



ADVERTISING
STANDARDS
BUREAU

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Case Report

1	Case Number	0151/14
2	Advertiser	Sparetables.com.au
3	Product	Professional Service
4	Type of Advertisement / media	TV
5	Date of Determination	14/05/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

The advert for SpareTables is a walk through of how the online restaurant booking service works. The woman used in the advert is Ali Oetjen who came runner up the Bachelor 2013 (Reality Show on Channel 10). The ad shows Ali presenting the concept to camera with South Australian restaurant locations sliding through the background.

THE COMPLAINT

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

This ad offends me because of the 'blonde bimbo' image used (her dress is so low you can see her bikini top suntan line). If she raised her arm a little higher she would most likely fall out of her dress. Why is this sexual imagery necessary when she is advertising booking spare tables in restaurants?

The female is wearing totally inappropriate clothing for such a task. There is far to much flesh showing which has nothing to do with the product.

Dress/top is cut extraordinarily low down blatantly revealing a lot more cleavage than is necessary.

This advertisement was telecast number of times during screening of G movie ' the sound of

music'. the dress of host of this Ad is very indecent with half naked breasts and it was not appropriate for young children viewing.

As an adult also that was the first thing I noticed and it seemed to be the intent of advertisers. Same reaction was applicable for young kids.

I was offended by the way the female's dress which is revealing a good portion of her breasts.

The woman on the ad is showing quite a lot of her breast area. Detracts from what she's advertising and is quite inappropriate for that time of day/night the ad is aired.

It is unnecessary to have this young woman dressed in such a derogatory seductive manner. My children should not be subjected to this smut. Please axe this ad.

The ad itself is fine. The content is fine. The problem is the young lady speaking on the ad. She has her breasts completely out and in your face. She is a beautiful woman and seriously doesn't need to portray herself that way. It is completely irrelevant to the add and she can do a better job selling the website simply wearing a proper shirt or singlet.

I am offended at how poorly the young person is dressed in this advertisement. The very attractive female I believe does reveal far too much breast tissue also I believe this ad has a hidden agenda which is highly sexualised. I consider this ad almost bordering on pornography due to the style of dressing, the age of the female and the fact that she is very pretty as well.

THE ADVERTISER'S RESPONSE

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

The complaints have mainly been based around the talent used.

Ali Oetjen is a reality TV celebrity after appearing on Channel 10's The Bachelor series. The advert has been produced to play on her character on the show and her real life personal branding. She is dressed in a dress (designed by a prominent SA brand) which she selected and is something she saw as appropriate attire for going on a dinner date.

The creative direction was to present the SpareTables concept in a way that represents a young person going out... Similar to the way a show like Getaway may dress their presenters to fit the look and feel of the story they are telling ie Jen Hawkins in a bikini on a beach in Fiji. In this case Ali is in a red evening dress she would wear on a dinner date.

There is nothing sexual about what she is doing on screen. She is simply standing still presenting the concept to camera.

SpareTables and South Australia

Ali Oetjen was chosen as the face of SpareTables.com.au as she is a well know personality in South Australia. As SpareTables.com.au is a South Australian company it was important to us to use a fellow South Australian. The dress Ali is wearing in the SpareTables.com.au TVC is also made by a South Australian designer.

SECTION 2 CONSUMER COMPLAINTS ACT - which are not breach by the advert

2.1 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.

- The advert does not have any reference or discriminates against any of the above.*
- 2.2 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 advert presents Ali inline with her personal brand which appeared on Channel 10's The Bachelor. She's is presented in an Evening dress as if she is ready for a dinner date.*
- 2.3 Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.*
- The advert does not reference the above.*
- 2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.*
- The advert does not does not discuss the above and Ali is appropriately covered by the dress she is wearing and in no way about to "burst out".*
- 2.5 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.*
- The advert has no inapropriate language in it.*
- 2.6 Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.*
- This does not apply to the advert*

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 complainants' concerns that the advertisement depicts a woman in a low cut dress that is inappropriate and has no relevance to the service being advertised.

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

The Board considered whether the advertisement complied with Section 2.2 of the Code which requires 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."

The Board noted the advertisement is a demonstration of how the online restaurant booking service works. The female used in the advert is Ali Oetjen who finished runner up the Bachelor 2013 (Reality Show on Channel 10). The advertisement shows Ms Oetjen presenting the concept to camera with restaurant locations sliding through the background.

The Board noted the complainants' concerns that the way the women is presented is derogatory and has no relevance to the service being advertised.

The Board noted that in order to be in breach of this section of the Code the imagery would need to be both exploitative and degrading.

The Board noted that the woman is dressed in a formal gown that would be appropriate for going out to a restaurant. The Board noted that the dress was very low cut and that the woman was facing directly into the camera for the duration of the advertisement. The Board considered that it is not inappropriate for an advertiser to use an attractive woman in order to promote their product or service and agreed that the woman is portrayed as intelligent and

confident.

The Board noted that some members of the community would prefer that women were not used in a manner which utilises their gender to promote a product but considered that in this instance the advertisement quite justifiably presented a woman dressed in going out attire presenting an advertisement for a restaurant booking service. The Board considered that this is not a use of sexual appeal in a manner that is exploitative and degrading and that it 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 the complainant’s concern regarding the low cut clothing of the presenter and the fact that her cleavage was prominent.

The Board noted that the presenter is wearing an evening dress which is low cut but not inappropriate. The Board considered that there is no inappropriate nudity and that although her cleavage is showing, she is dressed in a manner that would be considered acceptable by most people in the community.

The Board considered that her style of dress is a style commonly seen in stores and fashion magazines and considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement 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 complaints.