



Case Report

1	Case Number	0309/12
2	Advertiser	Crown Melbourne
3	Product	Professional services
4	Type of Advertisement / media	Billboard
5	Date of Determination	08/08/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The advertisement contains the images of five young adults, three women and two men at a bar with two women in the middle of the image dancing. There is a partial image of a fourth woman to the left of the image.

THE COMPLAINT

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

My complaint is about the combination of the photo and caption. The three main reasons for taking issue with the advertisement is as follows:

- 1. The photo objectifies and commodifies women. The photo entails two women dancing and being watched by two men. Not only is the male models' gaze inappropriate but also the fact that the female models are reduced to products to represent the service being offered by Crown.*
- 2. This photo deliberately restricts its target audience to heterosexual men by using the physical female form to draw a market.*
- 3. The caption 'Where do you begin?' in combination with the photo implies highly sexually inappropriate inferences. It subtly (yet obviously) implies that these women are there for the taking so to speak. This caption is effectively asking 'where do you begin with these women?' While I am aware that inferences in this advertisement are subtle I believe a reasonable person would immediately see the sexual objectification taking place in this photo. In terms*

of the AANA Code of Ethics I believe that this ad directly breaches sections 2.1 2.2 and 2.4. And although obscene language was not used the language in the caption 'Where do you begin?' is highly inappropriate in light of the photo and may breach section 2.5.

THE ADVERTISER'S RESPONSE

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

We refer to the complaint ('complainant') referred in your letter to Crown Melbourne ('Crown') on 17 July 2012. We have set out Crown's response to the complaint below.

The advertisement

The advertisement which is the subject of the complaint is a billboard treatment for installation on tram stops and other locations around Melbourne (the 'advertisement'). A copy of the advertisement is attached as Attachment 1).

The advertisement is one a series of four (4) posters being used by Crown Melbourne to advertise the opening of a remodelled section of the Crown Entertainment Complex – called "The West End" (please see Attachment 2 for the other 3 posters). The West End is a large area within the complex containing a number of different entertainment options (restaurants, bars, gaming).

The West End campaign - 'Where do you begin?'

The campaign idea is to showcase a group of stylish young people captured in a series of happy moments, having an enjoyable time participating in the various social activities throughout this new entertainment offering. This new offering references a destination, namely The West End at Crown; comprising new bars and dining venues nestled amongst new gaming areas. The advertising seeks to speak to a younger audience and pitch the message to the 18-35 year old market.

Bar image featuring women dancing

The imagery used in the advertisement is a group of people at the bar with two women at the centre of the image, enjoying a moment dancing together, it is one of the four executions employed to demonstrate one of the many entertaining activities in which a person and their friends can partake at The West End at Crown.

Crown does not agree with the complaint that the positioning of models is an indication that the women are being objectified. The focus of the relevant image being two women is simply to highlight and capture a shared moment together in a lively bar environment, among friends.

The men were not positioned to be specifically looking on at those two women. The man positioned on the left is leaning on the bar having a drink with a 'girlfriend' or female friend character (partially visible to the left side of the advertisement). The man on the left is looking in the general direction of the women dancing, which Crown suggests would be a natural reaction by any person, male or female when activity such as the dancing is occurring in close proximity.

The man on the far right was positioned as an extra and is generally looking around – this particular version of the image actually captured the extra looking across in the direction at the other man at the bar. Therefore, Crown does not consider that it is reasonably open to interpret that in this advertisement that the women are being portrayed as objects of desire.

The shot was definitely not set up to appeal to specific gender desires of either a male or female audience. The only portrayal here is that these characters may evoke the emotion of having fun – which Crown hopes its audience will replicate – a desire to go and experience The West End for themselves.

The campaign intended audience is a mix of females and males aged 18 -35, most certainly not just men. The West End has dining and entertainment that has been designed to suit everyone. Therefore this image did not seek to, nor does it in our view target solely males; heterosexual or otherwise.

Crown does not agree with the assertion that women ‘as a potential market were ignored by this advertisement’. Women are portrayed having a great time, enjoying a cocktail, with some friends, which we believe is an appealing and social activity that women engage in and resonates with them. Women can be drawn to the clothing, the sentiment of sociability, the men, and the ability to relate to the experience of ‘the girls’ having a good time together. Crown considers that there is a role for all genders in this advertisement, dancing, enjoying a beverage or dressing up for a night out.

Headline interpretation - ‘Where do you begin?’

There is no sexual reference intended nor, in our view, reasonably interpreted with this headline. The phrase ‘Where do you begin?’ relates to the wide choice of entertainment venues and options on offer and is intended and does provide a link to ‘The West End’ logo and so references the destination. The sentiment of this headline is explained further in the copy: “With so much to discover, where will you begin?” It most definitely does not relate in some sexual way to the two women in the foreground of the advertisement.

