



CASE REPORT

- | | |
|-------------------------------|---|
| 1. Complaint reference number | 32/09 |
| 2. Advertiser | Planbuild |
| 3. Product | Professional Services |
| 4. Type of advertisement | Outdoor |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 11 February 2009 |
| 7. DETERMINATION | Upheld – discontinued or modified |

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement for Planbuild homes lifestyle solutions shows an image of a woman's body from neck to knees. The woman appears to be naked. Her breasts are covered by a saw and she is wearing a large tool belt on her hips covering her genital area. The words on the right of the advertisement say: "Appealing? Wait until you see our inclusions!" The contact details appear at the bottom of the advertisement.

THE COMPLAINT

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

- 1. Its a main road where alot of people go to church including myself.*
- 2. this kind of porn and nudity should not be aloud on billboards.*
- 3. Children and adults should not be targeted for this kind of advertisment on such a busy main road.*
- 4. we have rights and its our right to feel safe and have our kids feel safe to drive with us.*

The unnecesary forms of advertising explicitly portraying women in a manner that is degrading and totally discriminative. Its just dissapointing to see the level at which we have declined and the desensitisation in which we are exposing our children to. Are we no longer able to use our brains and come up with clever advertising campaigns and gimics, but rather take the cheap option and limit ourselves to a "shallow and simple minded" form. Surely such a quality business as yourselves could come up with something that markets to the broader community. (thats what you would want for a business, i would imagine! is it not?)

THE ADVERTISER'S RESPONSE

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

The following outlines our response to the complaint.

- 1. Planbuild Homes Pty Ltd are a fully committed to responsible advertising practices and has no wish to shock or offend the general public.*
- 2. This campaign 'You should see our inclusions' was launched in November 2008. 'You should see our inclusions' emphasized the amount we include in our 'turn key' homes, and used the creative device of a fit, attractive, partially nude male and female wearing a tool belt around their waist.*
- 3. The creative idea is that Planbuild Homes has an impressive standard inclusions list. We used a fit, healthy, attractive male and female model, dressed in a common building apparatus (tool belt and hand saw). The copy in the advertisement is simple yet effective and is as follows: Appealing?*

You should see our inclusions.

4. Section 2.3 of the AANA Code of Ethics states: Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone

5. The outdoor campaign was run through a media company (APN Outdoor) using large format billboards. APN Outdoor operates strict approval guidelines to approve any creative shown within their media space. Specific attention was given to the areas mentioned.

6. The core target consumer for the campaign are first or second home buyers, both male and female. These consumers, and indeed the general public, are both used to and enjoy seeing advertising images that depict natural beauty, often with far more obvious nudity. In accordance with provision 2.3 the image is carefully designed to suggest the male and females are partially naked, however photo editing software and strategically placed tool bag, and hand saw cover all sensitive areas.

7. Whilst the advertisement is not target at children, given its outdoor placement it is acknowledged that it may be seen by children.

Part 2.4 of the AANA Advertising Code for children states: "Advertising or Marketing Communications to Children must not include sexual imagery in contravention of Prevailing Community Standards;" We believe the subtle imagery used in the ad, whilst featuring stylised nudity, could in no way be considered by prevailing community standards as "sexual" in nature. We believe that more of the body can be seen when going to the beach. Whilst both models are fit and attractive to look at, they certainly do not depict any sexual connotation and certainly not considered as "Porn" as stated by one of the complainants.

8. The female billboard is displayed in the location first for one (1) month, and is then followed by the male billboard which is also displayed for one (1) month. We find it quite sexist that both complaints have been about the female billboard and not the male billboard, when in actual fact you see more of the male body than the females. We find both complaints to be biased and one sided.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board considered the application of Sections 2.3 and 2.5 of the Code, relating to sex, sexuality and nudity, and language.

In regard to the advertisement's portrayal of sex, sexuality and nudity under Section 2.3, the Board noted that the woman is naked and only her torso and legs are shown - there is no image of her face or head. The woman is depicted in a mildly sexual position and the image is accompanied by mildly sexually suggestive text 'Appealing? You should see our inclusions.'

The Board noted that it had previously considered advertisements featuring scantily clad women and that the use of such images has at times been a divisive issue for the community. The Board noted that there is no relationship between a naked woman and the product or service being advertised. The Board noted that the advertisement is on a billboard and is therefore available for viewing by a broad audience. The Board considered that many reasonable people would find the portrayal to be unacceptable and without justification in the context of the products advertised and in the media utilised. On this basis the Board determined that the advertisement did not depict sexuality with sensitivity to the relevant audience and that it did breach section 2.3 of the Code.

The Board also considered whether the advertisement discriminated against or vilified women. The Board considered that the image of the naked woman, without a head, was objectification of women in the context of a sexually suggestive advertisement for a housing product. On this basis the Board determined that the advertisement breached section 2.1 of the Code.

Finding that the advertisement breached the Code on other grounds, the Board upheld the complaint.

ADVERTISER'S RESPONSE TO DETERMINATION

I am currently taking steps to rectify our billboard. I am having a new skin made to change the girl in question. As soon as the changes have been made I will email through a copy of the new billboard. I will be in touch as soon as possible.