



CASE REPORT

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| 1. Complaint reference number | 72/08 |
| 2. Advertiser | Sex Kitten Boutique |
| 3. Product | Clothing |
| 4. Type of advertisement | Internet |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 12 March 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This internet advertisement features a professional model lying on a plush sofa, wearing a black cocktail dress with pink trim and over-the-knee patterned stockings. Within the image are the words "Sex Kitten" and alongside the image "Beautiful lingerie - how can you go wrong? Sexy, alluring or pure fantasy. You'll find a fantastic choice of retailers to select from at Pacific Fair including Myer, Sex Kitten, Isabella's Passion, Peter Alexander and Triumph."

THE COMPLAINT

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

Includes the image of what seems to be a child, appears clearly to represent a person under-aged and inappropriate to be a model advertising adult underwear.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

The advertisement was placed by AMP Pacific Fair with assistance from myself. We have a clothing shop that is located at Pacific Fair, a shopping centre that is owned and managed by AMP. I understand that the complaint being made is in regard to the image we used in a Valentine's Day promotion.

I am a little mystified by (the complainant's) comments as the picture does not picture 'Adult Underwear' as stated in his complaint. Although we do stock a small amount of lingerie, 95% of the products we sell are women's outwear clothing. Please visit our Web Site for more information: www.skittenaustralia.com

In our opinion, the image that (the complainant) is referring to is in no way sexually explicit or sexually offensive. We are constantly being praised for the high quality of printed material we produce and this is the first time in 10 years we have ever received any criticism regarding the images we use to promote Sex Kitten.

The term Sex Kitten was derived by the French media to describe the actress Bridget Bardot and we feel that the term typically describes the type of garments we produce.

We sourced the model used in the photograph from the model agency. We do not use under age models.

We design and manufacture beautiful women's wear here in Brisbane. We have two shops, one is

located at Pacific Fair the other is located in Adelaide Street in Brisbane.

I will be very happy to provide any additional information that might be required.

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 depicted an under-age model wearing inappropriate clothing and posed in a suggestive manner.

The Board viewed the advertisement and observed the model to be an adult. They further referred to the advertiser's response and noted the advertiser had appropriately sourced an adult model.

The Board also noted that the model was wearing clothing not lingerie. They considered the image to be tasteful and not overly or inappropriately sexual in the posing of the model and that the advertisement therefore did not breach Section 2.3 in its treatment of sex, sexuality and nudity.

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