



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0224/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Pacific Brands Holdings Pty Ltd</b>
<b>3</b>	<b>Product</b>	<b>Clothing</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Transport</b>
<b>5</b>	<b>Date of Determination</b>	<b>13/06/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

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

### DESCRIPTION OF THE ADVERTISEMENT

Black and white images of city skylines with women's legs in the foreground wearing hosiery. The text reads, "Use your Voodoo".

### THE COMPLAINT

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

*Firstly the images are clearly sexualised. The models in the advertisement are positioned in ways that do more than just advertise the product.*

*The exclusion of any other body part of the models (coupled with the position of their legs) serves to dehumanise the women as persons, reduce them to parts and objectify them as merely parts of city landscape to be looked at. Their legs are placed in various positions amongst the buildings. This does not demonstrate any other characteristic of these ladies, reducing them to a physical or sexual thing.*

*Finally one image in particular is supremely offensive. A female model (her face not visible) is kneeling or crawling while presenting her derriere upwards. The line invites us to; I believe "use our voodoo". An invitation of that kind in the context of the image I imagine can only relate to the female's sex or sexuality.*

*The company may call it "seductive advertising" yet it is precisely this kind of advertising that desensitizes us to how much women are objectified and reduced to passive parts whose sole purpose seems to be to titillate.*

*Much has been written and published about these matters. Other people more erudite and learned than I am have presented strong and thoughtful arguments about the dangers of these types of images being ubiquitous in our societies and the disturbing links to sexual violence against women. If we wish to change anything about how women are portrayed, seen, experienced, interpreted, approached and treated "seductive" advertising is a good place to start.*

## **THE ADVERTISER'S RESPONSE**

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

*I write in response to the complaints raised with the Advertising Standards Board in relation to the Voodoo 'Use Your Voodoo' outdoor advertisements.*

*Whilst we acknowledge that three members of the public have been offended by the advertisement, we do believe that this creative is entirely appropriate within the context of being an advertisement for hosiery and given the target market and media placement. The advertisements were submitted and approved prior to posting by the Outdoor Media Association, a body that is particularly vigilant regarding the approval of appropriate advertising. Furthermore the feedback we have received from our consumers, our retail partners and the general public has been consistently positive.*

*We reject the claim that this advertisement portrays women in a sexualised or demeaning way and so assert that this advertisement does not contravene Sections 2.1 or 2.3 of the Code of Advertising Ethics, relating to discrimination and vilification and the treatment of sex, sexuality and nudity in advertising.*

*We feel it is reasonable to depict our product being modeled in our advertising and feel that this has been done in an appropriate fashion.*

*The campaign message*

*Voodoo is an established Australian hosiery brand with a distinctive brand positioning, in part drawn from a long-standing heritage of unique advertising that has helped establish the brand and what it stands for. The concept of metaphorically portraying, celebrating and creating dialogue around the idea of feminine power has always been at the heart of the brand's advertising idea.*

*The idea of 'Use Your Voodoo' is around encouraging women to embrace their feminine power, so rather than having to 'be one of the boys' and exert traditional masculine traits such as aggression and dominance over other people to be seen as powerful as in past decades, a key insight is that today's young women are seeing the strength in actually highlighting their femininity and how it can set them apart.*

*The Use your Voodoo message is not about using sexual attraction to engage in a sexual act as one of the complainants infers but conversely about proactively embracing the power in being a woman to make a mark in many areas of life.*

*The creative concept*

*This campaign plays with a new visual metaphor of power seen as relevant and pertinent for today's generation of young women - that of taking over the city. Unlike previous decades in which a quintessential power play was seen as the struggle between males and females, the idea of power for today's young woman can play out in many more facets of her life. As such*

*the city is an ideal symbol of opportunities to make a mark socially, economically, career-wise, in terms of lifestyle, love life, relationships etc.*

*To communicate this idea, we have created images of larger than life women literally dwarfing the city skyline and streetscape. Furthermore, the images also cleverly reflect the actual environment of the billboard sites often being placed on overpasses, bridges, near cobbled laneways and on the tops of buildings.*

*We strongly disagree that the women are portrayed as submissive, passively seductive, degraded or insignificant and in fact take the view that the visual of the women 'owning the city' is intended to be strong, impressive and inspiring to women.*

*Depiction of the legs*

*The poses are stylistically strong and the play on perspective shows them literally larger than life. The images of legs form interesting shapes that make the city skyline and streetscape the plaything as they run, stand, crouch and sit on buildings, bridges and overpasses.*

*The poses have also been selected to ensure the legs and therefore the hosiery product is the clear focus of the image. The decision to shoot legs only was intended to keep the focus on the hosiery product, if the imagery was to show full body including face it would become harder to ensure that viewers will notice the legs first and foremost.*

