



Case Report

1	Case Number	0561/14
2	Advertiser	Crazy Horse Revue Pty Ltd
3	Product	Sex Industry
4	Type of Advertisement / media	Poster
5	Date of Determination	14/01/2015
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

Image in the window of the venue featuring a woman wearing black undies and stockings and a bra which features straps and tassels covering her nipples so that the rest of her breasts are exposed.

THE COMPLAINT

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

Please note this is the second time I have complained about this business. The reference number for my initial complaint in October 2014 is 0469/14. The letter of response I received from the ASB was that the complaint was withdrawn because the business had removed the advertising.

'The advertiser has subsequently responded to advise that the advertisement has been withdrawn from broadcast/publication/display as a result of the complaints received.'

The images have been changed to promote their new shows and the new images are more offensive.

- The poster it that it shows the woman's breasts and I find this level of sexualised nudity

unnecessary and offensive.

- The posters are an unavoidable visual messages about body image and the role of women*
- This business can advertise their services without using images that will distress people walking past.*
- This business is a franchise so this advertising may also be on display in other states.*

In addition to these direct concerns I also object to the advertising because of the indirect ramifications. This advertising could be a contributing factor in this area being a hot spot for street harassment. This is a genuine concern. I personally know women who work at offices in this street are verbally harassed even in the middle of the day.

THE ADVERTISER'S RESPONSE

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

The offending poster from the front window has now been amended.

Please find attached the original image used on the poster as well as a picture of the amended image (breasts now completely covered) which is now displayed in the front window.

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 concern that the advertisement depicts an image of a woman which is sexualised and that the level of nudity is not appropriate for a broad audience.

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

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: "Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people."

The Board noted that in order to be in breach of this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board noted that this poster advertisement features an image of a woman wearing a bra-inspired top which features a strap under her breasts, straps over her shoulders and black tassels covering her nipples but leaving the rest of her breasts exposed.

The Board noted that it is not their role of the Board to comment on any legal or moral issues relating to the existence of the venue but only on the material in the promotion.

The Board noted it had recently dismissed complaints about two other images for the same advertiser and location in cases 0559/14 and 0560/14 where women who perform at the venue were posed in different ways.

In the current advertisement the Board noted that the woman is viewed looking directly at the camera and with one arm raised behind her head. The Board considered that in the context of

an adult entertainment venue, the depiction of a woman wearing sexy lingerie or costume is not exploitative and that the image itself does not portray the woman in a manner which is degrading.

The Board considered that the advertisement depicts the woman as powerful and confident and did not employ sexual appeal in a manner which is exploitative and degrading and determined that the advertisement did not breach section 2.2 of the Code.

The Board then 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 although the woman has only nipple tassels covering her breasts, her underpants are full briefs and there is no apparent nudity. The Board considered that the image did not include overtly sexualised images and determined the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.4 of the Code.

The Board considered the premises and area where the business is located and noted that it is well known to the broader community and is not an area that children generally are.

The Board considered that the promotion did not include overtly sexualised images apart from the woman’s breasts (with covered nipples). In the Board’s view, considering the suitable covering of the woman and the location of the image the Board determined that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and 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 complaint.