



## **CASE REPORT**

1. Complaint reference number	98/08
2. Advertiser	OGLU Industries (Club Shoop)
3. Product	Entertainment
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	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This outdoor advertisement for "Shoop Showgirls" features a young blonde woman wearing only white briefs. She is kneeling and smiling towards the camera, her arms hiding her breasts. Text alongside reads "It's more than just a bar, it's an experience..." and details of the venue and opening times.

## **THE COMPLAINT**

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

*I object to the advertisement for several reasons:*

- 1. Represents a potential danger by distracting drivers. There is documented evidence of such advertising becoming a distraction and subsequent accidents occurring*
- 2. It does not look environmentally friendly*
- 3. The Billboard advertises things outside of the Dandenong area, which don't reflect the community of Dandenong*
- 4. The Advertising Standards Board should first and foremost, consult with the local council before giving the go ahead for such advertising*
- 5. Having advertising for a Night Club, and an ILLEGAL Brothel is not showing DUTY of CARE or sensitivity to the minors, and Victorian/Australian Public*
- 6. Standards should be held high to honour God, the Creator of our Universe, and not be wavering and change. Man and Woman were made in the image of God. When sin came into the world, those standards were lowered by man, not God. We should never lower the bar to man's standard, but maintain God's standards to the Glory of God*

## **THE ADVERTISER'S RESPONSE**

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

*I refer to the above complaint made against our advertising board and are astounded by the comments made by the complainant.*

*We are not an illegal Brothel and if she had truly contacted Council she would have discovered that we are a Gentleman's Club (table top dancing club), operating legally for 16 years. We hold a live, on premises entertainment liquor licence.*

*As to her allegation of not being environmentally friendly, I dispute this as the sign sits amongst a business zone with car yards and factories, there is also multiple other signage that could be distracting to drivers as well. The sign is not placed near a school and is well above the eyesight of a child.*

*The advertisement itself placed on the sign does not show any more of the female form than does a bikini, underwear and some general household item commercials contain. You see more on the side of buses, television, movies and even the newspapers than in our advertisement.*

*As for her religious views, we all have our own beliefs and there are multiple respected religions in Australia but it does not govern day to day advertisement nor does it govern the law or our government. We all have the right to have our own religious beliefs and not have someone else push theirs on you or govern your day to day lives. You could also argue that often huge religious signs with their messages of faith and some doom and gloom are distracting to the public and often illegal.*

## **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 complaint's concern and reviewed the advertisement under Section 2.3 of the Code which deals with the portrayal of sex, sexuality and nudity.

The Board viewed the billboard advertisement and noted that the model was portrayed in a passive pose and that she was wearing underwear and her breasts were covered. There was no strong or sexually suggestive language included on the billboard.

The Board further noted that the billboard is located in an industrial area where it is unlikely to be viewed by children. Finding that the image portrayed sex, sexuality and nudity in a way that was relevant to the target audience the Board determined that the advertisement did not breach Section 2.3 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.