



Case Report

1	Case Number	0176/15
2	Advertiser	Windsor Smith Pty Ltd
3	Product	Clothing
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	13/05/2015
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

A young man and two women walk toward a limousine. Inside the car the man is not always wearing a shirt and is wearing pants and the featured shoes. The women are dressed in black and are they are seen wearing different shoes as well. The group sit in different positions in the car as music plays in the background.

THE COMPLAINT

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

Overtly sexually suggestive advertisement with half naked tattooed man in a limousine with two sexually suggestive women draped over him. The add was being shown during the MasterChef tv show. A PG rated show that many children watch. This advertisement is not appropriate for this time segment and sends the wrong messages to children and adolescents. I have never made a complaint before, however this advertisement is totally inappropriate at this time segment for the audience.

Partially the poses the women showed, many meanings beyond that might be comprehended by younger audiences. Not good to introduce this in this timeslot.

Partially the timeslot it was shown. Is it really appropriate to show that ad in a timeslot meant for family time?

Once again an offensive, sexualised, unrelated advert that pushes the boundaries and doesn't have any reflection on the product being sold at all.

THE ADVERTISER'S RESPONSE

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

Advertiser did not respond.

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' concern that the advertisement is sexually suggestive and inappropriate for viewing at a time when children could be watching.

The Board viewed the advertisement and noted the advertiser did not respond.

The Board 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 and degrading of any individual or group of people."

The Board noted that in order to be in breach of this Section of the Code the manner in which the women are presented needs to be both exploitative and degrading.

The Board noted that the advertisement features a young man and two women walking to a limousine. Inside the car the man is not always wearing a shirt and is wearing pants and the featured shoes. The women are dressed in black and are they are seen wearing different shoes as well. The group sit in different positions in the car as music plays in the background.

The Board noted that this advertisement has a similar tone to a previously considered advertisement for the same advertiser (0331/13) where male and female models were seen dancing around to upbeat music. In that case the Board considered that "while some members of the community would find the use of women in the manner presented in this advertisement as sexualised and inappropriate, in the Board's view the advertisement presents the women as equal partners in the fashion scene and is not debasing of women and does not lower women in character."

Similar to the decision above, the Board noted that in the current advertisement the woman are seen in the same position as the man and the focus is equally about the women's shoes as it is the man's footwear.

The Board determined that the advertisement did not present the women in a manner that was exploitative and degrading and 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 that the advertisement has various scenes of the group presented in various poses within the car but none of them are particularly sexualised and there is no nudity. The Board considered that whilst the overall tone of the advertisement is mildly sexualised it is

highly stylised and consistent with current fashion advertising and the scenario is not suggestive of group sex.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and did not breach section 2.4 of the Code.

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.