



Case Report

1	Case Number	0058/17
2	Advertiser	Sweet Cheeks
3	Product	Sex Industry
4	Type of Advertisement / media	Outdoor
5	Date of Determination	08/02/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This advertisement is a poster in the store window of Sweet Cheeks, an adult store. There is an image of a woman wearing a white basque, black undies and stocking sitting on her heels and looking over her shoulder at the viewer. The text reads, "Sweet Cheeks. For the Cherry in your life...Shoes, Lingerie, Magazines, DVDs Adult Novelties".

THE COMPLAINT

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

This picture is obscene; we don't want this or further advertising of products of this kind on public view. R+ rated materials being advertised in a general community environment. School children have to walk past this on the way to the nearby schools.

THE ADVERTISER'S RESPONSE

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

With much regret I find I am writing this heartfelt letter. I opened my store in Mackay two years ago in George Street, this is only one block from the Public High School and being only two blocks from a Catholic Primary School with no complaints.

When [my husband] and myself decided to open a new chain of Adult Stores never did I expect [my husband] to pass away eighteen days later. I have seven 1/2 Grandchildren and never would I want to embarrass my three daughters or grandchildren with my advertising. I really don't know how to put this into words, my love for my Sweet Cheeks, because I am [my husband's] Sweet Cheek and this is his love for me.

As I write these words to you my heart breaks that little more with advertising in Stockland/ Shopping Centre Rockhampton at Bras N' Things displaying in the front window for children to see more than my pretty girl. This store before I came here was also an Adult Store which displayed advertising of the same nature I have so I don't understand why somebody would complain now.

This image is of one of my daughters all dressed up and the Cherry in your life will always be me, [my husband's] Cherry. If I can do anything to make the person that complained happy with my advertising I will work with them but please try to understand that there is no nudity, violence, exploitative or degrading imaging in my store advertising just a beautiful girl with a heart that loves me.

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 concerns that the advertisement features a saucy image of a woman which is obscene and not appropriate for outdoors where children can view it.

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

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 this outdoors advertisement features an image of a woman wearing underwear sitting on her heels and looking over her shoulder at the viewer.

The Board noted that some members of the community would prefer that this type of store was not permitted but the Board noted that the store is legally allowed to operate and therefore it can advertise provided it does so in compliance with the AANA Code.

The Board noted that the image in the advertisement is of a woman wearing a white corset, black undies and stockings. The Board noted the hair style of the woman and the colours used and considered that the overall impression is of a 1950s style pin-up girl that, in the Board's view, while mildly sexualised, is not explicit or inappropriate. The Board noted that some of the woman's bottom is exposed but considered that the level of nudity is consistent with

advertising for lingerie and swimwear and in the Board's view the impact of the image is relatively mild.

The Board noted the language used in the advertisement and considered that the list of products available to purchase in-store is not inappropriate and does not reveal the sexualised content to children.

The Board noted that it had previously dismissed complaints about images for adult shops or venues in cases 0047/13, 0375/13, 0162/14, 0370/14 and 0255/15. Consistent with these previous determinations the Board noted that the image of the woman in lingerie is relevant to the type of product advertised and considered that in this instance the level of nudity is mild, the woman's pose is only mildly sexualised and overall the content does treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

The Board 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 complaint.