



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0052/18
2	Advertiser	Pretty Little Thing
3	Product	Clothing
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	07/02/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

A television Advertisement featuring clothing by Kourtney Kardashian being modelled.

THE COMPLAINT

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

Displaying breast, bottom and seductive looks. Channel 9 is to be social responsible and not accept this type of advertisement . Filth!!!.

THE ADVERTISER'S RESPONSE

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

There is no sexual content in this ad (2.4).

It is reasonable for an advertiser to use an attractive model to showcase the items available for purchase.



The model is also a well known TV personality who would connect well with the target consumer.

There is no nudity and there are no displays of unhealthy body image. All clothing items are relevant to the target audience and are not displayed in a suggestive or sexual manner.

The advertisement does not feature explicit nudity or product descriptions and we believe it communicates the products with sensitivity, as per Section 2.4 of the Code of Ethics.

THE DETERMINATION

The Advertising Standards Board (the “Board”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Board noted the complainant’s concerns that the advertisement featured sexualised images which were inappropriate for a broad audience which would include children.

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

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 that this television advertisement featured Kourtney Kardashian modelling clothing.

The Board noted the advertisement had been given a ‘P’ rating by CAD and was aired at a time appropriate to the rating (http://www.freetv.com.au/media/CAD/Placement_Codes.pdf).

The Board noted it had previously dismissed a complaint about a similar advertisement by the same advertiser in case 0277/16 where:

“The Board noted that the advertised product is fashion clothing and considered that it was reasonable for an advertiser to promote its product being worn in the manner it is intended to be worn. The Board noted that some of the clothing worn by the model reveals her cleavage but considered that her nipples are covered and the focus is on the clothing and not specifically on her breasts. The Board noted that some of the clothing is figure hugging and considered that this is consistent with current fashion and in the Board’s view the clothing is being worn in a manner to showcase



current fashion trends rather than on the model's body.

The Board acknowledged that some members of the community may find the level of exposure of the woman's cleavage to be excessive but considered that in the context of clothing which is available to purchase, and is in keeping with current fashion, the level of nudity was not inappropriate.

The Board noted the complainant's concern that the model is portrayed in a sexual manner. The Board noted that the model is depicted wearing a variety of outfits and posing in different locations. The Board noted the model pouts and plays up to the camera but considered that this behaviour is in keeping with how fashion items are often advertised. Consistent with previous determinations, (0021/15, 0253/16), the Board considered that although some of the model's moves are sultry in the Board's view she is not sexualised."

In the current advertisement the Board considered that the advertisement was consistent with fashion advertising and that it is reasonable for an advertiser to depict their product being worn. The Board considered that the model was appropriately covered at all times in the advertisement and that her poses were not overly sexualised or inappropriate.

Consistent with previous determinations the Board considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience.

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 complaint.

