



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0049/15</b>
<b>2</b>	<b>Advertiser</b>	<b>Universal Pictures</b>
<b>3</b>	<b>Product</b>	<b>Entertainment</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Poster</b>
<b>5</b>	<b>Date of Determination</b>	<b>25/02/2015</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

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

### DESCRIPTION OF THE ADVERTISEMENT

This complaint refers to a poster advertisement for the Fifty Shades of Grey movie features an image of the two main characters. The woman has her arms raised above her head and her eyes closed. The man has his hand resting against the side of the woman's head and appears about to kiss her. The text reads, "Lose control. Fifty Shades of Grey in cinemas February 12".

There are also two other posters in this campaign:

1. Image of a man wearing a black suit and white shirt holding a grey tie His head is cropped so we can't see his eyes.
2. A woman's face from the nose down. She is biting her lip and the text reads, "Curious?"

### THE COMPLAINT

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

*Because in the poster a woman is being tied up with her hands above her head and being strangled by the man with his left hand. This is offensive as it gives the impression that woman should be treated like this, they enjoy it and it's normal to act like this. Poster of two people kissing in a bus shelter directly outside a school. I question the appropriateness of the advertising at this location, and who, and what processes, are used for approving such advertising.*

## **THE ADVERTISER'S RESPONSE**

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

*The complainant suggests the creative execution is showing the female with her hands being tied up above her head whilst being strangled by the male. The image in question actually shows the female standing with her hands raised above her head while the man caresses her face.*

*ADSHEL have provided the following statement:*

*'The Fifty Shades of Grey creative was approved by the OMA as the image did not breach the ASB guidelines.'*

## **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 complainants' concern that the advertisement features a sexualised image of a woman tied up and kissing a man and that this is not appropriate for outdoor display where children can view it.

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

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted this poster advertisement for the 'Fifty Shades of Grey' movie features a

woman with her arms raised above her head about to be kissed by a man who has his hand resting against the side of her head.

The Board noted the complainant's concern that the woman has her hands tied and is being strangled by the man. The Board noted that the woman's hands are not visible so it is not possible to say they are tied and considered that the man's hand is resting against the side of her head, not her throat, and the most likely interpretation is that they are about to kiss and not that he is going to strangle her. The Board considered that the advertisement does not depict, encourage or condone violence towards women.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

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 the complainant's concern that the advertisement features two people kissing and that it is not an appropriate image for a bus shelter outside a school.

The Board noted that whilst the man and woman appear about to kiss they are not actually kissing. The Board noted that the man and woman are both clothed and considered that the only sexually suggestive material is the name of the movie as many people would be aware of its theme. The Board noted that some members of the community would prefer that this type of movie not be advertised outdoors but considered that the content of the advertisement itself is very mild and not inappropriate for a broad audience which would include children.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad 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 complaints.

