



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0265/18
2	Advertiser	Underworks
3	Product	Lingerie
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	06/06/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a woman in black underwear moving through a room of lasers to reach a dress at the other side.

THE COMPLAINT

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

The way in which the woman is moving as well as what she is wearing is highly sexualised. I watch Masterchef with my young brothers and they are always uncomfortable when the ad comes on. Big W and underworks should avoid putting such inappropriate ads during a family tv show!

If this advert is trying to inspire or motivate women to buy underwear this advert on TV only manages to offend and doesn't achieve this desired outcome.

I'm no prude but I find this advert offensive when I see a beautiful woman semi naked (in a bra and undies) having to show an unnecessary full crouch shot and arching of her ass in an extreme sexual nature to sell underwear?



In an era of #TimesUp and #MeToo and a generational disruption on the boring and predictable representation of women as sex objects this company has clearly missed the mark. And damaged its brand too-boot. They had a real opportunity to represent women in an empowering and positive way but they made her a cat burglar so she could steal a dress? What kind of message is this sending to young girls and boys?

THE ADVERTISER'S RESPONSE

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

IN RESPONSE:

- 1. Complaint reference number: 0265/18*
- 2. Advertiser: Underworks*

To whom it may concern.

Please find below and accompanying, our response in relation to the above complaint lodged with Ad Standards, specifically responding under Section 2 of the AANA Advertiser Code of Ethics.

Response:

On or around Thursday 6th May, 2018, Underworks launched a new television campaign advertising our new line of laser cut women's briefs. These briefs are laser cut to avoid any VPL (Visible Panty Line), and are made from a cotton elastane material for comfort, and stretch. We briefed our advertising agency on this product who responded with a creative idea that showed off the features and benefits of this product, being laser cut to reduce VPL, comfort and stretch.

The execution was inspired from a scene from Oceans Twelve, the laser dance scene. In the movie, we see the actor performing a number of dance moves to avoid tripping a laser, to get to the prize at the other side of the hall. In our TV advertisement, we see a lady dressed in the product, Underworks Laser Cut Briefs, and a matching Underworks crop top. She dodges lasers, and moves her body around the beams, to show off the stretch and comfort of the product. And makes it to the other side of the hall to get to the prized black fitted evening gown. She then slips on the sheer gown, to show there are no visible panty lines when wearing fitted clothing.

This was done, we believe in a sensitive way, ensuring no overt nudity or sexuality



across the entire commercial, even to the extent of featuring a darker product (black), to reduce any visible sexuality as much as possible. The agency even adapted quick cuts in the editing, to reduce the time spent on any specific parts of the lady's anatomy.

We of course submitted this commercial to CAD for their rating, and as per the attached, we received a 'W' rating, meaning general warning. As you would know, the W rating does not permit this commercial to be shown in a pre-school or childrens program, of which we had no intention to do so when this concept was conceived. The media was booked accordingly.

RESPONDING SPECIFICALLY TO SECTION 2 OF THE AANA CODE OF ETHICS

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.

We do not believe the Underworks Laser Cut TV Advertisement discriminates or vilifies any section in the community as per our response above.

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 do not believe the Underworks Laser Cut TV Advertisement uses sexual appeal in a manner that is exploitative and degrading of any individual or group of people to promote the UW Laser Cut briefs. We have a lady wearing the product, moving in a manner to avoid laser beams in an athletic way, not a sexual way.

2.3 Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

There is certainly no violence associated with the Underworks TV advertisement.

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

As mentioned previously, because the young lady is wearing underwear, which is the sole reason and product promoted in the advertisement, we have not booked this television commercial in any pre-school or childrens programs.

2.5 Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and



medium). Strong or obscene language shall be avoided.

The language used in this advertisement is there to describe the product benefits of the underwear. There are no obscenities used in this commercial.

2.6 Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

We do not believe the Underworks Laser Cut TV Advertisement uses inappropriate material that is contrary to Prevailing Community Standards on health & safety.

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 viewed the advertisement and noted the advertiser’s response.

The Panel noted the complainants’ concerns that the advertisement is highly sexualised and inappropriate for children to view.

The Panel 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 Panel noted that this television advertisement features a woman in black underwear moving through a room of lasers to reach a dress at the other side.

The Panel noted the advertiser’s response that the advertisement was inspired by a scene in the film *Ocean’s Twelve* which also features a laser scene. The Panel also noted that a similar scene is shown in the film *Entrapment*.

The Panel considered that the advertisement is highly stylised and choreographed, and considered that the woman in the advertisement appears athletic and her movements are intended to highlight the stretch of the product. The Panel noted that each scene is fleeting, and does not focus on a specific body part for an extended time.

The Panel noted a specific concern of a complainant that there is a close up scene of the woman’s crotch and a scene of her arching her buttocks suggestively. The Panel considered that given the advertisement theme of a laser field, a certain level of physical manoeuvrability was not inappropriate. The Panel considered that while there is brief focus on the product of underpants and associated body parts, these are



not sexualised or intended to be sexually suggestive. The Panel considered that there is no nudity or overt sexualisation of the woman in the advertisement, and noted that close up scenes are of the clothing and not focussed on the woman's body.

The Panel considered that most members of the community would not find the advertisement inappropriate and that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.

