



Case Report

1	Case Number	0222/10
2	Advertiser	Rivers (Aust) Pty Ltd
3	Product	Clothing
4	Type of Advertisement / media	Print
5	Date of Determination	26/05/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

Photograph of a female taken from the front. She is bent over with her legs apart, and her arms stretched above her so that her body shape resembles an X. She is wearing knee high black boots and black shorts. You can't see her face as she is looking at the floor and her hair is hanging down. The image is on the front cover of a Rivers Catalogue, entitled Red Hot (issue #8, 2010).

THE COMPLAINT

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

The front cover of the catalogue has a title 'Red Hot'

The image which fills the page is of a young woman shown from the front leaning over with legs spread and her arms raised. Her face cannot be seen only her hair which is long and covers her face. She is wearing black boots and something brief and black which is difficult to see as her head covers her clothing.

The bylines advertise Men's hoodies, Men's jumpers, Women's cable knits, and women's business shirts.

I object to the use of this image of a woman as it is presented in a manner which sexualises the woman in a pornographic manner. Her identity is not a focus whilst her stance is. Her face is not shown, she is not modelling any of the clothes in the catalogue and the intention of the front page with the title Red Hot is to titillate the reader. Nothing within the catalogue follows this theme the clothes are everyday wear.

This catalogue was delivered inside a local newspaper to all households and the cover is inappropriate for it's audience in my opinion. The faceless image and pornographic stance is

offensive to me, and I would suggest, to everyone - particularly women. Women deserve to be portrayed in the media in a respectful manner. Pornographic material is rightly restricted in access. This image comes very close to imitating such a publication and should not be mainstreamed.

THE ADVERTISER'S RESPONSE

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

In no way did Rivers intend for anyone to be offended by this cover.

We do not believe that we are in any way objectifying women or that this is disrespectful.

The woman pictured is clearly clothed: there is nothing to say she is not a dancer, gymnast or the like.

We have no control over how people choose to perceive an advertisement and do not believe it looks like something out of Playboy.

THE DETERMINATION

The Advertising Standards Board ('the Board') was required to determine whether the material before it was in breach of the AANA Code of Ethics ('the Code')

The Board noted the complainant's concerns that the depiction of the woman on the front page of a catalogue was sexually suggestive and inappropriate for the audience.

The Board considered whether the advertisement was consistent with section 2.3 of the Code. Section 2.3 requires that advertisements 'shall treat sex, sexuality, and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone.'

The Board viewed the advertisement and noted the advertiser's response that the woman is clearly clothed and that she could be 'a dancer, gymnast or the like'.

The Board noted that there is no prohibition on including images of women in brief clothing in advertising and considered that it is reasonable for the advertiser to use an eye-catching image. The Board considered the depiction of the woman was not a sexualized pose, no nudity is depicted and the image could very well depict a dancer or gymnast. The Board considered the image was relevant to the product and relevant audience for a catalogue marketing adult attire. The Board considered that the heading text "Red Hot" did not add any sexualisation to the advertisement and noted that the woman depicted has red hair. The Board considered any reference to the woman as "hot" was not offensive or demeaning to women. The Board determined the advertisement did not treat sex, sexuality and nudity with sensitivity and that it did not breach section 2.3 of the Code.

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