



Case Report

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| 1 | Case Number | 0059/11 |
| 2 | Advertiser | Echo Store |
| 3 | Product | Clothing |
| 4 | Type of Advertisement / media | Poster |
| 5 | Date of Determination | 13/04/2011 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

- 2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience
- 2.1 - Discrimination or Vilification Sex

DESCRIPTION OF THE ADVERTISEMENT

Image of a man wearing a t-shirt which features a woman walking up a flight of stairs. The woman's legs are bare and she is wearing g-string style underwear so most of her bottom is visible (the advertiser has now placed a censored sticker over her bottom). The text on the t-shirt reads, "I am only what you perceive me to be. Angel of the City" and the text on the Billboard reads, "Nena and Pasadena".

THE COMPLAINT

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

The young man is wearing a t-shirt with a pornographic image of a woman facing the back who is naked from the waist down. The only part of the woman on display is her naked back side which reduces her down to a specific body part and completely objectifies women. I don't want my young children to be exposed to pornographic images and I want them to respect women but this picture indicates that women are pieces of meat to be used by men. It disgusts me.

I am finding pornography on men's t-shirts more and more prevalent. This advertisement is the image from one of the t-shirts that Nena & Pasadena produce and is just one of their many pornographic t-shirts. By using this t-shirt as advertising they have the opportunity to show a pornographic image to the general public including children. News agencies have strict guidelines about where to place their 'adult' magazines yet as I was driving down

Queen Street in Busselton the pornographic image is plain to see for everyone. I am a young mother of a son and daughter and I don't won't either of them growing up thinking that women should look like this to be accepted or that this is normal and the only thing women are good for is to stare at their unclothed bodies. It is very confronting and I was embarrassed for my children and angry that this was allowed in my local town. Everyone has the freedom to choose to look at these kinds of images if they want to in the privacy of their own homes. I should have the freedom to choose NOT to look at pornographic images while out in public with my family. Please do something about this and prevent pornographic images appearing in advertising that is in full view for everyone anytime of the day. I hate how it is so degrading for women. We're just body parts and sex images to some people. It teaches our young daughters that that is all we are. And because they see it everywhere that is what they will become... sex images. They will exploit themselves when they get older because that is what advertisements teach them. If you aren't showing off your body then your nothing. It's discussing and degrading. The t-shirt on the billboard was pornographic and sexist. It makes women look like their only function is to be used for sex. It is very offensive. Pornography hurts my family. I have two small daughters and I want them to be able to aspire to more than this. I want my children to be able to grow up free from these messages about what women's roles in society are- pieces of meat. The t-shirt on the billboard contained a woman's naked bottom and legs. It is soft core pornography. Pictures of this nature are distasteful and degrading to women. I choose not to view pornographic material and should not have to see it on a billboard. The image is sexist and depicts women as thin, hot and sexually available. It reduces women to a sum of body parts. It dehumanises women making them more vulnerable to violence and abuse. It contributes to a culture where women are viewed only as sexual objects. It is offensive to women. Children do not need to see this billboard but it is right there in the middle of town where everybody can see it.

THE ADVERTISER'S RESPONSE

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

In response to the 6 complaints I will be only responding once as I feel it is the same person. This person, the complainant, is known about town and I'm a bit upset that she has chosen this method to deal with the problem even though we had a frank discussion maybe 4 weeks ago.

I empathised with the complainant that we made the decision purely from a business decision and as I don't have a family, I have never thought of it through the eyes of a mother. She understood where I came from however we disagreed on whether it is obscene or not. I even offered to put a sticker across the bum of the girl to make her feel better which is now in place.

So to respond, no I don't feel she is naked and no I don't feel she has been discriminated against – let's not forget people have choices.

It may be a different story if the picture was just the image with a slogan "walk up these stairs to your destiny".

However it's an image on a person wearing a T-shirt, are we now going to make it mandatory that all images on t-shirts have to be approved?

I don't feel you need to waste anyone else's time as it's not obscene, it has a sticker across it and it will be coming down in 2 weeks.

Thanks to your staff as they have been great and easy to speak to. I know there are good reasons people need to exhaust all avenues however I don't feel this is one of those cases.

THE DETERMINATION

The Advertising Standard Board ('the Board') considered whether the advertisement complied with the AANA Code of Ethics ('the Code').

The Board noted the complainants' concerns that the advertisement objectifies women, features a pornographic image, and is offensive as it can be viewed by everyone.

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

The Board first considered whether the advertisement complied with section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.'

The Board noted that the advertisement features a man wearing a t-shirt which has an image of a woman walking up some stairs and she is wearing white g-string style underwear and white high heeled shoes.

The Board noted that the advertiser has now placed a censored sticker over the bottom of the woman in the advertisement so now she is visible from the upper thighs down and we cannot see what she is wearing on her bottom. The Board decided to consider the image as modified.

The Board noted that the image of the woman is on a t-shirt being worn by a man in the advertisement. The Board noted the complainants' concerns that the image objectifies women as it shows just a woman's legs and thereby depicts the woman as an object. The Board considered that in this instance the woman is in the context of walking up stairs and the text 'I am only what you perceive me to be. Angel of the City.' provides a context suggesting that the woman has chosen a particular activity and is not simply presented in the advertisement as a body. The Board noted that in previous cases where it had upheld complaints about objectification of women, (0334/10, 0517/10) the images had focused on the torso of the women and were accompanied by sexualised responses or comment. In this case however the Board considered that the image of a woman's legs as she walks up stairs does not, in the context of the overall image and text, depict the woman as an object and did not discriminate against or vilify women.

Based on the above the Board determined that, in this instance, the advertisement did not depict any material that discriminated against or vilified any person or section of society. The Board determined that the advertisement did not breach section 2.1 of the Code.

The Board then considered whether the advertisement complied with section 2.3 of the Code. Section 2.3 states: ‘...shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone’.

The Board noted the complainants’ concerns that the image is pornographic and is available to a broad audience. The Board considered that the unmodified version of the advertisement did depict material that was highly sexualised as it focused quite strongly on the upper part of the woman’s bottom and she was wearing only a g-string style underwear. However in the modified form, the Board considered that the image is not overtly sexualised and shows only the woman’s legs and high heels. The Board noted that the image is available to a broad audience and considered that the impact of the advertisement is minimised as the image is on a t-shirt which is being worn by a person who is also then part of the advertisement. The Board considered that the focus of the advertisement is on the person wearing the shirt and that the mildly suggestive image of the woman (as modified) is therefore treated with sensitivity to the relevant audience.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience 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.