



Case Report

1	Case Number	0082/17
2	Advertiser	Bras n' Things
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	22/03/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The Valentine's Day campaign was active instore from the 1 February – 14th February. The content showcases a range of styles from the campaign.

The playboy campaign was active instore from the 15th February– 5th March. The content showcases a range of styles from our current campaign.

THE COMPLAINT

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

The images and underwear are very seductive and totally inappropriate for child viewing. This is a family shopping centre and parents and their children should not have to be exposed to this. In any other medium these images would be classified at least PG. As shoppers we have no option, we have to walk past these stores exposing our children to this. The posters themselves are massive, right next to a coffee shop.... very difficult to miss. Whilst I understand the need to advertise this is pushing the boundaries.

Completely inappropriate setting of the material. It objectifies women. This is a family area

where I should be able to buy my family a donut each, without being exposed to that.

THE ADVERTISER'S RESPONSE

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

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

2.1 Discrimination or vilification

This campaign does not discriminate or vilify in any way.

2.2 Exploitative and degrading

The campaign features women in a confident and empowering manner showcasing a range of different styles. Our vision is to encourage women to feel beautiful in their own skin. We do not believe that it is degrading or exploitative in any way.

2.3 Violence

There is no violence depicted in this campaign.

2.4 Sex, sexuality and nudity

Bras N Things is a lingerie retailer and therefore showcase a variety of lingerie styles in our campaigns. The model wears lingerie throughout the campaign, there is absolutely no nudity. We are showcasing our latest collection.

2.5 Language

There is no language.

2.6 Health and Safety

The campaign does not relate to any health and safety issues.

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 complainants' concerns that the advertisement features seductive images of women with a bondage theme which is not appropriate for a broad audience.

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: (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 Board 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 Board noted that in order to breach this Section of the Code the images would need to be using sexual appeal in a manner that is considered both exploitative and degrading.

The Board noted that there are two different campaigns under complaint: the first campaign is for Valentine's Day and features 8 different images of a female model wearing black or red lingerie, and the second campaign is for Playboy and features 7 images of a female model wearing different styles of Playboy lingerie.

The Board noted that the lingerie is available for purchase in store and that it is reasonable to expect the advertiser to use available product in the advertising for that store.

The Board acknowledged that some members of the community may find the use of a woman in lingerie to be exploitative but the Board considered that in the context of a lingerie advertisement it is not exploitative to use such images and in the Board's view the manner in which the women are depicted is not degrading to these woman or to women in general.

Consistent with previous determinations about advertisements featuring females modelling lingerie (0517/16, 0523/16, 0005/17) Board considered that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.

The Board determined that the advertisement did not breach Section 2.2 of the Code.

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 the models are wearing underwear which is sold in the shop and that the advertisement is a series of posters in the window of the advertiser's shop. The Board considered that the images are relevant to the product.

The Board noted that the style of lingerie worn by the women in the advertisements varies:

some of it is sheer and includes straps, zips, and neck collars. The Board noted that this lingerie is sold in the store and considered that although it is reasonable for advertisers to promote their products they should take care when using products which have a more sexualised, bondage look rather than just normal lingerie. The Board noted that the type of lingerie being modelled in these advertisements is designed to be of visual appeal and considered that although the advertiser is targeting female customers it should be noted that the complainants include women. The Board noted the lingerie does fully cover the women's private areas and considered that overall the level of nudity is mild in the context of the advertised product and the while the lingerie itself is sexy the poses of the women are not overly sexualised.

The Board noted the complainant's concern that the lingerie has a bondage theme but considered that the inclusion of zips and straps is not uncommon in lingerie and in the Board's view the inclusion of these styles is not of itself suggestive of bondage. The Board noted that the women are pictured on their own and considered that their lingerie does not appear to be constricting or limited their movement and there is no suggestion that they are wearing the lingerie against their will or as part of a bondage themed scenario.

The Board noted there is a level of community concern about the sexualisation of children and acknowledged the placement of the advertisement meant that the relevant audience was very broad and could include children.

The Board acknowledged that some members of the community might be offended by the advertisement but considered that the images are only mildly sexualised and did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and 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 complaints.