



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

[AdStandards.com.au](http://AdStandards.com.au)

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	<b>Case Number</b>	<b>0574/17</b>
2	<b>Advertiser</b>	<b>Love and Rockets.tv</b>
3	<b>Product</b>	<b>Entertainment</b>
4	<b>Type of Advertisement / media</b>	<b>Billboard</b>
5	<b>Date of Determination</b>	<b>24/01/2018</b>
6	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.2 - Objectification Exploitative and degrading - women

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

## DESCRIPTION OF THE ADVERTISEMENT

This series of billboard advertisements feature three separate images:

The first image depicts three women in football-style outfits consisting of white crop tops and yellow short shorts. One of the women is holding a football and the accompanying text says 'come play'.

The second image depicts one woman from the torso up in a white crop top, standing in a stadium. The accompanying text says 'now open 7 nights'.

The third image depicts a woman from the torso up in a white crop top holding a cricket bat across her chest. The accompanying text says 'play on after the match'.

## THE COMPLAINT

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

*I found this advertisement bordering on pornographic. It was distasteful and corrosive to a family friendly environment. The woman were being objectified and it was suggesting that woman were some kind of toy to be played with.*



## THE ADVERTISER'S RESPONSE

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

*In response to the complaint it is important to set the context for the artwork itself and the rationale behind it. The complaint is regarding two different billboards, however they both have the same rationale. HoneyBs premises are located on Caxton St. This is in extremely close proximity to Suncorp Stadium where a lot of Brisbane's major sporting events are held. So, in 2016 HoneyBs was re-branded into a sporting theme to captivate all the sporting events locally and internationally. The rationale for the artwork is to keep it in the spirit of the precinct, but most importantly the HoneyBs brand which is 'Entertainment and Sport'. This is also the rationale behind the 'come play' and the 'Play on after the match' headline, which also relates back to the sport theme. This particular artwork is on an ODNA billboard near the Gabba Stadium, hence the cricket advertisement.*

*Our work with HoneyBs requires us to be very aware of the wider community and of the AANA code of ethics. We are very sensitive to how the models are portrayed and so have in this case been clear in presenting the models in this billboard in a position of empowerment and them participating in a sport. In developing this campaign a great deal of effort was made to ensure that the content was not suggestive or offensive and that there was no overt references to nudity, we believe we have maintained this in the attached creative work.*

*In direct response to the complainants reference to depicting the people in the billboard as 'toys to be played with'. Our intent is quite the opposite. We do not believe that we are portraying them as 'toys' as the complainant has suggested but more portraying them in a position of empowerment and of taking part in the game.*

*In response to the complainants suggestion that the billboard portrays nudity. This is plainly not the case; the models are clothed, as you will see from the artwork.*

*As mentioned we are very aware of the Code of Ethics when we are creating this work and in response to section 2 of the code please find following:*

- 1. 2.1 – discrimination or vilification – we do not believe that there is a case to answer regarding this billboard and section 2.1 of the code. The subject matter of the billboard neither discriminates against or vilifies any sector of the community.*
- 2. 2.2 – exploitative and degrading – The current complaint suggests that there is a case to answer under this section of the code. As mentioned above we are conscious of code of ethics in doing our work and we do not believe that this billboard portrays its subjects in an exploitative degrading manner. We believe that the sports setting is*



*one where the subjects are taking part in a game and not positioning themselves as 'toys to be played with'. The poses that the subjects are in are all powerful poses and none are submissive.*

3. 2.3 – violence - *we do not believe that there is a case to answer regarding this billboard and section 2.3 of the code.*

4. 2.4 – Sex, sexuality and nudity – *The current complaint suggests that there is a case to answer under this section of the code. Again, we are aware of the code of ethics and the context in which this billboard is portrayed. We have been careful to ensure that we treat the subject matter with sensitivity to the relevant audience. All the subjects are fully clothed and their poses are powerful and not suggestive.*

5. 2.5 – Language - *we do not believe that there is a case to answer regarding this billboard and section 2.5 of the code. The language used is not strong or obscene and is appropriate given the sporting nature of the billboard and its proximity to the sporting precincts.*

