



## Case Report

1	Case Number	0576/16
2	Advertiser	Bras n' Things
3	Product	Lingerie
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	18/01/2017
6	DETERMINATION	Dismissed

### ISSUES RAISED

- 2.1 - Discrimination or Vilification Religion
- 2.4 - Sex/sexuality/nudity S/S/N - general

### DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features female models wearing different styles of lingerie. A Christmas Tree is in the background and the final onscreen text reads, "bras N things. Unwrap this" and the background music is a version of "We wish you a Merry Christmas".

### THE COMPLAINT

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

*I do not wish my children to be subjected to nudity and inappropriate clothing during family TV time.*

*The advertisement is offensive in a number of ways:*

*Firstly it is played in prime time and displays undressed women in a sexualised way.*

*Secondly the term Christmas is clearly heard in the song during the ad which is offensive to Christians as Christianity does not support the display of undressed women to all for any purpose (including advertising). This is religiously insensitive and is another example of advertisers mocking Christian beliefs as a soft target. If the same company has models dressed in lingerie advertising celebrations after Ramadan we would see a different standard*

*imposed due to the perceived offence. Why is it then OK to deliberately mock Christian beliefs by placing these images in juxtaposition with the word Christ(mas), a religious festival to celebrate the birth of Christ.*

*The ad portrays women in an overly sexual way. Some outfits are very revealing and not appropriate for "family" viewing times.*

## **THE ADVERTISER'S RESPONSE**

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

*Thank you for sending through this feedback.*

*Bras N Things does not feel that it has breached any advertising standards and have received great feedback from our customers regarding the advertisement.*

*The video advertisement was on air from the 8th – 18th December across selected regional markets. The content showcases a range of styles from our current Christmas campaign.*

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

### *2.1 Discrimination or vilification*

*This video does not discriminate or vilify in any way.*

### *2.2 Exploitative and degrading*

*The video content features women in a fun, confident and festive manner showcasing a range of different styles from our Christmas collection. Our vision is to encourage women to feel beautiful in their own skin. We do not believe that this video is degrading or exploitative in any way.*

### *2.3 Violence*

*There is no violence depicted in this video.*

### *2.4 Sex, sexuality and nudity*

*Bras N Things is a lingerie retailer and therefore showcase a variety of lingerie styles in our campaigns. The model wears lingerie throughout the video, there is absolutely no nudity. We are showcasing our latest collection in a non-sexual way.*

### *2.5 Language*

*We wish you a Merry Christmas plays throughout the video.*

### *2.6 Health and Safety*

*The video does not relate to any health and safety issues.*

## **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 depicts women in lingerie in a sexualised manner which is not appropriate for children to see, and the use of the word Christmas in the backing song is offensive to Christians.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted that this television advertisement features female models modelling different styles of lingerie next to a Christmas tree.

The Board noted that the backing song is a version of ‘We wish you a Merry Christmas’. The Board noted the complainants’ concerns that using Christmas to promote lingerie is offensive to Christians. The Board noted that as well as being an important part of the Christian calendar, ‘Christmas’ has been commercialised as a holiday season and considered that the use of a well-known Christmas Carol, along with the visuals of a decorated tree, is a secular portrayal and not a portrayal which is disrespectful or discriminatory towards people with strong Christian beliefs.

The Board considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of religion and determined that the advertisement did not breach Section 2.1 of the Code.

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 the complainants’ concerns that the advertisement depicts sexualised images of women in lingerie.

The Board noted that lingerie is legally allowed to be advertised and considered that it was reasonable for an advertiser to depict their product being modelled in its advertising. The Board noted that the lingerie worn by the models in the advertisement covers their private areas and considered that while some of the styles of lingerie were sexy in the Board’s view the posing and behaviour of the models was not sexualised and the focus was on the product itself and not the women’s bodies.

The Board noted the advertisement had been rated PG by CAD and considered that consistent with previous determinations for similar advertisements (0397/13, 0002/15) the content of the advertisement was not inappropriate in the context of the relevant PG audience which would include children.

The Board considered that the advertisement did not depict sex, sexuality and nudity and determined that the advertisement 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 complaints.