*Another consideration in the selection of the variety of poses was the need to suit a variety of outdoor media layouts that can be very long landscape format right through to vertical portrait style.*

*We refute one the claim that the treatment of showing legs only, the poses of the legs or playing with the perspective with the city skyline infers objectification or dehumanising of the women as the purpose of the advertisement. The intention is to show an interesting and appealing visual that your target market would see as exciting, inspiring and creatively executed as well as showing the hosiery product in a beautiful way.*

*The photography*

*Voodoo is known for its striking photography and for this campaign we arranged a creative collaboration with iconic fashion photographer Ellen Von Unwerth to capture the creative idea.*

*Ellen herself having 'used her Voodoo' to carve out a colourful life leaving home to join the circus in her late teens, being discovered as a model and then turning her love of being behind the lens into a highly successful career as a fashion and portrait photographer. Von Unwerth's distinctive photographic style celebrates women and female identity, and she loves to show her models wearing hosiery, making her a perfect fit for the Voodoo brand.*

*Now in her 60s, Von Unwerth's work is highly sought after. The intention was to commission her to capture the Voodoo brand and generate artistic photographic images that would be seen by our target market and indeed the wider public as exciting, inspiring and beautiful. The imagery has been very favourably and keenly received by the press including a double page story in Grazia magazine about the images she shot and Von Unwerth herself; an extensive interview and behind the scenes interview on Pedestrian.com.au; one of the model images on the trends page of the Herald Sun's Sunday Magazine; and a 4 page editorial spread in the upcoming July issue of Madison magazine. The images have also been approved for use for point of sale collateral and in catalogue by our two leading department store customers. It should be noted that these are retailers with relatively traditional values and mass market publications, and there has been only positive response to the images, reflecting that they have been deemed entirely in keeping with the sensibilities of the wider public. So we disagree with the claims that these images are offensive, sexist or sexually explicit so as to be seen as inappropriate to the sensibilities of the general population.*

*Ellen not only photographed but also directed the post-production work on the images to ensure the images are her work and reflective of her distinctive style with its' grainy finish*

*and high contrast between the black and white tones. The retouching was therefore focused on overlaying the over-sized legs image with the background city; and then to add the grainy and blown out effect that is her trademark style – retouching has not been with the intention to make the women’s legs look excessively enhanced compared to real life or ‘real women’ as one of the complainants claims.*

#### *Clothing*

*We also assert that our choice of clothing is appropriate as it was selected to best show and complement the hosiery product and to ensure the viewer’s focus is on the hosiery not on the other clothing elements. We also selected items that are reflective of the styles that our target market would wear and see as highly fashionable and appropriate to our target audience.*

*Clothing was also selected that would create interesting textures (lace, sequins, mesh) in the black and white photography. It also helps to show consumers how hosiery can be worn as a key way to accessorise an outfit.*

*In conclusion, we acknowledge the complainants’ comments, however we can only reject the claims that this advertisement portrays women in an overly sexualised or demeaning way. We very strongly reject any association with pornography or being seen to encourage violence against women. We do believe that this advertisement is appropriate for and reflective of the sensibilities of our target market and indeed those prevailing with the wider public, particularly within the context of being an advertisement for hosiery product.*

## **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 complainant’s concerns that the advertisement features an inappropriate image of a woman which is sexualized and demeaning to women.

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 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 the advertisement is a large back of bus advertisement and features various images of women’s legs from the waist down. In particular one image has a woman on all fours with her heels kicked up toward the sky. The women are larger than life compared to the city skyline in the background. The heads and faces of the models are not shown. The headline is "Use Your Voodoo"

The Board noted that the women are posed in a manner which is clearly intended to show the stockings and are not overtly sexualised. The Board considered that the images do focus predominantly on the model’s legs but that the relevance to the product is apparent. The

Board considered that although the images could have included the full face of the women, the relationship between the product being advertised and the images shown are not about promoting the woman as objects but about highlighting some of the range available in Voodoo stockings and about how nice legs wearing the product appear.

The Board considered that the images are very stylized and typical of the images seen in fashion magazines or in stores and that the women are not represented in a manner that could be considered exploitative and degrading.

The Board determined that the advertisement did not employ sexual appeal in a manner which is 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 is featured on a billboard. The Board considered that it is reasonable to expect an advertisement for hosiery to feature imagery of hosiery ie: stockings and noted that the advertisement is aimed at women seeking to buy them.

The Board noted that the advertisement is visible to a broad audience that includes children and considered that most members of the community would not find the image used in this advertisement to be inappropriate for a broad audience.

Based on the above the Board considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.4 of the Code.

The Board noted that they had also considered similar images on large format billboard advertising in case 0223/12 and the complaints were dismissed in this case.

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