



CASE REPORT

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| 1. Complaint reference number | 94/08 |
| 2. Advertiser | Larry Flynt's Hustler 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, 9 April 2008 |
| 7. DETERMINATION | Upheld – discontinued or modified |

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement features three young women wearing bras and g-strings, all have their backs facing the camera and are leaning against an iron railing. One blonde woman is turning to look over her shoulder at the camera. The two other women are seen side-on, with one touching the other's g-string, while the other woman has her finger in the other girl's bra strap. Text reads "Come and meet our Hustler Honeys. Larry Flynt's Hustler Erotic Ultra Lounge" and details of the venue.

THE COMPLAINT

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

I am very offended by this as a woman. And I really do feel for families with young children – who have not chosen to be exposed to this. I am not sure if they are legal or illegal, however when it is in the street in full view you do not have a choice to 'turn it off' as you do with television.

I think young women have enough pressures facing them today with television, magazines, etc informing them of how they are meant to look. My daughter, who is 12, is exposed to this on the street where she has no option but to see it and where I cannot protect her. This is appalling that it has been up so long and I urge you to look at this as soon as possible - it is a disgrace and I will take to them with a bucket of paint if I have to. The basic message getting across to young women is - men will like you if you have this mostly unattainable image. Young children are exposed to this. Young men will grow up thinking that that's how women should look and act. It's a disgrace - there is enough on television and in magazines to promote poor self-esteem in women. How dare there be in common public places where there is no choice to not look.

THE ADVERTISER'S RESPONSE

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

I write with reference to the billboard posters in question and the supposed breach of section 2.3 of the AANA Code of Ethics. Firstly, as a woman myself, I do appreciate the complainants' convictions, and it is certainly not my intention to demean females in any sense. As the owner of a newly opened club in the sex industry, it is essential I advertise my product so I captivate new and existing patrons in. With my club being of the sexual nature it is there are limits to how I can advertise, and promoting the product via billboards is one way I do this.

As delineated by section 2.3, my advertisements treat sex, sexuality and nudity with sensitivity to the relevant audience. Yes, it can be argued the posters are in locations obtainable by all ages of the general public and hence viewable by all. However, in today's day and age there are many advertisements out there considered derogatory and for various reasons. For example, the Quit ad showing a woman with a cancer ridden mouth could very easily give children horrifying

nightmares. A Dolce and Gabbana ad I saw not long ago showed a topless man holding down a woman wearing a short black dress and revealing the entire length of her legs. A Gucci ad I have seen recently too shows a partially naked woman. These, I might add, are two very popular prestige fashion labels. Also, ads which communicate the issue of animal cruelty quite often divulge photos of gaunt and battered animals. These too would be considered offensive.

So in today's world, my advertisements are no more offensive or sexually explicit than the next, and therefore are not in breach of section 2.3 of the AANA Code of Ethics.

I thank you for your time in reading this and ask that you please take my reasoning into serious consideration.

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 concerns of the complainants and considered the advertisement under Section 2.3 of the Code which states that advertisements shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

The Board reviewed the image and noted that two of the three models were touching each other. One model had her fingers in the other model's bra who in turn appeared to be about to remove the first model's g-string. The Board considered that the image depicted sexual touching and that this type of touching moved the image from a passive one to one which implied action.

The Board noted that the advertisement was a billboard poster and could be seen at any time of the day by all members of the community including children. The Board agreed that the depiction of this type of touching over stepped what the community would consider to be an acceptable portrayal of sex, sexuality and nudity. The Board determined that the advertisement breached Section 2.3 of the Code.

Finding that the advertisement did breach the Code, the Board upheld the complaint.

ADVERTISER'S RESPONSE TO DETERMINATION

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

The advertisement has been discontinued.