



**ADVERTISING  
STANDARDS  
BUREAU**

Level 2, 97 Northbourne Avenue, Turner ACT 2612  
Ph: (02) 6262 9822 | Fax: (02) 6262 9833  
[www.adstandards.com.au](http://www.adstandards.com.au)

## Case Report

1	Case Number	0283/12
2	Advertiser	Exchange Hotel
3	Product	Other
4	Type of Advertisement / media	Print
5	Date of Determination	11/07/2012
6	DETERMINATION	Dismissed

### ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.2 - Objectification Exploitative and degrading - women

### DESCRIPTION OF THE ADVERTISEMENT

Image of a topless woman lying on her stomach on the top of a bar. She is wearing black knickers and black high heeled shoes. The text reads, " The Exchange Hotel. Cold beer. Hot Girls" and goes on to describe the functions held at the hotel.

### THE COMPLAINT

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

*The female pictured at the top of the advertisement was lying down wearing a black thong only coupled with black high heels and a seductive expression on her face with a finger by her mouth. I object to this advertisement as I believe it is inappropriate to print a picture such as this in a local paper read and viewed by children under the age of 18. Without this picture the advertisement would have been appropriate. I do not believe the advertisement needed this picture to advertise the product.*

### THE ADVERTISER'S RESPONSE

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

*I feel that it is appropriate for this advertisement, this young lady is the lady who is working here at the moment, she is not exposed in anyway, she could be in a MUCH more provocative pose! and her hand is simply propping up her face.  
It was placed in the sports section in the back of the newspaper to target men. This newspaper also prints ads for escorts with photos, with by the same reasoning is "inappropriate" for this newspaper.*

## **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 includes an image of a woman that is inappropriate and sexualised and is not suitable to be viewed by children.

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

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: "Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people."

The Board noted the complainant's concerns that women in the advertisement is portrayed in a manner that is not appropriate and that it is using sexual appeal in a manner that is degrading to women.

The Board noted the advertiser's response that the woman in the image is one of the ladies that currently works at the venue. The Board considered that most members of the community would not be offended by the portrayal of women in this manner and would not consider that it is disrespectful, in relation to the product being advertised ie: a topless bar. The Board considered that whilst sexual appeal is used in the advertisement it is used in a manner which would not be considered exploitative and degrading by most members of the community.

The Board determined that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading to women and that the advertisement did not breach Section 2.2 of the Code.

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 the image of the woman on the bar, has her in a position that means that none of her private areas are being exposed and that she is clearly wearing underwear. The Board considered that although the image is sexualised in nature, the relevance to the business being advertised is very clear.

The Board noted that the placement of the advertisement in the sports section of a newspaper is intended to reach an adult audience and in particular an audience of men and is less likely to be viewed by children.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it 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 complaint.