



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0299/18
2	Advertiser	Bobbi's Pole Studio
3	Product	Sport and Leisure
4	Type of Advertisement / media	Outdoor
5	Date of Determination	11/07/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The advertisement is on a vinyl, outdoor sign, erected onto a temporary construction fence around. The sign has a plain white background with the business logo printed on it. The logo is comprised of our business name (Bobbi's Pole Studio) and a picture of a woman. The woman is a cartoon caricature. She is sitting next to a pole dance apparatus, wearing a bikini type outfit and boots.

THE COMPLAINT

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

It is inappropriate graphics for children and placed in a prominent position on their property facing into the street visible at all times in a neighborhood with many families.

I work in a school and should these images be found on a school computer/web page etc it would be of great concern and removed and parents would be involved.



The business markets itself as both leisure dance classes and training for dance in the sex industry, and yet even the brothels in our area are more discreet than this and do not use images.

Contains inappropriate offensive suggestions of sexuality, crude and offensive to children. unnecessary to advertise with such detail. Please monitor this business as the business is unwanted in the area.

THE ADVERTISER'S RESPONSE

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

Response to the complaint (Complaint Number: 0299/18) received by our business from Ad Standards on the 26th of June 2018. In accordance with Section 2 of the AANA Code of Ethics, our response to the complaint is as follows:

2.1 - Discrimination or vilification

As per Section 2 of the AANA Code of Ethics we strongly believe that our advertisement does not discriminate or vilify any persons or sections of the community because of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

Our business has a long-standing reputation as being highly inclusive. Our past and present students come from a diverse range of races, ethnicities, nationalities, genders, ages and sexual preferences. Our staff, management and premises are fully accommodating to persons with disability and mental illness.

We place a very high value on this reputation - which has been cultivated over the 14 years we have been operating our business. We would not willingly display advertising that would in any way jeopardise this or present our business as somewhere that would discriminate or vilify any person or section of the community.

2.2 - Exploitative or degrading

As per Section 2 of the AANA code of ethics we strongly rebuke the claim that our advertisement is exploitative or degrading. The advertisement does not employ sexual appeal where images of Minors, or people who appear to be Minors are used. The advertisement is not exploitative or degrading of any individual or group of people. The image contained in the advertisement, that was referenced in the complaint, is not a depiction of a real-life woman, it is a cartoon style caricature. For this reason, we believe that the image is appropriate for our business without being overtly sexual or sexually explicit, exploitative or degrading.

2.3 – Violence

In line with Section 2 of the AANA Code of Ethics, the advertisement does not present or portray any act of or allusion to violence.



2.4 - Sex, sexuality and nudity

Section 2 of the AANA Code of Ethics states that advertising or marketing communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience. We believe our advertisement follows this guideline in the following ways:

- There is no nudity or sex act depicted in the advertisement*
- The advertisement is targeted to a specific and relevant audience. The signs were erected to direct our existing students to our new premises. Our audience – future and current students attending our pole dancing studio – do so with a clear understanding and acceptance of the services offered at Bobbi's Pole Studio and to them the depiction of the cartoon woman is acceptable, appropriate and not offensive. We have not gone out of our way to place our advertisement where it will unnecessarily target audiences that are not open to or understanding of the services we provide and to whom it might elicit offense.*

2.5 – Language

The language used in the advertisement is compliant with Section 2 of the AANA Code of ethics, item 2.5 in that it only uses language that is appropriate in the circumstances and is relevant to the audience and medium. The only wording used in the advertisement is our business name. There is no strong or obscene language used.

2.6 - Health and Safety

The advertising or Marketing Communications do not depict material contrary to Prevailing Community Standards on health and safety.

2.7 - Distinguishable as advertising

The advertising is clearly distinguishable as advertising to our audience of current or future students.

Additional Comments

Our premises are located within a mixed-use business precinct, where a range of businesses offering facilities from yoga studios to accounting services are currently operating. Our business has been operating within this area for over 10 years (187 Claisebrook Road has been our premises since June 2018 and prior to that we resided at 4 Chelsea Street {300m away} for over 10 years). We understand that some individuals or sections of the community are sensitive to pole dancing. In this regard we ensure that our business operations are respectful of the businesses and individuals around us. From outside of our building there is no way that individuals or passers-by can see in or be exposed to something they may be uncomfortable with. We do this as much for outsiders as for the privacy of our many students.

The complaint asks that the AANA 'please monitor this business as the business is unwanted in the area'. We feel that this comment is un-duly biased towards our business and goes beyond the scope of the AANA and its Code of Ethics. This statement does not relate to the advertisement in question but is more of a personal



bias against our business and the services we offer – which are legal and approved by our local Council to be operated out of this premise.

We also note that the advertisement is our business logo. The advertisement content is not new or been solely created solely for this application. Bobbi's Pole Studio has been operating as a franchise in Perth for 14 years. The original studio opened in Sydney before this and has continued to operate in Sydney, Malaysia and Singapore for over the last 15 years. All of the Bobbi's Pole Studio franchises utilise this logo. The logo has been used extensively across a range of marketing applications and jurisdictions since the inception of the business. In this time, we have not received a complaint about the use of the wording or imagery. We feel that being unable to use our logo in our public marketing or advertising communications impedes our ability to effectively promote our business to audiences that are relevant to and interested in the services we offer.

We would like to thank the panel for the opportunity to respond to the complaint and for taking the time to review and consider our response.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainants' concerns that the advertisement features sexualised content which is inappropriate to be seen by children.

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

The Panel 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 Panel noted that this outdoor advertisement is on a temporary construction fence. The sign has a plain white background with the business logo printed on it. The logo is comprised of the business name and a cartoon picture of a woman who is sitting next to a pole dance apparatus. The cartoon image of a woman is dressed in a bikini and high boots.

The Panel noted the advertisement is on a fence in an outdoor location and therefore the relevant audience is broad and is likely to be seen by children.

The Panel considered that the cartoon character on the advertisement was discreet and was not the focus of the advertisement.

The Panel considered that pole dancing was increasingly becoming a common fitness



related activity, and that this business and the pole dancing classes and lessons offered by the venue were not directly related to the sex industry.

The Panel considered that the cartoon character was depicted as appropriately clothed to participate in pole dancing and was not overly sexualised.

The Panel considered the depiction of the cartoon woman was directly related to the service being promoted and was not inappropriate.

The Panel acknowledged that some members of the community would prefer that this type of pole dancing facility not be advertised where children can view it, but considered that the actual content of the advertisement is not sexually explicit. Overall the Panel considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

The Panel 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 Panel dismissed the complaints.

