



CASE REPORT

1. Complaint reference number	148/06
2. Advertiser	The Grosvenor
3. Product	Sex Services
4. Type of advertisement	Outdoor
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 9 May 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement features a black background imposed with red lips and “The G (rosvenor)” in red bold type. The phrase “Got the urge? Do It Now” appears with address and phone details.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

The ad is blatantly sexual and crass...the billboard is located (on) a major route for school children.

This encourages men to satisfy instantly there (sic) sexual urges. Potentially it encourages sexual aggression in men and is inappropriate for a suburban shopping strip billboard.

This is disgraceful and confronting.

The innuendo for gratuitous sexual activity being advertised in a public space is offensive and degrading.

THE ADVERTISER’S RESPONSE

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

All advertising for lawful brothel advertising in Victoria is governed by Victorian statute namely the Prostitution Control Act 1994 section 17 controls on advertising by prostitution service providers and section 18 Advertising Regulations and section 10 of the Prostitution Control Act 1994 Regulations. The billboard advertisement complies strictly with the letter of the law and the spirit of the law. It follows that there is nothing illegal with regard to the advertisement. The billboard advertisement is permitted at law.

The billboard advertisement is not blatantly sexual and crass.

The billboard advertisement does not encourage men to satisfy instantly their sexual urges. It cannot be described as encouraging sexual aggression in men.

It is acknowledged that the billboard advertisement is located in a route for school children before and after school. To claim that this creates a problem is naïve. Such a claim ignores the valuable educational role played by advertising and in this instance will assist in helping to debunk misconceptions that are frequently held by some members of our community with regard to lawful prostitution. The billboard advertisement in fact plays an important educational role.

Further on the issue of the location of the billboard advertisement it is said that the location or the place for the billboard advertisement was an issue determined by local government. The Boorondarra Council has granted planning permission for this space to carry billboard advertising.

THE DETERMINATION

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

In particular, the Board considered whether the advertisement treated sex, sexuality and nudity with sensitivity to the relevant audience. The Board noted that the advertisement was an outdoor advertisement and that therefore the audience viewing it would be broad. However the Board considered that the advertiser treated sex and sexuality very subtly, that there was no nudity or imagery which breached section 2.3 of the Code and that therefore this section was not in fact breached.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.