



## **CASE REPORT**

1. Complaint reference number	278/05
2. Advertiser	Kittens
3. Product	Other
4. Type of advertisement	Transport
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 11 October 2005
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This advertisement features a picture of a woman in lingerie painted onto the side, front and back of a tour bus. The woman is shown from the side, lying on her back, wearing black lingerie.

## **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*“I found it offensive to have to see a near-naked woman on my way home from the shops. I also found that this picture was very sexualised, being not only offensive, but inappropriate for children...”*

## **THE ADVERTISER’S RESPONSE**

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

*“... the girl on the side of the bus is dressed in a bikini the type you would see on any family beach throughout summer, and in fact there are television adverts which show women with less on than the girl on the bus...”*

## **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 that the pictures on the side of the bus did not portray any nudity. The Board considered that the images were not overly graphic in that they did not expose the breasts or genitals in any way.

The Board was of the opinion that the images used in the advertisement were relevant to the product being advertised.

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of sex, sexuality or nudity.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.