



Case Report

1	Case Number	0138/16
2	Advertiser	Target Australia Pty Ltd
3	Product	Clothing
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	13/04/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading
- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.4 - Sex/sexuality/nudity S/S/N - sexualisation of children

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement promotes Target's range of jeans for the whole family. It opens on Jessica Mauboy dancing across the screen wearing a white shirt and black high heeled shoes and then jeans appearing on her as she passes by a white pillar. We then see a toddler wearing jeans, Sonia Kruger wearing jeans and a white singlet, a man wearing grey boxers and a white t-shirt who also has jeans on after passing a white pillar. Various other models are shown wearing jeans, including children, male and female models and Dannii Minogue. The final scenes include a group shot of all participants followed by the Target logo and the text, "Yay everyday".

THE COMPLAINT

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

The lady is acting sexy; the image switches to a VERY young girl wearing the same clothes next the sexy lady 'flashes' her sexy undies, the picture switches to a possibly teenage girl wearing the SAME clothes.

Firstly the image and its resultant/expected/arousal is suddenly transferred to a "five year old child" (Guessing) stinks of paedophilia.....

Secondly the sexy lady flashes her panty clad butt, then the image switches to the possibly

*teenage child....stinks of sexualizing the teen/pre-teen child
(note that the use of the same colour and type of clothing is a device cleverly? used to transferee fixations between the females of different ages and hence the sexual connotation. why the woman suddenly flashes her panties, I don't know. all I know is the add left me feeling appalled and I am definitely not some sort of sexual wowsler, I however do not approve of paedophilia or the sexualisation of young girls.the youngest girl in this add could be described as a baby !)
.....it's hard to put into words the pointlessness of this degrading, perverted add, why would channel 9 air it?*

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 regarding the complaint received in relation to television commercial for jeans recently broadcast on television nationally by Target Australia Pty Ltd (Target) between the dates 6 March and 20 March (the Television Commercial).

Target does not consider that the Television Commercial breaches 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 Television Commercial 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 Television Commercial 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 female models appearing in the Television Commercial were 'acting sexy', that one was "flashing her panty clad butt", and that the sudden image switches to young children and teenagers in similar clothing "stinks of paedophilia" and "stinks of sexualizing of teen/ pre-teen child".

The idea behind the Television Commercial was to demonstrate that Target has the right fitting pair of jeans for everybody, given that this can be a difficult and frustrating experience for many people. The Television Commercial was simply a creative way of demonstrating Target's wide range of denim.

The Television Commercial features Target's brand ambassadors Sonia Kruger, Dannii Minogue, Jessica Mauboy and Sophie Faulkner. In the shots featuring these ambassadors, as well as a number of shots featuring adult male models, they initially appear to have bare legs and on walking past vertical bars they are suddenly wearing jeans. In one shot, the white briefs being worn by Sophie Faulkner are momentarily visible. In all shots featuring children, they are fully clothed.

We consider the Television Commercial to be appropriate and in line with Target's brand values. The target market for the advertising is women, men and adults who buy clothing for their children, and the main message is that Target range jeans for everybody.

The Television Commercial is a not overtly sexual, and the female ambassadors are not depicted in a provocative or overtly sexual manner.

We consider that the Television Commercial 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 jeans for the family.

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 of the women in the Television Commercial are in keeping with typical clothing 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 in the Television Commercial, 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 featured in the Television Commercial are being sexualised because the images switch between the female ambassadors and the children.

The children featured in the Television Commercial are not shown in a provocative or overly sexual or adult manner.

We consider that the Television Commercial 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 of the children in the Television Commercial 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.

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 portrays women and younger girls wearing the same type of clothing, with the women flashing their underwear in a sexualised manner, creating an effect of sexualisation in relation to the young girls.

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 the practice note for Section 2.2 which reads: “In advertisements where images of children are used, sexual appeal is not acceptable and will always be regarded as exploitative and degrading. . . . Children must not be portrayed in a manner which treats them as objects of sexual appeal”.

The Board therefore considered whether the images are of themselves using sexual appeal in a manner which is exploitative and degrading.

The Board noted that the adult women and men in the advertisement are posturing, as if on a catwalk, and there are brief scenes showing them with bare legs, and then appearing in jeans. The Board considered that the models appear happy and confident.

The Board noted that the children in the advertisement only appear fully clothed in the advertised jeans and appear relaxed and happy when interacting with the adults.

The Board noted it had previously dismissed images of children advertising clothing in case 0138/13:

“The Board considered that the poses of the girls were consistent with the poses children of that age would naturally assume if asked to pose for the camera and considered that most members of the community would interpret the images to be promoting a children’s product in a manner which is appropriate and not sexualised.”

The Board considered that the children in the current advertisement are posed wearing the advertiser’s product range in a manner which in the Board’s view is a normal and appropriate image of a child and is not sexualised. The Board noted the complainant’s concern that the children are being sexualised and considered that this is an interpretation unlikely to be shared by the broader community.

The Board determined that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading and that the advertisement did not breach Section 2.2 of the Code. The Board determined 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”.

The Board noted that the advertisement is for jeans and uses a series of scenes showing the adult models with bare legs before they are seen wearing jeans.

The Board noted the advertiser’s response that the idea behind the advertisement was to show that Target has the right fitting pair of jeans for everybody.

The Board considered that the poses struck by the models are consistent with a fashion shoot and that the advertisement did not present sexualised imagery or inappropriate nudity. The Board noted the emphasis on the jeans advertised and considered that the poses and dance moves of the models are not sexualised or inappropriate.

The Board noted that the adults are presented in a manner which is clearly intended to show the clothing they are promoting and that they appear happy and confident. The Board considered that it is appropriate that an advertisement for jeans would show the fit of the jeans, including the rear fit.

The Board considered that the manner in which the clothing is presented in the advertisement is appropriate, and that most reasonable members of the community would agree that the theme of the advertisement is not sexualised and the adults and children featured in the advertisement are not presented in a sexualised manner.

The Board noted that the advertisement had been rated ‘W’ by CAD which means it can be broadcast at any time except during Preschool and Children’s (P&C) programs or adjacent to P&C periods. The Board considered that the advertisement is not sexualised and does treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

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 other grounds, the Board dismissed the complaint.