The visual device (neon text and line) contained within the advertisement works with the image to create a light to follow, from the couple at the bar, around the two women dancing down to bottom right corner of the advertisement into ‘The West End at Crown’ logo.

The neon light line links around several people in the photo. This does not create a message that the focus is on the women and highlight them as the core of the headline message.

Crown considers that the only reasonable representation is that the link keeps moving through the whole group, finishing with the West End as the focus of the advertisement punctuating the communication.

There is no intent to create a link between the headline and just the women in the advertisement. The link is in fact with the headline moving through each piece, linking all The West End at Crown products, including linking together an indicative group of young people that are an integral, welcome part of that product offering. There is no clear exploitation to purposefully debase, degrade or abuse women as required under the Code.

The only obvious representation is that it’s a group of ‘20 something’s’ gathering in a bar, swept up in the moment enjoying a good time – there is a mixture within the group of varied genders, looks and dress and grooming styles.

The shot was taken in a fluid setting and the glances were not ‘set up’ or the talent told specifically where to look. The intention was to avoid just that, to minimise the look of the image being set up and contrived. The intent of the advertisement is to look natural, to capture the spirit of a group of friends enjoying a night out together. No sexual connotations were intended nor could they be reasonably inferred.

Concluding Remarks

Crown at all times seeks to comply with the AANA Code of Ethics (the Code) and takes pride in such compliance.

There is no evidence that the advertisement contains any vilification or discriminatory content against any of the groups as referred to in section 2.1 of the Code.

There are no images in nor is there any suggestion that the advertisement in any other way employs sexual appeal in an exploitative or degrading manner of any group of people or individual person as referred to in section 2.2 of the Code.

The advertisement does not contain any nudity or sexual representations and would not, in our submission, be objectionable to the community or offend the prevailing community standards as referred to in section 2.4 of the Code. We note that this is the only complaint Crown has received.

Crown does not consider that the advertisement discloses any language that could be considered to be strong or obscene in any way. The phrase "Where do you begin?" is a simple question using plain and inoffensive language and the asserted highly sexual inappropriate references simply cannot be a reasonable interpretation of the language and the image campaign.

Crown submits that the advertisement does not disclose any breaches of the Code as alleged by the complainant.

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 includes an image that objectifies and commodifies women.

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

The Board first considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: "that 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 Board noted the complainant's concern that the photo deliberately restricts its target audience to heterosexual men by using the physical female form to draw a market. The Board considered that there is no conclusive way of determining the sexual preference of any of the models in the image, male or female and that the use of a group of adults smiling and seemingly having a good time is appropriate for the promotion of a casino and nightclub venue. The Board considered that the advertisement was not portraying any person or section of the community in a manner that would be considered vilifying or discriminatory.

Based on the above, the Board considered that the advertisement did not breach Section 2.1 of the Code.

The Board then 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 the complainant’s concerns that women in the advertisement is portrayed in a manner that is not appropriate and that it is using sexual appeal in a manner that is degrading and objectifying of women.

The Board noted that the two ladies in the centre of the image are dancing back to back. The Board noted that there are other young adults in the image and that each of members of the group are smiling seemingly enjoying the atmosphere. The Board noted that the women in the middle were not posing in a sexualised way and were paused in a dance position. The Board considered that the men were not looking inappropriately at the women and that the women were not portrayed in a manner that was exploitative and degrading.

Based on the above, the Board considered that the advertisement did not breach Section 2.2 of the Code.

The Board then 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 women are being portrayed as commodities. The Board noted that the women are wearing club attire that would be suitable and commonly associated with the style of dress worn by young party goers. The Board noted that the women are fully dressed and covered by their chosen attire and that there is no inappropriate nudity.

The Board considered that the expressions of the women in the group setting is not sexualised in nature and is relevant to the product being advertised ie: a nightclub. The Board considered that the placement of the image on a billboard means that it can be viewed by a large audience that would include children but that the image is not inappropriate and is sensitive to the relevant audience.

The Board determined 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.

The Board lastly considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided.”

The Board noted the complainants concerns that the caption 'Where do you begin?' in combination with the photo implies highly sexually inappropriate inferences.

The Board noted the advertiser’s response that the phrase ‘Where do you begin?’ relates to the wide choice of entertainment venues and options on offer and is intended and does provide a link to ‘The West End’ logo and so references the destination.

The Board considered that most reasonable members of the community would not draw the conclusion that the mentioned phrase is related to the two women in a sexual way and that in the context of entertainment venues, the language used is appropriate and not strong or obscene.

The Board determined that the advertisement did not contain inappropriate language and did not breach section 2.5 of the Code.

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