



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0228/18
2	Advertiser	Bras n' Things
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	09/05/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement features a brunette woman sitting on the arm of a black couch and wearing black lingerie and stockings.

THE COMPLAINT

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

I object to the poster been so large and outside the store, quite embarrassing to walk pass with young children and have them staring at it and pointing. Very soft porn and advertising aimed at getting men happy. I would expect to see the picture in a porn shop not in the family shopping centre.

There is a time and place. Has it become so common place to see near naked females that we expect our young girls to be like this. I am not a prude but advertising sex where kids can see it is going too far.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this





advertisement include the following:

Bras N Things does not feel that it has breached any advertising standards.

The image included in the campaign that is being called out in the attached complaint started 9 April and ran until 29 April (across all stores). The image mentioned has the model completely covered showcasing a style that was new to Bras N Things for the three week campaign and there is no nudity at all in the image, as with all of our campaign photos.

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

2.4 Sex, sexuality and nudity

At Bras N Things we are passionate about empowering all women to feel beautiful from the inside and out and as such, we endeavour to provide women with a range of lingerie and sleepwear products that appeal to many different women's tastes and style preferences.

Bras N Things does not feel that it has breached any advertising standards with this campaign. The models wear lingerie throughout the campaign imagery, there is absolutely no nudity, we always ensure that everything is covered. We are showcasing our latest collection in a non-sexual way.

Our products are designed by women for women, to satisfy women when they wear it.

THE DETERMINATION

The Ad Standards Community Panel (the "Panel") considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the "Code").

The Panel noted the complainant's concern that the advertisement is overly sexualised and inappropriate for a poster which children would see.

The Panel viewed the advertisement and noted the advertiser's response.

The Panel 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 or degrading of any individual or group of people."

The Panel noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

Exploitative - (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or (b) focussing on their body



parts where this bears no direct relevance to the product or service being advertised.
Degrading – lowering in character or quality a person or group of people.

The Panel noted the image on the poster advertisement shows a woman sitting on the arm of a couch wearing black lingerie and stockings.

The Panel noted the complainant's concerns that the advertisement is soft porn advertising aimed at making men happy.

The Panel considered the woman in the poster was smiling and relaxed, and that her facial expression is happy and not sexualised and her pose was not sexually suggestive.

The Panel noted the product for sale was underwear and that it was reasonable for the advertiser to depict their product being worn, and there was nothing in the advertisement which suggested that the woman in the advertisement was an object available for sale.

The Panel considered that the advertisement did not lower the woman in character or quality and there was nothing in the poster itself which would be considered degrading to women in general by most members of the community.

The Panel considered that while the advertisement did contain sexual appeal the woman was not depicted as an object and there was no focus on her body which was not directly relevant to the product being sold.

In the Panel's view, the advertisement did not employ sexual appeal in a manner which is exploitative or degrading of any individual or group of people.

The Panel 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 Panel noted that the advertisement was in the window of the store in a shopping centre and would be visible to a broad audience, which would include children.

The Panel considered that the complainant's concern that the advertisement was soft-porn and was inappropriate to be seen by children.

The Panel considered that the woman in the advertisement was appropriately covered by the lingerie and that her nipples and genitals were covered. The Panel noted that the level of nudity in the advertisement was mild and treated with sensitivity to a broad audience which would include children.



The Panel considered that the woman's pose and facial expression was not sexualised, and considered that the level of sexuality in the advertisement was mild.

The Panel determined that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience and did not breach Section 2.4 of the Code.

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