



Case Report

1	Case Number	0225/13
2	Advertiser	Missguided
3	Product	Clothing
4	Type of Advertisement / media	TV
5	Date of Determination	10/07/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The advertisement for Missguided features female models posing whilst wearing different items of clothing from the range. One scene shows a woman in a pool, another shows two women sitting in a car.

THE COMPLAINT

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

I object to two things about this ad. It portrays young women in a particularly sexual manner - legs open, short shorts etc etc. In today's climate we do NOT need ads like this. I also really object to this ad being placed on weekend TV at 8am in the morning. What teenage girls is even awake then??? It's kids and parents.

This ad was sexually explicit. The women were dressed in very revealing clothing, and were shown dancing and in poses that were proactive and revealing. It was particularly inappropriate for the afternoon timeslot where children were watching the TV at that time.

THE ADVERTISER'S RESPONSE

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

Thank you for contacting us with regards to the complaint.

We're sorry for the upset caused to the viewer following the placement of our advert during Hot Seat on the 21st June on Channel 9.

I have been liaising direct with our media agency in Australia on the matter to investigate further. The CAD number was approved on the 1st June. They have this as a W rated commercial which the description of a W constitutes is attached in addition to the CAD no. So we cannot run in Kids programming. The complaint came in at 1740 during Hot Seat which is a Game Show and therefore not a kids show.

Our agency flagged the W rating with the media at time of booking so we believe there is no concern with the placement.

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 women wearing revealing clothing in sexualised poses and this is not appropriate for a broad audience which could include children.

The Board viewed 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 the advertisement features images of female models wearing Misguided clothing in different scenarios.

The Board noted the overall theme of the advertisement is of a presentation of a clothing range and that all the clothing the models wore was consistent with the clothing worn by teenage girls and young adult women. The Board considered that the advertisement was stylised and consistent with advertisements for similar clothing ranges.

The Board noted the complainant’s concerns that the poses of the models in the advertisement were sexualised and considered that the most likely interpretation is that the models are confident and empowered and whilst some of the poses may be considered to be mildly sexualised, in the Board’s view they are not inappropriate in the context of an advertisement for a clothing range aimed at young women.

The Board noted that the advertisement had been rated W by CAD and considered that the content of the advertisement was not inappropriate for viewing by a W audience which would include children.

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.

Further finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.