



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0470/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Hot Stuff Adult Shop</b>
<b>3</b>	<b>Product</b>	<b>Sex Industry</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Outdoor</b>
<b>5</b>	<b>Date of Determination</b>	<b>28/11/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Upheld - Not Modified or Discontinued</b>

### ISSUES RAISED

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

### DESCRIPTION OF THE ADVERTISEMENT

Image of a woman's bottom wearing a white thong. The text reads, "The Discount Adult Toy Shop. This month only 3 DVDs for \$50."

The words "HOT STUFF" are also written across the woman's left bottom cheek.

### THE COMPLAINT

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

*The banner is a very large photograph of a woman's torso, taken from behind and the woman is wearing a g string. There is nothing else in the photo except for a woman's bare bottom.*

*1. This poster is very large and is facing a main road and intersection. There is nothing to conceal the photograph from anyone's view. This road is used every morning and afternoon by mums and dads driving their children to and from school, and school buses. I do not believe it is appropriate for children to have this type of material in their face.*

*2. It is not necessary for this business to have to show an indecent photograph to advertise what they are selling in store.*

3. *I do not want to have to look at a naked bottom every morning and afternoon and I do not want my children to have to see it either.*

4. *I also believe it is dangerous for something so revealing to be placed at a very busy intersection as it is a very clear distraction.*

## **THE ADVERTISER'S RESPONSE**

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

*We believe that our banner is attention grabbing without being too provocative, and is appropriate advertising for the product that we sell. The female backside is clearly clothed however revealing. There is no nudity or pornographic material showing. Many if not all of the people I have spoken to personally (including parents) have had absolutely no issues with the image, and we do have a right to advertise our product and not be targeted because of the nature of our store.*

## **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 features an image of a woman's body which is objectifying and inappropriate for an outdoor advertisement which can be seen by children.

The Board viewed the advertisement and noted the advertiser's 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 is a banner outside an adult shop and features an image of a woman's g-string clad bottom with "Hot stuff" apparently branded on her left buttock.

The Board noted that it regularly considers and dismissed complaints regarding images promoting swimwear and lingerie which feature images similar to that in this advertisement. The Board noted that in this instance however the product is not swimwear or lingerie but an adult shop.

The Board noted that on the woman's left buttock the words, "Hot stuff" appear to have been branded on her skin and considered that whilst the adult store is called Hot Stuff in the

Board's view the suggestion is that it is the woman who is being described as "hot stuff". The Board considered that this branding of a woman's body part is a depiction which is degrading and that a close up of a woman's bottom in this context is exploitative as it reduces the woman to just a part of her body.

Based on the above the Board considered that the advertisement employs sexual appeal in a manner which is exploitative and degrading and that it breaches Section 2.2 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".

The Board noted that the image of the woman's bottom is not dissimilar to advertising for lingerie and swimwear and considered that the underwear covering the bottom is brief but not overly revealing. The Board noted that some members of the community would not be comfortable with seeing a woman's bottom in brief underwear but considered that the level of nudity is not inappropriate and that the advertisement does treat sex, sexuality and nudity with sensitivity to the relevant audience.

On this basis the Board determined that the advertisement did not breach Section 2.4 of the Code.

Finding that the advertisement breached Section 2.2 of the Code the Board upheld the complaint.

## **ADVERTISER RESPONSE TO DETERMINATION**

The Advertiser confirmed that the banner will be modified to comply with the Board's decision however the ASB notes that this advertisement is still being displayed in April 2013.

The ASB is liaising with the owner of the store.