



Case Report

1	Case Number	0067/16
2	Advertiser	Specsavers Pty Ltd
3	Product	Professional Service
4	Type of Advertisement / media	Internet
5	Date of Determination	24/02/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

There are three versions of this advertisement featuring a woman undertaking different activities: Playing Tuba, Practicing Pilates and Spinning a pottery wheel. In each version the woman explains to a viewing audience that she does everything online: "I do everything online..."

In each instance the scene leaves the first scenario to find the young female relaxing in her bedroom where she explains she has recently been getting naked (wearing contact lenses/the act of not wearing glasses/having a naked face) online (buying contact lenses online).

THE COMPLAINT

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

While my young children watch kids' internet programs on Youtube this ad keeps popping up and in the advertisement the lady states that she "also gets naked on line" that is extremely inappropriate for children to be exposed to such sexualised advertisement and in fact may encourage inappropriate behaviour in children and thus they become exposed to evil predators online!

THE ADVERTISER'S RESPONSE

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

The online advertisement in question is akin to the long running “Should Have Gone To Specsavers” TV campaign in using humour to speak to a wide audience. This online video campaign encourages people to buy contact lenses online by using a light hearted way of describing the nature of not wearing glasses i.e. having a naked face.

In the particular commercial in question our intention is to draw attention to the unique way of describing the act of not wearing glasses so as to alert those people who currently wear contact lenses to purchase them online with Specsavers. The emphasis of the ad is squarely on contact lenses and buying online and encourages the audience to relate to having a “naked” face when wearing contact lenses over glasses.

Section 2.1 of the Code states that “Advertising or Marketing Communications shall not, portray people 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”

We don’t believe there is any discrimination depicted in the commercial we therefore believe that the advertisement complies with the code in relation to Section 2.1

Section 2.2 of the Code states that “Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people. “

We don’t believe there is any sexual appeal in the commercial we therefore believe that the advertisement complies with the code in relation to Section 2.2

Section 2.3 of the Code states that “Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.“

We don’t believe there is any violence depicted in the commercial we therefore believe that the advertisement complies with the code in relation to Section 2.3.

Section 2.4 of the code states that “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.”

We do not believe there is any sex, sexuality and nudity in the commercial we therefore believe that the advertisement complies with the code in relation to Section 2.4.

The immediate action of the young female whilst describing that she has recently been getting naked online (whilst fully clothed) is for the scene to switch immediately to showing her buying contact lenses online and the benefits therein; leaving no mistake that getting naked online even for the uninitiated is squarely Specsavers fun and edgy way of describing buying contact lenses online.

Section 2.5 of the Code states that “Advertising or Marketing Communications shall only use

language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.

We do not believe there is inappropriate language in the commercial we therefore believe that the advertisement complies with the code in relation to Section 2.5

Section 2.6 of the Code of Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

We do not believe the commercial depicts material contrary to Prevailing Community Standards on health and safety we therefore believe that the advertisement complies with the code in relation to Section 2.6

Placement and duration of the commercial

The online video ad is scheduled to run until the end of February 2016. It commenced on the 20th January 2016 online only using major online publishers, Facebook and You tube.

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 contains a reference to getting naked online which is not a safe or responsible message, especially for children.

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

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 that there are three versions of this internet advertisement and that each end with a woman lying on a bed with her laptop and saying, “Recently, I’ve been getting naked online”.

The Board noted that in each version of the advertisement the woman is clothed and considered that although she makes the comment about getting naked online whilst lying on her bed, she is wearing a robe and the screen of her laptop shows that her online activity is buying contact lenses from the Specsavers’ website.

The Board acknowledged that the reference to getting naked online could have a sexual meaning but considered that whilst the message is not overly clear with regards to what getting naked means, in the Board’s view the fact that the woman remains clothed and her online activity is revealed as shopping for contact lenses means that any implied double entendre is relatively mild and unlikely to be understood by children.

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

The Board determined that the advertisement did not breach Section 2.4 of the Code.

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Board noted the current high level of community concern about online safety and considered that whilst a reference to getting naked online is not of itself a good example to set in an advertisement in the Board’s view in the context of an advertisement for contact lenses featuring a clothed woman and no nudity and no suggestion to people to get naked online the comment is not a breach of Prevailing Community Standards around safe online behaviour.

The Board determined that the advertisement did not breach Section 2.6 of the Code.

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