



**Ad Standards** Community Panel  
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Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	<b>Case Number</b>	<b>0537/18</b>
2	<b>Advertiser</b>	<b>The Firm Gentlemens Club</b>
3	<b>Product</b>	<b>Sex Industry</b>
4	<b>Type of Advertisement / media</b>	<b>Poster</b>
5	<b>Date of Determination</b>	<b>12/12/2018</b>
6	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

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

## DESCRIPTION OF THE ADVERTISEMENT

The poster depicts a woman in red lingerie reclining on a chair with her legs crossed to promote buck's nights at the venue.

## THE COMPLAINT

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

*I object to these advertisements because I feel that it's an ad standards breach for sex, sexuality and nudity and for sexual appeal. In addition, I find it offensive because it's on display in a public place. Children would see this.*

## THE ADVERTISER'S RESPONSE

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

*The image was photographed by a "professional photographer" who has been doing this work for some time.*



*The image was never designed to concentrate on any particular part of the body, it is up to individuals whether he/she wishes to concentrate only on a particular part of the model's image.*

*We believe it is not an objectification to anybody if the person chooses to be photographed erotically, as you can see on the image there are no suggestions of discrimination, harassment or violence against anyone.*

*The Firm Gentleman's Club is located on 142 North Terrace, Adelaide. There are no schools or day cares nearby, even though we always make sure our advertising materials is very carefully and professionally designed and distributed, e.g. None of our signs are not lit during the day, there are no flashing lights at the front of the club during business hours, none of our signs rotate or flash to attract attention of children or minors, none of our advertising materials are designed or aimed to attract children or minors attention.*

*Please note that it is not and has never been in our interest to attract children or any person under the age of 18 into our club as we are a fully licensed adult entertainment club.*

*We appreciate your efforts in resolving this 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 complainant's concern that the advertisement is offensive and on display in a public place.

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 the complainant's concern that the advertisement is offensive and on display in a public place and is a breach of advertising standards.

The Panel noted that this poster advertisement featured a woman in a red bra and underpants sitting on a large chair with her legs crossed and the text "The Firm Buck's nights".

The Panel noted that this poster advertisement was located on the outside of a business that the relevant audience for this poster would be broad and may include children, however noted the advertiser's response that there are no schools or daycare centres nearby and that the business is located in the night-life district.



The Panel noted the underwear on the model, and considered that the woman's breasts are covered and the style of the underwear is similar to some contemporary fashions.

The Panel noted the advertiser's response that the poster is not lit during the day, nor does it have any features to draw attention to it.

The Panel noted that the model is depicted sitting with her legs crossed and her hand touching a bra strap, and considered that while some members of the community may consider the woman's pose to be sexually suggestive, the imagery included on a poster that is visible to members of the community outside an adult themed business is not explicit and is not inappropriate for the relevant broad audience which will be predominately adult.

In the Panel's view the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience and that the advertisement did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.

