



Case Report

1	Case Number	0241/10
2	Advertiser	Larry Flynt's Hustler Club
3	Product	Sex Industry
4	Type of Advertisement / media	Billboard
5	Date of Determination	22/06/2010
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

Billboard with a black background. Two girls in gold bikinis are facing each other with their stomachs touching. The girl on the left has her right hand against the girl on the right's top and appears to be in the process of lifting it up. The girl on the right has her left hand holding on to the sides of the girl on the left's bikini bottoms. The text says "Hustler Gentlemens Club ph 9383 6966 676 Sydney Rd. Brunswick www.hustlerclubs.com.au"

THE COMPLAINT

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

I believe the advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

Harassment of women in the Fitzroy area where there are many bars and nightclubs is a serious issue for the local community. The billboard images do not promote the kind of friendly safe night-life environment that Fitzroy is trying to achieve. This type of advertising is highly offensive to women.

In addition it is on a major thoroughfare near a school and contains an inappropriate and demeaning image of two women. Further it relates to a business that is not even in the suburb.

Such images are not acceptable where they take the form of outdoor advertising and are able to be seen by anyone in the community including young people. It is not age appropriate for the number of young people using public transport or attending the nearby schools.

While it is recognised that this poster advertises a form of entertainment which exists in today's society the advertising message is considered insulting to current wider community standards demeaning to women and girls and critically sends a damaging message to boys and girls - namely that men (of any age) can sexually objectify young females.

The very public location of this billboard on a busy thoroughfare contributes to the perceived normalisation main streaming and glorification of the dehumanising objectification of women/girls.

In noting the various provisions outlined in the Australian Association of National Advertisers Code of Ethics we argue that the billboard advertising the gentlemen's club offends some particular ethics including:

2 1 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 race ethnicity nationality sex age sexual preference religion disability or political belief.

2 1 Advertising or Marketing Communications shall treat sex sexuality and nudity with sensitivity to the relevant audience and where appropriate the relevant programme time zone.

We would formally request that the Board urgently review this particular billboard advertisement having regard to the perceived non compliance with the Codes. To assist you in this regard I have attached a coloured photograph of the billboard taken by Council staff. I would be pleased to offer additional information should that be required.

THE ADVERTISER'S RESPONSE

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

I don't find the art highly offensive, this is a picture of two women in gold bikinis and this is used to promote my club i'm sorry if the writer finds this offensive. There is no nudity or implied nudity. The images contained in the advertising campaign are no more suggestive than any other of those used in other campaigns.

The image is not demeaning to women and is in close proximity of where the Hustler Gentlemens Club is.

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 about the location of the advertisement, that is contains an inappropriate and demeaning image of women, is demeaning to women and is not appropriate for viewing by children.

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

The Board noted the advertisement is for a gentleman’s club and that such clubs are allowed to be advertised provided that they treat sex, sexuality and nudity with sensitivity to the relevant audience in accordance with section 2.3 of the Code. The Board considered that the image of two women is relevant to the product or service advertised.

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 or depict people in a way which discriminates against or vilifies a person or section of the community on account of ...sex.’

The Board noted that the image depicts two women in bikinis. The Board considered that the depiction of the women is relevant to the product and that, although depicting the women in a sexualised manner, the advertisement does not discriminate against women.

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone"; and 2.5 of the Code relating to language.

The Board considered that some of the concern about the advertisement is the medium on which it appears (a billboard), which is available to a broad audience.

The Board noted that the women in the advertisement are dressed in bikini style outfits which are not inappropriately revealing. The Board noted that the women are touching each other. One model had her hand pulling at the other woman’s bikini bottom and the other appears to be lifting the first woman’s top. The Board considered that the image depicted the women touching in a sexualised manner and that this type of touching moved the image from a passive one to one which implied action. In the Board’s view this gave the advertisement a greater degree of sexualisation.

The Board noted that the advertisement was a billboard poster and could be seen at any time of the day by all members of the community including children. The Board considered that the advertisement does not treat sex, sexuality and nudity with sensitivity to the relevant audience. The Board determined that the advertisement breached Section 2.3 of the Code and upheld the complaints.

ADVERTISER RESPONSE TO DETERMINATION

The advertiser verbally advised that the billboard has been removed.