6. 2.6 – Health and Safety - *we do not believe that there is a case to answer regarding this billboard and section 2.6 of the code.*

*In summary, given that this piece of work is outdoor we have made sure that the billboard does not include any sexual imagery that can be reasonably suggested to be in contravention of Prevailing community Standards. We acknowledge that outdoor advertising as a medium is viewed by all cross sections of society and we have again made a conscious effort to ensure that the models used in the billboard are fully clothed and ensured that there is no suggestive posing on the billboard itself. We have done this to ensure that the artwork is acceptable and does not run counter to prevailing community standards.*

## **THE DETERMINATION**

The Advertising Standards Board (the “Board”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Board noted the complainant’s concern that the advertisement is borderline pornographic and suggests women are a toy to be played with.

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

The Board noted that some people may prefer not to see gentleman’s clubs advertised but noted that such businesses are permitted to advertise provided the content of the advertisement complies with the Code.

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: (a) where images of Minors, or people who appear



to be Minors, are used; or (b) in a manner which is exploitative and degrading of any individual or group of people.”

The Board noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

“Exploitative - means clearly appearing to purposefully debase or abuse a person, or group of persons, for the enjoyment of others, and lacking moral, artistic or other values.

Degrading – lowering in character or quality a person or group of people.”

The Board noted that in order to breach this Section of the Code the advertisement would need to be using sexual appeal in a manner that is considered both exploitative and degrading.

The Board considered the billboard advertisement featured three rotating images.

The first image depicted three women in football-style outfits consisting of white crop tops and yellow short shorts. One of the women is holding a football and the accompanying text says ‘come play’.

The second image depicts one woman from the torso up in a white crop top, standing in a stadium. The accompanying text says ‘now open 7 nights’.

The third image depicts a woman from the torso up in a white crop top holding a cricket bat across her chest. The accompanying text says ‘play on after the match’.

The Board noted the complainant’s concern that the women were being objectified and it was suggesting women were something to play with.

The Board noted it had previously dismissed a complaints about a similar billboard advertisement in case 0283/16 where:

“The Board noted the complainant’s concern that the advertisement depicts women as play things. The Board noted the advertiser’s response that the HoneyB’s premises are next to the Suncorp Stadium and the phrase, ‘Come Play’ is relevant in the context of the football one of the women is holding and the link to the sport and entertainment precinct the advertisement is placed in.

The Board noted that the advertisement shows 5 women on a football field but considered that their clothing is not consistent with the type of clothing traditionally worn to play football. The Board expressed concern that by showing female models dressed as though they are pretending to play a sport suggests that these women, and women in general, could not actually play a sport: they can only pretend. The



Board noted however that the advertiser is an adult entertainment venue near the main sports stadium and considered that the women's appearance is not dissimilar to the clothing worn by cheerleaders at the stadium and in the Board's view it is not exploitative to use female models to promote a service offered by females and the overall image is not of itself degrading to women.

The Board considered that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading to any individual or group of people."

The Board noted that the content of the current advertisement is similar to the previously considered case and considered that consistent with its previous determination it is not exploitative to use female models to promote a service offered by females, and the images were not in themselves degrading to women.

The Board noted the text 'come play' was relevant to the sporting theme of the business and the location near Suncorp Stadium.

In the Board's view, the advertisement did not purposefully debase or lower in character the quality of the women and 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 the complainant's concern that the advertisement was borderline pornographic and was not appropriate for a family friendly environment.

The Board noted that in case 0283/16:

"The Board noted that the 5 women in the advertisement are wearing cropped tops and considered that the underneath of their breasts are visible. The Board noted the women's nipples are covered and considered that the level of exposure of the women's breasts was not graphic and in the Board's view not inappropriate in the context of an outdoor advertisement located in an entertainment precinct which would be viewed by a broad audience. The Board noted the poses of the women and considered that although they are sexualised they appear confident and not so sexualised as to be inappropriate in the context of the advertised product and location."

The Board noted that the content of the current advertisement is similar to the previously considered case and considered that consistent with its previous determination the women's breasts are fully covered, the pants they are wearing are not brief and overall the level of nudity was not inappropriate in the context of the advertised product and location.



The Board considered that the level of nudity and sexuality in the advertisement was mild, and 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.