



CASE REPORT

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| 1. Complaint reference number | 410/09 |
| 2. Advertiser | The Boardroom |
| 3. Product | Professional Services |
| 4. Type of advertisement | Transport |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 9 September 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

Transport advertisement on side of a van offering intimate services for men with a picture of a woman in black underwear.

THE COMPLAINT

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

I personally found the advertisement offensive - demeaning to women and inappropriate for a general audience. I will address my complaint according to the following "what to complain about" categories:

Section 2 of the AANA Code of Ethics

1. Portrayal of sex/sexuality/nudity

The portrayal of women in scant clothing in provocative positions - in the context of the advertisement for prostitution - was hugely inappropriate for a general audience.

3. Language

The language in the advertisement was used in such a way as to support the provocative portrayal of women, and further sexualise the advertisement.

Advertising Code for Advertising and Marketing Communications to Children

• social values

The overtly sexual advertisement is demeaning for women and inappropriate within a public space where all ages congregate. The advertisement undermines equality of genders and is likely to promote unhealthy attitudes in society.

This is exacerbated by the name of the organisation 'the boardroom' which leads to association between female prostitution and the corporate workplace. This can only be damaging to the reputation and fair treatment of women in the workplace and in 'boardroom' meetings.

• alarm & distress to children

The advertisement of prostitution at 6pm and in public space in such an overt manner is likely to confuse and distress children. It is also likely to foster inappropriate relations between genders and warped perception of corporate workplaces.

I object to a brothel advertising its services to the general public. By driving around the city with an advertisement on a van, they will encounter every segment of the community including differing religious views, children and people who are offended by the advertising of sex workers.

Please appreciate that i have no objection to sex workers. I believe it is an adult choice. In fact, the reason I know "the boardroom" is a brothel is because once I went to get my car assessed at a panel beater near there and saw some police walk into the premises. Noticing the sign and

wondering what it was, I looked it up on the internet when I got home. And that is also my point. Even if you don't realize it is a brothel advertisement when the van drives past, like me, curiosity may mean children or others who may be offended also look it up.

So generally I think it is inappropriate for a van to be driving around the city advertising a suburban brothel.

In addition, i also find it offensive to see vehicles who serve no purpose other than as an advertising vehicle. In a city with congested traffic and pollution, I always think it is irresponsible of advertisers to promote their product in such a way and I actually adversely respond to the advertisement.

So if a by-product is that ALL specific purpose advertising vehicles are banned well that is an added bonus.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*There are two sides and one rear image attached to our truck.
We own and operate the truck and it has been in use now for just on four years, displaying the same artwork.
It is on the road three to four days a week.*

*We are a high profile and very well known business, we are sensitive to the fact that not every body will appreciate our advertising.
Our driver has specific instructions on where to drive the vehicle, i.e.. not near schools, parks and churches. This is our policy and has been in place since we first started using Static Bill Boards and Moving Billboards some 12 years ago. However we are a legal business and as such entitled to responsibly promote our business.*

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 and their objection to the advertising of such services.

The Board reviewed the advertisement.

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. However, the Board noted that the advertisement is a transport advertisement, and as such is accessible to a broad audience. Members of the Board agreed that some people would find the portrayal of the woman unacceptable, but on balance, considered that the image was relatively discrete and although the use of such images has at times been a divisive issue for the community, the Board felt that in this instance, the image was not overtly sexualised and treated sexuality and nudity with sensitivity.

Finding that the advertisement did not breach section 2.3 of the Code or any other section of the Code, the Board dismissed the complaint.