



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0328-19
2. Advertiser :	Pretty Little Thing
3. Product :	Clothing
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	9-Oct-2019
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.4 Sex/sexuality/nudity

DESCRIPTION OF ADVERTISEMENT

This advertisement open on a pink car bonnet with "PRETTYLITTLETHING x SAWEETIE" written on it. A woman is shown driving the car, then unloading Pretty Little Thing shopping bags in back seat. She poses around the pink car. She irons, drinks a cocktail, and a strawberry. She walks forward to camera. A montage of the woman in different outfits around luxurious house – at front door, backyard, sitting by pool with Poodle dog. The woman is standing by pink car, fanning herself with notes, then posing on a motorcycle. The woman poses by a pool, notes floating in the water, by water fountains. The advertisement ends with the woman posing by the pool sweeping out the floating notes.

THE COMPLAINT

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

The "models" poses, their expressions and their outfits are too sexualised and it is a bad influence for children/teens.

This played during the day and my two young daughters viewed it during a commercial break. The ad is very sexual and i feel its inappropriate for children to see womens bodies selling a product in this way.



I didn't think that this advertisement was appropriate for this time of day and the fact that it is called Pretty Little Things and targeted at girls who want to be gangsta is troubling.

Ad promotes stereotyping and objectification of women, overtly sexual "stripper" type imagery especially in this time slot

*Really not appropriate for the time slot it was shown!
I can only assume is it a website that does not respect women in any way!*

This advertisement is marketed to females aged 15 and over. The advertising material is degrading to females. Depicts females in barely there "clothing" highly sexualised. The time the advertisement was aired I also found inappropriate as my young children were watching tv with me. This is not the type of advertising material I want my children to be exposed to. Normalising the sexual exploitation of women is not ok. I feel that this material has a negative impact on young girls and boys. TV has a great impact on young children, these types of advertising material that portray females as sexual objects instills that this type of behaviour is accepted and normal in society. Such "clothing" or advertising material should not be allowed to be advertised as it falls more in to an X rated market.

It was almost naked girls advertising swimwear with their rear ends so exposed that I found it very offensive and the girls were lying all over motor bikes it was on during a show that most children would watch.

THE ADVERTISER'S RESPONSE

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

There is no sexual content in this ad (2.4), discrimination or vilification (2.1), exploitation or degrading (2.2), Violence (2.3), Language (2.5), health and safe issues (2.6) and is distinguishable as advertising (2.7)

It is reasonable for an advertiser to use an attractive model to showcase the items available for purchase.

All clothing items are relevant to the target audience and are reflective of current fashion trends and the current weather in season. Models are not displayed in a suggestive or sexual manner.

The advertisement does not feature explicit nudity and we believe it communicates the products with sensitivity, as per Section 2.4 of the Code of Ethics.



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 complainants' concerns that the advertisement is extremely sexualised and sexually suggestive, is a bad influence on children, and that it is inappropriate to see women's bodies selling products in this manner.

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

The Panel noted that 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 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 - means (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 that the advertised product is clothing and the advertiser is justified in showing the product and how it would be worn provided that in doing so it meets the provisions of the Code.

The Panel first considered whether the advertisement used sexual appeal.

The Panel considered that the style of the clothing the woman was wearing in combination with the woman's poses did constitute sexual appeal.

The Panel then considered whether the advertisement used sexual appeal in a manner that was exploitative of an individual or group of people.

The Panel noted that the close up scenes of the model is focussed on the product being advertised and is not specifically directed at the model's body.

The Panel considered that the woman in the advertisement appeared empowered in her actions and comfortable in the clothing she is shown in. The Panel considered that there was no suggestion of her character being exploited or degraded.

The Panel determined that the advertisement did not employ sexual appeal that was exploitative or degrading of any person or group of people and therefore did not breach Section 2.2 of the Code.



The Panel 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 considered whether the advertisement contained sex, sexuality or nudity.

The Panel noted the Practice Note for the Code states:

“Images which are not permitted are those which are highly sexually suggestive and inappropriate for the relevant audience. Explicit sexual depictions in marcomms, particularly where the depiction is not relevant to the product or service being advertised, are generally objectionable to the community and will offend Prevailing Community Standards.”

The Panel noted the complainants’ concerns that the advertisement is extremely sexualised and sexually suggestive.

