



Case Report

1	Case Number	0170/11
2	Advertiser	Bonds Industries Ltd
3	Product	Clothing
4	Type of Advertisement / media	TV
5	Date of Determination	25/05/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience
- 2.1 - Discrimination or Vilification Sex

DESCRIPTION OF THE ADVERTISEMENT

Sarah Murdoch leads a group of dancers in a Busby Burkely style dance routine. All the female dancers are wearing Invisitails underwear.

THE COMPLAINT

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

While sitting with my children watching a family program (Australia's got talent) a TV advertisement came on the screen that I could not believe. My 2 children under 11 turned away because of the scene of many women wearing only bras and underpants. This visual presentation of sexuality was inappropriate for children to be viewing at that time. It really doesn't help us parents who are trying to raise healthy responsible children to see women as much more than just their body parts. One of my children a preteen girl and the other a boy entering preteen are developing their own perceptions of male/female identity behavior and sexuality..... is this really an appropriate message to send out.

I personally felt that a women's sexuality is more than exposing her body to the public eye when in reality this underwear is actually worn underneath clothes and not displayed to the world.

This advertisement was shown around 7.30pm at night during a family show Masterchef. It showed a whole group of developed women dancing in their underwear wearing no clothes. There were close ups of women's bottom cheeks and cleavage.

This ad contains inappropriate images for children with a level of nudity that is inappropriate for the timeslot.

THE ADVERTISER'S RESPONSE

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

Bonds is in the business of promoting underwear so unfortunately while we are very serious about maintaining quality, wholesome, inspiring & completely non-sexual communications a very rare few take offense to seeing our models in our garments. We have received a huge amount of compliments for this TVC and its healthy portrayal of women of all ages and real sizes. We do need to show what product we're selling and on the body to show its quality and fit.

THE DETERMINATION

The Advertising Standard Board ('the Board') considered whether the advertisement complied with the AANA Code of Ethics ('the Code').

The Board noted the complainants' concerns that this advertisement portrays women as a collection of body parts and contains inappropriate levels of sexualised nudity.

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

The Board first 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, sex, age, sexual preference, religion, disability or political belief.'

The Board noted that the advertisement features a group of women dancing in their Bonds underwear.

The Board noted the complainant's concern that the advertisement reduced women to body parts. The Board considered that any close ups of the women in the advertisement are to highlight the features of the underwear they are wearing and that as the product is underwear it is entirely reasonable to expect the advertiser to use their product in the advertisement.

Based on the above the Board determined that, in this instance, the advertisement did not objectify women and did not depict any material that discriminated against or vilified any person or section of society. The Board determined that the advertisement did not breach Section 2.1 of the Code.

The Board then considered whether the advertisement complied with section 2.3 of the Code. Section 2.3 states: ‘...shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone’.

The Board noted that the women are shown dancing and that the underwear they are wearing covers the private areas of their bodies so that there is no inappropriate nudity. The Board considered that whilst some members of the community may not be comfortable with seeing women depicted in their underwear, in this instance the Board considered that most members of the community would consider the advertisement to be tastefully shot and inoffensive.

The Board noted that the advertisement had been rated PG by CAD and was placed in the appropriate timeslots for that rating. The Board determined that, although the women are wearing underwear, the tone of the advertisement was fun and was not sexualised.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach Section 2.3 of the Code.

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