



Case Report

1	Case Number	0247/15
2	Advertiser	Sexpo Pty Ltd
3	Product	Sex Industry
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	24/06/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

A female voiceover says, "Let us entertain you at Sexpo" and we see footage taken from previous Sexpos including stage performances, crowd scenes, female adult industry stars, men dancing, and people shopping.

The final scene shows a large crowd and the text, "Club Money Sexpo. Health Sexuality and Lifestyle Expo. Perth Convention & Exhibition Centre June 4-7".

THE COMPLAINT

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

Inappropriate content to be advertising during a children's movie, and continually during the week at this time.

Ads of this nature are not suitable for children and as such should not be aired during daytime hours.

I contacted SEXPO and was rudely told that I should teach my children about sex and that SEXPO have every right to advertise when they like as their advertisement is rated PG. Advising children about adult toys and sexual material isn't appropriate during family viewing times. Also wouldn't hurt to look at what time their tv ad is on and perhaps educate this disrespectful man at SEXPO about the appropriateness of this event.

THE ADVERTISER'S RESPONSE

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

We refer to complaint reference number 0247 / 15.

The Sexpo™ trademark is a registered trademark worldwide. It represents an exhibition held in Australia at 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, the complaints received were made in regards to our television commercials, aired in Perth at 8.15 AM (June 2, 2015) and 2.30 PM (undated). Given we are unable to identify which particular ad it was, below are CAD numbers for both advertisements used in Perth:

<i>SEX2015PER30</i>	<i>PIG4UEOA</i>	<i>SEXPO PERTH 2015</i>	<i>30</i>	<i>PG</i>
<i>SEX2015PER15</i>	<i>PIG4VEOA</i>	<i>SEXPO PERTH 2015</i>	<i>15</i>	<i>PG</i>

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 features sexual content which is inappropriate for airing when children can view it.

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

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 this television advertisement features footage filmed at previous Sexpo events including stage show performers and crowd scenes.

The Board noted the advertisement has been rated 'PG' by CAD.

The Board noted the name of the advertised event is 'Sexpo' and considered that the use of the word 'sex' is not of itself inappropriate. The Board noted that some members of the community would prefer that this type of event not be advertised but considered that the actual content of the advertisement did not feature any explicit nudity and that whilst some of the stage performers were sexualised they were not inappropriate in the context of brief scenes within a PG rated advertisement.

The Board noted it had previously dismissed complaints about similar television advertisements for the same advertiser in cases 0331/12, 0500/12, 0109/13 and 0183/14 and considered that the current advertisement contained a similar level of content.

The Board considered that the advertisement did treat the issue of 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.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaints.