



Ad Standards Community Panel  
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Advertising Standards Bureau Limited  
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# Case Report

1	Case Number	0045/18
2	Advertiser	Bras n' Things
3	Product	Lingerie
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	21/02/2018
6	DETERMINATION	Dismissed

## ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading
- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

## DESCRIPTION OF THE ADVERTISEMENT

The television advertisement depicts women in lingerie and pyjamas posing next to large gift boxes and an oversized bon bon, candy cane and wreath.

## THE COMPLAINT

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

*Shown on our local station NBN on the nine network around 7:00 and 7:15pm last week during "A Current Affair". I rarely watch this program and was shocked to have this advert come into my living room. Young women modelling what can be described as sexy underwear in suggestive poses. Close ups of every aspect.*

*It was objectifying to women. It was in the middle of the day. The add resembled what you would see in pornography or a strip club. It was in the middle of the day in a sport that I intended to watch with my young son. It was deeply offensive to me as a Father that I was exposed to this in the middle of the day. I choose my viewing habits*



*deliberately. Such an add should be rated M.*

## **THE ADVERTISER'S RESPONSE**

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

*Bras N Things does not feel that it has breached any advertising standards and checked these in terms of compliance before the ads aired.*

*The TV commercial for the mentioned campaign ran from the 15th December – 20th December, 2017. The content in the video showcases a range of styles from our Christmas campaign.*

*Please see below our response to Section 2 of the Advertiser Code of Ethics:*

### *2.2 Objectification Exploitative and degrading – women*

*At Bras N Things we are passionate about empowering women. The campaign is aimed at gifting for the Christmas period. Whether it be a gift for yourself or a gift for your partner, Mother, friend, etc. This campaign showcases product with the use of Christmas decorations, none of which is being showcased in a sexual, disrespectful or suggestive way. Some of the specific reasons caused for concerned have been responded to below:*

- Close ups throughout the video are of the product to highlight the details, they do not remain close for long and do not stop at any point of the body. They simply show the product*
- The TV commercial highlights a combination of product; lingerie, sleep and bodysuits*
- The sleep top is lifted slightly to showcase the fact that it is a cami and short set. You do not see her lift the top it is already lifted when the camera shows the cami and shorts*

### *2.4 Sex, sexuality and nudity*

*Bras N Things is a lingerie retailer and therefore showcase a variety of lingerie, sleepwear and swimwear styles in our campaigns. The models wear lingerie throughout the campaign imagery, there is absolutely no nudity, we always ensure that everything is covered. We are showcasing our latest collection in a non-sexual way during a gifting period.*

## **THE DETERMINATION**



The Ad Standards Community Panel (the “Panel”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Panel noted the complainants’ concern that the advertisement is overly sexualised and inappropriate for a broad audience.

The Panel viewed the advertisement and noted the advertiser’s response.

The Panel noted that the complaint was received before 1 March 2018 and therefore the complaint was considered under the version of Section 2.2 of the Code which states: “Advertising or marketing communications should not employ sexual appeal: (a) where images of Minors, or people who appear to be Minors, are used; or (b) in a manner which is exploitative and degrading of any individual or group of people.”

The Panel noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

“Exploitative - means clearly appearing to purposefully debase or abuse a person, or group of persons, for the enjoyment of others, and lacking moral, artistic or other values.

Degrading – lowering in character or quality a person or group of people.”

The Panel noted that in order to breach this Section of the Code the advertisement would need to be using sexual appeal in a manner that is considered both exploitative and degrading.

The Panel considered the television advertisement depicts women in lingerie and pyjamas posing next to Christmas themed items.

The Panel noted the complainants’ concerns that the advertisement was degrading toward the women in the advertisement and includes inappropriate focus on the women’s body parts.

The Panel noted the advertiser’s response that the advertisement is displaying their products and that any close up or focus was on the product, not on the women’s bodies.

The Panel considered that the tone of the advertisement was friendly and upbeat and was not sexually suggestive or sultry.

The Panel considered that the women in the advertisement were not overly sexualised and were depicted in a confident and happy manner.

In the Panel’s view, the advertisement did not purposefully debase or lower in



character the quality of the women and did not breach Section 2.2 of the Code.

The Panel then 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 Panel considered that this advertisement received a W CAD rating (May be broadcast at any time except during P and C programs or adjacent to P or C periods) and noted that the advertisement was played at times appropriate to this rating.

The Panel considered in the context of an advertisement for lingerie it was reasonable for advertisers to show women wearing the product being sold.

The Panel considered that the women in the advertisement were appropriately covered by the lingerie and that the level of nudity in the advertisement was mild.

The Panel considered the women in the advertisement were depicted as comfortable and confident and were not posed or acting in an overly sexualised manner and that there was not unnecessary focus on the woman’s body parts – the focus was on the lingerie advertised.

The Panel considered that the level of nudity in the advertisement was mild, and that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.4 of the Code.

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

