



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	<b>Case Number</b>	<b>0300/18</b>
2	<b>Advertiser</b>	<b>The Penthouse</b>
3	<b>Product</b>	<b>Sex Industry</b>
4	<b>Type of Advertisement / media</b>	<b>Billboard - Mobile</b>
5	<b>Date of Determination</b>	<b>11/07/2018</b>
6	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

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

## DESCRIPTION OF THE ADVERTISEMENT

This mobile billboard depicts a woman clad in black lace g-string and bra. It consisted of 3 large plasma TVs screens brightly lit with changing images, facing to rear and sides of a moving flatbed truck. Images and text alternate, and are still to be confirmed by Ad Standards.

## THE COMPLAINT

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

*I object to the exposure of this type of advertising to the general public, in particular impressionable children and teens who have no choice but to see it. A mobile billboard of 3 large screens with changing images and brightly lit, meant you couldn't miss it. I saw it in afternoon traffic outside a busy public transport interchange. There is no avoiding it if you have kids in the car or happen to be near it on the footpath. It is a distraction to drivers as well.*



## **THE ADVERTISER'S RESPONSE**

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

*The advertiser did not provide a response to the complaint.*

## **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 did not provide a 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 the mobile billboard advertisement depicts a woman in black lingerie reclining with her hands above her head. The business logo and the text 'The Ultimate Gentleman's Club' appears on the screen.

The Panel noted the advertisement is on a mobile billboard and the relevant audience would be broad and is likely to include children.

The Panel considered that the woman is posed in a sexualised manner and that the underwear she is wearing does add to the sexualised nature of the advertisement. The Panel considered however that the woman's pose is only mildly sexual and that she is appropriately covered.

The Panel however considered that the advertisement was relatively discreet and that the wording and imagery on the advertisement has a mature theme and on that basis the image contained in the advertisement is less likely to attract the attention of young children.

The Panel considered that the depiction of the woman is directly relevant to the business being promoted.

The Panel noted that changing images on the screens may initially be attractive to



children, however considered that the content is not sexually explicit and not inappropriate in an urban CBD location.

The Panel acknowledged that some members of the community would prefer that this type of venue not be advertised where a broad audience, which may include 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.

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.

