



Case Report

1	Case Number	0080/15
2	Advertiser	PVH Brands Australia Pty Ltd
3	Product	Clothing
4	Type of Advertisement / media	Billboard
5	Date of Determination	25/03/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women
- 2.3 - Violence Violence
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

Current campaign imagery released in January 2015 depicts Celebrity Ambassador Justin Bieber and Calvin Klein Model Lara Stone in Calvin Klein Jeans. The Calvin Klein Image is black and white with the #mycalvins hash tag used in the global campaign.

THE COMPLAINT

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

I am offended because the woman is half naked while the man is fully clothed. This is blatant sexualisation of women and contributes to the very real and negative stereotype that women exist as sexual playthings for men.

The advertisement is pornographic. It is deeply offensive to me as a Christian. Sexuality is sacred, and a woman's body too. This advertisement, thrust in my face in super life size multiple times daily makes my every day life challenging as I have to remember to look down when passing station where it is advertised. It is offensive to woman because they have been depicted as being sexually dominated by a male. Why is the woman naked but the man not? My friends of Islamic faith would similarly take deep offence to the content. There are large groups of Christian populations in Richmond (Vietnamese) who would similarly find this

advertisement a daily challenge.

Finally, a great many school children travel each day on this line, witnessing this advertisement. It is unacceptable that boys whose sexuality is developing, come to normalise through this advertisement that as men can sexually and physically dominate women, and that a women's body and sexuality is merely an object for men's desire to be dominated.

For school-age women, the advertisement sends the message that their value is subordinate to men's desires, and is reduced to their sexuality and a narrow view of physical beauty.

As a married man who respects women, and loves them holistically, this advertisement tries to force me to lust after a woman and to objectify her sexuality.

It is a daily struggle and offence to my friends and I.

It is the Twenty First Century. When are we going to show our young women that they can be regarded as more than submissive playthings for men. Also, we need to teach young men the same otherwise how can it begin to change.

THE ADVERTISER'S RESPONSE

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

The Campaign was visible in Outdoor, Print and digital. Specifically these complaints relate to the creative used in the Transit advertising (Train station billboards) in Kensington and Town hall Stations.

Timing- February- April 2015 in the Australian & New Zealand Market. This Specific advertising is scheduled to finish end March.

This Season global superstar phenomenon Justin Bieber featured alongside Dutch supermodel Lara Stone in the Spring 2015 Calvin Klein Jeans and Calvin Klein Underwear global multi-media advertising campaign.

Shot by fashion photographers Mert Alas & Marcus Piggott in New York City, the brand's latest campaign features Bieber with Stone in key jeans and underwear styles of the season, furthering the iconic brands' longstanding legacy of bringing fashion and music together.

The campaign features the #mycalvins call to action that the brand initiated in February, which invites fans of the brand to participate in the social media campaign by posting a selfie of themselves wearing Calvin Klein.

The Spring 2015 global media campaign was produced under the creative direction of Calvin Klein, Inc.'s in-house ad agency and creative studio, working with creative agency Wednesday London.

Calvin Klein has a strong heritage of Iconic campaigns that highlight the products we sell in a bold impactful way. The "Lara & Justin" ad contains two models, each over 18, wearing jeans, with aspects of the upper torso of each visible. The ad is thematically quite similar to the earlier advertisement featuring "Lara & Matt that was dismissed by the ASB on 28 January 2015 (Case Number 0013/15).

In reference to Section 2 of the code, we note that the complaints concern only 2.2 and 2.4, but we have dealt with each part of Section 2 as referenced in your letters for completeness.

2.1 We do not believe that either male or female characters are discriminated against nor

any area of the community is vilified by the creative.

2.2 The couple's interaction represents a consensual embrace is neither exploitative nor degrading. Lara's reaction or expression is in positive terms.

2.3 There is no suggestion of violence. Again, the embrace is consensual.

2.4 The male and female are each clothed in jeans (and no sensitive areas of the body are shown. The ad is not overtly sexualized and the imagery is not inappropriate in the context of a fashion advertisement.. These products are not aimed at or sold to Children. The advertisement is appropriate for today's consumer and attitudes, and treats sex, sexuality and nudity with sensitivity to the relevant audience. We take reasonable steps with media placement to ensure these images are not near Churches or Schools. We understand that in this respect the Train station services the broader community which includes the retail precinct which includes our Calvin Klein Underwear store and does include nearby schools, this is also the 2nd busiest train station in Sydney and thus a prime target for our consumer of 18-39 years.

2.5 We believe the language used is not contravening the code and is not offensive.

2.6 The ad does not contravene the standards on Safety and Health.

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 sexualises women and is inappropriate for outdoor display.

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

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code 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 in order to be in breach of this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board noted this print advertisement features a male (Justin Beiber) and female (Lara Stone) wearing Calvin Klein jeans. Both models are lying down. The male is positioned almost on top of the female. She is not wearing a top and the arm of the man covers her naked breasts.

The Board noted that it had dismissed complaints for a poster advertisement that featured a naked woman lying on her back with stars placed over her nipples (Crazy Horse – 0559/14). In this case the Board agreed that "in the context of an adult entertainment venue the depiction of a woman lying down naked is not exploitative and the image itself does not

portray a woman in a manner which is degrading.”

The Board noted that in the current image for Calvin Klein, the style of image is of a similar nature to previous Calvin Klein promotions and that the model is wearing jeans which are the featured product. The Board noted that the woman’s breasts are covered by the man’s arms and her eyes are closed giving the impression of happiness or contentment. The Board noted that overall the image is very stylised and dramatic and in the context of a promotion for designer jeans the image does not portray the model in a manner which is exploitative or degrading.

The Board considered that the advertisement did not breach section 2.2 of the Code.

The Board 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”.

In the current advertisement the Board noted the complainants’ concerns that the man looked predatory and his position over the woman was one of dominance. The Board noted that the full sleeve of tattooing added a tough and masculine feel to the image but that look on the man’s face was not aggressive and in addition, the woman did not appear concerned.

The Board noted the concerns regarding the sexual nature of the image. The Board noted it had previously dismissed a similar matter for the same advertiser (ref: 0013/15) where there is a couple in an embrace and the man is not wearing a top and the woman has a cropped sports-bra style top and her stomach is covered by the man’s arms. In that case the Board noted that “the level of skin visible is minimal and considered that whilst the pose is mildly sexualised it is not inappropriate in the context of a fashion advertisement.”

The Board noted that in the current image the woman is not wearing a top at all, however her breasts are not exposed as they are covered by the man’s arm. The Board agreed that the image is very stylised and in keeping with the type of advertising from this advertiser and from other fashion icons.

The Board acknowledged that there is some community concern regarding high end fashion advertising and considered that images such as this one are just within the boundaries of what is considered acceptable, particularly in the medium of outdoor advertising.

The Board considered that advertisement was mildly sexualised however on balance the Board considered that the image did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad 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 any other grounds, the Board dismissed the complaint.

