



Case Report

1	Case Number	0399/11
2	Advertiser	Unilever Australasia
3	Product	Toiletries
4	Type of Advertisement / media	Internet
5	Date of Determination	26/10/2011
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

- 2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience
- 2.1 - Discrimination or Vilification Sex

DESCRIPTION OF THE ADVERTISEMENT

The Video starts with the statement “Lynx presents – Rules to the game – Episode #1: Rugby”. A narrator then reads out a number of rugby rules while these rules are played out by a group of young women dressed in sports briefs and short shirts in the national rugby colours of Australia and New Zealand. At the end of the video we see the winning Australian team celebrating and the words “Lynx Know your game” appear. Voiceover: “Go you good thing”

THE COMPLAINT

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

I was grossly offended by this advertisement. The way in which these women are dressed and the way in which they are physical with one another is completely inappropriate for national television. Having up-close shots of women's cleavage, butts and stomachs is incongruous with both rugby and male deodorant and is disrespectful to women.

This advertisement implies that women are nothing more than mere sex objects and that it is appropriate for men to stare at their body parts without remorse. I believe that this ad has been grossly influenced by the pornography industry and the hidden hype surrounding girl-on-girl pornography. I find it offensive that this attitude and "fantasy" has been given freedom to be shown on television.

I understand that rugby is a male sport and that men enjoy looking at women's bodies. However maybe instead of promoting a culture where men are free to stare at and become aroused by women's bodies television should be interested in promoting a culture of fidelity healthy sexuality faithfulness and respect for both men and women.

This ad is blatantly sexist against women. It depicts women playing rugby but styles them in skimpy outfits indicating that a woman's place in sport is as sexual entertainment for men rather than as equal or legitimate participants.

The footage of the women is played in slow motion while sexual body parts like their backsides or torsos (without their head) are zoomed in on. The women are shown as a sum of sexy body which both objectifies and dehumanizes them.

At one point there is a cluster of girls all grouped together with their hands all over each other mimicking 'girl on girl' pornography. One of the girls throws her head back and closes her eyes in a faux orgasmic pose.

Lynx has a history of using sexist and derogatory ad campaigns only to claim "it's all tongue in cheek" or "it's all a bit of fun". I don't buy it.

I don't believe this should be allowed on TV as children may view it and I believe it is inappropriate to be portraying women as sex symbols. I have noticed increasingly that sex is being portrayed in advertising a lot more than years back and I feel that it is inappropriate and believe the ad should be removed/reviewed.

It really has nothing to do with Rugby or deodorant. It sexualises, objectifies and demeans women.

This ad is the perfect example of objectification and sexualisation of women. This type of ad promotes that women are nothing more than playthings for men. Lynx is a popular brand for teenage boys; this type of advertising is encouraging boys from a young age to objectify women. This is a real disgrace.

The ad is highly suggestive, highly offensive and disrespectful for everyone and inappropriate for under 18s.

THE ADVERTISER'S RESPONSE

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

We note that the ASB is considering the Video in relation to an issue that falls under Sections 2.1 and 2.3 of the Advertiser Code of Ethics. For the reasons outlined below, we do not consider that the Video is in breach of section 2.1 and 2.3 of the Code.

1. The Video was posted on YouTube only

Unilever has aired the Video exclusively on its Lynx YouTube channel. We have been careful to restrict the Video on our Lynx YouTube channel to users over 18 by way of using the YouTube age verification function soon after launch.

We can confirm that the Video has not been aired on TV as part of an advertising media buy. It may have appeared as editorial content on TV at the discretion of news suppliers but we have not been able to find any evidence of this.

The ASB has received fourteen complaints under complaint number 0399/11. Nine of these fourteen complainants claim to have seen the Video on TV. We are not aware that the Video has been aired as editorial content on TV.

Some complainants specifically state that they have seen the Video on the Facebook website.

We have noticed that a Facebook group called "Collective Shout" asked other Facebook users to send complaints about the Video to the Advertising Standards Bureau (see attached screenshot). The Collective Shout Facebook site contains the following statement:

"Have you seen this Lynx television ad? Please make a complaint to the ad standards board via the on line form at www.adstandards.com.au. ... "

Directly underneath this statement a link to the website of the Daily Telegraph was posted together with the following statement:

"Scantly clad models play out the rules of rugby in this controversial new TV ad that's been launched to coincide with the World Cup."

Both statements incorrectly refer to the Video as a television ad although in fact it is not shown on TV. We have reviewed the Collective Shout Facebook site and have not noticed that the Video was made available on this website. It is not unlikely that the nine complainants who claim to have seen the Video on TV have been encouraged by this Facebook site to lodge a complaint without having seen the Video on TV.

2. Overview

Lynx is a brand with a history of fun, tongue-in-cheek, playful advertising. Lynx also has a proud history of award winning commercials which both entertain and surprise its consumers. We submit that the Video continues this tradition of funny entertainment and that the intended young adult male audience understands the playful and hyperbolic nature of the Video and its distinction between fact and fiction.

