



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0069/18
2	Advertiser	Brand Developers
3	Product	House Goods Services
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	21/02/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement is an infomercial for the Health Centre Massage Chair.

THE COMPLAINT

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

It states, "You can adjust the Health Centre massage chair to be as smooth, soft and gentle as a women's touch or as vigorous as a professional sport's massage."

This is unacceptable gender stereotyping that a women's touch is gentle and the alternative (by the use of the word "or") is the professional service... is this men?? I would not want my young nieces and nephews hearing this advert. It implies that women are "soft" and not professional.

Women can massage in a vigorous and professional way too.

THE ADVERTISER'S RESPONSE



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

We are writing in response to the complaint about this advertisement. They have given the reasons for concern, which relate to one 7" segment in the 28'30".

First, here is the script segment that has apparently caused the complainant concern...

"You can adjust the Health Centre Massage Chair to be as smooth, soft, and gentle as a woman's touch. Or, as vigorous as a professional sports massage.

And these are the concerns of the complainant...

1 "This is unacceptable gender stereotyping that a women's touch is gentle...

2 "...and the alternative (by the use of the word "or") is the professional service... is this men?? (sic)It implies that women are "soft" and not professional. Women can massage in a vigorous and professional way too."

Response to 1

Claiming a woman's touch is gentle (and this is in comparison to men) is not "gender stereotyping" – it is proven scientific fact. On average, women have a higher density of Merkel cells (the nerve receptors responsible for tactile sensitivity) than men.

They have a higher developed sense of touch, and more acute feedback awareness. Put simply, they are far more capable of delivering a precise, gentle touch than men. This enhanced precision and delicacy is the basis for applying this allegory directly to the gentlest setting of the Health Centre Massage Chair.

This is an excerpt from the attached study, first published in the Journal of Neuroscience...

"We have observed that passive tactile spatial acuity... differs subtly but consistently between the sexes"

"This... fully explains the better perception of women"

Response to 2

First, the vigorous massage is not pitched as an alternative – it is describing the most vigorous setting on the machine, at the other end of the scale in comparison to the least vigorous (the "gentle touch"). Second, from here the complainant leaps to an ironic assumption – that a professional sports massage can only be delivered by men.

To be frank, this "confidentiality requested" complaint strikes us as an example of



mischief-making. After all, the only gender stereotyping has been made by... the person complaining of gender stereotyping.

In conclusion, this complaint is without merit...

Women are scientifically proven to be capable of a gentler touch than men

Women are just as capable of being a professional sports massage therapist as men – and our TVC never implies otherwise

We are a responsible advertiser – this script has been cleared by CAD through 9 versions over 2 years (all containing the “gentle touch” section), and this frivolous complaint is the only example of its kind. No reasonable viewer could assume the common phrase “gentle as a woman’s touch” could be considered in breach of any of the parts of Section 2 of the AANA Code of Ethics...

2.1 Discrimination or vilification

2.2 Exploitative and degrading

2.3 Violence

2.4 Sex, sexuality and nudity

2.5 Language

2.6 Health and Safety

2.7 Distinguishable as advertising

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 concerns that the advertisement discriminates against women.

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

The Panel 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 Panel noted this television infomercial promotes a professional massage chair through demonstrations, reviews and information about the product. In particular the panel noted a scene in which a female presenter states “if you want a gentle massage which resembles a woman’s touch...if you want rapid fire pummelling to quickly ease



that nagging stiffness and tension you can get that too”.

The Panel noted the complainant’s concern that the advertisement is sexist because it states that a woman’s touch is gentle and that it suggests that women can’t be professional masseuses.

The Panel noted the advertiser’s response provided evidence to back up the statement.

The Panel considered that the evidence provided by the advertiser was not conclusive and did not rely on this as the basis of their determination.

The Panel considered the wording and presentation of the advertisement and considered that there was no suggestion in the advertisement that women could not be professional masseuses, or that women were incapable of providing professional massages.

The Panel considered the phrase ‘woman’s touch’ and considered that this may be an old-fashioned phrase but that the connotations were positive and that in this context a woman’s touch being gentle is not a negative stereotype and does not show women in a negative light and there is not a demeaning implication that men cannot be gentle.

The Panel considered the advertisement did not portray material in a way which discriminates against or vilifies a person on the basis of gender.

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

