



Case Report

1	Case Number	0046/18
2	Advertiser	Sydney Festival
3	Product	Entertainment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	07/02/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

A television advertisement with a montage of images from a cabaret show called RIOT at Sydney Festival.

THE COMPLAINT

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

During the screening of a kids movie Dennis the Menace the advertising used is inappropriate as it displays adult men in borat style swimmers dancing on stage. The show being promoted would be inappropriate for children and therefore should not have been promoted during a children's movie.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

As we had the CAD approval W, the media buyer wouldn't have seen any issues with the placement of the TVC after 7pm. Although there is some footage of actors in man-kinis we didn't perceive the footage as being explicit in any way.

THE DETERMINATION

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

The Board noted the complainant’s concerns that the advertisement featured sexualised images which were inappropriate for a broad audience which would include children.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that this television advertisement featured footage from the ‘Riot’ show at the Sydney Festival.

The Board noted the advertisement had been given a ‘W’ rating by CAD and was aired at a time appropriate to the rating (http://www.freetv.com.au/media/CAD/Placement_Codes.pdf).

The Board considered the advertisement included a variety of scenes from the show, including a few brief scenes of men dancing in ‘mankinis’.

The Board considered that the men in the advertisement had their genitalia covered at all times and that the advertisement did not contain nudity.

The Board considered the advertisement contained only mildly sexualised images and considered that the advertisement was not inappropriate for a broad audience which may include children.

The Board considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code. Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.