



ADVERTISING
STANDARDS
BUREAU

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Case Report

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| 1 | Case Number | 0153/14 |
| 2 | Advertiser | Club Shoop |
| 3 | Product | Sex Industry |
| 4 | Type of Advertisement / media | Transport |
| 5 | Date of Determination | 14/05/2014 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

It is a girl wearing lingerie and heels leaning on a pole with her back to the pole. The business name, address and contact details and a warning script are next to the image.

THE COMPLAINT

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

My 6 year old daughter asked me "daddy what is that lady doing?"

- (i) I believe my daughter was exposed to a sexual image far beyond what is appropriate.*
- (ii) I was embarrassed as a man, and felt that the nature of the advertising was portraying women as objects for sexual gratification of men.*
- (iii) I believe this kind of advertising contributes to self-esteem issues for young women and gives young men the impression that women exist only for their sexual appetite.*
- (iiii) This form of advertising does not take into consideration the diversity of cultural beliefs in Dandenong, and I am sure if I found it offensive those of a more conservative nature would have also.*

THE ADVERTISER'S RESPONSE

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

In response to the complaint received on the 15 April 2014 we would like to outline the following;

The current media advertisement we are using has been done in a very tastefully manner. We have gone to great lengths to make sure that the girl we used is fully clothed in a dress that does not expose any breasts or show underwear and that there is no sexually suggestive pose except she is leaning on a pole. The girl is wearing a dress that is used in media everyday and is commonly worn by women in Australia.

We do not feel in anyway that, the way she dressed is suggestive sexually, because the dress is short. In fact it is a standard dress length sold and often worn by young women in society today and a there are a lot more exposing dresses that are available, worn and used in media everyday.

If you removed our business name and the warning and that same image used for advertising on the back of a bus or on the internet or in store marketing would the gentleman be complaining or is it him bringing in his own religious and cultural beliefs into play.

Yes people have the right to their our own cultural beliefs, but you can not enforce them on others, we all have a right to choose.

Yes this form of advertising is needed. We have been in business in Dandenong for over 21 years and we cater to the community and its cultural diversity as well. We have seen many changes to the community groups and cultures of the Greater City of Dandenong and we have met some amazing patrons from all races and religion. I find it hard to believe the gentleman was offended and embarrassed as a man because of the nature of our advertisement, then he would be embarrassed to walk in a shopping center, down the street, to attend a school formal, to go on the internet, read magazines, newspapers even drive on the roads and the various advertisements on vehicles.

Does he get offend when in prime time radio the Longer Stronger male Erection adds come on with children in the car, how would he explain that to his daughter.

Has the gentleman seen some of the sexually suggestive adds by Mentos, Dolce & Gabbana or the Durex Condoms. Our world is filled with these images and as educated man and responsible parent the Gentleman should be able to discuss the images with his daughter. He could have said it was a an add for a Dance School. This will not be the last time the young girl will see images or advertisements like this. In fact as we are moving towards a more technology based society, pop up images of this mature will appear everywhere.

As a business we have the right to advertise our product or services and to keep our staff employed.

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 sexualised material which is inappropriate for viewing by children and the imagery portrays women as sexual objects.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race,

ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted that the advertisement features a woman wearing lingerie and heels leaning on a pole with her back to the pole. The business name, address, contact details and a warning script are included as part of the image.

The Board noted that the woman in the image is designed to promote a gentlemen's club. The Board noted that one of the entertainment features of the club is the women who pole dance. The Board agreed that although the concept of a gentlemen's club in general may be offensive to some members of the community the promotional material does not depict material that discriminates against a section of the community on account of gender and does not breach Section 2.1 of the Code.

The Board then 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 woman is standing against the pole and her hand is on her bottom. The Board noted that the woman is dressed in lacy attire that fully covers her body. The Board agreed that the position of the woman against the pole, the clothing and the sultry expression on her face, does amount to a pose that is mildly sexualised.

The Board considered that as the image is clearly relevant to the venue being promoted and the image simply shows a woman leaning against a pole, the pose of the woman does not amount to sexual appeal which is exploitative and degrading and did not breach 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 it had recently dismissed complaints for a print advertisement for AC's Striptease that featured a woman sitting on her heels dressed in a bikini top and suspenders. In that matter the Board considered that "the model is wearing lingerie and that her private areas are covered. The Board noted that the advertiser is legally allowed to advertise its particular service and that the manner in which the model is dressed is relevant to the product being advertised."

Consistent with the decision above, the Board considered that as the woman is fully covered and there is no inappropriate nudity, 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.

