



Ad Standards Community Panel
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Case Report

1. Case Number :	0157-21
2. Advertiser :	Grosvenor Hotel
3. Product :	Sex Industry
4. Type of Advertisement/Media :	Billboard - Digital
5. Date of Determination	16-Jun-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.2 Exploitative or Degrading
AANA Code of Ethics\2.4 Sex/sexuality/nudity

DESCRIPTION OF ADVERTISEMENT

This digital billboard advertisement features three silhouette images of women and an image of heels and handcuffs. Text on the advertisement includes, "The Grosvenor strip club and topless bar", "The LARGEST Adult Entertainment Venue in the Southern Hemisphere", "Your favourite venue just got better". "Where the experts shop", "lingerie, stilettos and more", "The G Spot Adult Boutique Fortitude Valley Brisbane".

THE COMPLAINT

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

It is bad enough that we are bombarded with 2-3 story high digital signs on main roads, but to have content objectifying women and promoting sex shops is flat out offensive.

THE ADVERTISER'S RESPONSE



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

Advertiser did not provide a response.

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 concerns that the advertisement is objectifying of women and that promoting such a service is offensive.

The Panel viewed the advertisement and noted the advertiser did not respond.

Section 2.2: Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative or degrading of any individual or group of people.

The Panel noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

Exploitative - (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or (b) focussing on their body parts where this bears no direct relevance to the product or service being advertised. Degrading – lowering in character or quality a person or group of people.

Does the advertisement use sexual appeal?

The Panel considered that the depiction of the silhouette of a naked woman in connection to a gentleman's club is one which most people would consider to contain sexual appeal.

Does the advertisement use sexual appeal in a manner that is exploitative?

The Panel acknowledged that some members of the community would find the type of premises and the use of women as entertainment to be exploitative and degrading.

The Panel noted however, that this type of business is legally allowed to operate in the area and that it could consider only the advertising or promotion of the business that is visible to the broader community not the behaviour or service it is promoting

The Panel considered that there was a focus on the woman's body in the advertisement, however noted that the advertised product is a gentleman's club which features scantily clad and naked women as part of its service. The Panel



considered that the images used in the advertisement are clearly related to the product being advertised.

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

Does the advertisement use sexual appeal in a manner that is degrading?

The Panel considered that the depiction of the silhouette of women was relevant to the promotion of a gentleman's club and that this did not lower women in character or quality.

The Panel considered that the advertisement did not employ sexual appeal in a manner which is degrading to women.

Section 2.2 conclusion

Finding that the advertisement did not employ sexual appeal in a manner which is exploitative or degrading of an individual or group of people, the Panel determined that the advertisement did not breach Section 2.2 of the Code.

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

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 there is no sexual activity depicted in the advertisement. 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 the product advertised is a gentleman's club and that the images were a silhouette of performers in the venue. 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 the images depicted were of performers inside the venue and that the advertisement contained a suggestion of nudity.

Are the issues of sexuality and nudity 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 was a digital billboard located on a main road and considered that the audience would be broad and would include children.

The Panel noted that the advertised business is a gentleman's club and that it is reasonable for the business to promote its services as long as such advertising is



appropriate against the Code. The Panel considered that the advertisement image is very stylised and the silhouette of the women lacks specific nudity and detail.

The Panel considered the overall tone of the advertisement was factually relevant to the business and was not overtly sexualised and the level of perceived nudity in the advertisement was only mild. The Panel considered that the advertisement was appropriate to be viewed by a broad audience which would include children.

Section 2.4 Conclusion

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

Conclusion

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.