



Case Report

1	Case Number	0204/17
2	Advertiser	Sexpo Pty Ltd
3	Product	Sex Industry
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	10/05/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

There are two versions of this television advertisement for Sexpo promoting the event in Perth. Each version features men and women dancing on stage, footage of games being played, crowd scenes and a male voiceover describing what is on offer.

THE COMPLAINT

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

I don't believe it should have been aired during the evening news or a program (Masterchef) that some young people, who enjoy cooking, may be watching. It is advertising an adult product and so should only be shown after 8:30pm and even then it's not something I appreciate seeing.

We often watch PG programs with our preteen and teen children. Tonight we were shocked by what we saw in one advert. My 13 year old son was the first to spot the problem and said "Quick cover your eyes". Children do not have the same filters as adults do so we felt very fortunate that he pointed this out to us as being obscene. Our society is allowing the sexualisation of children to get to dangerous levels. This kind of advertising is unnecessary and overt and I would like it moved to a later time slot if not removed completely.

The time of the advertising was inappropriate for the content. Why would any sex or links to sex need to be advertised at a time when a child may be watching Bondi Rescue!?! Seriously wrong timing. People who need to attend SEXPO to get satisfaction in their sex lives should be able to find out the information themselves - or wait until after 9.00pm. With the increased incidence of paedophiles preying on children - it does not seem unreasonable to prevent any advertising about sex during programs and times that children may be watching.

Images of erotic dancing and sexily dressed women are inappropriate at 10am on Sunday during a football show that is being watched by young children.

THE ADVERTISER'S RESPONSE

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

There are two versions of this television advertisement for Sexpo promoting the event in Perth. Each version features men and women dancing on stage, footage of games being played, crowd scenes and a male voiceover describing what is on offer.

We refer to complaint reference number 0204/17.

The SEXPO trademark is a registered trademark worldwide. It represents an exhibition held in Australia in various capital cities, serving the adult lifestyle industry.

As part of our pre-marketing program, we source, secure and promote advertising opportunities via a variety of mediums, including but not limited to television.

As we understand it, various complaints have been made in regards to our television commercial, aired in Perth at various times and across various networks over the past number of days. Given we are unable to identify which particular ad it was, below are CAD numbers for both advertisements used for SEXPO Perth 2017.

Key Number CAD Number Product Description DUR Rated

SEX2017PER30 P4GWDELA Sexpo Perth 2017 – Drone X 30 PG

SEX2017PER15 P4GWEEOA Sexpo Perth 2017 – Drone X 15 PG

The advertisement in question was factored by CAD and classified a PG rating, and was therefore eligible for the time slot in which it aired.

We do not believe the advertisement contained content that would have rendered it in breach of Section 2 of the AANA Code.

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 complainants’ concerns that the advertisement is promoting a sex event,

and features imagery which is not appropriate for viewing by children.

The Board viewed 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 television advertisement promoting a sex exposition in Perth features clips from previous events which include female dancers wearing lingerie, male dancers wearing minimal clothing, and crowd scenes from a previous event.

The Board noted it had previously dismissed similar complaints in case 0228/16 where:

"The Board noted that this advertisement is for a sex related product - a Sex expo - and that mildly sexually suggestive images of both women and men are relevant to that product or service. The Board noted that it had previously dismissed complaints about advertisements for Sexpo (case 0331/12 and 0500/12) and considered that the current advertisement was of a similar level of content."

The Board noted the content of the current advertisement and considered that the actual content was not sexually explicit, the level of nudity was consistent with the level of nudity in advertisements for lingerie or swimwear, and overall the issues of sex and products relating to the sex industry are treated with sensitivity to the relevant broad audience.

Consistent with its previous determination, the Board acknowledged that some members of the community would prefer that this type of event not be advertised on television but considered that Sexpo is legally allowed to be advertised and the use of the word 'sex' as part of the advertiser's name is not of itself inappropriate. The Board noted the advertisement had been rated 'PG' by CAD and the advertisement had been broadcast in accordance with its rating. The Board considered that while some members of the community would find the advertisement to be inappropriate in the Board's view the content of the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant 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 complaints.

