



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

<b>1</b>	<b>Case Number</b>	<b>0168/19</b>
<b>2</b>	<b>Advertiser</b>	<b>Bada Bing Garden Services</b>
<b>3</b>	<b>Product</b>	<b>Professional Service</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Transport</b>
<b>5</b>	<b>Date of Determination</b>	<b>12/06/2019</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Upheld - Not Modified or Discontinued</b>

## ISSUES RAISED

- 2.2 - Objectification Degrading - women
- 2.2 - Objectification Exploitative - women

## DESCRIPTION OF THE ADVERTISEMENT

This transport advertisement features an illustrated naked woman leaning back on her hands while sitting.

## THE COMPLAINT

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

*Demeaning portrayal of a woman as a sex object. It has no relevance to a gardening service business, clearly just intended to attract attention. If we don't uphold principles of respect there's no point having them.*

*I have a photo of the material that I can send.*



## **THE ADVERTISER'S RESPONSE**

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

*Advertiser did not provide a response.*

## **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 was a demeaning portrayal of a woman as a sex object.

The Panel viewed the advertisement and noted the advertiser could not be contacted for comment.

The Panel considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: "Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative or degrading of any individual or group of people."

The Panel noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

Exploitative - (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or (b) focussing on their body parts where this bears no direct relevance to the product or service being advertised. Degrading – lowering in character or quality a person or group of people.

The Panel first considered whether the advertisement used sexual appeal.

The Panel noted that the advertisement features an animation of a naked woman reclining with her genitals covered by her legs, and her breasts visible on the back of a truck cab. Her nipples are covered by black stars. The Panel considered that the supine position of the woman without clothing was a depiction which contained sexual appeal.

The Panel noted that 'Bada Bing' was the name of a strip club in the television series 'The Sopranos', however considered that the business being advertised in this case is garden services. The Panel considered that there is no link between the woman and the product being advertised.



The Panel noted it had previously considered a similar case in 0369/18 in which:

“The Panel noted that the advertisement features a painting of a naked female reclining with her genitals covered by her legs, and her breasts visible on the back of a truck cab. There are black and white images of forklifts in the background of the image. The Panel considered that the supine position of the woman without clothing was a depiction which contained sexual appeal. The Panel noted that there is imagery of forklifts in the background of the painting, however considered that this imagery did not constitute a relevant link between the woman and the product being advertised. The Panel considered this was a depiction which employed sexual appeal in a way which was clearly focussing on the body parts of the woman and bears no direct relevance to the product being advertised, and considered that this is exploitative of the woman and did breach Section 2.2 of the Code.”

In the current case, the Panel considered that the portrayal of the woman was a depiction which employed sexual appeal in a way which was clearly focussing on the body parts of the woman and bears no direct relevance to the product being advertised, and considered that this is exploitative of the woman and did breach Section 2.2 of the Code.

Finding that the advertisement breached Section 2.2 of the Code, the Panel upheld the complaint.

#### **THE ADVERTISER'S RESPONSE TO DETERMINATION**

The advertiser has not provided a response to the Panel's determination. Ad Standards will continue to work with the advertiser and other industry bodies regarding this issue of non-compliance.