



# Case Report

1	Case Number	0022/15
2	Advertiser	Barracuda Boat Trailers
3	Product	Sport and Leisure
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	11/02/2015
6	DETERMINATION	Dismissed

## 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

A woman in a pale pink bikini is shown walking around some trailers on the beach and a voiceover describes the types of trailers available for sale.

## THE COMPLAINT

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

*The use of the bikini clad woman is sexually suggestive, and is completely irrelevant to boat trailers!!*

## THE ADVERTISER'S RESPONSE

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

*The TVC which has been running now for 18 months we no complaints. It is shown in Cairns Townsville and Mackay The advertising agency is MAK advertising based in Townsville working in the industry for well over 30 years The model in the ad is a fitness instructor and enjoys the outdoor life including boating, she is loved in the fishing community and has been requested by many clients to represent us on our boating stands. I am not sure what else we*

*can supply to you.*

## **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 concern that the advertisement depicts a woman in a bikini which is sexually suggestive and irrelevant to the product.

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 that this advertisement features a woman introducing the business selling boat trailers. As the voiceover describes the various trailers, the woman operates the hand winch and walks around the trailers on the beach. The end of the advertisement shows the details of the particular trailer outlet.

The Board noted that the woman is wearing a pale pink bikini and the trailers are displayed on the beach as she walks among them. The Board considered that the depiction of a woman in a bikini promoting a boat trailer that is used in and around water was typical of the types of swimwear that is worn on boats and during swimming. The Board considered that it is reasonable to depict a woman dressed in beach appropriate attire to promote their product.

The Board noted that in this advertisement the woman is actively demonstrating the functionality of the trailers in parts of the advertisement.

The Board agreed that the depiction of the woman promoting trailers in a bikini did not amount to discrimination or vilification on account of gender and did not breach Section 2.1 of the Code.

The Board then 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 that in order to be in breach of this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board noted that some members of the community would consider it to be exploitative to use an attractive woman in a bikini to sell a product but considered in this instance that the woman is walking around and operating the trailers and there is no lingering camera focus on her body only and that she is not presented in a manner which is degrading.

The Board considered that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading.

The Board determined 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 that the style of bikini adequately covers the woman’s body and it is not uncommon to see women in bikinis during warmer weather.

The Board considered that the level of sexual appeal was very mild and not inappropriate in the context of a broad audience which would include children.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and 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.