



CASE REPORT

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| 1. Complaint reference number | 361/07 |
| 2. Advertiser | Rivers Australia Pty Ltd |
| 3. Product | Clothing |
| 4. Type of advertisement | Print |
| 5. Nature of complaint | Violence Other – section 2.2 |
| 6. Date of determination | Tuesday, 13 November 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The front page of this Rivers sale catalogue features a blonde woman screaming and the question "What's got Helen screaming? Could it be that we asked her to pull her pants down?"

THE COMPLAINT

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

...pictures of clothes on women's tops or bottoms, with the red words 'introductory offer' placed so it points at breasts or genitals. There's so much wrong with it I hardly know where to begin, but I'll leave that to the ASB. This advertising clearly references imagery and words often associated with child abuse, sexual violence, harrassment to sell clothes. It's offensive and insidious. Some of it is very blatant whilst some of it has a more subliminal implication. It turns the 'sex sells' into sexual harrassment/abuse" sells.

There is a clear relatedness to sexual assault by indicating that a young woman has been asked to pull her pants down.

I find the phrase "Could it be that we asked her to take her pants down?" in poor taste and degrading.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

It is difficult for us to see the nature of the complaints as they have nothing to do with what we were thinking about when we designed the catalogue. It was never meant in any way shape or form to depict sexual assault as suggested by one of the complaints.

And it is utterly ridiculous to think that we have placed prices in red on top of "breasts and genitals" – also suggested by another complaint. If that was so, are genitals somewhere around the knee region on many of our pictures?

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 complainant's concern that the image in this catalogue suggested sexual assault. The Board noted its recent decision on Complete Portables in which it did determine that an image of

a woman with her underpants around her legs accompanied by text saying 'make women do this' was a breach of section 2.2 of the Code in that it was very suggestive of sexual assault.

The Board carefully considered the current advertisement. The Board considered that this advertisement differed in a number of important ways from the Complete Portables advertisement. In particular, the text of the advertisement is in the form of a request to the woman and that only the woman's face is shown, along with her clear dislike of the suggestion. The Board considered that it was relatively clear that the advertisement was referring to a request to the woman to reduce the price of the pants. The Board determined that the advertisement was not suggestive of violence against the woman.

The Board considered the advertising catalogue in its entirety and did not think that the catalogue as a whole was suggestive of sexual assault or inappropriate behaviour.

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