As explained above, Unilever has taken great care to ensure that the Video has only been placed in its Lynx YouTube channel as content that is only available after users have confirmed that they are over 18 years old. The humour and content of the Video is consistent with the context of other Lynx advertisements that are available on this YouTube channel as well as with other videos that are generally available to be viewed on YouTube.

3. Compliance with AANA Code of Ethics

3.1 Section 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 [...]sex [...]

The ASB has received complaints that include (amongst other statements) statements like "The ad is blatantly sexist against women", "Women are shown as a sum of sexy body which both objectifies and dehumanizes them", "Women are promoted as sex toys for men's use" or "Blatantly pornographic. Sexualises and objectifies women yet again" etc.

The Video explains the Rugby rules in a funny and entertaining way. It starts with the statement "Lynx presents - Rules to the game - Episode #1: Rugby". A narrator then reads out a number of rugby rules while these rules are played out by a group of young women. The Video explains the Rugby terms "tackle", "scrum", "lineout", "ruck" and "maul". The women are dressed in sports briefs and short shirts in the national rugby colours of Australia and New Zealand. At the end of the video we see the winning Australian team celebrating and the words "Lynx Know your game" appear. Voiceover: "Go you good thing"

Unilever is conducting regular consumer connection meetings with young men from the target group. In these meetings we realised that many young men do not have a good knowledge of the rules of rugby union so we felt Lynx should educate young men in a Lynx way about the rules, especially at a time like the Rugby World Cup.

We submit that the Video does not portray women in a way that discriminates against or vilifies women on account of their sex. In particular, the Video is not sexist or sexual and the women in the Video are not portrayed as sexual objects. The Video promotes the Lynx product in a playful and hyperbolic way. It is created in a way that both entertains and surprises the consumer and is in no way discriminating against women. At no point in time does the Video give the impression that the women are shown as sex objects. The expression

on the women's faces is one of determination and they seem to take the game seriously. The complaints that the Video degrades and objectifies women are based on a misunderstanding of the Video's main premise.

The content of the Video educates the target group in an entertaining way and also links back to other Lynx TV commercials that show attractive women who find Lynx users attractive. Consumers will see the Video in this context as other Lynx commercials are also available on the Lynx YouTube channel. The ordinary viewer will simply see the women playing out Rugby rules wearing clothes that are very similar to other sports clothes for women, for example clothes worn for athletics or beach volleyball.

The target group for this Lynx video is young men over the age of 18. We believe that the target group understands the humour involved. Due to the age verification process users must actively verify that they are of the appropriate age by signing in. YouTube users who sign in make a conscious decision to watch the Video. People who feel offended by advertisements showing women have the opportunity not to watch the Video after they have seen a photo from the movie on the sign-in page. We believe that the content of the Video cannot be seen as being discriminating against women and that the target group understands the link between the Video and Lynx's main message that using Lynx makes young men feel more confident and therefore more successful with women. This message is conveyed in all videos that are available on the Lynx YouTube channel.

The final statement "Go you good thing" is a famous rugby term created by Australian rugby commentators such as Gordon Bray.

The Video therefore complies with Section 2.1 of the Code. Taking into account generally prevailing community standards and in particular the standard of advertising content shown on YouTube and the wider internet, the Video is not reasonably likely to cause serious or widespread offence or ridicule.

3.2 Section 2.3 Advertisements shall treat sex, sexuality and nudity with sensibility to the relevant audience and, where appropriate, to the relevant programme time zone. The ASB has received complaints that include (amongst other statements) statements like "At one point, there is a cluster of girls all grouped together, with their hands all over each other, mimicking 'girl on girl' pornography"; The "advertisement of the models is incredibly sexual and shows wet, sweaty close-ups on groins and breasts. It is disturbing, rude and crude." "Completely inappropriate for national television"; it is absolutely disgusting the way the camera focuses on barely covered body parts of these women and sexualises everything about them. This is basically a porn ad and I am highly offended, as are many of my friends." etc.

We submit that the Video does not contain any overt or ambiguous treatment of sex, sexuality and nudity. At no point does the Video show any open references to sex, sexuality or nudity. The Video explains the Rugby rules in a funny and entertaining way while these rules are played out by a group of young women wearing sports briefs and short shirts similar to sports clothes worn for sports like athletics and beach volleyball.

The young women are not "mimicking 'girl on girl' pornography" and the Video does not show "shows wet, sweaty close-ups on groins and breasts" as the main object of the film as two of the complainants state. The Video is firmly set in the realms of fun and playfulness and with themes constant with the style of themes that are regularly shown as content on YouTube and generally on the internet. The age verification requirement can be seen as a warning to consumers that they may not agree with the content of the Video. The content is in no way explicit, in particular at no point in time do the women remove any item or interact with another person or object in any type of suggestive manner. They simply play out the Rugby rules and without any open reference to sex or sexuality.

