



Case Report

1	Case Number	0146/12
2	Advertiser	Bras n' Things
3	Product	Clothing
4	Type of Advertisement / media	Poster
5	Date of Determination	24/04/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

Image of a woman lying on her side with one hand against her head. She is wearing black and pink lacy lingerie (bra and briefs). The image appears in a lightbox outside a Bras N Things store.

THE COMPLAINT

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

My objects stem from wanting to protect today's young girls from the pressures of being a certain size, looking a certain way and wearing seductive lingerie to 'fit in' or be 'acceptable' to the opposite gender. I also abhor the fact that this ad is within sight of all children as you cannot avoid it as you walk through the shopping centre unless you go downstairs and then back up again. These pictures belong in Penthouse magazine not on a shopping centre wall.

THE ADVERTISER'S RESPONSE

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

Thank you for your email of Wednesday 4th March, regarding the Bras N Things light boxes in Highpoint.

Our light boxes are updated every 6 to 12 months. The specific promotion the complainant viewed has been on display since January.

The complainant mentioned a specific image of a woman in 'black lacy lingerie'.

As with all retailers, Bras N Things' shop windows and shop fronts are a critical part of our visual merchandising and are a key resource in drawing potential customers into the store.

Bras N Things is of the belief that our store windows and shop fronts should be used to strongly promote the products represented within the store.

Sleepwear and lingerie always looks best when promoted in a way that it is intended to be used – that is, on the body. Posters convey this most effectively.

Bras N Things believes our window promotions reflects the core products we sell and caters to our prime customer base of 18-35 females. Our campaign shots are intended to appeal to these customers, not to 'pressure young girls to be a certain size, look a certain way or wear seductive lingerie to fit in.'

We also received similar feedback directly via our website. Someone from our office called the complainant on Tuesday 3rd March to discuss the complaint directly and conveyed much of the information mentioned above. The complainant was appreciative of the call.

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 features an image of a woman in seductive lingerie which is more suited to a men’s magazine than a shopping mall and that it encourages young girls to look a certain way.

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

The Board considered whether the advertisement complied with Section 2.2 of the Code which 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 advertisement was seen in the window of a Bras N Things store and depicts a woman lying on her side wearing matching lingerie.

The Board noted that the woman is posed in a manner which is clearly intended to show the lingerie and is not overtly sexualised. The Board considered that the woman is not represented in a manner which could be considered exploitative and degrading.

The Board determined that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading and 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 advertisement is featured in a lightbox facing outwards to shoppers passing by and features a woman wearing products that are available for purchase in store. The Board considered that it is reasonable to expect a lingerie advertisement to feature imagery of lingerie and noted that the advertisement is aimed at women seeking to buy lingerie. A minority of the Board considered the pose of the woman to be flirtatious and seductive however the majority of the Board considered that the image is not sexualised.

The Board noted that the advertisement is visible to a broad audience that includes children and considered that most members of the community would not find the image used in this advertisement to be inappropriate for a broad audience.

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.

The Board then considered whether the advertisement was in breach of Section 2.6 of the Code. Section 2.6 of the Code states that: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Board noted the complainant’s concerns that the advertisement encourages young girls to be a certain size and look a certain way. The Board noted that the image in the advertisement is in keeping with the current style of advertising used to promote lingerie.

The Board considered that the use of ‘thin’ models is common practice in the fashion industry and that it is acceptable for the advertiser to promote their advertisement in a style designed to capture the attention of their target audience, i.e young women, provided that the images are not depicting women in a way that would be seen to condone unhealthy body weight. The Board considered that in this advertisement the model appears to be healthy and not underweight.

The Board considered that whilst many people do not have physiques like the model in this advertisement the advertisement does not depict an unhealthily thin woman or promote unhealthy body weight.

The Board determined that the advertisement did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.

