



ADVERTISING
STANDARDS
BUREAU

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Case Report

1	Case Number	0143/14
2	Advertiser	MacKenzies of Perth
3	Product	Sex Industry
4	Type of Advertisement / media	Outdoor
5	Date of Determination	28/05/2014
6	DETERMINATION	Upheld - Not Modified or Discontinued

ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

Two different images of women are placed in the upper windows of the building. Each image is of a woman in lingerie. In one image the woman is on all fours looking at the camera with her head tilted to one side. The other image is of a woman on her back with her bottom raised and a feather boa between her legs.

THE COMPLAINT

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

It was a couple of months ago that I drove past and was absolutely SHOCKED by what I saw. I have NEVER in my time of living in Australia seen this pornography displayed so publicly on the major highway. I look out of the windows, keep my eyes on the road and what is going on. It is difficult to avoid looking at these images. As for children in cars they get the full dose. I wholeheartedly object to putting sexualized images in front of our innocent children. I wholeheartedly object to the message of woman as sex objects. I believe we should have freedom with our visual choices. Freedom from visual pollution which in turn causes moral pollution. These pictures remove all our choices. I've seen them before I can avert my eyes and then the damage is done. My 15 year old daughter pointed the pictures out to me and said she hated them and asked me to do something. The thoughts associated are not pure i.e marital love. Please remove these signs from our highways and let us look at things that are

edifying and helpful to a safe community.

THE ADVERTISER'S RESPONSE

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

Advertiser did not provide a response.

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 concern that the advertisement depicts images of scantily clad women in sexualised poses and this is not appropriate for outdoor display where children can easily view them.

The Board viewed the advertisement and noted the advertiser had not provided a response. The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: "Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people."

The Board noted that the advertisement featured two different images of the same woman wearing black and orange lingerie.

The Board noted that in the first image the woman is kneeling down and resting on her forearm with her face to the camera and that in the second image she is lying on her back with her legs bent and her bottom raised so that she is supported by her shoulders and her feet. The Board noted that in order to be in breach of this section of the Code the image would need to use sexual appeal in a manner which is both exploitative and degrading.

The Board noted the first image and considered that whilst some members of the community would consider the use of a woman in lingerie to be exploitative in the Board's view the image does have relevance to the product advertised and the pose of the woman is not degrading.

The Board noted the second image where the woman is holding a feather boa between her open thighs. A minority of the Board considered that this image was in keeping with the first image and was not degrading in the context of the product being advertised. The majority of the Board however considered that the use of the feather boa between the woman's legs was clearly intended to draw the viewer's attention to this part of the woman's body in a manner which is both exploitative and degrading.

The Board determined that the advertisement did employ sexual appeal in a manner which is exploitative and degrading and did breach Section 2.2 of the Code.

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 it had previously upheld an outdoor image depicting a woman in skimpy underwear in case 0274/11 where:

"The Board considered that the pose of the woman, in particular the suggestion that she is available for sex, is strongly sexualised. The Board noted the relevant audience for the advertisement, which even though only put out at 7pm, is still broad and given the highly

sexualised image it is likely the advertisement will be found offensive by many people who would see it.”

In the current advertisement the Board noted that the images can be viewed by a broad audience which would include children. The Board noted the first image where the woman is kneeling down and considered that whilst the swell of the woman’s breasts is visible above her bra this level of nudity is not inappropriate. The Board considered that this image is mildly sexualised but not inappropriate for an outdoor advertisement where children could see it.

The Board noted the second image and considered that the pose of the woman is highly sexualised and the use of the feather boa between her legs highlights a part of her body in a sexual manner which is inappropriate for an outdoor advertisement which can be viewed by children.

The Board considered that the advertisement did not treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and determined that the advertisement did breach Section 2.4 of the Code.

Finding that the advertisement did breach Sections 2.2 and 2.4 of the Code, the Board upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

The advertiser failed to respond and the ASB will continue to work with the advertiser on this matter.