



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0030/19
2	Advertiser	Metricon Homes
3	Product	Real Estate
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	06/02/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a scene showing a woman in a bathtub washing her shoulder.

THE COMPLAINT

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

My kid nephew doesn't need to see and be influenced or given impressions of women he isn't able to understand. I don't want him to sexualise women.

THE ADVERTISER'S RESPONSE

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

This advertisement is promoting the Metricon Designer series 'Look of Love'





promotion. It is offering customers who choose to build a new Designer by Metricon home a bonus \$50,000 of luxuries to spend on their home for just \$10,000. The advertisement showcases key features of the home, including: façade, kitchen, living and bathroom areas. It also shows people interacting and walking through homes. It features two participating suppliers brand and products within the Ad. The Ad ends with all Look of Love participating suppliers logos on screen. Note: There are 10 different versions of the Ad. The only difference between each of them is the participating supplier section of the Ad. All other parts of the Ad remain exactly the same, including the woman in bath footage which is on screen for approximately 1 second.

Metricon provides the following response to the complaint received 14 January 2019 to the advertisement set out in the notification.

The complaint relates to section 2.4 of the code – Sex/sexuality/nudity S/S/N – general.

The complainant described the Ad as: ‘The Ad displayed a naked woman in the bath tub cleaning her shoulder during an Ad for Wreck it Ralph’. The complainant sighted their concern as follows: ‘My kid nephew doesn’t need to see and be influenced or given impressions of women he isn’t able to understand. I don’t want him to sexualise women.’

Metricon is confident the Ad does not breach the code for the following reasons:

- 1. CAD approved the Ads, and rated them ‘G’. The program classification which the Ad was viewed was also rated G.*
- 2. It was relevant for the woman featured in the bath to not have clothing. In this instance, no clothing over shoulders. No other part of the body was visible.*
- 3. The footage of the women in the bath was on screen for approximately 1-second.*
- 4. It would have made no sense to the TV viewer to see a fully clothed person in a bath tub.*

Metricon is aware that in previous determinations, the Community panel have stated that ‘product relevance’ was appropriate for:

- An advertisement to depict people in limited clothing to highlight what they were offering, where the advertisement is not overly sexualised; and*
- ‘nudity’ be considered acceptable when bathing or showering or showing people in the shower or bathroom, where there are no breasts or genitals visible.*

The Ad conforms to these principles.



THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement features content inappropriate for children to view.

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

The Panel noted this television advertisement features various features of a new home, including a scene depicting a woman in the bath washing her shoulder.

The Panel 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 Panel noted the complainant's concern that the advertisement depicted a naked woman in a bath which is inappropriate for children to view.

The Panel noted that this advertisement has been granted a "G?" rating by CAD, and was aired during the program 'Wreck It Ralph', a children's movie which is rated G. The Panel considered that the woman is only shown from the shoulders up in the bath scene and that there are no references made towards sex or sexuality.

The Panel acknowledged that the depiction of the woman in the bath was not directly relevant to the product being advertised, but as the advertisement depicted the various rooms of the home including the bathroom, showing how the bathroom could be used was not inappropriate. The Panel considered that most members of the community would consider the level of nudity within the advertisement to be very mild.

The Panel determined 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 Panel dismissed the complaint.

