



**Ad Standards** Community Panel  
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Advertising Standards Bureau Limited  
ACN 084 452 666

## Case Report

1	Case Number	0081/18
2	Advertiser	Bras n' Things
3	Product	Lingerie
4	Type of Advertisement / media	TV - Out of home
5	Date of Determination	07/03/2018
6	DETERMINATION	Dismissed

### ISSUES RAISED

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

### DESCRIPTION OF THE ADVERTISEMENT

The out of home TV advertisement depicts a couple interacting in various indoor and outdoor locations. The woman is depicted in different lingerie and pyjama sets and the man is sometime fully clothed, sometimes in an open shirt and sometimes shirtless.

### THE COMPLAINT

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

*The advertisement is close to pornographic, and unsuitable for children.*

*There is ample research evidence that sexually suggestive advertisement and pornography is damaging to children and teenagers' normal sexual and social development.*

*That such advertisements are permitted amounts to agreeing that our society condones the commodification of women, which comes coupled with increased rates of domestic violence, rape, sexual assault, and gender-based harassment in the workplace.*

*I pass this advertisement (and others that this company runs) not infrequently with my*





*six year old son. I am trying to guide him towards developing into an empathetic, compassionate man, with the ability to be emotionally intimate and vulnerable. This effort to guide our children to not have relationships with others that are fraught, sexually compulsive, and distorted is made much more difficult, for me and others, by what they have been taught by advertisements such as this one.*

*I urge the ASB to ban this advertisement, and any similar advertisements.*

*Because it was a movie of sexual nature and I had minors with me*

### **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 received a lot of great feedback from our customers regarding the campaign.*

*The video display for the mentioned campaign in the attached documents started 29 January and ran until Wednesday 14 February ( across all stores). The content showcases a range of styles from our Valentine's Day range. The campaign featured a model by the name of Clementine and we have worked with her in the past. Her and her daughter were part of our Mother's Day campaign and she also featured in our Maternity campaign. This Valentine's Day campaign was about her true love, her husband. That was our sole intention when pulling the campaign together, nothing more.*

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

#### **2.4 Sex, sexuality and nudity**

*Bras N Things does not feel that it has breached any advertising standards with this campaign. 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.*

*The couple are laying on top of a bed and there is no sexual nature, they are laughing and talking.*

### **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 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 was played on screens in shopping centres and considered that the relevant audience would be broad.

The Panel noted this out-of-home television advertisement featured a man and woman interacting in various locations. The woman is modelling different lingerie.

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 the complainants' concerns that the advertisement was overly sexual for an advertisement which was played in public where children would see.

The Panel considered that the couple were seen embracing and kissing, however considered that this was not done in an overly sexualised manner and that while the woman was wearing lingerie there was no suggestion that she or the male in the advertisement were getting undressed or that any sexual activity was about to take place.

The Panel considered the woman's nipples and pubic area were covered at all times and that the level of nudity in the advertisement was only mild.

The Panel considered that some of the shots included in the advertisement were focussed on the products, and therefore included close-up of the woman's body, and acknowledged if someone was to walk past the advertisement and see only these scenes the advertisement may have a stronger implication of sex and sexuality. However, the panel considered that the advertisement taken as a whole only included mild nudity and sexualisation and would be appropriate for an advertisement which would be seen by a broad audience.

The Panel considered that overall 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.

