



Case Report

1	Case Number	0421/14
2	Advertiser	City of Holdfast Bay
3	Product	Tourist Attractions
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	22/10/2014
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

This TV advertisement is promoting the City of Holdfast Bay as a tourist destination. In one scene the screen is split: on the left is a view of a beach and the word 'Sea' and on the right is an image of a woman's upper torso and the word 'view'. The woman is wearing a brown sleeveless top and her head is not visible. The final screen shot includes the text, "Glenelg. Our place. Your experience".

THE COMPLAINT

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

All of the images were fine except the one where they mention 'see view'. This one was a view of the ocean on the left hand 'day time' column and on the right hand column was a close up of a woman's cleavage. Not her whole body or head, not a man's crotch area, just a low cut top with cleavage. Could have been a shot of the nightlife around that area given there are several bars, large hotels and loads of eateries there but no, an incredibly sexist and objectifying shot of cleavage.

THE ADVERTISER'S RESPONSE

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

The following is a background into the concept and the scene itself.

The visual design of the commercial depicts two separate images connecting in the middle of the frame to make one complete shape. This can be seen in the combination of the ferris wheel and the coffee cup, the coil-like slide and the spiralled pasta, the ice cream and the microphone, etc.

The aim of the 'Seaview' scene follows this design with the edge of the woman's blouse combining with the edge of the wave. We were very sensitive to not be overtly sexual in this scene, but rather cast and shoot a tanned, healthy model that does not display any cleavage but simply the style of fashion typical of that seen in Glenelg, a seaside entertainment precinct.

In regards to the issue of not seeing the model's face, that was a stylistic decision based on the design and framing of all of the other frames in the commercial i.e. the objective was to show a connection of two separate elements to create a stylistic, iconic and memorable image.

This was a carefully constructed scene, styled by a woman, with make up by a woman, produced by a woman for a number of female clients. At no point during the set up, wardrobe fitting nor the actual shooting of the scene was there ever a concern raised by any of these strong, creative women, least of all the model herself.

Unfortunately using a bar, large hotel or an eatery would not stylistically 'fit' with the look of that scene; and furthermore eateries were covered off with the pasta and coffee scene, with bars covered in the champagne scene.

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 complainant’s concerns that the advertisement features an image of a woman’s cleavage and the text “view” which is sexist and objectifying.

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

The Board 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, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted the advertisement features a montage of clips promoting the City of Holdfast Bay as a tourist destination and that each clip is a split screen showing contrasting views. The Board noted that the scene the complainant is concerned about features an image of a beach with the word, “sea” next to an image of a woman’s chest with the word, “view”.

The Board noted that the advertisement includes a number of images presented in a split screen format and considered that the images used of women in the advertisement were not demeaning and they did not suggest that women were of lower status than men. The Board noted that some members of the community would prefer that women were not used to advertise products in this manner but considered that the material depicted in the advertisement did not meet the bar for discrimination or vilification against a person or group of people on account of gender.

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 in order to breach this Section of the Code the images would need to be considered both exploitative and degrading.

The Board noted that some members of the community would consider the use of an image of

a woman which does not show her whole body but focuses on a particular area to be exploitative. The Board considered however that in this instance all the images used were cropped in order to fit a split screen and considered that whilst the image featuring a woman's torso does not include her head in the Board's view the image is not sexualised or degrading.

The Board considered that the advertisement did 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 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 that the focus of the image in the advertisement is on a woman's cleavage and considered that her breasts are covered and the level of nudity is very mild. The Board noted that the woman is wearing a brown sleeveless top and considered that this clothing is not sexy and the pose of the woman is not sexualised or otherwise inappropriate.

The Board considered that overall this image of a woman's chest area does 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.

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