



Case Report

1	Case Number	0268/17
2	Advertiser	Bras n' Things
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	21/06/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement for Bras N Things is displayed in store windows and features images of women wearing different styles of lingerie. There is a woman wearing a burgundy halter-neck style bra with matching briefs, three women wearing lacy black bras and briefs and black top hats, and a woman wearing a nude body suit with black embroidery lying on her back with her legs resting against a wall. The text reads, "Now Trending #Velvet".

THE COMPLAINT

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

Not near enough clothing on. Lingerie yes I understand. Why is sex being perpetuated and allowed to be encouraged in a main family environment? What do I try to explain to my not even 4 year old boy? We wonder why our girls as young as 8 have eating disorders and women have low self-esteem.

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 and have received some great feedback from our customers regarding the campaign.

The window display for the mentioned campaign started 14 May and is due to run up until Wednesday 30 May (across all stores). The content showcases a range of styles from our current Velvet campaign.

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

2.4 Sex, sexuality and nudity

Bras N Things is a lingerie retailer and therefore showcase a variety of lingerie styles in our campaigns. The models wear lingerie throughout the campaign imagery, there is absolutely no nudity. We are showcasing our latest collection in a non-sexual way.

2.6 Health and Safety

The video does not relate to any health and safety issues.

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 sexualised images of women who appear to be very thin which is not appropriate and encourages eating disorders in women.

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: (a) where images of Minors, or people who appear to be Minors, are used; or (b) in a manner which is exploitative and degrading of any individual or group of people.”

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

“Exploitative - means clearly appearing to purposefully debase or abuse a person, or group of persons, for the enjoyment of others, and lacking moral, artistic or other values.

Degrading – lowering in character or quality a person or group of people.”

The Board noted that in order to breach this Section of the Code the images would need to be using sexual appeal in a manner that is considered both exploitative and degrading.

The Board noted this poster advertisement featured in the store window of Bras N Things features three different images of women in lingerie.

The Board noted that the lingerie is available for purchase in store and that it is reasonable to expect the advertiser to use available product in the advertising for that store.

The Board acknowledged that some members of the community may find the use of a woman in lingerie to be exploitative but the Board considered that in the context of a lingerie advertisement it is not exploitative to use such images and in the Board's view the manner in which the women are depicted is not degrading to these woman or to women in general.

Consistent with previous determinations about advertisements featuring females modelling lingerie (0517/16, 0523/16, 0005/17, 0268/17) the Board considered that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.

The Board determined that the advertisement 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 the complainant's concern that the advertisement features inappropriate images of women in lingerie.

The Board noted the image of the woman wearing a burgundy lingerie set and considered that her private areas are fully covered and the level of nudity is consistent with lingerie advertising. The Board noted the pose of the woman in burgundy and considered that her seated position is not sexualised but rather is designed to showcase the lingerie she is wearing.

The Board noted the image of the three women wearing black lingerie and top hats and considered that their private areas are fully covered and the level of nudity is not excessive or inappropriate. The Board noted the pose of these women and considered that they are not presented in a sexualised manner and their facial expressions are happy, not sultry. The Board noted that the lingerie the women are wearing is lacy but considered that although the lingerie itself is designed to be sexy the manner in which the women are modelling the lingerie is not sexualised.

The Board noted the third and final image which depicts a woman wearing a nude body suit with black lacy detail. The Board noted the body suit covers the woman's torso and considered that the level of nudity is mild and not inappropriate. The Board noted the pose of the woman and considered that whereas the other two images are of women in an upright position showcasing the advertised lingerie, this third image depicts a woman lying on the floor with her legs raised against a wall and in the Board's view the focus is less on the lingerie itself and more on the pose of the woman. The Board noted that although it is reasonable for advertisers to promote their products the Board considered that advertisers should take care in how their products are presented. The Board noted that this image of the

woman lying on the floor is sexualised but considered that as the woman's torso is fully covered by the body suit the image is not so sexualised as to be inappropriate for a broad audience which would include children.

Overall the Board acknowledged that some members of the community would prefer that lingerie not be advertised in the public domain but considered that in this instance the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: "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 models in the advertisement are thin and that this contributes to eating disorders in women.

The Board noted that in the fashion industry it is common to use models that are slim but considered that the models in the advertisement do not appear thin, even for models, but rather appear fit and healthy. The Board acknowledged that obesity, anorexia and body image are issues of community concern but considered that consistent with previous determinations (0111/11, 0477/11, 0379/15) the advertisement does not depict unhealthily thin women and does not promote, encourage or condone unhealthy body weight.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards and 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.