



Case Report

1	Case Number	0192/12
2	Advertiser	Chatswood Hills Tavern
3	Product	Other
4	Type of Advertisement / media	Poster
5	Date of Determination	23/05/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The advertisement is a poster with an image of a female holding up a football. The female is wearing a white sports crop top, a white wrist band and black bottoms. She also has black painted strokes under her eyes. There is a football stadium in the background. The slogan on the advertisement states "Friday Night Footy at the Chatty, Half Time Prize Draw with Cash Jackpot, Free Bar Snacks, Promo Girls."

THE COMPLAINT

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

I object to the nudity - the woman is in my opinion showing too much breast for a family friendly environment. The pose is also sexual.

The advert is situated outside the entrance to the tavern and is in clear view of people walking to other shops in the precinct.

THE ADVERTISER'S RESPONSE

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

The advertisement is for a Friday Night Football promotional event at our hotel which can only be attended by adults. The advertisement, therefore, is not intended to target an audience under the age of 18 years.

The words used in this advertisement are not sexually explicit and does not suggest any sexual provocation. Furthermore, the image of the female does not include any sex, sexual acts or nudity and when viewing both the slogan and the image together, there is no suggestion of any sexual incitement.

The reason why we have used a picture of a female in a cropped top handling a football is for the sole purpose of advertising that there will be 'Footy Promo Girls' at the event.

We do not feel that this advertisement employs sexual appeal in a manner which is exploitive and degrading to women; however, as an operator of a large Hotel enterprise across Australia, we take all feedback very seriously and in order to address the concerns that persons may have regarding the advertisement, we have removed the outdoor promotional signage.

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 has an inappropriate level of nudity and is of a sexualised nature.

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 the advertisement features an image of a woman holding a football above her head. The model is wearing a low cut crop top, and her cleavage is prominent. The slogan on the advertisement states "Friday Night Footy at the Chatty, Half Time Prize Draw with Cash Jackpot, Free Bar Snacks, Promo Girls."

The Board noted that the woman's breasts are covered, although there is a large amount of cleavage showing. The Board considered that the pose and outfit of the model (including the addition of black stripes under her eyes) is in keeping with the theme and promotion of the football event being promoted at that venue. The Board considered that the image of the woman is not overly sexualised and is relevant to the product being promoted.

The Board noted that the poster is displayed outside the entrance to the tavern, in an area where children may see it, but considered that the content of the advertisement is not inappropriate for a broad audience including children. Considering that the advertisement was not a sexualized image, and that the woman is not exposing any private areas of her body, the Board considered that most members of the community would not find the imagery offensive.

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 2.4 of the Code.

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