



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

1	Case Number	0163/14
2	Advertiser	The Firm Gentlemens Club
3	Product	Sex Industry
4	Type of Advertisement / media	Poster
5	Date of Determination	28/05/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The poster portrays a blond haired lady with only the back of her body showing which makes her look like as if she's walking in to the club, with text that states "MISS FIRM AUSTRALIA 2014" and the dates of the event.

THE COMPLAINT

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

This is a perfect example of the objectification of women. We do not see the woman's face, she is depersonified, reduced to her sexual parts. There is significant evidence that this kind of objectification contributes to discrimination, harassment, and violence against women. It is also an incredibly sexually explicit image, placed in a public place. It is actually at child's eye level, I noticed the ad in the first place because I was walking down the street and happened to stop right there to answer a question from my 2 1/2 year old who was in the pram, unintentionally staring right at the exposed buttocks of a woman. My child and I deserve better than to be exposed to this kind of degrading imagery, she deserves to grow up learning that women should be respected and valued for more than their sexy bottom. And I personally just felt humiliated. It's ridiculous expecting everyday mums like me to parent and raise healthy kids in an environment plastered with the imagery of the sex industry.

THE ADVERTISER'S RESPONSE

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

Comprehensive comments in relation to the complaint

We believe the image was photographed by “professional photographers” and it’s been selling online for some time, in fact there is more than one pose for this particular model available on “ISTOCK”.

The poster was created with a lady standing up back photograph from behind showing her from head to foot, it was never designed to concentrate on any particular part of the body, it is up to individuals whether he/she wishes to concentrate only on a particular part of the model’s image.

This particular model has more than one image on “Istock” all very similar poses, please follow the links below,

<http://www.istockphoto.com/stock-photo-22865042-sexy-buttocks.php?st=7711f6c>

<http://www.istockphoto.com/stock-photo-22743121-sexy-blonde.php?st=d4b2455>

Also there are many other photographs/images of other models with the same or similar poses on “Istock” and other sites, please follow the link below,

<http://www.istockphoto.com/search/text/Back%20and%20buttocks%20of%20sexy%20attractive%20blonde/filetypes/photos,illustrations,video/source/basic#aef8699>

We believe it is not an objectification to anybody if the person chooses to be photographed erotically, as you can see on the image there are no suggestions of discrimination, harassment or violence against women.

“The Firm” is located on 142 North Terrace Adelaide, across the road from “Adelaide casino”, there are no schools or day cares nearby, even though we always make sure our advertising material is very carefully and professionally designed and distributed, e.g. all of our signs are not lit during the day, there are no flashing lights at the front of the club during business hours, none of our signs rotate or flash to attract attention of children or minors, none of our advertising materials are designed or aimed to attract children or minors attention.

Please note that it is not and has never been in our interest to attract children or any person under the age of 18 into our club as we are a fully licensed adult entertainment club.

We appreciate your efforts in resolving this complaint.

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 an image of an almost naked woman that focuses on her bottom and that this is not appropriate for outdoor display 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 2.2 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 in order to be in breach of this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board noted that the image is of the rear of a woman and that whilst the text covers the image it is still clear that this is a woman wearing stockings and a g-string.

A minority of the Board considered that the woman's bottom is quite prominent in the image and that in the context of the accompanying text which reads, "Miss Firm" this is an image which is both exploitative and degrading to women.

The majority of the Board however noted that the advertisement is promoting a "seductive competition" between "Australia's most desirable ladies" and considered that the image is relevant to the advertised product. The Board acknowledged that some members of the community would find that images featuring women in lingerie were exploitative when used to advertise in this manner. The majority of the Board considered however that in this instance the image of the woman is not degrading.

The Board determined that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading and did not breach Section 2.2 of the Code.

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 it had previously upheld an outdoor image depicting a woman in skimpy underwear in case 0274/11 where:

"The Board considered that the pose of the woman, in particular the suggestion that she is available for sex, is strongly sexualised. The Board noted the relevant audience for the advertisement, which even though only put out at 7pm, is still broad and given the highly sexualised image it is likely the advertisement will be found offensive by many people who would see it."

In the current advertisement the Board noted that whilst the woman is wearing skimpy lingerie the image is partly obscured by the text and considered that the image is less impactful because of this. The Board noted that the colours used in the advertisement are muted and considered that the emphasis is on the text rather than the image.

The Board noted that the advertisement is a poster on the advertiser's premises and considered that the image and content are not inappropriate for viewing by a broad audience which could include children.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and 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.