



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0503/18
2	Advertiser	Bras n' Things
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	28/11/2018
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement for Bras N Things is located in the front window of a store and features a woman in a black bodysuit holding a pom pom.

THE COMPLAINT

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

One of the women was wearing a body suit that had the breast area covered, but the entire pubic area was naked and in full sight even with pubic hairs showing, with a slight bit of blurring. This was a full shop window picture with full frontal nudity (with the breasts covered) in the middle of the public shopping centre. I saw several people look at it and turn away and mothers taking their children around the other way when passing it. This might be ok in a lingerie brochure where people choose to look through, but not slapped in the face of children and anyone walking past. Surely there



are some standards in regard to this> If a woman walked through the shopping centre with a see through body suit and nothing covering her pubic area, this would be unacceptable, but a bra shop can have a huge picture on their window? This is so degrading to women and is not appropriate advertising for a shopping centre.

THE ADVERTISER'S RESPONSE

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

Bras N Things does not feel that it has breached any advertising standards.

The image I believe is mentioned in the attached document was for our HOW WE ROLL CAMPAIGN which started 22 October and ran until 4 November (across all stores). The complaint made was opinion based as stated in the complaint and we do not feel any advertising code has been breached.

Please see below our response to Section 2 of the Advertiser Code of Ethics:

2.4 Sex, sexuality and nudity

At Bras N Things we are passionate about empowering all women to feel beautiful from the inside and out and as such, we endeavour to provide women with a range of lingerie and sleepwear products that appeal to many different women's tastes and style preferences.

Bras N Things does not feel that it has breached any advertising standards with this campaign. The models wear lingerie throughout the campaign imagery, there is absolutely no nudity or sex, we always ensure that everything is covered. We are showcasing our latest collection in a non-sexual way.

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 complainant's concern that the advertisement is degrading to women and features full frontal nudity.

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

The Panel 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 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 - (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 the complainant’s concern that the advertisement is degrading to women.

The Panel noted that the advertised product is lingerie 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 noted the poster advertisement featured a woman wearing a black bodysuit with sheer material on the lower half. She is posed standing in an arcade with one hand on a game machine and holding pom poms in her other hand. The Panel considered that the style of the lingerie in combination with the woman’s pose 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 considered that the style of the bodysuit accentuated the model’s legs and bust in the advertisement, however considered that the focus was relevant to the cut and style of lingerie being promoted and there was not a focus on particular body parts that would amount to exploitation.

The Panel considered that the advertisement did not suggest the woman either was an object, or was available for sale, rather the advertisement featured the woman wearing the underwear that was for sale.

The Panel considered that the advertisement did not use sexual appeal in a manner that was exploitative of an individual or group of people.

The Panel then considered whether the advertisement used sexual appeal in a degrading manner.



The Panel considered that the advertisement depicted the woman standing happily in a relaxed pose, and considered that the advertisement did not depict the woman in a way which lowered her in character or quality.

The Panel considered that the advertisement did not use sexual appeal in a degrading manner.

On that basis, the Panel determined that the advertisement did not employ sexual appeal in a manner which is exploitative or degrading of any individual or group of people, and did not breach Section 2.2 of the Code.

The Panel 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 Panel noted the complainant's concern that the advertisement features nudity and is inappropriate for children.

The Panel noted that this poster advertisement was in the window of a store and was visible to people walking past the store, and considered that the relevant audience for this poster would be broad and would include children.

The Panel noted the underwear on the model, and considered that while the woman's breasts are well covered, the sheer material of the bottom half of the bodysuit is transparent as evident by the clear view of her bellybutton and the woman's pubic mound is clearly visible.

The Panel noted that there is some shadowing around the pubic region, however considered that this shadowing does not alleviate the depiction of nudity.

The Panel considered that the imagery included on a poster that is visible to members of the community in a shopping centre is explicit and is inappropriate for the relevant broad audience which would likely include children.

In the Panel's view the advertisement did not treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience and that the advertisement did breach Section 2.4 of the Code.

Finding that the advertisement did breach Section 2.4 of the Code the Panel upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION



The campaign was removed from all stores from November 5 and is not visible in any store windows nor has been since that date.