



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0283/13</b>
<b>2</b>	<b>Advertiser</b>	<b>Target Australia Pty Ltd</b>
<b>3</b>	<b>Product</b>	<b>Clothing</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Pay TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>14/08/2013</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.5 - Language Inappropriate language

### DESCRIPTION OF THE ADVERTISEMENT

Gok Wan introduces himself and says he is all about a woman's assets. He then goes on to say that 85% of women don't know their correct bra size and we see various women in their undies, being measured for a bra or walking down a catwalk. Gok then says that "your bangers will never feel more loved".

### THE COMPLAINT

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

*They describe women's breasts as "Bangers" which I believe is a very derogatory description of a women's breasts which I find offensive.*

*Teaching our children to refer to a women's breasts as "Bangers" is not a positive step on the road to respectful treatment and equality for women.*

### 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 dated 25 July, regarding the complaints received in relation to the television commercial (TVC) for underwear in the Gok Wan campaign Target Australia Pty Ltd (Target) is currently conducting.*

*The TVC is part of a campaign featuring Target's brand ambassador Gok Wan (the Gok Campaign). The TVC forms part of the suite of advertisements promoting Target's underwear. The underwear advertisements were not the first advertisement in the Gok Campaign. Other advertisements in the Gok Campaign have featured homewares and women's outerwear and contain similar messages about feeling good about yourself and the way you present yourself using products ranged at Target. Further advertisements will feature children's wear and menswear.*

*The TVC features Gok encouraging women to dress in correctly sized and shaped underwear to feel good about themselves. The women used to model the underwear in the TVC have a range of normal body shapes. None of them have an idealised body shape. During the TVC Gok says "your bangers will never feel more loved."*

*Target does not consider the advertisement to breach 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 advertisement 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 advertisement 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:*

*2.1 Advertising or marketing communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.*

*2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.*

*2.5 Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.*

*The complainant is offended by Gok referring to breasts as bangers. The complainant views the comment as "not a positive step on the road to respectful treatment and equality for women".*

*We respectfully disagree with the complainants. The target market for the advertising is women and the main message is that the Target range of underwear is accessible to the Target customer. We consider the advertisement to be appropriate and in line with Target's brand values.*

*Gok Wan was chosen as a brand ambassador for Target because of his personality and reputation. He feels good about who he is as he is. He is playfully irreverent, colourful and fun. He has a great capacity for making other people feel good about themselves too. Gok is a British style icon. The brands he has chosen to provide with his imprimatur are Department Stores such as Sainsbury's in the UK and Target in Australia - not high end fashion houses. He is about making fashion accessible to everyone and making people feel good about themselves.*

*The Gok Campaign is about building confidence, looking and feeling fantastic and having fun. The majority of feedback that Target has received regarding the Gok Campaign, including the underwear advertisements, is that our customers are telling us they love the honesty and quirkiness of our language and imagery.*

*The TVC is intended to capture Gok's playful approach. It contains words used in common parlance such as "assets" to encourage women to think about themselves in positive terms. "Bangers" is used in wry acceptance that not everyone thinks about their breasts in positive terms. It is an irreverent term of affection. It is not designed to be disrespectful. The use of "Your bangers will never feel more loved" recognises the ambivalence many women have for their bodies. It is not designed to demean or lessen women. The TVC is about celebrating who you are as you are and feeling good about it.*

*The TVC does not portray an unattainable body image that makes women feel bad about themselves. The TVC is respectful of women and promotes equality based on acceptance of self and not body image. Target's view is in this context, the use of gently humorous language is appropriate.*

*We note that the TVC was provided with a CAD rating of W, with a CAD reference TAR027530WU. It has only been displayed to the public in accordance with that rating in an appropriate timeslot from Wednesday 24th July.*

*We consider that the advertisement 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 women's underwear.*

*We note that section 2.1 of the Code prohibits advertising or marketing communications that "portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief". We submit that the TVC does not vilify women or treat them with disrespect. We consider that the advertisement does not breach section 2.1 of the Code.*

*The complaint relates to section 2.4 of the Code requiring "sex, sexuality and nudity with sensitivity to the relevant audience". We submit the language 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.*

*Section 2.5 of the Code requires only language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language*

*shall be avoided. Target submits that the language used in the advertisement is appropriate and not strong or obscene. We consider the advertisement does not breach section 2.5 of the 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 is offensive and derogatory to women by referring to their breasts as “bangers”

The Board first considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted that the advertisement features Gok Wan a well - known fashion stylist as he moves around a Target store talking to the camera about women’s bras and choosing the right bra size. At the commencement of the advertisement Gok states that he is “all about your assets”. As some models walk along a fashion runway, Gok states that “your bangers will never feel more loved”.

The Board considered that the overall tone of the advertisement is positive and light-hearted and is intended to draw the attention of women to the various bras available in store and also to the fact that it is important to purchase the correct bra size.

The Board noted that the use of the term “bangers” is not a term that is commonly used in Australia in the context of women’s breasts. The Board noted that the advertisement includes women of varying sizes and shapes and that the woman appear very happy and comfortable being presented in their underwear.

The Board considered that the reference to woman’s breasts and bras and the use of the term “bangers” by a male fashion stylist does not amount to material that is discriminatory of any people or persons of a particular gender and did not breach section 2.1 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 women in the advertisement are seen in their underwear and are standing in a group as in a photo shoot and also walking along a fashion catwalk. The Board

noted that the women are completely covered by their bra and underpants and that there is no inappropriate nudity and no exposed breasts or private areas. The Board considered that the women are not portrayed in a sexualised manner.

The Board considered that the theme of the advertisement was not of a sexual content and that the presentation and discussion about bras was factual and helpful for the target market of women who wear bras.

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 viewed the same advertisement on TV (0274/13) and reached the same decision and determined that the advertisement did not breach Section 2.4 of the Code.

While the Board to sexual performance in a radio advertisement however, the Board considered that the advertisement's treatment of sex and sexuality was not inappropriate to an after 8.30pm audience

The Board then considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: "Advertising or Marketing Communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided."

The Board considered the term 'bangers' and recognised that some members of the community may be offended by the reference to women's breasts as bangers. The Board considered that the word is not commonly used in Australia in this manner but that in this instance it is not used in a derogatory way and that the use of the term bangers is one that is used by Gok as part of his programs and persona.

The Board considered that the term 'bangers' is not inappropriate and not strong or obscene language in this context.

The Board determined that the advertisement did not use strong or obscene language and that it did not breach Section 2.5 of the Code.

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