



Case Report

1	Case Number	0145/17
2	Advertiser	John Flood Plastic Surgeon
3	Product	Professional Service
4	Type of Advertisement / media	Internet
5	Date of Determination	12/04/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

A series of images of nude females above the headings "Breast Surgery", "Body Surgery", "Face Surgery".

THE COMPLAINT

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

*The images are semi-pornographic, most depicting nude females in erotic poses.
As such, they are inappropriate for a medical professional's web-site.
These pictures of unrealistically perfect bodies send the wrong message to young, vulnerable females struggling with body image problems.*

THE ADVERTISER'S RESPONSE

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

Dr Flood is a member of the Royal College of Surgeons and the Australian Society of Plastic Surgeons. Our practice is guided by their medical codes and guidelines and follows the ASPS code of practice.

As a plastic surgeon he sees patients that are interested in cosmetic procedures and hence has a website for this purpose.

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 features images of women’s naked breasts which is inappropriate and sends the wrong message about appearance.

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

The Board considered whether the advertisement complied with Section 2.4 of the Code which requires that “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that as well as the images of women’s breasts, the text in the advertisement describes the treatments available at the clinic including breast augmentation, tummy tucks and other plastic surgery options. The Board considered that the surgical/beauty treatments are presented in a way which informs the community of the services on offer but does not suggest that all women should undertake these treatments.

The Board noted that although there are images that are clearly of naked breasts, the images are presented in a clinical manner are not sexually suggestive. The Board noted the medium for the advertisement is the clinic’s own website which is not likely to attract the attention of young children.

The Board noted that it is reasonable to expect a provider of surgical/beauty treatments to show the potential results of those treatments in order to promote their business.

The Board noted that it has previously considered similar images for similar services (0142/14, 385/09, 276/10) and that in those instances the complaints were dismissed. The Board noted that the medium that the images are contained within is not something that would have an appeal to children and the images are not of a sexualised nature.

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

Finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.