The Video is entirely appropriate with respect to its placement on YouTube. It is highly likely that the young target audience would be exposed to similar images as the ones shown in the Video when viewing other videos on YouTube or other websites. We submit that, in light of the prevailing community standards, the Video is not likely to cause serious or widespread offence, or offend these standards. The relevant audience is a young adult male audience who we believe will understand the humour intended.

The fact that the Video has reached over 1.3 million views on the Lynx Australia YouTube channel in the 2 weeks post launch confirms that the majority of consumers do not feel offended by it. The Video was also the most watched branded video channel in Australia in September 2011 and the 16th most watched worldwide.

4. Approvals

Unilever is a responsible advertiser and has numerous internal review processes, including review by Unilever's Legal Department, and corporate relations to critique all advertisements to ensure compliance with legal and ethical considerations.

5. Conclusion

We submit that the Video do not contain any overt or ambiguous treatment of sex, sexuality and nudity and does not portray women in a discriminating or vilifying way as the tone of the Video is one of humour and playfulness.

In summary, we submit that the context of the Video are well within prevailing community standards and comply with sections 2.1 and 2.3 of the Code.

THE DETERMINATION

The Advertising Standard Board ('the Board') considered whether the advertisement complied with the AANA Code of Ethics ('the Code').

The Board noted the complainants' concerns that this advertisement depicts woman as sex objects and is overtly sexual and inappropriate.

The Board noted that some complainants referred to this advertisement as being available on television. The Board noted the advertiser's response which strongly stated that the advertisement is not broadcast as an advertisement on television and it's only appearance on television has been when broadcast by a third party as part of a news program or editorial about the advertisement.

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

The Board first considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.'

The Board noted the complainants' concerns that the advertisement objectifies women.

The Board noted that the advertisement features young women wearing sports briefs and short shirts demonstrating the rules of rugby but noted that the women are not depicted on a

sporting field. The Board considered that the advertisement is clearly shot to emphasise various physical attributes of the women – with lingering shots on the women’s breasts, groins and bottoms. The Board considered that the advertisement depicts the women as sexual objects. The Board considered that the ‘fantasy’ element of the advertisement takes away any suggestion of the women actually being presented as sportswomen and increases the impact of them being presented as sexual objects.

The Board considered that the advertisement depicts women in a manner which amounts to discrimination against women.

Based on the above the Board determined that, in this instance, the advertisement did depict material that discriminated against or vilified any person or section of society.

The Board determined that the advertisement did breach Section 2.1 of the Code.

The Board then considered whether the advertisement complied with Section 2.3 of the Code. Section 2.3 states: ‘...shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone’.

The Board noted that the advertisement is posted on the Lynx YouTube channel and that to access the advertisement there a person must be over 18 years of age in order to view it. The Board noted that the advertisement has not been broadcast by the advertiser on television. The Board noted also that the advertisement has been rebroadcast by a number of third parties and is easily able to be viewed on the internet without any age verification.

A minority of the Board considered that the sexualised nature of the advertisement is not appropriate to an advertisement which is able to be viewed by any person accessing the internet. In particular the minority of the Board considered that the focus on the women’s breasts, groin and bottom at various parts of the advertisement was sexualised and that the advertisement did not treat sex, sexuality and nudity with sensitivity to a relatively broad audience.

However the Board overall considered that the relevant audience of the advertisement are Lynx consumers over the age of 18. The Board considered that the content of the advertisement is in keeping with the style of advertising synonymous with the Lynx brand and that the women in the advertisement are all clothed. The majority of the Board considered that in light of the placement of the advertiser’s placement of the advertisement in a restricted manner and the relevant audience the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach Section 2.3 of the Code.

Finding that the advertisement breached Section 2.1 of the Code, the Board upheld the complaint.

ADVERTISER RESPONSE TO DETERMINATION

I refer to your letter of 27 October 2011. You advised us that the ASB has upheld the complaints about the Lynx Youtube video "Rules to the Game" (the 'Video').

We have created this Video because our research showed that young men lack knowledge about the rules of rugby union. This You Tube Video was designed to remind our target audience about the rules in Lynx's typical tongue-in-cheek and playful way. The intention was not to cause offence to any individual and we took care to request age verification to restrict the viewing of the Video over 18 years of age. It was hosted on the Lynx YouTube channel only and not aired on free-to-air or pay TV.

We wish to advise you that we have removed the Video from the Australian and New Zealand Lynx Youtube channels which means that the Video is now not longer publicly available on these Youtube channels.

We have also taken steps to request from Youtube the removal of other copies of the Video that were copied and posted by Youtube users, so far without success. We will continue trying to request that these copies of the Video be taken down from Youtube.