



## Case Report

1	Case Number	0084/14
2	Advertiser	Target Australia Pty Ltd
3	Product	Retail
4	Type of Advertisement / media	Mail
5	Date of Determination	26/03/2014
6	DETERMINATION	Dismissed

### ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.4 - Sex/sexuality/nudity S/S/N - sexualisation of children

### DESCRIPTION OF THE ADVERTISEMENT

Target catalogue which commenced on 6 March - images of children on pages 8 and 9 wearing clothing, and images of women on page 10 wearing underwear.

The children are young teens and there is one boy and two girls. The clothing shown includes jeans, t-shirts and a denim dress. The header reads "new season kids' denim. There are younger toddlers also wearing denim jeans and skirts.

The women are wearing lace briefs and two women have beanies on as well. One model has a "kiss" printed on her underpants.

### THE COMPLAINT

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

*These advertisements are disturbing and inappropriate, as they sexualise young girls and children and put them in unnatural, 'adult' poses. Perhaps the girls are not as young as they appear, however if not the question has to be asked, why use models who look so young? Young girls should not be firstly exploited, and secondly sexualised on film to promote any products, but in particular underwear, which is by its nature skimpy and revealing. If it seems 'necessary' to use sexualised poses, or display revealing attire on human models, then Target should avoid any ambiguity and employ only models who are clearly adults. Children should*

*be photographed, fully clothed only, in age appropriate situations, and not posed like older models in 'suggestive' positions (eg, glancing upwards at the camera and similar poses that are recognised and understood socially as sexual). This is very disappointing from Target, who as a family store should take these matters seriously and I know they have been criticised in the past for similar ways of promoting products and for clothing that sexualises children. One of the most disturbing aspects of the images is that these are permanent photos of real children. Another is, what might be the images and / or poses etc, that don't make it into the catalogue - who is protecting these young models and looking after their interests on photo shoots?*

## **THE ADVERTISER'S RESPONSE**

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

*We refer to your letter dated 6 March, regarding the complaint received in relation to the print advertisement for women's underwear and children's clothing in the catalogue promotion by Target Australia Pty Ltd (Target) which commenced on 6 March and ends on 12 March (the Catalogue).*

*Target does not consider the advertisement to breach any part of Section 2 of the AANA Advertiser Code of Ethics (the Code) or the AANA Code for Advertising and Marketing Communications to Children (the Children's Code).*

*Target submits that the advertisement of women's underwear on page 10 of the Catalogue does not fall within the definition of an "Advertising or Marketing Communication to Children" as set out in section 1 of the Children's Code. The advertisement is not primarily directed to children aged 14 years or younger and is not an advertisement for a product which is targeted toward or has principal appeal for children.*

*The relevant sections of the Code provide as follows:*

*2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.*

*The complainant was concerned that the models used appeared to be very young "probably in their mid-teens" and were in "fairly revealing and 'adult' underwear and in 'sexy' poses" and that "Target should avoid any ambiguity and employ only models who are clearly adults".*

*We advise that the age of the model with the blond hair who appears on page 10 is 22 years of age and model with the darker hair is 26 years of age. We consider the advertisement to be appropriate and in line with Target's brand values. The target market for the advertising is women and the main message is that the Target range of underwear is accessible to the Target customer.*

*The underwear range depicted on page 10 of the Catalogue is pretty and feminine - not overtly sexual. The underwear is not minimal or sheer. The models are not posed in a provocative or overtly sexual manner.*

*We submit that it is both necessary and reasonable to depict the underwear in the manner intended in the Catalogue. We do not consider that the advertisement sexualises the models used in the advertisement. A copy of the relevant page from the Catalogue is enclosed for your information.*

*We consider that the advertisement is appropriate for and reflective of our target market and would not offend the sensibilities of the general public within the context of an advertisement for womens underwear.*

*The complaint relates to section 2.4 of the Code requiring "sex, sexuality and nudity with*

*sensitivity to the relevant audience". We submit the images on page 10 of the Catalogue are in keeping with typical womens underwear advertising and would not be considered sexual or exploitative by the general community. We consider that the advertisement does not breach section 2.4 of the Code.*

*In relation to the children featured on pages 8 and 9 of the Catalogue, the relevant sections of the Children's Code are as follows:*

*2.4 Advertising or Marketing Communications to Children:*

*(a) must not include sexual imagery in contravention of Prevailing Community Standards; and*

