Michelle Bridges, one of the trainers from the Network Ten television program, "The Biggest Loser". Michelle is naked except for her sneakers.

The Board noted that although Michelle is clearly naked, she is posed in such a way as to obscure the private parts of her body. The Board considered that the image was depicting a very fit and healthy looking woman who is well known for her role as a personal trainer on both the program and in general.

The Board noted that as a large outdoor advertisement, the audience would likely include children. The Board considered that there is a clear connection between the image, the person in the image and the program “the Biggest Loser”. The Board considered that because the program is known to be about body image, fitness and weight loss the image has direct relevance to the product being advertised.

The Board considered that the pose of Ms Bridges was not sexualised and was not sexually suggestive.

The Board considered that most members of the community would not find the advertisement inappropriate and that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.