



Case Report

1	Case Number	0307/13
2	Advertiser	Dapco
3	Product	Automotive
4	Type of Advertisement / media	TV
5	Date of Determination	11/09/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

The TVC 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.

THE COMPLAINT

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

No relevance to the product being sold whatsoever, sexualises women, scantily clad - inappropriate viewing. Poor taste and insulting to the female sex. Sexualises women and has nothing to do with car-parts. Women are scantily clad, and appear cheap.

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.

In the suite of TVC's there 8 in all 4 x 30 sec versions and 4 x 15 sec version. There is a 30 sec and 15 sec version of suspension, brakes, tyres and exhaust.

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 Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainants’ concerns that the advertisement is sexist in its use of scantily clad women promoting car parts and that it sexualizes women.

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

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: “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 ... gender...”

The Board noted that the advertisement features young women cheerleaders promoting the advertiser’s services.

The Board noted the complainant’s concerns that it is sexist to use women to promote a product in this manner. The Board 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 sexist although some people will consider that the use of cheerleaders are inherently sexist and not relevant to the product.

Based on the above the Board determined that, in this instance, that the advertisement 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 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 the women in the advertisement are wearing clothing which is consistent with the clothing worn by cheerleaders and considered that whilst some members of the community would consider it exploitative to use women dressed as cheerleaders to promote a product, in the Board’s view the women in the advertisement are presented in a manner which is not degrading.

The Board considered that the advertisement does not employ sexual appeal in a manner which is exploitative and degrading.

The Board determined that the advertisement 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 the complainants' concerns that the women in the advertisement are presented as scantily clad and are sexualized. The Board noted that the cheerleader costumes the women are wearing in the advertisement are not inappropriate and are consistent with a normal cheerleading outfit. The Board noted that the women dance with their pom-poms and considered that the dancing is not sexual and the women are not presented in a sexualized manner.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaints.