



Case Report

1	Case Number	0110/17
2	Advertiser	Love and Rockets.tv
3	Product	Sex Industry
4	Type of Advertisement / media	Radio
5	Date of Determination	08/03/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

We understand that listening to the cricket all day is extremely hard work. You need to relax, have a drink and let Brisbane's hottest girls look after you... all... night... long. Come into Love&Rockets, Honeybys or both if you've got the energy, and let us get your tail really wagging. Love&Rockets and Honeybys. Caxton St, Petrie Tce and Fortitude Valley.

THE COMPLAINT

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

I was surprised and shocked that 4BC would promote the sex industry especially during a cricket broadcast at such an early timeslot. I was on my way to pick up my teenagers from a youth event and was concerned the add would be replayed. Why do they need sexualise a cricket broadcast and promote the sex industry is a mystery to me??

THE ADVERTISER'S RESPONSE

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

In response to the complaint it is important to set the context for the radio ad and the rationale behind it. Because of the physical positioning of the clubs and their association with Brisbane's sporting precinct the objective is to associate the clubs with sport. We are very careful to make the content of these ads relevant to the market, hence the cricket reference to the tail wagging. We are confident that there is nothing offensive within the content of the ad.

Our work with HoneyBs and Love and Rockets requires us to be very aware of the wider community and of the AANA code of ethics. We are very sensitive to how we portray the clubs and so have been very careful to keep the content of this radio ad acceptable to the wider community. In developing this campaign a great deal of effort was made to ensure that the content is not suggestive or offensive and that there were no overt references to nudity, we believe we have maintained this with this radio ad

We are very aware of the Code of Ethics when we are creating this work and in response to section 2 of the code please find following:

2.1 – discrimination or vilification – we do not believe that there is a case to answer regarding this radio ad and section 2.1 of the code. The narration of the radio ad neither discriminates against nor vilifies any sector of the community.

2.2 – exploitative and degrading – Again there is nothing exploitative or downgrading about the nature of the radio narration here, we do not believe there is a case to answer.

2.3 – violence - we do not believe that there is a case to answer regarding this radio ad and section 2.3 of the code.

2.4 – Sex, sexuality and nudity – The current complaint suggests that there is a case to answer under this section of the code. We have treated the subject matter with sensitivity to the relevant audience. There is no suggestion to sex or nudity and no reference to any sexual content.

2.5 – Language - we do not believe that there is a case to answer regarding this radio ad and section

2.5 of the code. The language used is not strong or obscene and is appropriate given the time slot and the sports association for the placement of the ad.

2.6 – Health and Safety - we do not believe that there is a case to answer regarding this radio ad and section 2.6 of the code.

Given the time that this ad is running and its placement within the cricket broadcast and the deliberate cricket reference we do not believe that it can be suggested that it is in contravention of Prevailing Community Standards. We understand that this radio ad will be listened to by all cross sections of society so again we have ensured that there is nothing suggestive or offensive within the content of the ad.

THE DETERMINATION

The Advertising Standards Board (the “Board”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Board noted the complainant’s concerns that the advertisement was promoting the sex industry which is inappropriate for children to hear.

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

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 this radio advertisement was aired on 4BC radio during a broadcast for a T20 cricket match. The Board noted that the advertisement was for two gentlemen’s clubs located near the sporting precinct in Brisbane.

The Board noted that the woman speaks in a sultry tone and talks about how listening to sport all day is extremely hard work and that the listener should visit one of the venues to relax. The Board noted that the venues being advertised are adult venues and that these type of businesses are legally allowed to be advertised.

The Board noted that the radio station 4BC is generally considered an adult talk back radio station and therefore the target audience for this station. The Board agreed that there may be some older teens or young cricket enthusiasts listening to the cricket coverage.

The Board noted that the advertisement is for a gentlemen’s club and considered that the tone of the advertisement is mild and the language used is not overtly sexualised and is not inappropriate for the service being advertised.

The Board considered that in the context of an advertisement for the sex industry, the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and 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.