



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	<b>Case Number</b>	<b>0548/18</b>
2	<b>Advertiser</b>	<b>Stephanie's Boutique Lingerie</b>
3	<b>Product</b>	<b>Lingerie</b>
4	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
5	<b>Date of Determination</b>	<b>23/01/2019</b>
6	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

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

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features still images of women wearing lingerie including, a woman sitting in a black lace bra, a woman sitting in a pick bra, a woman standing in a burgundy lace bra and underpants, a woman laying down in a burgundy bra and underpants, a woman standing in a sheer black bra and underpants and a woman sitting at a piano shown from behind in black bra and underpants.

## THE COMPLAINT

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

*I was watching the Test match on Day 5 (10/12/2018) with my 9 year old son who was home sick from school. We were watching between 1-3pm and then again with my other children between 3.30-4pm. During these times an advertisement for Stephanie's Lingerie Boutique in Kingston Canberra appeared during the advertisement break several times.. I was embarrassed and my children were shocked and said they didn't want to see the ad and closed their eyes. The content of the advertisement was pretty much soft porn- completely inappropriate for the advertising for the audience watching at that time of day. Please register my*





*complaint about this inappropriate advertising by Channel 7 and advise me of any action taken. Thank you for consideration of this matter.*

*This ad is during a program that children will be watching, during a time of day where children are likely to be watching tv. It is unacceptable for this type of advertisement to be shown at this time. The ad has appeared numerous times throughout the coverage of the cricket, which is a sport that appeals to families and has many children watching it. This type of ad should not be shown during this program.*

### **THE ADVERTISER'S RESPONSE**

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

*The first thing we did is to contact Prime7 to determine exactly what commercial had gone to air and ensure that no guidelines, codes or laws had been breached. We had not. A W rated commercial can be played within live sport.*

*We believe that the advertisement is not offensive nor suggestive. The images are used world wide by Simone Perele Lingerie. The images are used to show the lingerie on a body and are by no means used to convey sexual connotations. Advertising of this nature has been used by Stephanie''s Boutique Lingerie for some 20 years and we have never received a complaint of this nature. We take it upon ourselves to ensure that the advertisement are placed appropriately.*

### **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' concern that the advertisement is features sexualised images inappropriate for viewing by a broad audience which would include children.

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

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 noted that this television advertisement featured various still images of women posing in lingerie.

The Panel noted the complainants' concerns that the images were overly sexualised



and inappropriate to be viewed by children.

The Panel noted that this television advertisement had been given a rating of “W” by CAD meaning that they could be played at any time except during or adjacent to children’s programming, and that care should be taken when placing in programs directed to children. The Panel noted that the relevant audience would therefore be broad and would likely include children.

The Panel noted the advertiser’s response that the advertisement had been played in accordance with this rating.

The Panel considered that the advertised product was lingerie and that it was appropriate for the advertiser to depict women wearing their product in advertising, so long as those depictions did not breach the Code.

The Panel considered that the images of the women in the advertisement were stylised to highlight the featured lingerie, and considered that the poses of the women were not overly sexualised.

The Panel considered that the still images were fleeting, highly stylised and consistent with fashion imagery. The Panel considered that the focus of the advertisement was on the lingerie and not on the women’s bodies.

The Panel considered that the women’s breasts and genitals were covered by the lingerie and that the advertisement did not contain nudity.

The Panel considered the overall advertisement did not contain sexualised images that were inappropriate for viewing by a broad audience which would include children, and did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaints.

