



Case Report

1	Case Number	0431/17
2	Advertiser	Underworks
3	Product	Lingerie
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	11/10/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

There is a female dressed in only underwear doing cartwheels and split jumps which shows her crotch area on a regular basis. The male model does some acrobatic flips as well.

THE COMPLAINT

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

The cartwheels and crotch exposure is completely unnecessary. This ad, I feel, is trying to sell me, as a female, undies and all it did was make me feel like this girl was being objectified. She could have danced around gracefully without the crotch showing and all would be well.

It is very sexist and demeaning to women. The ad is saying it's ok and normalising society to show women in underwear cavorting, leaving nothing to the imagination. The female dances in several positions with her legs wide open. It's quite rude and should not be shown in this manner.

Completely inappropriate body positioning

I find both variations described above to be explicit and derogatory, especially the female. The females legs are wide apart exhibiting a sexual nature or tone that portrays women as

nothing more than for their looks.

Because the female is hardly wearing anything at all it is showing a lot of her uncovered skin.

The legs are often apart and expose the genital area.

The advert is repeated a number of times in a given time slot.

My wife and my teenage daughters all find it derogatory to women.

I would not buy their product !.

Camera focus on woman spreading her legs in underwear doing handstand front on bouncing around repeated crotch shots common the focus been on the spread legs it's distasteful

THE ADVERTISER'S RESPONSE

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

Assuming there aren't additional complaints, the campaign has been on air from 27th July.

That's over 6 weeks on air before the complaints started coming in.

And they all came in together.

The creative for our TVC is based around the new Athleisure craze which is fitness gear worn as everyday clothing.

We're featuring fit athletic bodies wearing Underworks product performing gymnastics and parkour highlighting comfort and product fit.

T ad received CAD approval with a PG rating.

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 depicts images that are inappropriate and sexualised particularly when showing close camera shots of a woman's crotch.

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

The Board considered whether the advertisement complied with Section 2.2 of the Code which 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 there were three versions of the advertisement. The first featured a woman dancing around on her own in her underwear. The underwear colour changes throughout the advertisement. The logo for Underworks appears on screen at the end of the advertisement. The second advertisement features a man dancing on his own and performing acrobatic tricks. The third version features the male and female dancers together.

The Board noted the complainants' concerns relate particularly to the depiction of the woman in the advertisement and the focus on her crotch and that this is derogatory to women.

The Board noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

Exploitative - purposefully debase or abuse a person for the enjoyment of others, lacking in moral, artistic or other values

Degrading – lowering in character or quality a person or group of people.

The Board noted that in order to breach this Section of the Code the images would need to be using sexual appeal in a manner that is considered both exploitative and degrading.

The Board noted that the couple are presented in a manner which is clearly intended to show the underwear they are promoting and that they both appear strong and athletic.

The Board noted the advertiser's response that the advertisement is intended to highlight the comfort and fit of the product.

The Board noted that the actions performed by the couple are of an acrobatic and athletic performance and that cartwheels and flips are in the context of a dance or gymnastic sequence. The Board considered that overall the advertisement was balanced in the portrayal of the man and the woman and did not purposefully debase or abuse a person for the enjoyment of others and did not present either dancer in a manner which could be considered exploitative and degrading.

The Board determined that the advertisements did not employ sexual appeal in a manner which is exploitative and degrading and 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 complainant's concerns that the depiction of the woman 'spreading her legs' was not appropriate for viewing by children.

The Board noted it had considered similar complaints regarding a Bonds advertisement (0363/12) where close-up images of groin areas were shown. In that case the Board noted that "...it is reasonable to expect an underwear advertisement to feature imagery of underwear and considered that the manner in which the underwear is presented in the advertisement is not sexualised and is not inappropriate. The Board noted that all the models in the advertisement, both male and female, are wearing the underwear in a manner which does not expose any of their private areas and considered that the advertisement did not contain any inappropriate nudity."

Similarly in this case, the Board considered that during the cartwheel sequence, there is close footage of the woman's crotch, but considered that the manner in which the woman is present is not sexualised and not inappropriate as she is depicted performing and such moves are in keeping with a gymnastic performance. The Board noted that the dancers are wearing the underwear in a manner which does not expose any of their private areas and considered that the advertisement did not contain any inappropriate nudity.

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