The Panel considered whether the advertisement depicted sex. The Panel noted the dictionary definition of sex most relevant to this section of the Code of Ethics is ‘sexual intercourse; sexually stimulating or suggestive behaviour.’ (Macquarie Dictionary 2006).

The Panel considered that the depiction of the woman in the clothing shown is not of itself a depiction of sexual intercourse, sexual stimulation or suggestive behaviour and that the advertisement as a whole did not contain sex.

The Panel considered whether the advertisement contained sexuality.

The Panel noted the definition of sexuality includes ‘sexual character, the physical fact of being either male or female; the state or fact of being heterosexual, homosexual or bisexual; sexual preference or orientation; one’s capacity to experience and express sexual desire; the recognition or emphasising of sexual matters’. The Panel noted that the use of male or female actors in an advertisement is not of itself a depiction of sexuality.

The Panel considered that the style of clothing being promoted was not full coverage but was not inherently sexualised, however considered that the posing and actions of the woman in conjunction with the clothing was sexualised.

The Panel considered that the depiction of the woman wearing this style of clothing was relevant to the product being promoted. The Panel considered that although it is reasonable for an advertiser to depict the product being promoted, the depiction should be treated with sensitivity to the relevant audience. The Panel determined that the advertisement did contain sexuality.



The Panel considered whether the advertisement contained nudity and noted that the dictionary definition of nudity includes ‘something nude or naked’, and that nude and naked are defined to be ‘unclothed and includes something ‘without clothing or covering’. The Panel considered that the Code is intended for the Panel to consider the concept of nudity, and that partial nudity is factor when considering whether an advertisement firstly contains nudity and secondly treats that nudity with sensitivity to the relevant audience.

The Panel considered the Practice Note for the Code which provides:

“Full frontal nudity and explicit pornographic language is not permitted. Images of genitalia are not acceptable. Images of nipples may be acceptable in advertisements for plastic surgery or art exhibits for example.”

The Panel noted a scene in the advertisement which depicted a woman’s posterior in a translucent material, and considered that most members of the community would consider this to be a depiction of nudity.

The Panel considered the meaning of ‘sensitive’ and noted that the definition of sensitive in this context can be explained as indicating that ‘if you are sensitive to other people’s needs, problems, or feelings, you show understanding and awareness of them.’
(<https://www.collinsdictionary.com/dictionary/english/sensitive>)

The Panel considered that the requirement to consider whether sexual suggestion is ‘sensitive to the relevant audience’ is a concept requiring them to consider who the relevant audience is and to have an understanding of how they might react to or feel about the advertisement – the concept of how subtle sexual suggestion is or might be is relevant to the Panel considering how children, and other sections of the community, might consider the advertisement.

The Panel noted that the advertisement received a P rating by ClearAds (not in children’s programs) and was aired at a time appropriate to the rating
(<https://www.clearads.com.au/storage/final-clearads-handbook-version-ca12.pdf>). The Panel considered that the relevant audience for this advertisement would likely be broad and include children.

The Panel considered that while there was a depiction of the woman’s cleavage, this style of clothing emphasises certain aspects of the body and the Panel considered that there was no depiction of nipples, or fully visible breasts.

The Panel considered a scene that depicted the woman squatting beside the pool, and noted that the woman is shown to be wearing a g-string and a translucent coverup (pool/beach coverup). The Panel considered that while a suggestion of her buttocks is implied, this is not explicitly visible.



The Panel considered that there is a degree of sexuality in the advertisement, however the Panel noted that the storyline of the advertisement focuses on a “Real Housewives” concept and considered that most members of the community would recognise the overall gaudy and tasteless theme of the advertisement and consider a tacky depiction of sexuality not to be unreasonable considering the classification.

The Panel considered that there was no undue focus on nudity or the woman’s body and the overall impression of the advertisement was sexualised, but not in a strong manner. The Panel considered that the woman in the advertisement was posed in a sexualised manner, but considered that this was in context of the storyline of the advertisement. The Panel considered that while the advertisement may be viewed by a broad audience including children, the imagery was not explicitly sexual. The Panel considered that the advertisement did treat the issue of sexuality in regards to the imagery of the advertisement with sensitivity to the relevant audience.

The Panel determined the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant 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 complaints.