



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0445/10</b>
<b>2</b>	<b>Advertiser</b>	<b>Tiffany's</b>
<b>3</b>	<b>Product</b>	<b>Sex Industry</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Transport</b>
<b>5</b>	<b>Date of Determination</b>	<b>10/11/2010</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.3 - Sex/sexuality/nudity      Treat with sensitivity to relevant audience

### DESCRIPTION OF THE ADVERTISEMENT

Large image of a female sat astride a chair, facing its back. She is visible from the behind and we can see from her mid face downwards (her nose, eyes, and top of head are not visible). She is wearing a pair of lacy black knickers, a red tie which is flung over her shoulder so that it hangs down and obscures any view of her chest, and a pair of red shiny boots.

The accompanying text to the left of the woman reads, "Tiffany's. Check out our NEW fully renovated rooms on our NEW website. We love you always... 99 Albion St, Surry Hills, [www.tiffanysgirls.com.au](http://www.tiffanysgirls.com.au), 9211 3804

### THE COMPLAINT

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

*My primary objection to this advertisement is the image that was depicted on the billboard. The photographic image was of a very scantily clad female, seated in a sexually suggestive pose. The image was the full length of the billboard and hence was highly visible. I was offended by the sexually suggestive nature and nudity of the image. On this occasion my 3 young children were not present in my vehicle but I was angered that any child travelling in a vehicle along that route would be exposed to such sexually explicit/nude images.*

## **THE ADVERTISER'S RESPONSE**

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

*We enclose a picture of the trailer and advise:*

- 1. There is no advertising agency instructed as to this advertising campaign.*
- 2. The female image is no more nude or suggestive than many lingerie and swimming advertisements displayed in public places and is sensitive to and consistent with prevailing community standards.*
- 3. The advertisement is only mildly sexually suggestive and the image is relevant to the services advertised.*
- 4. The wording on the display is only identifiable with an escort agency/brothel to an adult or relatively sophisticated older teenager.*
- 5. The image is identical with newspaper advertising which has been used for a period of approximately four years without complaint.*
- 6. The advertisement is obviously not and cannot in any way be interpreted as being "an advertising or marketing communication to children" and consequently is not covered by the AANA Code for Advertising and Marketing Communication to Children as referred to in your letter.*

## **THE DETERMINATION**

The Advertising Standards Board ("Board") considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the "Code").

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

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone".

The Board noted the complainant's concerns that the advertisement is sexually suggestive and not suitable for viewing by children.

The Board noted that this advertisement features a woman astride a chair wearing black knickers, a red tie and red boots. The Board noted that the woman's breasts were obscured by the tie, and that her back and thighs are naked and visible. The Board considered that this level of nudity is not excessive and that this image is relevant to the product advertised.

The Board noted that whilst some members of the community may find this image to be sexually suggestive, most members of the community would consider this image to be mild and inoffensive.

The Board considered that the advertisement does treat the audience with sensitivity and also considered the image was not sexually suggestive or overtly sexualised and did not overtly bring the issue of sex in front of children.

The Board determined that the advertisement did not breach section 2.3 of the Code.

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