



**Ad Standards** Community Panel  
PO Box 5110, Braddon ACT 2612  
P (02) 6173 1500 | F (02) 6262 9833

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Ad Standards Limited  
ACN 084 452 666

## Case Report

<b>1. Case Number :</b>	<b>0203-20</b>
<b>2. Advertiser :</b>	<b>Dapco</b>
<b>3. Product :</b>	<b>Automotive</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - Free to Air</b>
<b>5. Date of Determination</b>	<b>26-Aug-2020</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.2 Exploitative or Degrading  
AANA Code of Ethics\2.1 Discrimination or Vilification

### DESCRIPTION OF ADVERTISEMENT

This television advertisement has two versions which feature five women in red and white cheerleader uniforms. They each have a letter on the front of their uniform which spells 'DAPCO'.

In the 15 second version:

The women stand in a line, wave pom poms and cheer, 'Go Dapco' and jump into the air.

A man is then depicted in a workshop working on the suspension of a car.

A voice-over states, "At your local Pedders suspension specialist we can lift your four by four or lower your car. Along with quality Pedders parts with an Australia wide two year warranty. Hey"

One of the cheerleaders is shown standing with her arms crossed holding pom poms. The text 'Lower your 4x4 or lower your car' appears to her right.

Another cheerleader is shown standing with her arms by her sides. The text 'Quality pedders parts' is shown on her left'.

Another cheerleader is shown moving slightly from side to side. The text 'Australia wide 2 year warranty conditions apply' appears on her right.

The five cheerleaders are shown standing in again, and a jingle plays with the lyrics 'gotta gotta gotta go to Dapco. Dapco tyre and auto.'



The brand details are shown on the screen and one of the cheerleader's jumps up with her arms in the air.

In the 30 second version:

The cheerleaders are shown one at a time, as the letters they have on their uniforms is shown on the screen, and the Cheerleader is shown to be saying the letters (D. A. P. C. O.)

The women stand in a line, wave pom poms and cheer, 'Go Dapco' and jump into the air.

The back of one of the woman's skirts is shown as she shakes her hips, the word 'DAPCO' is written on the knife pleats of the gladiator skirt.

The woman with the 'A' on her uniform, waves her right arm in the air and blows a kiss

The woman with the 'D' on her uniform stands with her arms crossed.

The woman with the 'C' on her uniform jumps into the air

Music plays with the lyrics gotta gotta gotta go to Dapco. Dapco tyre and auto."

A car is seen being lowered on a hoist

A male employee lifts a tyre and wheels it through the workshop, looking underneath a car with a light and tightening wheel nuts on a tyre.

The woman with the 'D' on her uniform stands in the foreground with her arms crossed, and the other four women pose in the background.

A voice over states, "For a great deal on tyres and wheels for your four wheel drive or family car, all at great prices, and they can be fitted while you wait. Hey."

The woman with the 'C' on her uniform stands next to a pile of tyres and shakes her pom poms. The words 'Great deals on tyres 4WD or family' appear next to her.

The woman with the 'O' on her uniform stands with her arms crossed, the words 'great prices' appear next to her

The women with the 'A' and 'P' on their uniforms stand together while next to them the words 'Fitted while you wait' appear over an image of a man in a workshop.

The woman with the 'O' on her uniform jumps into the air with the word 'HEY' appearing behind her.

The back of one of the woman's skirts is shown as she turns around, the word 'DAPCO' is written on the knife pleats of the gladiator skirt.

The five cheerleaders are shown standing in again, and a jingle plays with the lyrics 'gotta gotta gotta go to Dapco. Dapco tyre and auto."

The back of one of the woman's skirts is shown as she turns around and puts her hands on her hips.

The brand details are shown on the screen and one of the cheerleader's jumps up with her arms in the air.

## **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*However there is no reason they need to give the impression of "young" "sexy" cheerleaders to sell car parts. This ad is sickening in today's society. Not any young*



*man or woman should be having this ad come on TV screens with no choice but to see it.*

*No young man needs influence to be a chauvinistic pig. Gone are those days. No young woman needs influence to be a "sexy", "slim", "man attracting" cheerleader. My young niece asked me if a cheerleader was a job in the automotive industry.... Hell no darling, I told her the chauvinists of our past ancestors used women as sex symbols to sell or promote cars and products alike. Please reconsider this ad, maybe change its format. We don't need more uneducated bogans in today's society but up mostly young boy and girls should not be subdued to sexism on TV in the morning. I told her to make it discussion in class, see if they can write to the station to take the ad off air. Young girls suicide from bullies when they don't feel they are "skinny" or "popular" unless dressing sexy... It's just plain wrong.*

