



**Ad Standards** Community Panel  
PO Box 5110, Braddon ACT 2612  
P (02) 6173 1500 | F (02) 6262 9833

**AdStandards.com.au**

Ad Standards Limited  
ACN 084 452 666

## Case Report

<b>1. Case Number :</b>	<b>0059-22</b>
<b>2. Advertiser :</b>	<b>Wynstan Blinds</b>
<b>3. Product :</b>	<b>House Goods Services</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - Free to Air</b>
<b>5. Date of Determination</b>	<b>23-Mar-2022</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.4 Sex/sexuality/nudity

### DESCRIPTION OF ADVERTISEMENT

This television advertisement begins with a man introducing himself as Wynstan with a Y. He walks out from behind a prop wall and it becomes clear he is naked, although his body is hidden from belly to mid-thigh behind a variety of objects. The man states: "Why hello there! I'm Wynstan with a Y. They say love is blind, but I say love is blinds, doors, shutters and awnings...Perfect for privacy, security or to create a place the sun don't shine. Made to measure; quote and installation are always free. And I test everything to the highest standards here in my Australian factory. So choose Wynstan with a Y, where the carpets always match the curtains."

### THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

*My issue with this ad is the perceived nudity.  
Being only 8:30pm on the weekend our family sat down to watch the family show space invaders. Then during an ad break this ad from wynstan came on with a man filmed to look like he is completely naked. Things like a tape measure to cover his penis and at one point holding up two objects to represent breasts.  
I felt like this level of portrayed nudity is inappropriate for this time frame and is in general poor taste.*



*The content is not appropriate for any sort of advertising and is very offensive per the above content. Cannot see the point of the above to advertise the product. Would love to unsee this ad, however as this is not possible asking to never see it again.*

*I object to his implied full nakedness, plus the use of objects to imply female breasts and an erect penis*

## **THE ADVERTISER'S RESPONSE**

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

*I am writing in response of the 3 complaint(s) received by Ad Standards about our current TV advertisement during March 2022.*

*The advertisement has received a classification TV-PG rating, which is defined as Parental Guidance (PG) Suggested this program contains material that parents may find unsuitable for younger children. Based on classification the advertisement has been placed in appropriate TV segments and times.*

*During the approval process with Commercials Advise Division (CAD), we did receive a flag from CAD that the advertisement may receive complaints under AANA Code of Ethics 2.4 (due to nudity). We have reviewed the AANA Code of Ethics and given the actor was wearing undergarments and covered by manufacturing objects throughout the advertisement, we believe we have satisfied all requirements to remain on TV as a PG rated advertisement.*

## **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 complainants' concerns that the advertisement features nudity and behaviour that is offensive.

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

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

The Panel noted the Practice Note for the Code states:

*"Overtly sexual depictions where the depiction is not relevant to the product or service being advertised are likely to offend Prevailing Community Standards and be*



*unacceptable. Full frontal nudity and explicit pornographic language are not permitted.”*

#### **Does the advertisement contain sex?**

The Panel considered whether the advertisement contained sex. The Panel noted the definition of sex in the Practice Note is “sexual intercourse; person or persons engaged in sexually stimulating behaviour”.

The Panel noted that while there is not a depiction of sex.

#### **Does the advertisement contain sexuality?**

The Panel noted the definition of sexuality in the Practice Note is “the capacity to experience and express sexual desire; the recognition or emphasis of sexual matters”.

The Panel considered the depiction of an apparently naked man and the sexualized references in the advertisement did amount to a depiction of sexuality.

#### **Does the advertisement contain nudity?**

The Panel noted that the definition of nudity in the Practice Note is “the depiction of a person without clothing or covering; partial or suggested nudity may also be considered nudity”.

The Panel noted that the advertisement featured a man who appears to be naked, though his genitals are covered at all times by various products. The Panel considered that the advertisement did contain partial nudity.

#### **Are the issues of sexuality and nudity treated with sensitivity to the relevant audience?**

The Panel noted that the definition of sensitivity in the Practice Note is “understanding and awareness to the needs and emotions of others”.

The Panel considered that the requirement to consider whether sexual suggestion is ‘sensitive to the relevant audience’ requires them to consider who the relevant audience is and to have an understanding of how they might react to or feel about the advertisement.

The Panel noted that this advertisement was viewed on free to air TV and the audience is likely to be broad and include children.

The Panel noted that although it is clear the man is (intended to appear) naked the use of strategically placed objects means that his genitals are covered at all times. The Panel considered that the advertisement has a degree of fantasy, given that no one else in the factory appears to notice the man’s nudity. The Panel considered that the



man was shown from a distance and considered that there was no overt nudity at a level that most members of the community would find confronting or unacceptable.

The Panel noted that there is a degree of sexual innuendo in the advertisement, by the use of the phrases “to create a place the sun don’t shine” and “where the carpets always match the curtains”, and scenes showing an extended tape measure across the man’s crotch, his exclamation of surprise when a screen door is hit, and holding two spools to his nipples.

The Panel considered that while the character may have been depicting a level of sexual innuendo, the overall advertisement was humorous rather than sexualised. The Panel considered that the advertisement was sufficiently subtle in its references that the innuendo used in the advertisement would not be confronting or inappropriate for viewing by a broad audience that would include children.

#### **Section 2.4 Conclusion**

The Panel determined the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.4 of the Code.

#### **Conclusion**

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaints.