



**ADVERTISING  
STANDARDS  
BUREAU**

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## Case Report

1	Case Number	0110/13
2	Advertiser	Boardroom of Melbourne
3	Product	Sex Industry
4	Type of Advertisement / media	Billboard
5	Date of Determination	10/04/2013
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

Image of a woman looking at the camera with her arm resting against her face. The text reads, "You may not be the first, but really...do you care? Boardroom of Melbourne 03 9699 1711".

### THE COMPLAINT

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

*I find this ad extremely misogynistic. Judging by the fact that someone has already thrown paint over it, I am not the only one who is offended. Surely this ad cannot be considered to be in line with "community standards."*

### THE ADVERTISER'S RESPONSE

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

*Please find attached a copy of our artwork used on the billboard site of Sturt St and Eastern Rd. South Melbourne. Vic.*

*We have had many positive responses to our recent billboard and we are very surprised that someone has been offended by it.*

*We have been operating a legal business for over 15 years. We believe our ad to be very tasteful and not disrespectful of men or women. It is not sexually explicit, does not refer to any form of sexual services or the type of business that The Boardroom is.*

*The ad was definitely not meant to offend or hurt anyone. I myself, have seen far more explicit billboards selling Ice Creams and Chicko Rolls.*

*Should you have any questions or require any further information, please do not hesitate in contacting myself.*

## **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 is misogynistic and not appropriate for outdoor display.

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: “Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of...gender...”

The Board noted that the advertisement features an image of a woman from the shoulders up and the text, “you may not be the first, but really...do you care?” The Board noted that this advertisement is for a brothel and considered that whilst some members of the community would prefer that this type of establishment not be advertised, legally it can be advertised and therefore the Board can only consider the content of the advertisement.

The Board noted that the text of the advertisement suggests that the women who work at the Boardroom of Melbourne may have had other clients and considered that as their job is to entertain clients this suggestion does not of itself discriminate against or vilify women. The Board noted that the advertisement also suggests that potential clients, who would most likely be male, do not care about the previous experiences of the women who work at the Boardroom of Melbourne and again considered that this suggestion does not amount to discrimination or vilification against men.

The Board determined that the material depicted did not discriminate against or vilify any person or section of the community on account of gender and did not breach Section 2.1 of 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 in a manner which is exploitative and degrading of any individual or group of people.”

The Board noted that the woman in the advertisement is wearing clothing and considered that her pose is not sexualised. The Board noted that some members of the community could consider that the nature of the business advertised is degrading however the Board considered that the advertisement itself did not present or portray women in a manner which is

exploitative and degrading.

The Board determined that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading to women and that the advertisement did not breach Section 2.2 of the Code.

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 the words, “you may not be the first...” are suggestive of a sexual transaction between a client and an employee of the Boardroom of Melbourne however the Board considered that this suggestion is relatively mild and is unlikely to be understood by children.

The Board noted that the advertisement does not depict any nudity or sexualised material and 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.

Further finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.