



## Case Report

1	Case Number	0130/17
2	Advertiser	Doug Moran National Portrait Prize
3	Product	Other
4	Type of Advertisement / media	Poster
5	Date of Determination	22/03/2017
6	DETERMINATION	Upheld - Modified or Discontinued

### ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.5 - Language Inappropriate language

### DESCRIPTION OF THE ADVERTISEMENT

The advertisement in question is a series of large banners along the front glass windows of Moran House, Bridge St, Sydney. The size of each is approximately 300cm x 100cm.

The banners are promoting the annual Moran Prizes competition and exhibition. The Moran Art Prizes comprises the Doug Moran National Portrait Prize and the Moran Contemporary Photographic Prize (MCPD).

One panel only is subject of the complaint. It is the fifth of six panels and features a man at a polling booth wearing speedos with 'pussy magnet' written across the back.

### THE COMPLAINT

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

*There is a 6 ft photo of a man with the words "pussy magnet" on his swimmers. I think it is funny. However I was walking my 2 daughters aged 8 and 10 past on the weekend and they stopped and asked "what does pussy magnet mean Dad". It was way too uncomfortable to explain and I am concerned it is not right to expose young kids, especially young girls to this*

*large sexualised image in public places. It is offensive and not appropriate in this location. Could I request that the words on the photo "pussy magnet" are covered up please to avoid promoting sexualisation to children unnecessarily?*

## **THE ADVERTISER'S RESPONSE**

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

*The advertisement in question is a series of large banners along the front glass windows of Moran House, Bridge St, Sydney. The size of each is approximately 300cm x 100cm.*

*The banners are promoting the annual Moran Prizes competition and exhibition. The Moran Art Prizes comprises the Doug Moran National Portrait Prize and the Moran Contemporary Photographic Prize (MCPPE).*

*One panel only is subject of the complaint. It is the fifth of six panels and is a detail of a photograph by 2016 MCPPE Finalist Edwina Pickles titled: Australia Votes. The photograph was taken the day of the 2016 Federal election and Ms Pickles was out looking for photos, which is her profession. She was standing in the polling booth, located in a surf club in Sydney's east and took a photo that the judges interpreted as a humorous cross section of a particular section of Australia's population. As such it was selected as a Finalist in the 2016 MCPPE.*

*When we came to selecting works that best represented the Moran Contemporary Photographic Prize competition and hence contemporary life in Australia we selected the following four images:*

- 1. El Hogan, Boys in the Swimming Hole, Mornington Island*
- 2. Johannes Reinhart, Mermaid Show*
- 3. Edwina Pickles, Australia Votes*
- 4. Martine Perrett, Nikki & Chloe*

*Together with the four images of the Doug Moran National Portrait Prize they represent an eye catching, humorous and thought provoking statement of what Australia is in 2016.*

*As outlined below, Panel 5 adheres to Section 2 of the AANA Code of Ethics because:*

*2.1 - Discrimination or vilification – Neither men nor women are being discriminated against or vilified in the panel.*

*2.2 - Exploitative and degrading – For some members of the population the panel could be seen as degrading to women because the detail of the photograph has been taken out of context of the whole & therefore they may not understand it is a comment on who we are as Australian. Neither men nor women are being exploited.*

*2.3 – Violence – There is no violence portrayed in the panel*

*2.4 - Sex, sexuality and nudity – There is no nudity, sex or sexuality portrayed in the panel.*

*2.5 – Language – The words “PUSSY MAGNET” as featured in the panel is out of context of the whole photograph. The tongue in cheek, humorous aspect of the photograph is potentially missing as is the situation of it being taken in a surf club which is the reason the man is in his swimming costume. Also in the original image is a little girl unaffected by what’s around her.*

*2.6 - Health and Safety - The health and safety of the population is not at risk from this panel being on display.*

*The Moran Arts Foundation understands that when the image was cropped and removed from the original context of the photograph, it could be construed as offensive by some members of the public. We have therefore removed the disputed language from the image by pasting over them. I hope this rectifies the situation.*

## **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 features a sexual reference placed over a man’s speedos which is not appropriate 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 poster advertisement features an image of a man in speedos with the text, “Pussy Magnet” written across the rear of his speedos.

The Board noted the advertiser’s response that the image of the man in speedos is one of 6 images used to promote the annual Moran Prizes competition.

The Board noted the placement of the image in a street facing window and considered that the image would be visible and clear to all passers-by including children.

The Board noted that the man in the advertisement is only wearing speedos but considered that the level of nudity is mild and is consistent with how swimwear is worn. The Board noted the man’s pose and considered he is clearly depicted in a polling booth casting his vote

and considered that this is not a sexual scenario and the manner in which the man is depicted is not sexualised or intended to be sexy.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and determined that the advertisement did not breach Section 2.4 of the Code.

The Board considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided”.

The Board noted the use of the phrase, ‘Pussy Magnet’. The Board noted that ‘pussy’ can be used as a slang term for a woman’s vagina and considered that the phrase ‘pussy magnet’ is a colloquial phrase used to describe something which attracts women.

The Board noted that the image is being used because it is a finalist in an Art competition and a minority of the Board considered that this context makes the phrase ‘pussy magnet’ less offensive. The minority of the Board noted a previous determination about the use of a painting of a naked woman used to promote an art exhibition at the National Gallery Victoria (0103/12) and considered that, consistent with this previous determination, the image used in the current advertisement is presented as part of a Portrait Prize and in this context it is not inappropriate.

Following considerable discussion however, a majority of the Board noted the placement of the advertisement in a street-facing window and that it had previously upheld an outdoor advertisement which featured the word ‘pussy’ in case 0549/14 where:

“The Board noted that the use of the word ‘pussy’ in relation to a sexual act is a blatant sexual reference not suitable for a broad audience. The Board considered that this amounts to language which is inappropriate in the circumstances”.

In the current advertisement, the majority of the Board noted that while ‘pussy’ has a number of meanings the Board considered that in the context of a statement written on the back of a man’s speedos the intended interpretation is clearly that of attracting women, not cats or timid people and in the Board’s view this is sexualised language which most members of the community would find offensive and which is not appropriate for a broad audience which would include children.

The Board noted the advertiser’s response that they have modified the advertisement based on the complaints received and there is now a censored sticker placed over the words ‘pussy magnet’. The Board noted its role is to consider the original advertisement, as viewed by the complainant, and a majority of the Board considered that the advertisement did use strong, obscene or inappropriate language and determined that the advertisement did breach Section 2.5 of the Code.

Finding that the advertisement did breach Section 2.5 of the Code, the Board upheld the complaint.

## **THE ADVERTISER'S RESPONSE TO DETERMINATION**

As discussed, the Moran Arts Foundation understands there has been a breach in the advertising standards code and the modifications stated in the original report, i.e. applying a censored sticker over the offending words is still in place and will remain in place for the duration of the advertisement.