



Case Report

1	Case Number	0357/17
2	Advertiser	Sexpo Pty Ltd
3	Product	Sex Industry
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	09/08/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This 30 second television advertisement promoting the Sexpo event in Brisbane, 2017, opens on an image of a futuristic female and the text, "Feel the future". We then see a woman wearing a virtual reality headset being worn by a different woman whilst the male voiceover explains that each visitor will receive one of these headsets for free. The following scenes depict attendees of a Sexpo event, stunt bike riders, stage dancers and crowd scenes from a previous event. There is also a 15 second version featuring the same footage, but fewer of the scenes.

THE COMPLAINT

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

Offended at the nature of the advert and also at the timing. My children should not be submitted to viewing this type of material at this inappropriate timing.

Timing. During a time slot when children are watching television. Our children watch The Project with us and we are trying to limit their exposure to inappropriate material

I don't want my children to watch immoral viewings.

I dont believe its necessary or appropriate to advertise sexpo during family viewing times my

*6 yr old was watching this and its inappropriate.
Women dancing around and objectifying women during family viewing times*

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 0357 / 17

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, various complaints have been made in regards to our television commercials, aired in Brisbane at various times and across various networks over the past number of days. Given we are unable to identify which particular ad it was, below are CAD numbers and information for both advertisements used for SEXPO Brisbane 2017.

<i>Key Number</i>	<i>CAD Number</i>	<i>Product</i>	<i>Description</i>	<i>DUR</i>	<i>Rated</i>	
<i>SEX2017BRI30</i>	<i>P4YOZEOA</i>	<i>SEXPO</i>		<i>BRISBANE 2017</i>	<i>30</i>	<i>PG</i>
<i>SEX2017BRI15</i>	<i>P4YP0EOA</i>	<i>SEXPO</i>		<i>BRISBANE 2017</i>	<i>15</i>	<i>PG</i>

The advertisements in question were factored by CAD and classified a PG rating, and were therefore eligible for the time slot in which they 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 is promoting a sex event, and features sexually suggestive imagery which is not appropriate for viewing by children.

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

The Board considered whether the advertisement was in breach of Section 2.4 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 this television advertisement promoting a sex exposition in Brisbane features images of attendees of previous events, stunt bike riders, stage dancers and crowd scenes.

The Board noted it had previously dismissed complaints about a similar advertisement promoting the same event when held in Perth in case 0204/17 where the Board noted that:

“... the actual content was not sexually explicit, the level of nudity was consistent with the level of nudity in advertisements for lingerie or swimwear, and overall the issues of sex and products relating to the sex industry are treated with sensitivity to the relevant broad audience.

Consistent with its previous determination, the Board acknowledged that some members of the community would prefer that this type of event not be advertised on television but considered that Sexpo is legally allowed to be advertised and the use of the word ‘sex’ as part of the advertiser’s name is not of itself inappropriate. The Board noted the advertisement had been rated ‘PG’ by CAD and the advertisement had been broadcast in accordance with its rating. The Board considered that while some members of the community would find the advertisement to be inappropriate in the Board’s view the content of the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience which would include children.”

The Board noted the current advertisement had been rated PG by CAD. The Board noted that this advertisement is for a sex related product - a Sex expo - and that mildly sexually suggestive images of both women and men are relevant to that product or service. The Board noted that it had previously dismissed complaints about advertisements for Sexpo (case 0331/12, 0500/12, 0204/17) and considered that the current advertisement was of a similar level of content.

The Board acknowledged that some members of the community would prefer that this type of event not be advertised on television where children can view it, but considered that the actual content of the advertisement is not sexually explicit and the level of nudity is relatively mild. Overall the Board 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 Board determined that the advertisement did not breach Section 2.4 of the Code.

The Board considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided”.

The Board noted the reference to ‘Sexpo’ and that this is the name of the product advertised. The Board considered that the use of this term is relevant to the product and is presented in a manner that is not inappropriate. The Board considered that the use of the term Sex as part of the product name is not in itself language that could be considered strong or obscene.

The Board determined that the advertisement did not breach Section 2.5 of the Code.

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

