



CASE REPORT

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| 1. Complaint reference number | 550/09 |
| 2. Advertiser | Rivers Australia Pty Ltd |
| 3. Product | Clothing |
| 4. Type of advertisement | Print |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 20 January 2010 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This print advertisement a catalogue cover for Rivers Australia summer sizzle 12 day sale shows a woman with long blonde hair sitting on a white box with her back to the camera. She is wearing a blue, white and red striped shirt. It is pulled down on her left shoulder revealing a red bra strap. No underpants are visible and her bottom is slightly exposed. Details about the sale are on both sides of the image.

THE COMPLAINT

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

How ever her legs are wide open as she is sitting astride a chair. The inference is that she is fully exposing herself. I found this offensive, as did my husband. It is unnecessary for a company to advertise in this fashion. There is no obvious sign of underwear so this must be what we are supposed to think.

The advertisement is overly sexual, and contains nudity. I do not believe that it is appropriate for this kind of material to come into my home with a newspaper. I don't believe children should have to be exposed to this kind of material over breakfast. Or that I should have to deal with questions such as "Why is that lady not wearing any underpants?" I accept that it is probably meant to be funny, but it just looks tacky and should not be included with a broadsheet newspaper that comes into people's homes. It would be different if it was included in a magazine like Ralph.

The part I find offensive is that she is sitting in a pose with her legs spread wide open and from the back exposes part of her bottom to give the impression that she is not wearing any panties. It is like a pornographic pose and unsuitable and unnecessary for advertising a clothing sale. It is culturally insensitive to all. There are plenty of other hot and sizzling images that could have been used. Why use a woman with her legs spread to depict this?

As it looks like something out of play boy. The lady has her bottom exposed and legs straddled with a shirt falling off with red bra straps showing. I am by no means a prude but when your kids are giggling about it cos they can see how rude it is I think they should be pulled up for using this kind of advertising.

I have never seen anything like that in general advertising[maybe Ralph mag?] and think it is a pretty low way of advertising. Children like to look at ads. Inside is ok but the idea is to grab attention but it shocked me and I thought I was unshockable!

THE ADVERTISER'S RESPONSE

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

In no way did Rivers intend for any-one to be offended by this cover. We do not believe that we are in any way objectifying women or that this is encouraging sexual behaviour. 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 (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's depiction of the woman astride a box is sexually suggestive and that the woman is not wearing any underwear.

The Board considered section 2.3 of the Code and whether the advertisement treated sex, sexuality and nudity with sensitivity to the relevant audience. The Board noted that this image is part of the Advertiser's catalogue.

The Board considered that the woman was not depicted nude. She is clearly wearing a large shirt and there is a strap of an undergarment visible. The Board considered that the advertisement did not depict the woman wearing no underpants as it is not possible to tell whether she is wearing underpants or not. The Board considered that the woman was not inappropriately clothed for this advertisement.

The Board noted concerns that the manner in which the woman is seated is sexually suggestive. The Board noted that the woman is seating with her legs apart - but that she is not facing the reader. The Board considered that most people in the community would consider the depiction mildly risqué but not sexually suggestive. The Board considered 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.