



Case Report

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| 1 | Case Number | 0057/16 |
| 2 | Advertiser | Penthouse Club Perth |
| 3 | Product | Sex Industry |
| 4 | Type of Advertisement / media | Radio |
| 5 | Date of Determination | 24/02/2016 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement features the voice of Paris, Australian Pet of the Year, explaining that it is the Penthouse Club Perth's first birthday so they have the world's hottest girls in their birthday suits to celebrate.

THE COMPLAINT

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

We were having dinner with the radio playing in the background. I had to quickly jump up and change the station once the ad started but not before my 9yr old heard the majority of it. I then had to try and come up with a reason why only men could visit the "pets" (my daughter thinking it was a petting zoo) and could we go buy her a birthday suit for her upcoming birthday.

Was not the thing myself or my partner were expecting to hear during our evening.

THE ADVERTISER'S RESPONSE

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

I have attached the actual audio of the ad ... The Penthouse brand has been in existence since 1965, their magazines on newsagent stands everywhere, and today even in service stations, with the banner heading "Penthouse Pet Of The Month" etc!

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 for a gentleman's club is not appropriate for children to hear as it makes reference to "hottest Penthouse pets" and wearing a "birthday suit".

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

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 this radio advertisement features a female voiceover talking about the Penthouse Club Perth's first birthday party.

The Board noted the reference to the "world's hottest girls" and "pets" and considered that these references are not overly sexual and would be easy to explain to children. The Board noted the reference to wearing a "birthday suit" and considered that whilst adults and some children would understand this phrase to mean being naked in the Board's view its use in the advertisement is not a strong innuendo and the phrase itself is not sexualised or inappropriate for a broad audience which would include children.

The Board acknowledged that some members of the community would prefer that this type of venue not advertise their services on the radio but considered that in this instance the content of the advertisement is mild and does not contain strong sexual or explicit language or references. The Board noted that the advertisement had been heard at 7pm on a Sunday evening and considered that this is not generally considered to be a time when children would normally listen to the radio. Regardless of the time in which the advertisement was aired however, the Board considered overall that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which could include children.

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.

