



CASE REPORT

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| 1. Complaint reference number | 382/09 |
| 2. Advertiser | Bonds Industries Ltd |
| 3. Product | Clothing |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3
Health and safety – section 2.6 |
| 6. Date of determination | Wednesday, 16 September 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The ad features a large group of girls rollerskating around in their underwear in a 70's style "boogie nights" type setting.

THE COMPLAINT

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

I believe that the ad is derogatory and disrespectful to women. This advert is a series of explicit boob and bum shots, with a liberal sprinkle of open thighs. Just because a catchy, fun song is thrown in, it does not make it any less soft porn, often playing at early time slots. I am not sure who the ad is targeted at - I believe that Bonds have seriously missed the mark with this one. I would avoid Bonds underwear at all costs on principle now.

I believe this ad breaches the AANA Code of Ethics Section 2.3, "Advertising or Marketing Communicators shall treat sex, sexuality and nudity with sensitivity to the relevant audience, and, where appropriate, the relevant programme time zone." This ad is saturated in sex and sexuality. The camera constantly focuses in on the breasts, backsides and "front sides" of the girls in the ad. It suggests that women are sex-objects- and if we constantly see ads that feature semi-nude women flaunting their assets, how can we expect men to treat us any differently? This ad also sends the message that it's ok for men to ogle other women, even if they are in a relationship, as the women are having fun. This is not only inconsiderate to the women who need to put up with their men eyeing off other women, but it makes the men think there is nothing unfair about this. It makes women feel unattractive when their men stare at women flaunting it in their underwear, and this ad encourages that and provides regular opportunities to do that.

The images within this ad are offensive to the female viewer as women do not wear underwear and roller blade to a pumping soundtrack. The ad begins with female roller blade skaters skating then one skater does a turn then there is an extreme close up, 'in your face' peeping tom view of fellow skaters all with lithe flat stomachs wearing the bonds underwear. The song pumps out a soundtrack of 5, 10, 20, then a close up of a African lady in bra and underwear with a wry smile then numerous women on roller blades skate through and pass the camera - one skater skates over the camera- the camera angle has a voyeuristic effect as on skater freely skates over the camera. Its very creepy 'peeping tom' view like the viewer is looking up her rear end as the skater passes over the camera.

I object to the constant sexualisation of child and young girls by Bonds/PacBrands advertisements in general, of which this latest add is another prime example. The retro-porn type setting, the juvenile sounding giggling and overlay soundtrack, and of course the gratuitous product close-ups for this "racey shapes" campaign i find demeaning and sexually objectifying in its portrayal of children and child-like young women, which I myself find disgusting and object very strongly to

being exposed to, let alone the likely effect such imagery has upon the self-perception of young people. Whilst I have no objection to adult nudity or the portrayal of human sexuality on TV in general, child sexualisation is quite another matter, in particular where it takes the form of sexualisation of young people purely for exploitative marketing and advertising purposes. The notion that "racey shapes" should be associated with children and child-like young women is to me disgusting and offensive in the extreme, and I would hope also to the larger Australian community.

THE ADVERTISER'S RESPONSE

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

Our Racey Shapes campaign was created to show off our new range of shapes: the Superscoop bra, the Keenie brief and the Superscoop tank.

The underwear shapes were created to follow the broader outerwear clothing trend for Summer 2009 in which clothing has focused on lighter, more sleekly cut clothing. For us, this meant a departure from the heavy 'hi-top' waist banded briefs we've advertised in previous seasons and a shift into more streamlined shapes.

We are in the business of selling underwear and to advertise this season's new items being available, we needed to show our product on body to clearly show the new shapes. At no time do we present our product in a gratuitous situation and we keep it fun, about the product and non-sexual.

We've deliberately kept this creative light, playful, and about girls having fun with their friends. All of the girls are adults (over 18yrs), most of them well into their 20's and we believe we have shown them being confident and happy within themselves rather than being sexual in any way. To do that is not Bonds and would be definitely 'off brand' for us.

We are a family orientated brand and we believe our ads to be in good taste and try to keep the general public on side with our communications as our products are for everyone.

In response to the OH&S conducted on the Racey shoot we undertook the following precautions to ensure the safety of the girls while filming the TVC:

- The agency investigated whether helmets were required and CAD advised that if the girls were over 18, helmets or any other safety wear were not mandatory.*
- All girls featured were over 18 years of age.*
- All girls wore protective knee and elbow pads.*
- All skating was conducted in a safe and monitored environment in a private home.*
- A stunt supervisor, safety officer and nurse were on set all day.*
- No injuries occurred whilst filming the commercial.*

It's unfortunate that we have offended some people in the advertising of our products, but for this campaign (as per our other campaigns) we needed to show their great fit as this is what differentiates us in the market.

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 complainants' concerns that the advertisement sexualises young girls and children saying that it is a retro-porn type setting and gratuitous, product close and close ups of women's crotches, that it depicts unrealistically and unrepresentative thin women, that it suggests to men that it is acceptable to ogle women and that it depicts people skating without appropriate safety equipment.

The Board considered whether the advertisement breached section 2.1 of the Code by discriminating

against or vilifying women. The Board considered that the women are depicted skating around areas in a large house and gardens and that there is no material that is in any way discriminatory of women.

The Board considered whether the advertisement treated 'sex, sexuality and nudity with sensitivity to the relevant audience or timezone.' The Board noted that this advertisement was rated 'W' by CAD meaning that it should be shown with care and not in P or C programs. The Board noted the images of the woman in this advertisement. The Board noted that all women are depicted wearing the advertised product - bras and underpants. The Board considered that the images of the women wearing underwear are relevant to the product advertised and are not sexualised by virtue only of wearing underwear. The Board noted the movements and behaviour of the women and considered that the women are depicted skating with other women in choreographed skate formations. The Board considered that the behaviour and movements of the women was not sexualised at all. The Board noted concerns that the camera shots of the women were inappropriate as they focused on women's crotches. The Board considered that any close up images of the women's underpants were fleeting and did not focus attention in a sexually suggestive manner.

The Board noted that there is a level of community concern about sexualisation of children. The Board considered that the mere depiction of women wearing underwear skating was not sexualised and did not bring the issue of sex before children.

The Board also noted concern that the advertisement encouraged men to ogle women. The Board considered that the advertisement did not in any way encourage or condone inappropriate or immoral behaviour by men.

The Board considered that the advertisement did not contain any sex or sexuality and that the clothing of the women was appropriate to the product and also not sexualised. The Board determined that the advertisement did not breach section 2.3 of the Code.

The Board noted concerns that the advertisement uses thin models and that this sets unrealistic expectations of body image to young girls. The Board considered that the women in this advertisement are not inappropriately thin and do not present an image of underweight young women. The Board noted that the advertisement does not depict women of larger builds and that in this sense the women depicted are not representative of the range of women in Australia. The Board considered that it is the advertiser's choice to use women of a particular build in their advertisement provided that such depiction does not breach the Code. The Board considered that depiction of a number of slim young women, without including larger women, is not a depiction that discriminates against larger women or that is contrary to prevailing community standards on health and safety.

The Board considered whether the advertisement depicted material contrary to prevailing community standards on health and safety by depicting people skating without wearing safety helmets. The Board noted that the Australian Road Rules do not require skaters to wear helmets, and that all of the models are wearing ankle and knee guards. The Board also noted that the models are all depicted skating in at a private residence and not on a road or road related area. The Board considered that the fact that the models are not wearing helmets while skating in a private residence is not in breach of any law and is not a depiction of material that is contrary to prevailing community standards on health and safety.

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