*This is blatant objectification of women. There are shots of the women's bottoms and the women's breast are clearly highlighted. Sexist stereotypes are present as it is only women cheerleading and the only men in the ad are working on cars. This is a company from the South West of WA so maybe they can get away with this kind of advertising that is reminiscent of an era where a woman's worth is based on how she looks and her sexual appeal. My daughter has seen this ad and it conveys negative and harmful stereo types. In 2020 I'd have thought we could do better.*

## **THE ADVERTISER'S RESPONSE**

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

*The TVC is a fun spot which has a DAPCO Cheer squad getting excited about the DAPCO brand and products. The setting is of the cheer squad in a studio format with DAPCO livery throughout. The cheer squad start by calling out the letters of the DAPCO brand which follows by a "GO DAPCO". The jingle then starts, there are shots of the cheer leaders alone with some voice to the relevant product which the TVC is set to promote.*

*The final shot has information about the local store and one of the cheer leaders jumping into the air with excitement.*

*Rational of creative.*

*The creative of the DAPCO Cheers Leaders runs across the companies promotional activities. It's part of a wider campaign which has utilised TV, Print, Catalogue, social media and Radio.*

*The creative concept is to create an atmosphere of fun and excitement about the DAPCO brand and to deliver, cut through so that the campaign is significantly striking so viewers remember the commercial and keep the DAPCO brand top of mind.*

*The use of the Cheer Leaders is commonly related to team sports and promotes the idea of favouring one and supporting one team over the other.*



*Part of the creative strategies was the placement of these spot into sports programs where the use of Cheer Leaders and Grid girls is accepted and common place.*

*We want to change the paradigm of consumers who use DAPCO's services and promote the idea of supporting the team and being part of something larger than simply getting your car serviced.*

*The Cheer Leaders are becoming iconic and are recognised as a part of the DAPCO brand.*

*Placement and target market*

*The target market for the TVC's is for males. The placement of the TVC's is almost exclusively in sports programs mostly AFL football and V8 supercars and related programs like the footy show etc. There is no placement in children's programming.*

*Response to Complaints*

*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 DAPCO TVC's and promotion using its iconic Cheer Leaders in no way breaches this code. There is no discrimination or any vilification of any individual or of a group of individuals. There are no statement or depictions which promote vicious or defamatory statements and there is no criticism of any one at all.*

*Even amongst the Cheer Leaders there is a mix of race and appearance.*

*It could not be argued, that any person or group of people have been persecuted or oppressed by the way the Cheer Leaders are presented in these advertisements.*

*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.*

*We completely reject that the TVC's with iconic Cheer Leaders breaches this code.*

*The use of cheerleaders is fairly common place in society. I note the Perth Wildcats have Cheer Leaders, V8 Super Cars have grid girls, Rugby teams have cheer leaders, suppliers such as Fuchs Oils and other competitors such as Auto One have grid girls, just to name a few. There are many other competitors who have and do use young women across their advertising materials.*

*In relation to Cheer Leaders, their actions and movements are completely consistent with those of Cheer Leaders. I note that both complainants correctly identify the girls as being a part of a cheer leader team, this demonstrates that girls are presented in an appropriate and easily identifiable form.*



*There are no moves or movements which would not ordinary been seen, in a public performance of Cheer Leading.*

*The movements of the girls are not sexualised. There are no sexualised poses. The girls do not touch themselves, or each other in any way that is sexualised or inappropriate. There is no suggestive taunts, or offers or suggestions of sexual activities. The girls chant, the girls call out is consistent with those of Cheer Leaders.*

*There is no wording or any enticement in the TVC's which promotes or indicates sexual activity.*

*There is no exploitation of sexual activity. The girls in the commercials have not been exploited either. Each were each paid a fee and were happy to participate in the production of the TVC's based on the creative.*

*The girls are all smiling, empowered and appear happy. They are a part of team and participate in a positive manner to the TVC.*

*It's worth noting that two of the girls in the TVC's are daughters of parties related to the business, which demonstrates that not everybody shares the views of those expressed by the complainants.*

*There is no basis for finding that these commercials degrade any person at all.*

*2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.*

*We reject that the DAPCO TVC's and wider campaign breaches the code.*

*Careful selection of garments were chosen for the girls to wear in this campaign. The girls' clothing is not excessively revealing or lewd and certainly does not contain any images of nudity.*

*The girls are wearing long sock that cover their legs to their knees, they are wearing one piece body suites which even cover their mid-sections.*

*There is not even a suggestion of nudity in the commercial, no clever camera tricks to make or imply the girls are at any stage naked.*

