



Case Report

1	Case Number	0463/15
2	Advertiser	Stan
3	Product	Entertainment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	25/11/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This television advertising is promoting the availability of the James Bond movies on Stan and features a voiceover who introduces himself as "Stan. Just Stan" and we see the opening shot of a James Bond film but with the focus on a pony dressed as a unicorn with 'Stan' written in blue on its flank. The advertisement includes clips from different James Bond movies over the years and the voiceover continues, "With Stan you get every Bond, catch every car chase and get Pussy Galore". We then see a montage of different female characters who have appeared in Bond movies over the years.

THE COMPLAINT

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

When Pussy Galore, a Bond character, was mentioned, the intonation and separation of the two words suggested a different meaning. I may be old fashioned and I'm not a prude, but I feel it is totally inappropriate use of language in advertising when younger viewers are watching. It is disrespecting females in an age when there is little enough respect for women, especially from young men. I'm sure it was meant to be titillating. I feel it was unnecessary.

Ad states for \$x per month you can access all Bond films and "get access to Pussy Galore" while showing images of scantily dressed women from Bond movies. I find this unnecessarily

demeaning to, and objectifying of, women.

THE ADVERTISER'S RESPONSE

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

We refer to your letter to Stan Entertainment enclosing complaints made to the Bureau in relation to the advertisement identified in this response ("Advertisement").

In our view, the Advertisement complies in all relevant respects with the AANA Code of Ethics ("Code"), and is in step with Prevailing Community Standards, including as detailed in the AANA's Practice Note to the Code.

The Advertisement is part of a Stan marketing campaign for the James Bond movie franchise. The Advertisement adopts a playful tone consistent with the wry humour associated with the James Bond character and movies.

The Advertisement is effective in tapping into the well-known tone and style of the movie titles in question, which is critical in order to promote content in the current market for entertainment services in Australia. Stan has made a substantial investment in licensing the entire James Bond series, and the movies themselves are permitted to be exhibited on the platform in accordance with classification regulations. It would be an illogical and concerning result if networks and platforms were prohibited from advertising legitimate programming on its merits.

The Advertisement has been given a T rating by CAD and is being scheduled in timeslots appropriate to its classification.

Without limiting our response to the specific issues raised in the complaints, we address in turn below each of the elements of Section 2 of the Code.

Section 2.1: Discrimination or vilification

The Advertisement does not discriminate against or vilify a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

Section 2.2: Exploitative and degrading

The Advertisement does not attempt to employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people. The prevailing tone is playful one, with an ironic nod to the anachronistic attitudes associated with the Bond franchise, particularly its older titles.

The advertisement employs sexual innuendo in a pointed reference to one of the most well-known "Bond Girls" from the series, Pussy Galore, borrowing that name's (admittedly unsubtle) nod to the Bond character's infamous womanizing.

It's no secret that the Bond character and the movies themselves may not always reflect modern attitudes, but such is the nature of the franchise. The Advertisement is designed to tap into the well-known James Bond tone and style to bring the Stan service to the attention of the franchise's massive fanbase. The promotion of key programming on its merits is critical to the success of Stan in a highly competitive market for entertainment services.

The word "pussy" is in common use in the Australian vernacular, and the level of innuendo here is appropriate to the content of the programming, the advertisement's rating and its scheduled timeslot. Particularly given the playful and ironic tone in the creative, the Advertisement cannot be said to degrade or abuse any person or group of persons.

Section 2.3: Violence

The Advertisement presents clips from iconic action sequences from the Bond movies, but does not present or portray violence other than in the highly stylised manner of those sequences.

Section 2.4: Sex, sexuality and nudity

There is no sex or nudity in the Advertisement.

In the context of its CAD rating and scheduling, the Advertisement treats sex and sexuality with sensitivity to the relevant audience.

Section 2.5: Language

As noted above, the Advertisement has been classified by CAD and is being scheduled in timeslots appropriate to its classification.

For the reasons set out above, the language, relevantly the references to the word "pussy," is appropriate in the circumstances of the style and tone of the Advertisement and its creative and marketing aims. The word is in common use and the tone of the Advertisement is playful and ironic.

