



Case Report

1	Case Number	0409/17
2	Advertiser	Hanes Brands Inc
3	Product	Lingerie
4	Type of Advertisement / media	Outdoor
5	Date of Determination	27/09/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement features three different women of various shapes and sizes, standing and sitting. They are wearing Berlei bras and underwear. It is shot in Black and White. The text reads 'Here's to the next 100 years of women' Berlei est.1917. It has the David Jones logo underneath.

THE COMPLAINT

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

The adverts both dishonour and demean other women by putting publically before perverted men and curious children what respect would reserve for an intimate relationship. The placement at a major stop for both the Entertainment Quarter/Stadiums and multiple schools, only makes it more unacceptable. And for the men with standards to sit in the stop with illicit images on both sides (the reflection at night) is humiliating in the other sense.

THE ADVERTISER'S RESPONSE

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

This piece of advertising is a celebration of women. It very respectfully treats women with strength and dignity. It is not a sexualised image, they are not nude. We are in the business of selling bras and underwear and we need to show the products in our ads. As a brand we have always been a champion of women - and feel most women would feel this is a very empowering piece of advertising in the intimates category that celebrates diversity, inclusivity, and strong women.

THE DETERMINATION

The Advertising Standards Board (the “Board”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Board noted the complainant’s concerns that the advertisement features illicit images that are inappropriate for viewing by a broad audience.

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 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 - purposefully debase or abuse a person for the enjoyment of others, lacking in 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 that this billboard advertisement features three women posed in bra and underpants. The text on the billboard reads: “Here’s to the next 100 years of women” – Berlei EST 1917. David Jones is listed as the stockist of the product.

The Board noted that the three women appear to be of different cultural background and varying ages. The Board noted that the women appear happy and confident and comfortable in the underwear they are presenting.

The Board considered that the women are not posed in a sexual manner and the advertisement did not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.

The Board considered the advertisement did not breach section 2.2 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 are fully covered by the underwear and there is no exposed nipple or breast or other private areas shown. The Board considered it likely that some members of the community would prefer not to see images of women in underwear in public advertising. However the Board noted that the Code does not prohibit such images rather requires depictions of nudity (or undress) to be done with sensitivity to the relevant audience.

The Board noted the placement of the image was at bus stops near to a school. The Board noted that as there is no nudity and the poses of the women are not overtly sexualised, the images were appropriate for an audience that would include children and/or young ladies and did not breach section 2.4 of the Code.

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