



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0071-21
2. Advertiser :	WDS
3. Product :	Sex Industry
4. Type of Advertisement/Media :	Billboard - Digital
5. Date of Determination	14-Apr-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.4 Sex/sexuality/nudity

DESCRIPTION OF ADVERTISEMENT

This digital billboard advertisement features images of three women, with their online names and the names of the website. The first woman, "LatexRapture", is wearing a red latex bodysuit which is open at the front and a red latex mask. The second woman, "Emmac_xxx", is mainly visible by her head and shoulders, she is holding a finger up to her mouth. The third woman, "BethBennett", is lying on her side with her hands behind her head. She is wearing white lingerie.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

*Almost naked women, have all their usernames with adult work site mentioned.
Any child who wonders what this is and searches it is considered allowing Paedophilia.
Unacceptable!!*

THE ADVERTISER'S RESPONSE



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

The complaint is not valid.

'Almost naked women' - We do not use Naked images at all, and the images we have used are consistent with a Latex Fashion advert, a dating app style image and a beach holiday style photo. We even removed the word 'sex' from the writing on the clothing off one image by removing the 'x'.

'Have all their usernames with adult work site mentioned.' - With the consent of our members who appear on the ad. This is not breaking any laws.

'Any child who wonders what this is and searches it is considered allowing Paedophilia. Unacceptable!!' - This is not true. We request age confirmation (above 18) on Adultwork.com and we have also added it to the Adultwork.com.au since this last complaint. We do not show R18 content on Adultwork.com.au or on AdultworkAus Twitter, and to interact with our members in private, then you must be age verified via credit card. Any of our members offering free chat are not allowed to show and nudity and they is a disclaimer in the chat to request not to ask this from our members as it breaks our terms.

We pride ourselves on Safety, Security and Compliance for our member and customers. We have also changed our live times on the digital billboards to be from 6pm to 6am and in some areas 8pm to 6am.

The last complaints we received was not actioned any further, but, we still changes the time of the ads to ensure our ads weren't shown during the day. we have now applied this across all of our ads.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement depicts almost naked women with their usernames for the adult website listed.

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

Section 2.4: Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

The Panel noted that the promotion of adult material does not itself encourage or promote pedophilia.



The Panel noted the Practice Note for the Code states:

“Overtly sexual images are not appropriate in outdoor advertising or shop front windows.

“Although not exhaustive, the following may be considered to be overtly sexual:

- *Poses suggestive of sexual position: parting of legs, hand placed on or near genitals in a manner which draws attention to the region;*
- *People depicted in sheer lingerie or clothing where a large amount of buttocks, female breasts, pubic mound or genital regions can be seen; The use of paraphernalia such as whips and handcuffs, particularly in combination with images of people in lingerie, undressed or in poses suggestive of sexual position;*
- *Suggestive undressing, such as pulling down a bra strap or underpants; or*
- *Interaction between two or more people which is highly suggestive of sexualised activity.*

“Discreet portrayal of nudity and sexuality in an appropriate context (eg advertisements for toiletries and underwear) is generally permitted but note the application of the relevant audience. More care should be taken in outdoor media than magazines, for example.

“Images of models in bikinis or underwear are permitted, however, unacceptable images could include those where a model is in a suggestively sexual pose, where underwear is being pulled up or down (by the model or another person), or where there is clear sexual innuendo from the ad (e.g. depicting women as sexual objects).”

Does the advertisement contain sex?

The Panel considered whether the advertisement contained sex. The Panel noted the definition of sex in the Practice Note is “sexual intercourse; person or persons engaged in sexually stimulating behaviour”.

The Panel considered that the women in the advertisement are shown alone and are not engaged in sexual behaviour. The Panel considered that the advertisement did not contain sex.

Does the advertisement contain sexuality?

The Panel noted the definition of sexuality in the Practice Note is “the capacity to experience and express sexual desire; the recognition or emphasis of sexual matters”.

The Panel considered that one of the woman is in underwear, one is unclear as the image focusses on her face, and one is wearing a red leather deep v neck shirt and a red leather mask which covers her entire face except for eyes/nose/mouth.

The Panel noted that the advertisement is for a website which contains adult, sexualised material. The Panel considered that some members of the community



would find the advertisement to be sexualised. The Panel considered that there was a sexual element to the advertisement.

Does the advertisement contain nudity?

The Panel noted that the definition of nudity in the Practice Note is “the depiction of a person without clothing or covering; partial or suggested nudity may also be considered nudity”.

The Panel noted that one of the woman in the advertisement is depicted in lingerie, and the Panel considered that this is a depiction of partial nudity.

Is the issue of sexuality treated with sensitivity to the relevant audience?

The Panel noted that the definition of sensitivity in the Practice Note is “understanding and awareness to the needs and emotions of others”.

The Panel considered that the requirement to consider whether sexual suggestion is ‘sensitive to the relevant audience’ requires them to consider who the relevant audience is and to have an understanding of how they might react to or feel about the advertisement.

The Panel noted that this advertisement is a digital billboard over a roadway and considered that the audience would be broad and would include children.

The Panel noted that the advertisement is for an adult website and noted that some members of the community would prefer such a product not be advertised at all, however the Panel noted that the advertiser is entitled to advertise its service provided it does not breach the Code.

The Panel considered that the poses of the women in the advertisement were not particularly sexualised and were not dissimilar to those seen in fashion advertisements. The Panel considered that while one of the women was in lingerie, the other two do not appear to be and there is not inappropriate nudity in the advertisement.

The Panel considered that while adults may infer a sexual element to the image of the woman in the red mask, children would be unlikely to make the same inference.

The Panel considered that the advertisement is mildly sexualised but is not inappropriate for a broad audience.

Section 2.4 Conclusion

The Panel determined the advertisement did treat sex, sexuality and nudity with sensitivity to that audience and did not breach Section 2.4 of the Code.



Conclusion

Finding that the advertisement did not breach Section 2.4 of the Code, the Panel dismissed the complaint.