



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0017/18
2	Advertiser	The Firm Gentlemens Club
3	Product	Sex Industry
4	Type of Advertisement / media	Print
5	Date of Determination	07/02/2018
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

This print advertisement portrays a woman leaning forward on a sofa looking at the camera, wearing black lace lingerie.

THE COMPLAINT

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

Offensively sexualised image of woman positioned in a demeaning and disempowered way suggesting she is up for submissive sex. The position of the model and nature of the advertiser suggests that women are submissive sex objects which is particularly offensive and harmful. Even my husband was offended by the ad and said he is sick of seeing them every time there is a major sport feature in the paper.

THE ADVERTISER'S RESPONSE



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

The image was photographed by “professional photographers” and it’s been selling online for some time, in fact there are more than one pose for this particular model available on “Shutterstock”

“The ad” contained a blond haired lady leaning forward on a sofa looking at the camera, photographed from head to feet as showing in the image, wearing black lace lingerie which is covering most of her body, it was never designed to concentrate on any particular part of the body nor suggesting any sexual activities, it is completely up to individuals how they view the image and whether he/she wishes to concentrate only on a particular part of the model’s image.

We are constantly working really hard to keep all of our advertising materials professional and classy to keep up to our business reputation and in the same time deliver the right message to our audience.

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 disempowering, harassment or violence against women.

“The ad’ was published within the advertiser newspaper particularly in the sports section bottom of the page for one day ONLY.

“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 materials is very carefully and professionally designed and distributed.

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 (the “Board”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).



The Board noted the complainant's concern that the advertisement is depicting a woman in a demeaning and that she is portrayed as a sex object.

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

The Board noted that some people may prefer not to see gentleman's clubs advertised but noted that such businesses are permitted to advertise provided the content of the advertisement complies with the Code.

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: (a) where images of Minors, or people who appear to be Minors, are used; or (b) in a manner which is exploitative and degrading of any individual or group of people."

The Board noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

"Exploitative - means clearly appearing to purposefully debase or abuse a person, or group of persons, for the enjoyment of others, and lacking moral, artistic or other values.

Degrading – lowering in character or quality a person or group of people."

The Board noted that in order to breach this Section of the Code the advertisement would need to be using sexual appeal in a manner that is considered both exploitative and degrading.

The Board considered the print advertisement featured a woman in lingerie leaning on a chair with one of her legs in the air.

The Board noted the complainant's concern that the advertisement portrays the woman as a sex object.

The Board noted that it had previously considered a print advertisement for the same advertiser in case 0241/14 in which:

"The Board...noted that some members of the community would find that images featuring women in lingerie to be exploitative. The Board considered however that the image of the woman is relevant to the product advertised and that she is in a seductive but not a demeaning pose and that in this instance the woman is not presented in a manner which is 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."

In the current image the Board noted the woman is in a seductive pose, however



considered that she was shown in a confident manner. The Board considered the advertisement did not debase the woman and did not lower in character the woman and determined the advertisement did not employ sexual appeal in a manner which is exploitative or degrading.

In the Board's view, the advertisement did not purposefully debase or lower in character the quality of the women 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 the complainant's concern that the image of the woman is overly sexualised for the Sport's page in the newspaper.

The Board noted that the woman in the advertisement is wearing a lingerie and stockings and considered that her private areas are covered and while the lingerie is sexy and while the pose of the woman is sexualised, 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 Sports section of the Adelaide Advertiser 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.

A minority of the Board considered that children would be likely to read the sports section of the newspaper and considered that the image of the woman was too sexualised for a broad audience which would include children.

The majority of the Board considered that consistent with previous determinations for similar complaints about print advertisements for adult stores/venues, (0438/13, 0241/14, 0244/15 and 0577/16), 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.

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