



Case Report

1	Case Number	0468/14
2	Advertiser	Vibes Adult shop
3	Product	Sex Industry
4	Type of Advertisement / media	Poster
5	Date of Determination	12/11/2014
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

Five images of women in the store window of Vibes Adult Shop:

Image 1: A woman wearing a black pvc basque and matching briefs. Her knees and wrists are raised and attached to harness/sling which loops around her neck.

Image 2: A woman wearing a black basque which laces up the front.

Image 3: A woman wearing a black cropped top which is zipped at the front. She is also wearing a blindfold and there is a strap attached to her wrist.

Image 4: A man wearing what appears to be white shorts is stood between the spread legs of a woman who is hanging from a swing with her knees around the man's waist and her head leaning back to the floor. The woman is wearing a skimpy bodysuit.

Image 5: A woman facing the camera with her legs raised straight up in front of her so that her (covered) groin is exposed. Her hands are bound to her ankles with a red fabric.

All images have the text, "Fetish Fantasy Series. Pipedream. www.pipedreamproducts.com" on them.

THE COMPLAINT

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

My issue is that the posters are obvious to the general public including children as they are situated in the front window of the adult shop on a busy road for all to see - you cannot miss them.

THE ADVERTISER'S RESPONSE

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

Here are the pictures of the posters from the front window of the shop as requested. Let me know if there is any problem.

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 sexualised images of women in sexual poses.

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 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted the advertisement consists of five images displayed in the form of hanging banners in the window of Vibes Adult Shop. The Board noted that the women are wearing different outfits and posed in different manners and considered that each image should be considered separately.

Image 1: The Board noted that this image features a woman with her knees and wrists raised and attached to a harness which loops around her neck. The Board noted that the text on each banner reads Fetish Fantasy Series and acknowledged that the woman might be a willing participant in a fetish scenario. The Board considered however that an image of a woman trussed up in a harness whilst wearing lingerie is an image which has strong connotations of sexual violence. The Board considered that this image does present or portray violence in a manner which is not justifiable in the context of the product, an adult store, advertised and determined that this image does breach Section 2.3 of the Code.

Images 2, 3 and 4: The Board noted that these images feature women and a man wearing leather/pvc style lingerie and clothing and considered that these images did not present or portray violence. The Board considered that these images do not breach Section 2.3 of the Code.

Image 5: The Board noted that this image features a woman with her hands bound to her ankles with a red fabric. Consistent with its consideration of image 1 the Board noted that the woman does not look happy and considered that a depiction of a woman in lingerie with her wrists and ankles bound together is suggestive of sexual violence and determined that this image does breach Section 2.3 of the Code.

The Board then 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”.

Image 1: The Board noted that this image features a woman wearing a black basque and matching briefs. The Board noted the pose of the woman with her legs apart and considered this pose is highly sexualised and not appropriate for display in a window where a broad audience including children could see it. The Board determined that this image did breach Section 2.4 of the Code.

Image 2: The Board noted this image features a woman wearing a black basque which laces up the front. The Board that the woman’s private areas are covered and considered whilst her pose is mildly sexualised it is not inappropriate for a broad audience. The Board determined that this image did not breach Section 2.4 of the Code.

Image 3: The Board noted that this image features a woman wearing a zipped up top which covers her breasts and either a blindfold or dark sunglasses. The Board noted that the woman’s stomach is visible but considered that this level of nudity was relatively mild. The Board noted the woman’s pose and considered that her open mouth does make the image sexualised but in the Board’s view it is not so sexualised as to be inappropriate for a broad audience which could include children. The Board determined that this image did not breach Section 2.4 of the Code.

Image 4: The Board noted that this image features a man standing between the legs of a woman who is hanging from a swing with her knees around his waist and her head leaning back to the floor. The Board noted that the man is wearing white shorts and the woman is wearing skimpy lingerie which barely covers her private areas. The Board noted the positioning of the man between the woman’s open legs and considered that the combination of this pose and the woman’s skimpy lingerie amounts to an overall depiction which is highly sexualised and not appropriate for children to view. The Board determined that this image did breach Section 2.4 of the Code.

Image 5: The Board noted that this image features a woman’s legs raised in front of her so that her genital region is pointed at the camera. The Board noted that she is wearing red and black underwear but considered that the prominence of this part of her body amounts to an overall depiction which is highly sexualised. The Board determined that this image did breach Section 2.4 of the Code.

Finding that the advertisement did breach Sections 2.3 and 2.4 of the Code the Board upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

Thank you for getting back to me regarding this complaint.

I had removed all mentioned posters from the shop window, when I received the phone call detailing the complaint.

I will go one step further than removing the two mentioned posters, by not hanging a third (the poster featuring a man and woman) back into the shop window.

I hope this resolves this complaint.