



Case Report

1	Case Number	0225/10
2	Advertiser	Kittens
3	Product	Sex Industry
4	Type of Advertisement / media	Outdoor
5	Date of Determination	09/06/2010
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This advertisement features a picture of a blonde woman in lingerie painted onto the side, front and back of a bus. The woman in the image is shown from the side, lying on her back, looking away and wearing only lingerie and high heels.

THE COMPLAINT

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

Kids Free 2B Kids requests that the ASB revisit the many complaints made about the Kittens School of Striptease carwash bus advertisement in 2005.

In the original deliberation:

The Board noted that the pictures on the side of the bus did not portray any nudity. The Board considered that the images were not overly graphic in that they did not expose the breasts or genitals in any way."

It is absurd to say that the image does not expose the breast in any way. Please take another look.

"The Board was of the opinion that the images used in the advertisement were relevant to the product being advertised."

What is the 'product' being advertised? The women who are strip teasing at the 'Kittens School of Striptease'? Or is the 'product' the Kittens Venue itself?

"The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of sex sexuality or nudity."

"Sec 2.3 - Advertising or marketing communications shall treat sex sexuality and nudity with sensitivity to the relevant audience and where appropriate the relevant program time zone." The bus and vehicles adorned with the sexualised image are parked or driven around the streets at all times during the day. This means that children are constantly being involuntarily exposed to an objectified and sexualised image of a woman. The advertisement is for an adult venue and the website advertised in large letters leads to an unrestricted adult website.

One of the vehicles with the 'Kittens school of striptease advertising' was parked at a kid's soccer training event.

Who is the 'relevant audience'? This ad is certainly not 'sensitive' to young people.

This is not about being hung up about a naked or semi naked body. It is also not about being similar to a woman in a bikini on a beach. It is about intent and context. The woman is deliberately sexualised because of the 'product' being advertised. (at the very least we can assume the product is the Kittens school of striptease) The woman's body is further sexed up by being oiled and her back arching. It would be ridiculous to suggest that this is not a sexualised image.

Since the original deliberation was handed down 5 years ago – there has been significant emphasis on the impacts of the premature sexualisation of young people. The board is well aware of what child development experts and increasing research report on the issue – including the recent UK home office report.

THE ADVERTISER'S RESPONSE

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

The bus in question has been moved from the corner of Warrigal and North Rd's Oakleigh and is now parked off the street at a storage facility on South Rd Moorabbin. It has been at the new location since Feb 2010. I have made enquiries with the bus driver and to the best of his knowledge he hasn't parked the bus near any boys soccer matches, Kittens target audience is over 18years.

The advertising on the bus hasn't been altered since the last Determination on Tuesday 11 October 2005. In that determination the board noted, "the pictures on the side of the bus did not portray any nudity". The board also considered, "the images weren't overly graphic in that they didn't expose the breasts or genitals in any way." The board was also of the opinion, "the images used in the advertisement were relevant to the product being advertised." It was also found that the depiction didn't contravene the provisions of the code relating to the portrayal of sex, sexuality or nudity.

The board determined in 2005 to dismiss the complaint based on the grounds stated above. As the advertisement hasn't altered since then I believe the board should dismiss the current complaint for the same reasons.

Thank you for your consideration in this matter we are more than willing to remove the text "kitten's school of striptease" on the side of the bus.

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 about the location and medium on which the advertisement appears (transport) and that the advertisement is sexually suggestive, not relevant to the product and contributes to the sexualisation of children.

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"; and 2.5 of the Code relating to language.

The Board noted that this advertisement was considered previously, with the deliberation for Case Number 278/05 handed down in October 2005. Advertising Standards procedures allow the Board to reconsider a case after five years to allow for changes to community standards.

The Board noted the advertisement is for a striptease club and that such clubs are allowed to be advertised provided that they treat sex, sexuality and nudity with sensitivity to the relevant audience in accordance with section 2.3 of the Code. The Board noted that the image of a woman lying down is relevant to the advertised product or service.

The Board noted that the advertisement depicted a bikini clad woman lying down with her back arched and her head turned away from the viewer. In the Board’s view this depiction is a sexually suggestive and sexualised image. The Board also considered that although the woman was not naked, she was clothed revealingly and a significant portion of her breast is visible.

The Board noted that the advertisement is featured on the front, side and back of a bus and expressed concern that the medium on which the advertisement appears is available for viewing by a broad audience. The Board considered that the image in the advertisement is sexualised and the size and repetition of the advertisement means that it is clearly available for viewing by a broad audience. In the Board’s view the overall impact of the advertisement is sexually suggestive and brings the issue of sex to all who see it, including children. The Board determined that the advertisement did not treat sex, sexuality and nudity with sensitivity to the relevant audience and therefore breaches section 2.3 of the Code.

The Board considered that the use of the words 'Kittens School of Striptease' and ‘Party Bus’ was not of itself offensive and in the context of the name of the product was not offensive or obscene. The Board determined that the advertisement did not breach section 2.5 of the Code.

Finding that the advertisement was in breach of section 2.3 of the Code the Board upheld the complaint.

ADVERTISER RESPONSE TO DETERMINATION

At the time of finalizing the case report, the advertiser has not responded to the Board's decision. The Bureau has been advised by Glen Eira City Council that the Bus has been moved to a storage facility and is no longer used for promotional purposes.