



Case Report

1	Case Number	0100/16
2	Advertiser	Penthouse Club Perth
3	Product	Sex Industry
4	Type of Advertisement / media	Billboard
5	Date of Determination	09/03/2016
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

This billboard advertisement is on the Penthouse Club premises, above their signage. It features an image of three women in lingerie. Two of the women are wearing mesh crop tops with heart shaped pasties over their nipples.

The text reads, "Sindustry Sundays Open seven nights a week. Perth Penthouse Club now open Sundays at 8pm".

THE COMPLAINT

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

My small children (Aged 5 and 2.5) and I regularly use William Street in Perth to run errands and shop and thus we have to walk past this club which exposes my children to sexualised images of women that I have no control over. These women are wearing strip-club attire eg ripped or sheer tops exposing augmented breasts, hearts over their nipples. The women are clearly on display to lure customers into this ADULTS ONLY club for more of the same. I feel the City of Perth is failing its children by letting them see what goes on inside such a place. The age limit is there for a reason, but the billboard then gives a window to what should be off limits for children to see. The alternative so far for my family shopping

trips is to use filthy back alleys where garbage disposals are stored in order to get to where we want to, which we often do as real filth is preferable to this.

THE ADVERTISER'S RESPONSE

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

Photo of two window ads from shopping mall in our immediate vicinity, did your complainant take offence at these?

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 depicts sexualised images of women in a manner which is exploitative and not appropriate for children to see.

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

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 in a manner which is exploitative and degrading of any individual or group of people."

The Board noted that some members of the community may find gentlemen's clubs offensive, and in turn any related advertising also offensive in nature. The Board noted that such clubs are allowed to be advertised. The Board considered that the image used in the advertisement is clearly related to the product being advertised and that it is custom to use images of scantily clad women when promoting a gentlemen's club.

The Board noted that there are three images of women on the billboard and considered that that this increases the impact and in the Board's view is exploitative. The Board noted however that the woman appear confident and considered that the manner in which they are presented is not degrading.

The Board considered that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading of women.

The Board determined that the advertisement 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 that the signage is on a building which is located in an area which contains a

high proportion of adult venues and that the sign is high up on the building above the doorway and not at street level.

The Board noted that the advertisement does not show any private parts of the women and considered that the love heart shaped pasties cover the women's nipples sufficiently. The Board noted the women are wearing lingerie and considered that whilst the lingerie, and the women's poses, are sexualised the images are within the acceptable boundaries of what can be displayed outdoors. The Board considered that consistent with similar determinations (0047/13, 0178/15) and noting the position of the current sign overall the advertisement is not inappropriate for a broad audience which may include children.

The Board considered that the advertisement does treat sex, sexuality and nudity with sensitivity to the relevant audience.

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.