



Case Report

1	Case Number	0492/16
2	Advertiser	Go Health Clubs
3	Product	Sport and Leisure
4	Type of Advertisement / media	Billboard
5	Date of Determination	23/11/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This small billboard situated outside Westfield Shopping Centre on Creek Road, Carindale, features the text, "Don't be a Tight Ass" next to an image of a woman wearing shorts and a sports bra holding a barbell. The remaining text says, "Only 100 spots available. Our lowest rates".

THE COMPLAINT

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

Breach of Prevailing Community Standards around the protection of a shared community ideal about the protection of sexual intimacy between consenting adults as being something private and "special", "personal", "sacred", or "private".

This ad is in a high-traffic, public, place, at the main intersection associated with Queensland's largest shopping centre.

The focus of the advertisement is the words "TIGHT ASS" alongside an image that draws attention to a woman's external anal sphincter. The focal point of the image (i.e., the point to which the human eye is drawn because of the combined effect of image composition, camera position, highlighting, shading, and colours) is the location of the woman's external anal sphincter.

The woman's lower back is arched. An arched lower back has two meanings or contexts. One, it is good practice to arch the lower back during a barbell squat exercise as shown in the image. Two, a woman's back is arched during sexual pleasure, sexual activity and during sexual displays, flirtation and other mate-seeking behaviours.

A photo of a barbell squat, taken from the side or front of the body, with a camera position at or above the waist, would meet prevailing community standards. The expression "tight ass", while vulgar, may in some contexts meet prevailing community standards. What actually breaches prevailing community standards here is the pairing together of this phrase with this image in particular. The image and text are each made pornographic because they are juxtaposed.

Note that colloquially, the words "tight buns" or "tight butt" refer to defined gluteus muscles - i.e., the entire fleshy area of both buttocks - whereas "tight ass" refers specifically to a mental state that in Freudian psychoanalysis is correlated with, physically, a tight contraction of the internal anal sphincter, external anal sphincter, or both.

This image is not only pornographic; it is specifically suggestive of anal sex.

THE ADVERTISER'S RESPONSE

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

Overview: The Don't be a Tight Ass campaign is a play on words and Australian slang around being a 'cheapskate', 'tight with their money' or 'tight with their wallet'. This terminology infers that they DON'T need to be tight with their money as Go Health Clubs are offering a low membership rate this month. Contrary to what the complainant is suggesting, the inference is a play on words and not referencing anal sex. It is clearly referencing a 'tight ass' from doing squats and the double meaning of being a 'cheapskate'. Perhaps the complainant is projecting their own interpretation onto our advertising - at no point in the design process was the subject of anal sex considered or taken into account, and the layout, colours, lighting etc are in line with our current branding and merely an eye-catching device to draw attention to the play on words of saving money and having a fit "tight ass" from performing squats in the gym.

Further to this, the logotype 'Tight Ass' text lockup merely reinforces the core of this campaign, the idea of 'tightening your belt' (ie. Spend less money) - with the clear belt motif and squeezed-in text effect.

Perhaps the complainant can use this opportunity to reflect on why they inferred visuals of a woman's 'sphincter' from the campaign.

Imagery: The model is a fitness model who is standing in an upright position of a squat movement which is exactly how the movement is undertaken without injuring one's back. In this picture, she is clearly holding the barbell, and wearing hand straps which are commonly used when protecting hands during exercise training. The model is not arching her back in a sexually suggestive way as inferred in the complaint. She is merely standing as you would

when conducting this type of exercise. As per professional descriptions of how this movement must be made, I reference Wikipedia's description of the movement below:

*The movement begins from a standing position. Weights are often used, either in the hand or as a bar braced across the trapezius muscle or rear deltoid muscle in the upper back.[3] The movement is initiated by moving the hips back and bending the knees and hips to lower the torso and accompanying weight, then returning to the upright position. The shins and torso should remain vertical throughout the movement. An erect spine keeps the vertebra stacked directly on top of each other helping prevent low back injury.[4]
[https://en.wikipedia.org/wiki/Squat_\(exercise\)](https://en.wikipedia.org/wiki/Squat_(exercise))*

Furthermore, this style of advertising of people exercising is common within the fitness industry and not ever implied to be offensive, degrading, sexist, or discriminatory. We encourage health and fitness to better people's own lives, not encourage offensive opinions towards the way a woman is standing and what the complainant deems only has two possible meanings of why a woman arches her back.

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 focuses on a woman's bottom in a manner which is sexualised and inappropriate and that the reference to ‘Tight Ass’ in the context of the image is pornographic.

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

The Board 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 this billboard advertisement features an image of a woman in sportswear holding a barbell with the text, “Don't be a tight ass”.

The Board noted it had previously dismissed a similar complaint against the same advertiser in case 0387/13 where:

“The Board noted that the advertisement features a woman wearing workout shorts and crop top next to the text, “Tight ass?” M'ships from \$15 per week...

... The Board noted that the woman in the advertisement is portrayed as being strong and fit and that in the context of a gym, it is reasonable to expect that the advertiser uses images of people who appear physically fit and healthy.

The Board noted that although the image is focused on her bottom, it is not a sexualised image and she is positioned in a manner that shows her sculpted bottom and toned physique. The Board considered that the use of the term “Tight ass” is a reference to physical fitness

and is not sexualised.”

In the current advertisement, the Board noted the complainant’s concerns that the advertisement focuses on the woman’s bottom and that her pose is sexualised due to the arching of her back.

The Board noted the woman in the advertisement is wearing sportswear and considered that it was reasonable for an advertiser to use such an image of a woman working out in order to promote gym membership. The Board noted that while the woman’s head is not shown the Board considered that the focus is not on her bottom but rather on her athletic ability in holding a barbell. The Board noted that the woman is wearing gym shorts, a cropped gym top and weight lifting gloves and considered that this attire is appropriate for the activity she is undertaking. The Board noted that the woman’s back is slightly arched but considered that this is clearly the result of lifting a barbell and in the Board’s view the woman is presented as strong, fit and healthy, and her pose is not sexualised.

The Board considered that the advertisement did 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.

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 the phrase “Don’t be a Tight Ass” is used next to an image of a woman who is positioned with her bottom prominently visible. The Board noted the relationship between the image and the wording promoting low rates for gym membership and considered that the overall suggestion is that the membership is cheap and the bottom of the woman is a ‘tight ass’ due to her efforts at the gym. Consistent with previous determinations in cases 0057/13 and 0387/13, the Board considered that use of the phrase ‘tight ass’ in the advertisement is consistent with the common Australian vernacular usage meaning and association with cheap prices of goods/services and is not pornographic.

The Board considered that the advertisement did not use strong, obscene or inappropriate language.

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 complaint.

