



CASE REPORT

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| 1. Complaint reference number | 163/09 |
| 2. Advertiser | Dreams Gentlemen's Club |
| 3. Product | Sex Industry |
| 4. Type of advertisement | Outdoor |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 22 April 2009 |
| 7. DETERMINATION | Upheld – discontinued or modified |

DESCRIPTION OF THE ADVERTISEMENT

Billboard advertisements promoting Dream Gentlemen's Club, 1 Elizabeth Street Melbourne. The picture on the left hand side of the Billboard shows a brunette woman wearing briefs only. The woman has her right arm raised above her head, her elbow is bent and her right hand is behind her head. Her left arm and hand are covering her breasts.

THE COMPLAINT

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

Billboard above Suds at Mentone. Bright pink in colour with naked young woman in bikini top with one arm up behind her head and the other covering her breasts.

This advertisement is highly sexually suggestive, and is placed in an inappropriate area. The billboard is very large, placed in very close proximity to three fast food chains - Subway, Hungry Jacks, and KFC - all popular places for children. Children should not be subject to overtly sexually explicit advertising. This type of advertising is highly offensive to women, far too sexual for youths, and promotes the corruption of morals. It is against Section 2 of the AANA Code of Ethics. Please have it removed immediately.

THE ADVERTISER'S RESPONSE

The complaint suggests this advert is highly sexually suggestive, and placed in an inappropriate area where children are!

We have been down this road prior to our advertising campaign commencement back in December 2007. We believe because our venue is of sexually explicit entertainment that we are being discriminated against. Currently advertised, for an unnamed underwear brand, is two ladies posing in exactly the same manner as ours are, asking whether you like column or pear shaped ??? located in several locations around the city & fast food stores where lots of children are. The other is advertising strawberries with a female posing again in the exact same manner and being advertised again in the same areas.

We do not believe our boards are offensive by any means, nor are they being discriminative in any way, we have had this billboard site since February 2008 and barely changed for over 6 months.

We do take all matters very seriously and if we are really offending the community and attracting children then we will be more than happy to change them, This is certainly not the exposure we are trying to achieve, but I do believe the AANA will make a fair decision in relation to this advertisement.

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' concern that the advertisement was sexualised and inappropriate for the likely audience which includes children.

The Board noted that the product advertised is a gentleman's club and that such establishments are allowed to be advertised provided that they treat sex, sexuality and nudity with sensitivity to the relevant audience in accordance with Section 2.3 of the Code. The Board noted that the advertisement is a billboard that is accessible to a broad audience.

The Board considered the image which depicts a woman wearing nothing other than what appears to be a g-string and covering her breasts with one arm/hand and her other arm behind her head. The Board considered that the image of the woman, and in particular her brief attire and pose, was moderately sexualised.

The Board considered that many people in the community find such images less acceptable than previously in particular where such advertisements take the form of outdoor advertising where they are able to be seen by anyone in the community including young people.

By a narrow majority, 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.

ADVERTISERS'S RESPONSE TO THE DETERMINATION

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

To the appropriate members of the Board:

- *we have decided to withhold our thoughts as we do not want to offend your decision;*
- *we have given notice to our company to remove the advertisements as soon as possible.*