



Case Report

1	Case Number	0044/13
2	Advertiser	Cotton On
3	Product	Clothing
4	Type of Advertisement / media	Internet
5	Date of Determination	27/02/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

Images on the Cotton On website of female models wearing exercise clothing. In one photograph the woman's torso is shown and she is using her hands to lift up the bottom of her shorts so that we can see the curve of her left buttock.

THE COMPLAINT

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

It is basically nudity/soft porn.

THE ADVERTISER'S RESPONSE

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

No response received from Advertiser.

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 features nudity and soft porn.

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

The Board considered whether the advertisement complied with Section 2.2 of the Code which 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 the image is featured on the Advertiser's website and depicts a female model lifting the bottom of her shorts up to expose the curve of her buttock. The Board noted that in this image the woman's head is not visible however in the accompanying image on the same webpage the woman's head is shown. The Board noted that in the image of the woman lifting her shorts the accompanying text is describing the product advertised as well as the price and considered that the overall focus of the advertisement is on the product and that the woman is presented in a manner which is consistent with a fit young woman who exercises.

The Board considered that the advertisement did not depict material which was exploitative or degrading to women and determined that the advertisement did not breach Section 2.2 of the Code.

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 the complainant's concerns that the image of the woman lifting her shorts is akin to soft porn.

The Board noted that the image of the woman on the website is consistent with images of models advertising clothing and that whilst the model in this instance is lifting up the bottom of the shorts she is wearing the overall image is not sexually explicit or suggestive and the level of nudity is minimal and not inappropriate. The Board noted the complainant's concerns that the advertisement is soft porn and considered that this interpretation is unlikely to be shared by the broader community.

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

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