



## Case Report

1	Case Number	0272/17
2	Advertiser	ATA Allstar Artists Pty Ltd
3	Product	Entertainment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	21/06/2017
6	DETERMINATION	Dismissed

### ISSUES RAISED

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

### DESCRIPTION OF THE ADVERTISEMENT

This television advertisement showcases selected scenes from the Parisian Cabaret, Crazy Horse Paris. We see a man in a red coat opening the door to Crazy Horse Paris. There's a red rug on the floor and then we see silhouetted women dancing as well as images of women's legs and women on stage. The final screen shows booking information and the Crazy Horse Paris logo.

### THE COMPLAINT

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

*Disgraceful that this can be shown in peak times, about to watch the sport news with my <10 yr old boys! The show is even advertised as being R 18+ - what does it take to stop our TV stations from showing appropriate discretion.*

*It's been playing in the early evening when families and kids are watching. The few times I've seen the ad it's always been before 8pm. The content of the ad is just a montage of women barely clothed with obvious flashes of nudity. The ad contains shadows of women's nipples and a ridiculous amount of women's rear ends being focused on. The music and lighting of the ad make it obvious to what is being advertised. For something like that to be played when families and kids are milling around the TV Channel 7 should be ashamed of them. Not good enough.*

*I personally feel the content and what it is promoting is not suitable to be aired during prime time TV for the viewing of young children and families.*

## **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 as part of the production process we dealt with CAD on numerous occasions to ensure the TVC was produced within acceptable guidelines for the classification J. To such as extent CAD gave us clear instructions on actual scenes to cut and edit to ensure the TVC was acceptable for the J rating. We really went out of way re the edit process to follow the protocols and instructions from CAD. Since we received this notification we have advised our media agency and TV stations to be mindful of placement within the J rating. In response our media agency provided us with the following notes;*

*From a media perspective, I can confirm all spots have been placed in compliance with the CAD classification the commercial was provided – 'J'. ; I've also screen shot the requirements relevant to Crazy Horse below for quick reference. Under the guidelines as advised by CAD the classification the broadcast maybe run at any time of day, except during P and C programmes or adjacent to P and C periods. Exercise care when placing principally directed at Children.*

*We do hope this explanation shows our best efforts to follow protocols and directions from CAD.*

## **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 complainants' concerns that the advertisement depicts female nudity and sensual content which is not appropriate for children to view.

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 this television advertisement features images of women dancing to promote the Crazy Horse Paris cabaret.

The Board noted the complainant's concerns that the advertisement depicts nudity and considered that although there are silhouetted images of women it is not possible to see if they are clothed or naked, and these scenes are fleeting so it is not clear if you can see the outline of the women's nipples. The Board noted the images of women in which you can see them clearly and considered they do not depict any nudity other than bare lower legs and

shoulders. The Board considered that the level of nudity was mild and not inappropriate.

The Board noted the complainant's concern that the advertisement is sensual in content. The Board noted that the advertised product is a cabaret show featuring dancing women and considered that while the overall tone and voiceover is sensual in the Board's view it is not overly sexualised and the images used in the advertisement are mild in the context of the advertised product.

The Board noted that the advertisement had been rated J by CAD which means it can be aired during PG timeslots and considered that the content is not inappropriate for the relevant broad audience which could include children.

The Board considered that 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 complaints.