The Board's determination summary on "Language in Advertising" notes that the Board considers advertisements which "feature mild coarse language in a context that is not aggressive, threatening, sexual or demeaning" to be acceptable.

The innuendo in the Advertisement is employed in a playful, non-threatening manner for creative and marketing effect.

In terms of precedent, in its determination on case number 0314/13, the Board considered the use of the words "wet pussy" not to be inappropriate in the context of the marketing of an alcoholic beverage. As the Advertisement in the present case is directed towards adults and relates to the promotion of mature age programs on the Stan service, we submit that a similar view should be taken here.

Section 2.6: Health and safety

Given the above, the Advertisement cannot in any way be said to depict material contrary to

Prevailing Community Standards on health and safety, including as detailed in the Board's determination summary on "Health and Safety in Advertising."

Conclusion

For the reasons set out above, in our view the Advertisement complies in all relevant respects with the Code, and the complaints should be set aside.

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 is demeaning and objectifying to women, and features a reference to 'Pussy Galore' which is inappropriate sexualised language.

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

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 be in breach this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board noted this television advertisement features clips from various James Bond movies over the years whilst a voiceover explains that with Stan you get "every Bond...and get Pussy Galore".

The Board noted the complainant's concern that the advertisement is disrespecting to females in its use of the phrase 'Pussy Galore' along with images of women who have featured in Bond movies.

The Board noted that as well as showing various clips of the different actors who have played James Bond over the years, the advertisement also includes clips featuring various female actors and considered that the inclusion of these women does not present or portray women in a manner which is exploitative or degrading as they are clearly shown in the context of the characters they are portraying in the movies which are the subject of the advertisement.

The Board considered that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.

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 it had previously considered a similar complaint against the same advertiser in case 0208/15 where:

“The Board noted this television advertisement features Rebel Wilson talking about her big pussy and a man commenting on its smell...

... The Board noted that ‘pussy’ is a slang term for a woman’s vagina and that some members of the community could find it inappropriate. The Board noted that the advertisement had been rated ‘M’ by CAD and considered that in the context of the target adult audience of ‘M’ rated material the use of the slang term ‘pussy’ is sexualised but, shown with a cat, is sufficiently sensitive to a mature audience.”

In the current advertisement the Board noted that the use of the word ‘Pussy’ is in relation to the well-known James Bond character Pussy Galore and considered that it is not inappropriate to use this name in the context of a promotion for James Bond movies. The Board noted that when the voiceover says her name he pauses between the words ‘Pussy’ and ‘Galore’. The Board noted the double entendre of the words ‘pussy galore’ and considered that this is a cheeky reference which is made clearly in the context of an actual movie character. The Board noted that James Bond movies, specifically in their early incarnation, are well-known for their cheesy content which includes double entendres and stereotypical portrayals and considered that the reference to ‘Pussy Galore’ in the advertisement is cheeky but not explicit and unlikely to be understood by children.

The Board noted the advertisement had been rated ‘T’ by CAD which means an ‘M’ style advertisement for M and MA rated movies and considered that the content of the advertisement did treat the issue of sex, sexuality and nudity with sensitivity with the relevant ‘M’ audience which is unlikely to include children.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

The Board 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 (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided”.

The Board noted that ‘pussy’ can be used as a slang term for a vagina.

The Board that it had recently upheld an advertisement featuring the word pussy in case 0549/14 where:

“The Board noted that the advertisement includes a picture of Dennis Hopper and an apparent quote from him ‘I ate so much pussy in those days my beard looked like a glazed donut.’

The Board noted that the use of the word ‘pussy’ in relation to a sexual act is a blatant sexual reference not suitable for a broad audience. The Board considered that this amounts to language which is inappropriate in the circumstances.”

The Board noted in the current advertisement the use of the word 'pussy' is given context by the use of the word as part of a James Bond character's name in a James Bond movie promotion and considered that most members of the community would not find this use of language to be strong, obscene or inappropriate in the circumstances.

The Board determined that the advertisement 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 complaints.