



Case Report

1	Case Number	0049/11
2	Advertiser	Future Entertainment
3	Product	Entertainment
4	Type of Advertisement / media	Internet
5	Date of Determination	23/02/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Sex

DESCRIPTION OF THE ADVERTISEMENT

The headline image on the home page for the touring Future Music Festival is an ongoing "character" illustration of an erotic, topless female garden gnome (with spinning stars on her nipples), in the guise of a poker machine. She has 3 revolving reels for her eyes (registering FMF, the acronym of Future Music Festival and a lever instead of an arm.

THE COMPLAINT

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

Dehumanised and sexually objectified depiction of a woman intended to be a "clever" and humorous development of the campaign/brand "character". Combination of the erotically explicit female 'object' combined with a mechanical device reinforces the idea of a woman as a "sex machine or device" that "pays out" or you "get lucky" with. In this ad the jackpot is FMF an acronym for both the name of the festival and pun on sexual activities involving two females and a male in TXT language (familiar to the target audience). Sexist gratuitous an overt and unnecessary depiction and reinforcement of female sexual objectification promoted nationally to young male AND female fans of mainstream music.

THE ADVERTISER'S RESPONSE

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

The complaint is in reference to the creative for our nationally touring festival, The Future Music Festival.

Firstly, here is a link to the creative/advertisement in question.

www.futuremusicfestival.com.au

My comments are:

The Future Music Festival has been a key music event on the festival calendar for over 7 years.

The event creative has always followed a theme of gnomes, and this is carried through each year. I've included a couple of ads from previous years where the gnome has been manipulated creatively to reflect the theme for 2009 and 2010. As you can see, our gnome has very much become part of the brand although not all advertising includes her.

We consider ourselves to be responsible with our advertising. We have put a bikini top on our gnome for certain publications where we've felt a younger audience may be likely to view it, or have excluded all together. We are not out to market to a young audience.

I note the complaint is in reference to our website and social media. We don't advertise to anyone below the age of 18 via our social media. As the event is over 18 and is fully licensed, I would be surprised if anyone outside of the ages of 18-35 would be seeking out the website. We did receive one complaint last year which you may recall (which was dismissed) about the use of our female gnome. I had made the point then that the image had been derived from a garden gnome purchased from a \$2 shop. This type of retail outlet may be frequented by anyone including women and children, but remains to be stocked. I have one of these gnomes in the office if you'd like me to provide an image of it.

This year's theme sees our gnome in a Las Vegas setting.

I fully refute the suggestion that this theme aims to further exploit women as suggested in the complaint. The Vegas theme is designed to create and capture excitement - including bright colours and flashing signs. One of the tag lines of our press release is 'Hit the Festival Jackpot...' We think all of our artists are 'winners' and we feel it's a clever way to communicate this message. Please see attached press release for your reference.

The creative in question backs up the 'hit the festival jackpot' copy and theme.

The fact that our gnome has been merged into the 'jackpot' theme was in no way to imply she is 'sex toy' and I do feel this complaint is a little over the top. I am 36 and female and I have never considered this.

It took me a while work out what the complainant meant by 'a pun on sexual activities' and the 'two females and a male in text language'. 'FMF' is a well known abbreviation for the event - 'Future Music Festival'. Certainly not 'female male female'.

In summary, in the context of this event, the creative and the copy - the message we want to get across relates to 'everyone being a winner' if they choose to come to the event. Our artist line-up is second to none this year.

The gnome is a character who will always be carried through and there was no intention to have her interpreted as a sex toy or machine.

I am disappointed that this person has been upset but this year's theme - however I do feel that they have misinterpreted the creative and that they don't have a clear understanding of the brand.

I'd also like to make the point that this person has travelled to our website in order to view the event info/creative. They can very easily choose not to return to the site if they find this offensive.

I'm hoping this is an isolated complaint and that our target demographic does not share this opinion. We are very accessible through our website and our details are easy to locate.

Fortunately, we are yet to receive any feedback that would support the complainant's opinion.

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 complainant's concerns that the advertisement objectifies women and features inappropriate sexual innuendo.

The Board reviewed the advertisement and noted the advertiser's response.

The Board first considered whether the advertisement complied with section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of ...sex...'

The Board noted that the advertisement is for a music festival and features a cartoon image of a female gnome wearing only green knickers and stars covering her nipples. The Board noted that it previously dismissed a similar complaint against this advertiser in case reference 80/09.

The Board considered that the gnome did not realistically resemble an actual woman and that most people would consider the image to be of a gnome, albeit a female one. The Board considered that the depiction of a fanciful figure was not demeaning to women or suggestive that women are poker machines.

The Board determined that, in this instance, the advertisement did not depict any material that discriminated against or vilified any person or section of society and did not breach section 2.1 of the Code.

The Board then considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code 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”.

The Board noted that the gnome has breasts which are covered only by stars placed over where the nipples would be. The Board noted that the advertisement is on the advertiser's website and the advertiser's response that the music event is for adults over 18 years of age and so the advertisement is targeting that demographic.

The Board noted that the genitals and nipples of the gnome are covered and considered that the level of nudity depicted is not unacceptable.

The Board noted the complainant's concern that the acronym 'FMF' relates to sexual activity between two females and a male, and the more likely, and intended, interpretation of this acronym "Future Music Festival". The Board considered that the acronym is not inappropriate in the context of the music festival advertisement and the audience that would be likely to visit this website.

Based on the above the Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it 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.