



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0081/16</b>
<b>2</b>	<b>Advertiser</b>	<b>Narangba Valley Tavern</b>
<b>3</b>	<b>Product</b>	<b>Entertainment</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Outdoor</b>
<b>5</b>	<b>Date of Determination</b>	<b>24/02/2016</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

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

## DESCRIPTION OF THE ADVERTISEMENT

This roadside banner is on the south-east corner of the advertiser's premises and measures 3000mm x 1118mm.

It depicts eight males wearing pants but no tops and features the logo of "Bad Boys", Narangba Valley Tavern and the ticketing price.

## THE COMPLAINT

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

*This banner is right next to the Narangba Valley State High School and can be seen by the children from within the school grounds also some of the school buses operate from this street where the banner is located. As it is for a strip show that clearly shows the dancers semi naked in full colour, I believe that this is not appropriate to have this in this location as it faces the school and almost advertising this directly to the children.*

## THE ADVERTISER'S RESPONSE

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

*The banner contains a picture of 8 males in long pants, although I agree they do not have clothing on the top half of their bodies I do not believe it is inappropriate levels of sexual suggestion or nudity as it tastefully displays males with shirts removed, a practice that you see males walking down the streets of Narangba.*

*Nowhere on the banner does it say "male stripper act", just the logo of Bad Boys.*

*The banner is located across the road from the school grounds and school buses do service the street.*

*This location is not the primary exit of the school - more along the rear exit for foot traffic only.*

*The banner also does not face the school at all, and I would be surprised if you could see the banner from school grounds at all as it faces the north bound traffic on Golden Wattle Drive - pictures will be attached in file upload.*

*An almost identical banner to this one has been in place in the location at least 2 times a year for 1-2 month duration for the past 3 years and have never had one complaint from a member of the public.*

*I find the timing of this complaint suspicious and believe it is from a person that has a personal vendetta against the tavern. Probably a parent that has been asked to not park in the tavern grounds and not to ask their child to walk through our licensed premises unattended.*

## **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 features semi naked men promoting a strip show which is not appropriate for an outdoor advertisement placed near a school.

The Board viewed 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 that this roadside banner advertisement features an image of eight men wearing pants and the text, "Badboys".

The Board noted that the men in the advertisement are topless and wearing dark pants and considered that the level of nudity is very mild. The Board noted the poses of the men and considered that they are not sexualised or presented in a manner which is suggestive of any

sexual activity. The Board noted that the text does include the words, “Ladies only” but considered that this is not of itself sexualised language and whilst it does suggest that women, not men, would enjoy the Badboys’ show, in the Board’s view this suggestion is not inappropriate in the context of a promotion for a show directed at a female audience. The Board noted that other than an image of eight men wearing pants there is no information provided about the content of the Badboys’ show and considered that whilst most adults would expect Badboys to be strippers the manner in which they are presented is more suggestive of dancers, and the word “stripper” is not used in the advertisement. The Board noted that Badboys is the name of the male group and considered that it was not inappropriate to have this name on the advertisement and in the Board’s view it is not a sexualised name and does not suggest sexual activity.

The Board noted the complainant’s concern that the advertisement is placed near a school and considered that as the venue, a tavern, is placed near a school it is not inappropriate for that venue to advertise its premises or forthcoming attractions. The Board acknowledged that some members of the community would prefer that this type of show not be advertised in an outdoor place but considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would 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.