



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0360/18
2	Advertiser	Sexpo Pty Ltd
3	Product	Sex Industry
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	08/08/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This television features a promotion for Sexpo 2018 in Adelaide. There is a 15second version and a 30second version.

15sec The voice over states "Feel the future at Sexpo Adelaide with a free virtual reality headset for every visitor. Meet adult stars, enjoy sizzling dance routines, entertaining live shows, health seminars and endless shopping". The voice over continues to describe some of the people who will be at Sexpo including adult entertainers. A picture of each of the women is shown. Images of the live stage shows are shown, as well as views of the available shopping. The advertisement also includes information about health seminars and the shopping available.

30sec The voice over states "Feel the future at Sexpo Adelaide with a free virtual reality headset for every visitor. Immerse yourself in a new world of VR and gaming. Meet adult stars Alexis Texas and Kendra Sunderland and witness sizzling dance routines to get your heart racing. Be entertained by over 40 live stage shows, 25 health seminars and explore our endless shopping. There's so much to do at the all new Sexpo". The voice over continues to describe some of the people who will be at Sexpo including adult entertainers. A picture of each of the women is shown. Images of the live stage shows are shown, as well as views of the available shopping. The advertisement also includes information about health seminars and the shopping available.



THE COMPLAINT

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

I dont care if channel 10 promotes this advert a later time slot, eg after 9.00-9.30pm, but am offended and disgusted that it has to be shown during a 7.30 time slot, When families are watching a programme together.

Also, what is the target audience to promote this advert during this time slot?

My children are watching tv at this time.

This is a family time slot with family viewing (rating PG). Unacceptable to have 18plus events advertised during that time. I had to ask my child to leave the room due to the advert's content despite the show being suitable for children.

I think it's a very inappropriate time to advertise an event like this . I was embarrassed seeing it in front of my teenage children , let alone if they were a lot younger. The content was not acceptable for the viewing time.

This was in the middle of the day! Children can hear and see this. I'm not oblivious to the sex industry and understand that its plastered all over Hollywood, but this advertisement should havethe same rules to adult shows and be shown after children are in bed - after 8:30pm

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 0360 / 18.

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 Adelaide at various times and across various networks over the course of the recent SEXPO Adelaide 2018 advertising campaign. Given we are unable to identify which particular ad it was, we have provided CAD numbers, ratings and information for both advertisements used for SEXPO Adelaide 2018.



The advertisements in question were considered by CAD and classified a “P” rating, and were therefore eligible for the time slot/s in which they aired.

We do not believe the advertisement/s contained content that would have rendered them in breach of Section 2 of the AANA code.

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 is promoting a sex event, and features sexually suggestive imagery which is not appropriate for viewing 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 television advertisement promoting a sex exposition in Adelaide features images of the live stage shows and information regarding the attractions of the events including health seminars, guest appearances and sex products.

The Panel noted it had previously dismissed complaints about a similar advertisement promoting the same event when held in Perth in case 0204/17 where the Panel 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 Panel noted the current advertisement had been rated PG by CAD. The Panel 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 Panel 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 Panel considered that there were two scenes in the advertisement which showed a stronger level of sexuality. The first scene showed a woman receiving a lap dance from a male shirtless dancer, and the second scene showed a stall selling products which was named 'Happy Horny Herbs'. The Panel noted that the second scene did not appear in the 15 second version of the advertisement. The Panel considered that although these two scenes showed a higher level of sexual reference, the scenes were fleeting and not inappropriate for a PG rated advertisement.

The Panel 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 does not show images of scantily clad women or close ups of products available for purchase. 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.

