



Case Report

1	Case Number	0411/17
2	Advertiser	Coco Beam
3	Product	Clothing
4	Type of Advertisement / media	Transport
5	Date of Determination	27/09/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This transport advertisement consists of two images placed on Melbourne trains depicting models wearing casual clothing from online fashion boutique, Coco Beam. The first image is of a woman wearing a cropped black top with laces across the front and a black mini skirt. The woman has her left arm raised with her hand holding back her hair. The second image is of a woman wearing black shorts and a cropped grey hooded top.

THE COMPLAINT

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

Sending very poor image to young girls who travel on the train to get to school that this is the way to present yourself if you want to be liked or seen as attractive.

THE ADVERTISER'S RESPONSE

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

Section 2. Response addressing AANA Code of Ethics:

2.1 Discrimination or vilification

- *We believe the Advertisements comply with this section.*

2.2 Exploitative and degrading

- *The Advertisements do not employ images of minors or people who appear to be minor (both models are 23 years old). The Advertisements do not employ sexual appeal in a manner that is exploitative or degrading to any individual or group of people.*

2.3 Violence

- *We believe the Advertisements do not present or portray violence.*

2.4 Sex, sexuality and nudity

- *We believe the Advertisements comply with this section. The Advertisements do not contain sex or nudity. The Advertisements are concerned with current fashion trends and we believe that sexuality is treated sensitively to the relevant audience. None of the products worn by the models are skimpy or provocative, for example, it is not minimal or sheer or revealing and the imagery is not sexually explicit or suggestive in any way.*

2.5 Language

- *We believe the Advertisements comply with this section. The Advertisement does not contain strong or obscene language.*

2.6 Health and Safety

- *We believe the Advertisements comply with this section.*

2.7 Distinguishable as marketing

- *We believe the Advertisements comply with this section.*

We believe it is reasonable for our company to advertise our products being used for their intended manner. We believe the advertisement has treated the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include young girls “who travel on the train to get to school”.

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 advertisements feature images of young women that is a poor example and gives a bad impression for other young girls.

The Board viewed the advertisement and noted the advertiser’s response.

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 that this transport advertisement is for a fashion brand called Coco Beam and show one girl wearing a black skirt and top. The skirt is short and the top has a lace up front. The second image is of a girl in black shorts and a grey hooded top also with a lace up front. Information of the business website and name is visible on the posters.

The Board noted the images are on the inside of a train and typical of the type of promotions and clothing that young girls and women are wearing at the moment.

The Board noted the complainant’s concern that the clothing is skimpy and that the models are in a provocative pose.

The Board noted that the tops that the models are wearing are short and that their torso is visible. The Board noted that the bottom half of the models’ attire is short but considered that overall the women are well covered and are not revealing any inappropriate parts of their bodies.

The Board considered that it is reasonable for an advertiser to promote clothing from their fashion line and that in this case the clothing is typical of what young women are wearing and that the poses on the models are not provocative or sexualised.

The Board noted that the placement of the posters on a train would mean that the audience would be broad and would include children and considered that the images were not sexually suggestive or inappropriate for a broad audience.

The Board determined that the advertisement did treat the issue of 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 Board dismissed the complaint.