*There are no extreme close ups on breasts or other parts of the girls.*

*The shot of the bottom of the girl is not revealing, it's a plain shot which does not show anything other than the DAPCO name across the bottom of the skirt.*

*Shots of the girls are not taken or presented in any voyeuristic manner or in any other inappropriate way.*



*Both complainants appear to say that the women are scantily clad or don't have enough clothes on.*

*An inspection will see the cheer leaders are clothed appropriately.*

*The issues raised seem to be more about how the complainants have perceived the women in the commercial rather than the actual facts of the TVC itself.*

*There is simply no attack on women in the commercial, grid girls, cheer leaders and girls that like to jump around and get excited about something they are involved in such as sporting teams, racing team etc are all a legitimate parts of life. Just as legitimate as people who choose not to do those activities.*

*It's reasonable in the context for the advertiser to create a cheer squad to help in its promotional activities, and it's reasonable that the advertiser promotes those activities through television and other mediums.*

## **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 complainants' concerns that the advertisement:

- Is sexist
- Conveys harmful and negative stereotypes by showing women as cheerleaders and men working on cars
- Is objectifying of women by showing scenes of womens' breasts and bottoms.

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 the Practice Note to Section 2.1 of the Code which provides the following definitions:

*"Discrimination – unfair or less favourable treatment*

*Vilification – humiliates, intimidates, incites hatred, contempt or ridicule".*

The Panel noted that the advertisement features young women cheerleaders promoting the advertiser's services.



The Panel noted the complainants' concerns that it is sexist to use women to promote a product in this manner. The Panel noted that the women in the advertisement are presented in a manner which is consistent with cheerleaders and considered that this approach to advertising a product is not of itself necessarily sexist. The Panel acknowledged that some people will consider that the use of cheerleaders is not relevant to the product in this context and is inherently sexist.

The Panel noted that cheerleading is a sport in its own right, and that many companies have used cheerleaders to promote their products in the past, such as Hogs Breath Café and Snickers. The Panel noted that the purpose of a cheer squad is to cheer on a product or service and considered that while cheerleaders may be best known for athletic events, the sport itself is not industry specific. The Panel considered that cheerleaders may be used to promote a product and the depiction of the cheerleaders in this advertisement is consistent with a celebratory theme.

The Panel noted that there are no women depicted in the advertisement other than the cheerleaders, and that the mechanics depicted are all men. The Panel considered that this is representative of the employees in the business and an absence of women is not of itself necessarily discriminatory.

The Panel considered that the advertisement does not depict the women in the advertisement or women in general in a manner that is unfair nor in a manner that would be likely to humiliate or incite ridicule. The Panel determined that the advertisement does not discriminate against or vilify a person or section of the community on account of gender.

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 complainants' concern that the advertisement is objectifying of women by showing scenes of women's breasts and bottoms.

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 considered that the depiction of women in a cheerleading costume is one which most people would consider to contain sexual appeal.



The Panel then considered whether the advertisement used sexual appeal in a manner that was exploitative of an individual or group of people.

The Panel considered that the women are depicted as cheerleaders for the business and are wearing cheerleading costumes with the business name printed on them. The Panel considered that there is no suggestion that the women are objects or commodities, but rather they are active participants in the advertisement and are promoting the business.

The Panel noted that there are three very brief scenes in the 30 second version of the advertisement which focus on a cheerleader's buttocks. The Panel noted that the word Dapco is printed on the pleats of her skirt and the Panel considered that although some members of the community may find this tasteless, this focus is directly relevant to the business name being advertised.

The Panel considered that there is no particular focus on the women's breasts. The Panel noted that the cheerleading costumes of the women are slightly low cut, but considered that the advertisement does not highlight or focus on this part of the women.

The Panel considered that the advertisement did not depict the women as an object or commodity. The Panel considered that the advertisement did not draw particular focus or attention to any particular body part, and that the depiction of the women in branded cheerleading costumes was relevant to the product being promoted. The Panel considered that the advertisement did not use sexual appeal in a manner that was exploitative of the women.

The Panel then considered whether the advertisement used sexual appeal in a manner that was degrading of an individual or group of people.

The Panel considered that the women are depicted as cheerleaders for the business and are wearing cheerleading costumes with the business name printed on them. The Panel considered that the depiction of women as cheerleaders, promoting a business in a branded uniform, was not a depiction which lowered the women or women in general in character or quality.

The Panel considered that the advertisement did not use sexual appeal in a manner that was degrading of the women participating.

On that basis, the Panel determined that the advertisement did not employ sexual appeal in a manner which is exploitative or degrading of an individual and did not breach Section 2.2 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaints.