



Case Report

1	Case Number	0459/11
2	Advertiser	Pink Hotel
3	Product	Other
4	Type of Advertisement / media	Outdoor
5	Date of Determination	07/12/2011
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

Banner includes the image of a woman kneeling on the sand with a black bikini bottom on and her hands covering her naked breasts. The text reads "Hot Hot Girls" and "If you want to see more come inside."

THE COMPLAINT

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

I object to it as it is pornographic in a public place without any restrictions.

THE ADVERTISER'S RESPONSE

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

This is the banner as you can see there is no mention of topless and breasts are covered.

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 complainant’s concerns that the advertisement was pornographic and available to a broad audience.

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

The Board considered whether the advertisement complied with Section 2.3 of the Code. Section 2.3 states: ‘...shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone’.

The Board noted this outdoor banner features a woman wearing bikini bottoms and covering her naked breasts with her hands.

The Board noted that the woman’s hands do not fully cover her breasts and that a lot of breast is still evident. The Board considered that the pose of the woman in conjunction with the text, “Hot hot girls” and “If you want to see more come inside” makes the advertisement sexualised. The Board noted the potential audience for the advertisement is broad and given the sexualised image it is likely the advertisement will be found offensive by many people who would see it. The Board considered that whilst the image is relevant to the product being advertised it does not treat sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not treat sex, sexuality and nudity with sensitivity to the relevant audience. The Board determined that the advertisement breached Section 2.3 of the Code and upheld the complaints.

Finding that the advertisement breached Section 2.3 of the Code, the Board upheld the complaint.

ADVERTISER RESPONSE TO DETERMINATION

The advertiser advised that the signage has been removed.

