



CASE REPORT

1. Complaint reference number	259/04
2. Advertiser	Bendon Ltd (Elle Macpherson Intimates)
3. Product	Clothing
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1 Violence Other – section 2.2 Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 14 September 2004
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The advertisement features three clips. The first one is of a woman's body wearing Elle MacPherson underwear holding two knives. The second one is of two women's bodies having a 'dual' with the two knives. The third one is of a woman's body kneeling on the kitchen floor with rubber gloves cleaning the floor. In none of the clips can the women's heads be seen.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

"This ad demeans the role of women as it portrays them as sex objects that should be scrubbing the floor, furthermore, if the three scenes are put together in sequence, it can tell a story of a woman getting a knife ready in order to fight someone, and then is scrubbing the blood off the floor. The ad not only includes sexist undertones, but a violent one as well."

"I have no problem with women in lingerie, but the implication that we are supposed to be excited by women engaging in premeditated violence and scrubbing floors seems both nasty and misogynist."

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

"The presentation takes the product into an unusual setting and leaves the viewer with questions but such allusion, we suggest, is legitimate and within the scope of the requirements set by the Code of Ethics. The absence of the model's face or head is legitimate to draw attention to the product rather than the model. These advertisements are showcasing lingerie for women to women. There is no male involvement and none is alluded to. Accordingly, the assertion that the adverts are misogynistic is unjustified. The campaign is not violent. The kitchen trilogy is a piece that, in the time-honored tradition of all great suspense stories, allows viewers to draw their own conclusions."

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the "Code").

The Board formed the view that the advertisement clearly works within a recognised and respected surrealist genre.

The suggestion of violence, if any, is neutralised by the obvious unreality of the scenario depicted.

The Board noted that there was no overt nudity.

The Board took the view that the depiction of sexuality and nudity was treated with sensitivity to the relevant audience and the relevant programme time zone of the advertisement.

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of sex/sexuality/ nudity , discrimination (sex)/vilification and violence.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.