



CASE REPORT

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| 1. Complaint reference number | 387/07 |
| 2. Advertiser | Gazal Apparel Pty Ltd (Lovable Undies Rules) |
| 3. Product | Clothing |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Monday, 19 November 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features model Jennifer Hawkins giving her explanation of the "Undies Rules". She is seen at home finalising her jewellery and checking her makeup in the mirror to go out. As she gets ready, it is seen that she is wearing a pair of SexyMesh Lovables and she tells the viewer "Always wear nice undies out...in case you get hit by a bus." She then pulls on a pair of long high-heeled black boots, heads for the door grabbing a coat, and walks out the door dressed only in the beautiful coat, boots and her Lovable's undies. She strides off in her outfit as she concludes "New SexyMesh Lovables. Underwear by Lovable".

THE COMPLAINT

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

Jennifer Hawkins is viewed with no bra on from behind, it reveals her whole body and then she is seen walking out of the house with a pink coat on with high boots on. Implying she only has pants on, no bra and with sexual intentions. This ad reveals her half naked body with a tiny amount of breast seen. Although this is only a small amount of side breast seen, for young children who haven't seen the full female form it creates interest that can speed up interest in sexuality. It is humanly natural for males to be attracted to this, however a boy of the age of 12, without great parenting can be sexually lured into a false world of sexual satisfaction. We need to protect our young children from viewing unnecessary footage of naked females. As a society we are exposed to sexuality at such young ages, this can damage children's innocence and leads to increased pornographic usage resulting in destructive relationships.

THE ADVERTISER'S RESPONSE

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

The television commercial is targeted towards adult females and plays on the women's secret business of "Undie Rules" it is one of a series of three 15 Second TVC's.

The ad was rated M for Mature audiences and it has been positioned in those time slots. The Window for M rating commercials during women's day time is 12-3pm which ensures that children in the age bracket described would be at school. The themes in woman's day time television viewing would probably not be appropriate for a child of said age, so the probability of a viewing would be remote. In school holidays we removed all spots.

The TVC we believe does not violate Section 2 of the code of Ethics in any way, it is a humorous interpretation of the general wearing rules that women apply when deciding on underwear.

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 concern about the level of nudity in the advertisement. The Board noted that Ms Hawkins is depicted in several scenes from behind wearing only her underpants. She is then seen wearing only her underpants, shoes and a coat. The Board noted that the advertisement is rated M and is only shown after 8pm and between 12-3pm (other than in school holidays).

The Board considered that, although depicting Ms Hawkins in only underwear, the advertisement was not sexually suggestive and emphasised the 'old wives tale' that it is important to wear nice underwear when leaving the house in case you are 'run over by a bus'. The Board noted that the advertisement does show a side on view of Ms Hawkins and that the side of her chest is seen. The Board considered that the advertisement did not depict nudity and that the images of Ms Hawkins were not inappropriate in the context of the time zone and relevant likely audience.

The Board considered that the advertisement did treat nudity with sensitivity to the relevant audience and timezone and did not breach section 2.3 of the Code.

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