



Case Report

1	Case Number	0577/16
2	Advertiser	Good Vibrations (Adult Erotica)
3	Product	Sex Industry
4	Type of Advertisement / media	Print
5	Date of Determination	18/01/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This print advertisement features an image of a woman in a black body suit with a strip of lace down the front connecting bra to the knickers. The woman is also wearing black stockings and high heeled shoes. The text reads, "Good Vibrations Adult Erotica. Mention this ad for 20% off storewide."

THE COMPLAINT

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

As mentioned the ad shows a woman in a sexualised outfit looking provocative and as if she is about to start removing her clothes. The outfit and look of the woman portrayed is disproportionately sexual for the place in which it appears - this is the local paper that gets left around on the breakfast table and seen by the whole family. In my opinion this breaches section 2.4 of the AANA code of ethics. This clause states "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience". I don't believe the treatment of sexuality here is commensurate with the audience.

THE ADVERTISER'S RESPONSE

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

Regarding the complaint.

- 1. My immediate reaction was. Is this a joke.*
 - 2. Over 25% of the shop premises are dedicated to lingerie sales. The picture used by Messenger Press is no different to any shop that advertises Lingerie, beach ware etc. we also sell "normal" underware and shoes.*
 - 3. The complaint is... "Sexuality and nudity with sensitivity to the relevant audience". I don't believe the treatment of sexuality here is commensurate with the audience. What is the relevant audience? There is no nudity. There is no mention of sex, we do not sell sex, we leave that to brothels etc.*
 - 4. This Ad has been running weekly for 7 weeks. With a circulation of approx. 50,000 per week it is amazing that no one else finds it offensive.*
 - 5. Messenger Press has a section available for couples and singles to advertise for one or multiple partners. MMMMMMMMMMMMMMMMM. The person making this complaint must have been so shocked at our ad that they missed this page.*
 - 6. If this ad is offensive then I presume all ads concerning alcohol and gambling will be banned from everything. After all, most kids have access to remote controls etc and know how To use them well before they have any interest in reading the paper. What they can find without an adults help is mind boggling yet someone is offended by a woman in lingerie.*
 - 7. The Womans Weekly and New Idea are two publications that come to mind with similar pictures. Are they hidden from the kids??*
 - 8. We used the phrase - we don't sell sex but we can help you enjoy it- no one ever complained about that. (although we only used it for about 5 years)*
 - 9. Would this complaint have been lodged if Target or Big W had used this picture. (DISCRIMINATION)*
- We believe this to be a time wasting event and would like to know who to invoice for the time taken to reply. After all, it is xmas and we are in retail. We have enough to do without worrying about trivial complaints.*
- My apologies for any English mistakes but this reply has been done between customers. The sarcasm included is not aimed at yourselves. We understand you are doing what you have to do.*
- PS.....High powered and fast cars kill people on a daily basis. Can we ban them from being advertised in the local paper.*

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 concerns that the advertisement depicts a woman in a sexualised outfit which is not appropriate for placement in a local paper where children can view it.

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

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 that this print advertisement features an image of a woman in a black body suit advertising an adult store.

The Board noted that some members of the community would prefer this type of product/service not be advertised at all but considered that adult stores are legally allowed to advertise. The Board noted that the woman in the advertisement is wearing a lacy black body suit and stockings and considered that her private areas are covered and while the lingerie is sexy in the Board’s view the pose of the woman is not sexualised and the overall impact of the image is relatively mild in the context of the advertised product/service.

The Board noted the placement of the advertisement in the Southern Times Messenger and considered that while some children may look through a local newspaper, in the Board’s view newspapers are not of themselves generally considered to attract a high child readership or to be directed to children. Consistent with previous determinations for similar complaints about print advertisements for adult stores/venues, (0438/13, 0241/14, 0244/15), the Board considered that this advertisement was not strongly sexualised and that it did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience of a local newspaper.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

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