



Case Report

1	Case Number	0372/10
2	Advertiser	Bonds Industries Ltd
3	Product	Clothing
4	Type of Advertisement / media	TV
5	Date of Determination	08/09/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Sex/sexuality/nudity Treat with sensitivity - Sexualization of Children

DESCRIPTION OF THE ADVERTISEMENT

A fire engine is shown driving out of the fire station and we see a group of girls with musical instruments on the open top back of the fire engine. They start playing music and singing, and we see that they are all wearing Bonds tube bras, visible under their outer wear.

As they are driven down the street, passers-by watch them and some join in by dancing to the music.

The text "made to be seen" comes up on the screen, followed by "Bonds. Tube bra."

THE COMPLAINT

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

I feel that this ad promoted young girls to wear their underwear (bras) as outer garments. They did not look to be older than 13-14 and there were men encouraged to look at them. One old guy was dancing along to them. While the ad looked like it was about fun I cannot understand why anyone would promote young girls to wear as little as possible with the intent of being perved (for want of a better word) on. I think am fairly open minded yet I have no children of my own let alone young teens and i would be horrified if they left the house wearing just bras.

And during a show about trying to reign teens in? Little bit hypocritical...

I object to the ad as it depicts young teenagers (or pre-teens) wearing bras with the tag line "made to be seen" or something to that effect.

The items of clothing are clearly bras or support wear and the girls in the ad have their shirts fully open to display the bras.

I am also very concerned an elderly male appears at the end dancing to the music the girls are playing but it's clearly making a very disturbing association with the elderly male to the teenagers displaying their bras.

THE ADVERTISER'S RESPONSE

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

Bonds takes its role as an advertiser very seriously. In this particular ad we engaged a group of female musicians, all over the age of 18, with realistic and healthy body shapes to appear as our female band. We then dressed them in our bonds tube bra, which is designed with absolute modesty in mind. The bra is thick in design (with padding for coverage – no skin or flesh to be seen) and made to be worn under outerwear to ensure modesty at all times. The women performers were on the back of a float truck which is common at major festivals and events, driven at very low speed around the streets. During the filming the women were all harnessed to the track to ensure their absolute safety. The idea was all about taking entertainment to the people. The reactions of the passersby is one of enjoyment. There is no leering, inappropriate gesturing. Its about an audience responding to a great performance. We deny vehemently that the ad contravenes any aspect of section 2 of the standards specifically:

- *The ad was factual and wasn't misleading or ambiguous to children, and is a fair representation of the product.*
- *It does not suggest that it was part of the editorial program content of any of the programs it appears in*
- *It does not sexualise children – our performers were all adults over the age of 18*
- *It does not encourage unsafe situation. We opted for a float for this reason.*
- *It does not contravene social values*
- *We do not undermine parental authority*
- *We make no price, qualifying statement, competition offer, use popular personalities , premiums nor alcohol nor actively seek personal information to contravene privacy*
- *We are advertising clothes not food and beverage*

We believe that we have been ultra responsible in presenting strong female role models and have taken great steps to present underwear in an 'outerwear' manner, unusual in the world of underwear advertising.

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 complainants' concerns that the advertisement featured girls aged 13-14 years old wearing bras as outerwear and that it gave the message that this is acceptable, and also that the advertisement featured men looking at the girls.

The Board reviewed the advertisement and noted the advertiser's response.

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone".

The Board noted the advertiser's response that all the girls featured in the advertisement were over the age of 18 years. The Board considered that the visibility of the bras was necessary in order to advertise the product.

The Board considered the reactions of the passersby in the advertisement and noted that there is no leering or inappropriate gesturing. The Board considered that the reaction of the man at the end of the advertisement is to the music he hears, and is not sexual. The Board considered that the girls featured in the advertisement all look happy and confident and that there is no unnecessary nudity or sexualised posing.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach section 2.3 of the Code.

The Board then considered whether the advertisement was in breach of 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 advertiser's response that the women performers were on the back of a float truck being driven at very low speed, and that during the filming the women were all harnessed to the truck to ensure their absolute safety.

The Board determined that the advertisement did not depict "material contrary to Prevailing Community Standards on health and safety"

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

