



Case Report

1	Case Number	0331/13
2	Advertiser	Windsor Smith Pty Ltd
3	Product	Clothing
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	25/09/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The advertisement features men modelling the shoe range for Windsor Smith. They are joined by women wearing white lingerie who dance around the men.

THE COMPLAINT

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

Women portrayed as sexual objects. Element of acceptable subjugation of women. Clad in underwear while men are fully dressed. Women objectified - faces often obscured. Poor role-model. Women portrayed as being useful to men but not empowered.

I believe that the advertisement is inappropriate with half naked women bending over and prancing around. Its very offensive and its not appropriate. I dont want my teenage daughter seeing that and thinking its ok to act and dress like that.

I am offended by the Men being fully clothed, whilst women are only wearing small underwear. I am particularly offended by two separate shots of a woman bent over, in her underwear, and the camera zooming in on her bum and vagina. I am offended by the sexism in this advert, and am also upset that it was played in the morning in front of my young girl.

An utterly horrible display of disrespect to women, and a terrible example to my daughter.

THE ADVERTISER'S RESPONSE

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

Complaint #1 Response:

- The females are in swimwear, not underwear as well as clothing*
- There is no scene where the camera zooms in on her vagina or her bottom and she is not in underwear, she is in swimwear*
- There is no intended sexism in this advert nor is there an intention to display disrespect to women*
- The girls are dancers and just like ballerinas wear leotards these girls have specific dance costumes*

Complaint #2 Response:

- The female models were wearing swimwear not underwear*
- Shots are choreographed as a dance sequence as apposed to close up shots on bottoms to which there are none - any close up shots are to represent the mood and/or highlight the product*

Complaint #3 Response:

- The mens shots are full looks of styles suggested to wear with the product*
- No element of this is sexist, the group are having fun together*

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 objectifies women and is sexist in its depiction of them dressed in clothing similar to swimwear while the men are fully clothed, and features inappropriate close ups of a female backside which is not suitable for viewing by children.

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 a group of men and women. The men are fully clothed in coloured shirts, suits and shoes. The women are dressed predominantly in white bikini bottoms, short skirts, shirts and high heels.

The Board noted the complainants’ concerns that it is sexist to show women half-dressed whilst the men are fully clothed. The Board noted that the advertisement is for shoes and considered that the depiction of women wearing swimwear or dancewear is not relevant to

the advertised product. The Board noted however that the Code does not require that images of women are only used in relation to relevant products.

The Board considered that the use in the advertisement of scantily clad women provides a contrast to the well-dressed men but considered that this is not uncommon in advertising for fashion items.. The Board considered that the men and women are presented in a manner suggestive of dancing, and of cat walk fashion shows. The Board considered that the advertisement presents the women as attractive and as equal participants in the ‘fashion show’ style image and that it does not present women in a manner which discriminates against or vilifies women.

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 the complainants’ concerns that the women are presented as sexual objects and noted that in order to be in breach of this Section of the Code the manner in which the women are presented needs to be both exploitative and degrading.

The Board considered that the advertisement does employ sexual appeal in its use of a number of women dancing in skimpy costumes around fully dressed men. The Board noted the AANA Practice Note which defines both exploitative and degrading as follows:

‘exploitative means clearly appearing to purposefully debase or abuse a person or group of person, for the enjoyment of others, and lacking moral artistic or other values..

‘degrading’ means lowering in character or quality a person or group of persons.

The Board considered that while some members of the community would find the use of women in the manner presented in this advertisement as sexualised and inappropriate, in the Board’s view the advertisement presents the women as equal partners in the fashion scene and is not debasing of women and does not lower women in character.

The Board determined that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading to women and 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 the women use sexualised posing and that the camera zooms in on their private areas.

The Board noted two fleeting images: one where a woman is leaning over on a stool with the camera looking at her from behind and another very fleeting image suggestive of a woman’s bottom. In relation to the first shot (approx. 7 seconds into the advertisement) the Board

considered that this image is a relatively long shot and there is no inappropriate close up on her bottom. The Board noted that the second image is almost impossible to see as it is very fleeting. With regards to both these images the Board considered that because they are visible for no more than tenths of a second at most they do treat sexuality with sensitivity to the relevant audience. The Board noted that a minority of members would prefer these two fleeting images to be removed from the advertisement.

The Board noted that the remainder of the advertisement has various images of women presented in various poses and considered that whilst some of these poses are mildly sexualised they are highly stylised and are consistent with a dance or fashion show scenario and are not strongly sexualised. The Board noted that the camera zooms in on various parts of the body of all the actors in the advertisement and considered that there is no nudity or inappropriate focusing on private areas. The Board noted that the advertisement has a G rating and is not dissimilar in its images of women to many lingerie advertisements recently considered (eg: Bonds 304/13). In the Board's view the advertisement treats sexuality and nudity with sensitivity to a broad 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 grounds, the Board dismissed the complaint.