



Case Report

1	Case Number	0002/15
2	Advertiser	Pacific Brands Holdings Pty Ltd
3	Product	Lingerie
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	14/01/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

The advertisement shows three young women dancing in their underwear. Information about the 40% off sale is shown on screen.

THE COMPLAINT

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

This ad contains so much sexism and is more like soft porn. It is offensive to women because it shows women just baring their bodies and men think that either all women are like this or should be like this. Women who are actually interested in buying products like this do not need to see this graphical images. The add doesn't even specifically show the underwear it's selling not on the 'models'. The models also only seem to be chosen to be what males would find attractive for example there is no larger ladies dancing. If it was an advertisement for women why not show all women sizes that way all women would be more enticed by the advertisement. This advertisement also makes BONDS a bad role model brand for younger girls. It's not ok to go around showing of all of your body and women and girls should have more respect. I have seen this advertisement at multiple times through the day and i can't believe it hasn't been taken off already. This is soft porn, not an advertisement designed to make women want to purchase clothing items.

I object to the fact that Bonds have used 3 women to dance around in an assortment of underwear.

I find it offensive.

It is overtly sexual, even the facial expressions that the women are pulling.

I find the dance moves quite provocative and really a BIG step away from other bonds ads (At least men/ women and children were equally portrayed)

I have not seen another ad at a similar time or channel where they portray men in the same way!

Provocative dancing. Three girls dancing in their underwear on national TV on morning TV time during the family cricket. And i mean underwear only.

THE ADVERTISER'S RESPONSE

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

We write on behalf of our client, Bonds (Pacific Brands Underwear Group) in response to three complaints against the Bonds 'BOXING DAY SALE' campaign, specifically relating to the following sections of the AANA Code of Ethics:

2.1 – Discrimination or Vilification (gender)

2.4 – Sex, Sexuality and Nudity (general)

On 26 December 2014, the Bonds 'BOXING DAY SALE' campaign launched to promote 40% off Bonds products in store and online between Fri 26 December and Mon 29 December 2014.

Bonds is an underwear company, best known for its bright colourful underwear products. The TVC was designed to showcase a selection of some of the most popular underwear available in store and online at 40% off for Boxing Day.

The campaign highlights the movements consumers do while in stores shopping over the Boxing Day period. From running in the front doors, to grabbing product from racks and shelves, to looking at yourself in the fitting room mirror, the dance was designed as a fun, lighthearted way to showcase Boxing Day shopping movements.

Bonds is a family brand that Australians have known and loved for nearly 100 years and is renowned as having something for everyone – whether you're 8 seconds or 80 years old.

In regard to the three complaints that have been made to the ASB under Complaint Reference Number 0002/15, regarding sections 2.1 & 2.4 of the AANA Advertiser Code of Ethics, we take the opportunity to refute these as follows:

In reference to section 2.1 we disagree that our 'BOXING DAY SALE' campaign discriminates against or vilifies any gender. The ad in question is 15 seconds, and is designed to quickly showcase Bonds bestsellers that were available at "40% off" to the primary target, in this instance women.

In reference to section 2.4 we disagree that the women in the TVC are being overtly sexual or provocative. The "DO THE SHOP" super at the start of the ad sets up the idea that the dance moves the talent are performing depict movements one would make while shopping. The dancing is fun and playful, and in a manner consistent with the Bonds personality. The close ups are to show detail on the product, not to focus on specific body parts.

Further, it is worth noting that the Bonds 'BOXING DAY SALE' campaign received approval from CAD with a W classification allowing it to be broadcast at any time except during C and P programs and adjacent to C and P periods.

We trust upon viewing the TVC, and our written response, you will agree that the Bonds 'BOXING DAY SALE' campaign does not breach 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 complainants' concern that the advertisement features women wearing underwear and dancing in a provocative manner.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted the advertisement features three young women dancing in their underwear. Information about the 40% off sale is spoken by a female voiceover and also shown on screen. The Board noted the complainants' concerns that the advertisement unnecessarily shows women dancing in very little clothing which is sexist and inappropriate.

The Board considered that it is reasonable for an advertiser of underwear to use their products in their advertising and considered that it is not of itself discriminatory to show women advertising a product aimed at women.

The Board considered that the women appear happy and energetic and that the theme of the advertisement is one of brightness and positivity and does not portray the women in a derogatory or discriminatory way.

The Board considered overall that the advertisement does not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of their gender and did not breach Section 2.1 of the Code.

The Board then 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 it had previously dismissed similar complaints for Bonds television advertisements including in case 0364/14 where: the advertisement features women and men dancing whilst wearing different styles of Bonds' underwear.

In the above mentioned case, the Board noted that the women and men are presented in a manner which is clearly intended to show the underwear they are promoting and that the women and men appear happy and confident... The Board noted that it is reasonable to expect an underwear advertisement to feature imagery of underwear and considered that the manner in which the underwear is presented in the advertisement is not sexualised and is not inappropriate. The Board noted that all the models in the advertisement, both male and female, are wearing the underwear in a manner which does not expose any of their private areas and considered that the advertisement did not contain any inappropriate nudity."

Similarly, in the current advertisement the Board noted all the models in the advertisement are wearing underwear in a manner which does not expose any private areas and considered that the manner in which the underwear is shown is not sexualised or pornographic.

Consistent with previous decisions, the Board considered that the advertisement did not include any sexualised images or inappropriate nudity and determined that the advertisement 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 complaints.

