



## **CASE REPORT**

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| 1. Complaint reference number | 396/09   |
| 2. Advertiser                 | Target Australia   |
| 3. Product                    | Clothing   |
| 4. Type of advertisement      | TV   |
| 5. Nature of complaint        | Portrayal of sex/sexuality/nudity – section 2.3<br>Other - Social values |
| 6. Date of determination      | Wednesday, 9 September 2009  |
| 7. DETERMINATION              | Dismissed  |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement depicts comic like "target" characters doing a strip tease. The advertisement cuts to a shot of the underwear being thrown up in the air. The voice over states: "target is taking 20% off all underwear, sox and hosiery".

## **THE COMPLAINT**

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

*I think its inappropriate to show children stripping and taking clothes off in an adult like manner and it is quite offensive particularly with laws against children being showed in a sexual manner. I have never made a complaint but as a mother of young children I found this commercial inappropriate and not humorous at all.*

*Blatant child abuse!!!! Children are used in a sexual nature to sell underwear. By using children, even if it is in cartoon form, performing a striptease (not naturally undressing but performing) is more than stepping over the line. As a grand mother I am not allowed to photograph my own grandson at his swimming lesson and then I watch this blatant CHILD ABUSE on TV. PLEASE PLEASE be protect our children. The bar have moved too much.....why is this becoming the norm and acceptable.*

*I actually a fan of Target but I was disturbed by the sexualisation of characters representing children in the ad. The "child" characters appeared alongside the "parent" characters doing a family striptease based on a scene from the British movie "The Full Monty". I don't know if anyone else saw it this way but I felt it was inappropriate and it's still bothering me. I realise they're only cartoons and not even depictions of actual people but that's not the point. They clearly represent children and there's something downright weird about them stripping on stage.*

*This is highly inappropriate to be showing children or even using children performing this act.*

## **THE ADVERTISER'S RESPONSE**

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

*The television commercial involves anthropomorphic animated Target logos, and does not depict actual people. The logo used in this commercial is a trade mark registered to Target Australia Pty Ltd, and has previously been used in numerous ways to represent a variety of different things, including figures, symbols, and inanimate objects, in Target's advertising material.*

*The characters are shown to be taking off their clothes to reveal their underwear, promoting the fact that underwear is on sale at Target stores. This is not done in a sexualised manner, but in a lighthearted, humorous and over the top way, and is relevant to the product being advertised.*

*The television commercial received a 'W' rating from CAD and were only screened after 5pm, and not during children's programming, and indeed the commercials were not aimed or directed at children.*

*We note that in the past the ASB has consistently taken a more lenient view towards animation in general, as the ASB does not consider that depictions of animated scenarios are to be taken as seriously as live action, by virtue of their very nature as animation, for example Case No. 75/09 - Red Bull, and Case No. 52/08 - Mars.*

*On the basis of the above, Target does not believe the advertisement portrays any adult or child nudity or scenes that would contravene prevailing community standards, and the advertisement is not aimed or directed at children. Rather the overall tone of the television commercial is lighthearted and fun.*

*Accordingly, Target does not believe this television commercial contravenes Section 2 of the AANA Code of Ethics.*

## **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 was depicting adults and three children performing a strip show and as such was an inappropriate and immoral portrayal of children and not humorous at all.

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code states that advertising or marketing communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone.

The Board noted that the advertisement does not depict real life people, and instead features animated comical characters using the Target logo.

The Board noted the advertiser's response that the advertisement was not screened during children's programming and the throwing of the underwear in the air was not done in a sexualised manner, there was no nudity shown and the music was not sexual in mood. The advertiser explained that it was meant to be a take off of the "Full Monty" show and was a lighthearted approach to transmitting the message to parents that there would be 20% off all Target underwear.

Members of the Board empathised with the complainants' concerns that there was a need to ensure that children were not depicted in a sexualised manner. The Board agreed that the action of the characters throwing the underwear in the air was not depicted in a sexualised manner, that the characters were not real life characters and most members of the community would understand that this advertisement was intended to be lighthearted and funny. The Board considered that the advertisement did not sexualize children or bring sex to the minds of children. The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience.

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