



Case Report

1	Case Number	0531/16
2	Advertiser	Sexpo Pty Ltd
3	Product	Sex Industry
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	07/12/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

There are two versions of this television advertising promoting Sexpo Melbourne 2016. The 15 second version is a cut-down of the 30 second version. Both feature clips from previous Sexpo events and include male and female dancers and two female robots pole dancing.

THE COMPLAINT

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

My son doesn't need to see this. I thought after midnight was when you could put these ads on!?

I don't think sexpo ads are appropriate viewing at that time on a Sunday afternoon. My 2 boys enjoy watching that show and they do not need to be aware of Sexpo. I would imagine that lots of kids watch that show and many parents also faced similar questions to husband and myself. That type of ad is more appropriate at a later time slot.

Adult content during family TV time.

Could trigger a PTSD episode for sexually abused children.

I don't object to the advert itself but the placement and time it was broadcast. It was advertised in the middle of Rio 2, a kid's movie! My 5 and 7 year old are watching a child friendly PG movie and the advert for Sexpo comes on showing women dancing in their underwire and pole dancing. Clearly kids are not the target audience for this expo. It doesn't

need to be shown during a movie targeted at young kids that then want to know what Sexpo is and why the people are dancing like that in their undies.

I would think that this type of ad should not be shown during a G rated movie is on. I wasn't impressed that my 9 year old boy saw this ad. Not the values and imagery I think any child to see.

I am amazed that any program would think sexpo was an appropriate topic of conversation and advertisement for children. Our kids are 4 and 6 and watching a family movie. We refused to watch that station for the remainder of the evening do add not to risk our children being over sexualised by mainstream tv.

Aldo the outfits were innapropriate also I believe for the context of the advertisement

I have two objections - the timing of this advertisement, which although during the news, is in a prime children's time of viewing or when children are likely to be around. It is also unnecessary to show this type of activity for all ages. I don't want it in my lounge room and is offensive that I have no choice - it is forced on us.

Few, if any, children are in bed during this time. Our 8 year old son asked us what the "Sexpo" was. How would channel 7 suggest we answer this? Children should not be exposed to these ads. Looking at the number of complaints that others have sent regarding these ads, perhaps they should stop being "dismissed" and start being acted upon?

I'm not against these types of expos. However I don't think it's appropriate to show people referencing sexual acts, or being sexually provocative at 9:30 in the morning. While I'm careful about what channels and programs are on TV with a 10 month old at home. But these sorts of ads should be restricted to after 9pm at night.

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 0531 / 16

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, the complaint received was made in regards to our television commercial, aired in Melbourne at various times on November 17 across two different networks. Given we are unable to identify which particular ad it was, below are CAD numbers for both advertisements used for SEXPO Melbourne 2016.

*Key Number CAD Number Product Description DUR Rated
SEX2016MEL30 P3V2XEOA SEXPO MELBOURNE/DroneX 2016 30 PG
Key Number CAD Number Product Description DUR Rated
SEX2016MEL15 P3V2YEOA SEXPO MELBOURNE/DroneX 2016 15 PG*

The advertisement in question was factored by CAD and classified a PG rating, and was therefore eligible for the time slot in which it 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 references sexual acts, which is not appropriate for a television advertisement which can be viewed 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 Melbourne features clips from previous events which include female dancers wearing lingerie, male dancers wearing minimal clothing, and female robots pole dancing.

The Board noted it had previously dismissed similar complaints in case 0228/16 where:

“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 and 0500/12) and considered that the current advertisement was of a similar level of content.

The Board noted that the name of the event, Carnivale Sexpo, is written in large letters across the centre of the screen at the commencement of the advertisement and at the end. There are a series of scenes from shows but the Board considered that these did not show any explicit sexualised images.

The Board acknowledged that some members of the community would prefer that this type of event not be advertised but considered that consistent with its determination in Case 0198/16, the use of the word ‘sex’ as part of the event’s name is not in itself inappropriate.

The Board noted the advertiser’s response that the advertisement was classified with a “J” rating and only appears in the appropriate timeslots for the rating given. In the Board’s view the relatively mild content of the advertisement is not inappropriate for the rating it was given or the placement. The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant 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 considered 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.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience which would include children.

The Board 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 Board dismissed the complaints.