*(b) must not state or imply that Children are sexual beings and that ownership or enjoyment of a Product will enhance their sexuality.*

*The complainant is concerned that the children modelling the clothing on pages 8 and 9 of the Catalogue "are sexualised and/or adult-like, in terms of expression and pose" and should not be "posed like older models in 'suggestive' positions (eg, glancing upwards at the camera and similar poses that are recognised and understood socially as sexual)".*

*We advise that children featured in Target's catalogues are asked to be silly, cool, playful, fun and at times jump around, be serious, use the features of the garments etc to help create a relaxed atmosphere at photographic shoots. Often the children are photographed separately and the images are combined at a later production stage.*

*The children featured on pages 8 and 9 of the Catalogue are in poses typical of children in print advertising, and are not posed in a provocative or overly sexual or adult manner. A copy of the relevant pages from the Catalogue is enclosed for your information.*

*We consider that the advertisement is appropriate for and reflective of our target market, and would not offend the sensibilities of the general public within the context of an advertisement for children's clothing, and does not include sexual imagery in contravention of Prevailing Community Standards.*

*The complaint relates to section 2.4 of the Children's Code. We submit the images on page 8 and 9 of the Catalogue are in keeping with typical children's clothing advertising and would not be considered to sexualise children by the general community. We consider that the advertisement does not breach section 2.4 of the Children's Code.*

*The complainant has also queried "who is protecting these young models and looking after their interests on photo shoots?" The photographic studio used by Target for its catalogue is Huge Photography of Richmond (Huge). The photographic shoots of children are supervised by an art director from Target, the Huge photographer, producer, stylist, hair and make-up artists, and they each have Working With Children Checks issued by the Department of Justice. Children also have their parents or grandparents attend all photographic shoots. In addition, the relevant permits for children working in the entertainment industry must be obtained in advance of any photographic shoot.*

*Target is therefore satisfied that children are appropriate supervised at all photographic shoots conducted at Huge.*

*Target is committed to upholding the standards of the Code in its advertising and appreciates your review of our response to these complaints.*

## **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 includes images of women and girls that are sexualised and inappropriate.

The Board reviewed 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 the advertisement is a catalogue delivered to mailboxes and features teenagers modelling clothing, young children modelling clothing and women modelling lingerie.

The Board firstly considered the images of the children in the catalogue and noted that the children in the catalogue are young teens and children and that the images show the children fully clothed and in a variety of poses to show the clothing range being featured. The Board noted the complainants concern that the children are in poses that are suggestive and of an adult nature making them appear sexualised.

The Board considered that the images included poses that were typical of the types of positions that children carry out themselves when asked to pose for a photo. The Board noted that the advertiser often distributes catalogues as a promotional method and that the images in this catalogue are in line with the types of images used in previous catalogues for Target and for other retail stores also.

The Board noted that the practice note to the Code states that "Advertisements with appeal to young people (under 14 years) which contain sexualised images or poses are to be used with caution. Models which appear to be young should not be used in sexualised poses". The Board considered that the target audience of this type of catalogue would likely be over the age of 14 but agreed that young readers may also view the catalogue. The Board considered that the images of the children in the catalogue were not sexualised and that they were sensitive the relevant audience that could include other children.

The Board then considered the images of the young women in the catalogue who are wearing lingerie. The Board noted the complainants concern that the images are sexualised and in particular the woman looking back over her shoulder and in black briefs with a "mouth" print on them is posed inappropriately.

The Board noted that they had previously dismissed a complaint regarding a poster advertisement for Target (ref: 0072/12). In this advertisement a woman was posed in lingerie including suspenders.

The Board noted that in the above case that "the pose of the model in the image is in keeping with typical lingerie advertising and that the lingerie fully covers the model's private areas. The Board considered that the image of the woman is not sexualised and is not sexually seductive".

Consistent with the matter above, in the current advertisement, the Board considered that the woman is posing in a manner that is intended to show the print that is on the back of the underpants. The Board agreed that the model's pose with a curved back and legs slightly parted is mildly sexual but the woman is fully covered and does not expose any parts of her

private areas.

The Board noted that it is reasonable for an advertiser to display product that is available for purchase and that the images of a woman in lingerie are not inappropriate in the context of the product being sold.

Based on the above the Board considered that the advertisement did treat 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 Board dismissed the complaint.