



Case Report

1	Case Number	0106/11
2	Advertiser	Neo Property
3	Product	Real Estate
4	Type of Advertisement / media	Internet
5	Date of Determination	13/04/2011
6	DETERMINATION	Upheld - Not Modified or Discontinued

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

Advertisement for a property for sale through Neo Property. The address is 15 Queen Anne Court, Sovereign Island and features a woman in black underwear tied to a chair in the property. She rings emergency services and then proceeds to describe the property using familiar estate agent descriptions. She is finally rescued by a SWAT team who arrive by helicopter, and then two members of Neo Property are shown along with the web address of neoproperty.com.au.

THE COMPLAINT

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

I think the advertisement was sexist bordering on misogynistic. I found it extremely offensive and I dislike this perpetuation of women as just there as a male fantasy. I don't consider myself to be a prude but I certainly get offended by the objectification of women as sex objects - actually I get offended when men are treated that way too. I think the fact that there is still this kind of mentality out there is disgraceful and we should be sending the message that it's not okay for this type of advertising to be allowed.

THE ADVERTISER'S RESPONSE

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

The promotion of the video has no content that warrants any complaint V advertising standards It has in fact gone viral around the world with much media attention via face book, you tube and other mediums Property of the day Wall St Journal, Front page SMH, Weekend Australian, Fin Review, Gold coast bulletin and featured twice on a current affair played in full. Endorsed by Channel 9 personalities etc.... It has had over 500,000 viewings online and most recently international film crews interviewing us and filming the home yesterday to take to national coverage in Europe highlighting its FIRB and the opportunity to showcase the Gold Coast and Australia. It has received thousands of "like comments" with hundreds emailing us congratulating us on the creativity and impact , industry and general public included I look forward to hearing from you.

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 concern that the advertisement is sexist, portrays women as sex objects and is offensive. The Board reviewed the advertisement and noted the advertiser's response. The Board considered whether the advertisement was in breach of section 2.1 of the Code. Section 2.1 of the Code states: "Advertising or Marketing Communications shall not portray people 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 this advertisement is for a property for sale in Sovereign Island and features a woman tied to a chair, describing to the emergency services where she is and the features of the property. The Board noted that there are two versions of the advertisement available and that in one version we can see two other women in their underwear apparently about to kiss, and in the other version a reference is made to these two women but they are not shown. The Board noted that the woman tied to the chair is in her underwear and her skin is covered in oil. The Board noted the complaint that the advertisement is sexist and considered that representations of women in this way are not necessary to sell property. The Board considered that the depiction of the woman in her underwear was unnecessary, as were the close-up shots of the woman's breasts, and that this depiction reduced the woman to an object. The Board noted that the overall tone of the advertisement is one of fantasy/parody. The Board considered that the depiction of the women in their underwear about to kiss one another took this fantasy tone too far and was not appropriate. The Board considered that the reference (explicit in one version of the advertisement and suggested in the other version) to lesbian sex is offensive because it is suggested as being of interest for men and not in the context of two women in a relationship. The Board also noted that one of the men in the advertisement refers to women as 'broads' and considered that this reference objectified women. Based on the above the Board determined that the advertisement did depict material that objectified women to the point of discrimination and that the advertisement did breach section 2.1 of the Code. The Board then noted section 2.2 of the Code which requires that 'advertising or marketing communications not use violence unless it is appropriate in the context of the advertised product or service.'

The Board noted that the woman in the advertisement is tied to a chair and is using a voice activated mobile phone to contact the Emergency Services for help. The Board considered that restraining a woman against her will is a depiction of violence and as it is not relevant to the product being advertised it breaches Section 2.2 of the Code. The Board determined that the advertisement did breach Section 2.2 of the Code as it does depict or condone violence. 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 advertisement can be viewed on the internet and that anyone looking to buy a property on Sovereign Island could see this advertisement. The Board noted that the relevant audience of a property advertisement would be adult and that they can choose whether or not to watch the advertisement. 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 breach Sections 2.1 and 2.2 of the Code, the Board upheld the complaint.

ADVERTISER RESPONSE TO DETERMINATION

The advertiser failed to provide a response to the Board's determination and as at 23 May the advertisement was still available on line.

The advertisement is no longer being aired.