



Case Report

1	Case Number	0080/11
2	Advertiser	Myer/Grace Bros
3	Product	Clothing
4	Type of Advertisement / media	Print
5	Date of Determination	23/03/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

The catalogue advertisement contains images of women in underwear and hosiery. Featured within the catalogue are underwear products ranged by Myer and educational information on how to find the perfect bra fitting and the type of bras available (ie. casual, maternity, sport, fuller figure, lace etc).

Catalogue: MyIntimates catalogue, on sale Monday 14 February 2011 until Sunday 27 February 2011.

THE COMPLAINT

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

I consider that it is normal for women to be wearing clothes in public and I don't want to be exposed to images of women wearing less than is acceptable in public.

This booklet was delivered unsolicited to my home address and inappropriate images were on the front and back covers making it impossible to avoid these. I have a husband and small girls and they don't need to be exposed to such images either.

It has been shown that men are visually stimulated and remember such images. It is unfair to expose them to these against their will.

It has also been shown that young girls can develop body anxiety through viewing such images. I would like our home (and indeed public spaces) to be free from harmful images.

Perhaps such material could be supplied in a sealed envelope containing a warning or the underwear could be photographed without a wearer.

Thank you for your consideration of this complaint.

THE ADVERTISER'S RESPONSE

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

We have reviewed the concerns raised by the complainant suggesting that the advertising of women wearing underwear in the myintimates catalogue on sale Monday 14 February 2011 until Sunday 27 February 2011 is inappropriate.

We note that section 2.3 of the Advertising Standards Bureau AANA Code of Ethics states that "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone".

Myer is of the view that the images contained in the catalogue do not discriminate or vilify sexuality or nudity that would contravene prevailing community standards, and that the advertisement is not actively directed towards young children or men.

The catalogue is for women's underwear (lingerie) and therefore it is reasonable and acceptable to depict women wearing underwear. All images of underwear products being modelled in the catalogue are mild with no nudity and treated with sensitivity.

The catalogue is primarily aimed at women and acts as an information guide to assist women in finding the perfect fitting bra. Page 4 and 5 of the catalogue contain educational information on how to find the perfect fitting bra and the different types of bras available at Myer. The images throughout the catalogue showcase the styles featured on page 5.

In response to the complainants suggestion of placing catalogues in a sealed envelope with a warning, or the underwear be photographed without a model, Myer does not believe this is necessary. This is because the catalogues and images are not inappropriate or offensive and the delivery of such catalogues are consistent with other retailers who sell similar products including via similar mediums as well as prominently placed billboards.

Accordingly, Myer does not believe that the catalogue contravenes section 2 of the AANA code of ethics.

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 inappropriate images of women in underwear and can be viewed by children.

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

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone”.

The Board noted the advertisement is a Myer Lingerie catalogue called Intimates and features various photographs of women in different styles of lingerie.

The Board noted that whilst some members of the community may find images of women modeling lingerie to be inappropriate, in the Board’s view the images are mild and in keeping with the style of advertising for this type of product.

The Board noted that the images are featured in a lingerie catalogue which is aimed at adult women and are able to be seen by children, but considered that overall the images are not sexually explicit or suggestive, graphic or inappropriate.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it 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.