



## Case Report

|   |                               |                         |
|---|-------------------------------|-------------------------|
| 1 | Case Number                   | 0233/11                 |
| 2 | Advertiser                    | Little River Paint Ball |
| 3 | Product                       | Leisure & Sport         |
| 4 | Type of Advertisement / media | Billboard               |
| 5 | Date of Determination         | 13/07/2011              |
| 6 | DETERMINATION                 | Dismissed               |

### ISSUES RAISED

2.3 - Sex/sexuality/nudity      Treat with sensitivity to relevant audience

### DESCRIPTION OF THE ADVERTISEMENT

Image of a person wearing protective clothing with red paint splattered on the face mask. The accompanying text reads, "Are they my paint balls on your face. World series paintball. Little River - Oakleigh."

### THE COMPLAINT

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

*This ad seems to be overtly and unnecessarily sexual in it's implication. Otherwise why make the font of the word "paint" so much smaller than the rest. It also conjures up images of subordination and sexual dominance by males over females which are completely inappropriate for a billboard advertising a paintball company or any other company. Is our society becoming so hyper sexualised that this is funny? Normal? What's the picture conjured up by those words especially in the minds of children/adolescents? To me it suggests oral sex but in a demeaning way not a consensual way. As a woman I find it outrageous but my husband was also offended.*

*Gosh what do I say here. I just found this really offensive and so did my fourteen year old daughter. It just feels like smut is all around us it's hard to escape.*

### THE ADVERTISER'S RESPONSE

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

*This case relates to the Billboard Advertisement that can be seen in the attached PDF version. The Billboard Advertisement has been part of a campaign that commenced on the 25th April 2011 and has consisted of two billboards on major Freeways and Highways around the Melbourne Metro area for the duration of the 10 weeks since that date.*

*Billboard Advertising is a new advertising medium for World Series Paintball and the intention is not to offend any person or community group, just to promote paintball in a fun manner that appeals to our target market of 18 – 30 year olds.*

*The two complaints have claimed that the Billboard Advertisement is overtly sexual in nature, demoralizing to women and inappropriate to children which we refute these assertions. These issues are in relation to Section 2.3 and 2.4 of the Advertiser Code of Ethics.*

*Section 2.3 - Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone.*

*Response - The Billboard Advertisement includes no images that display anything of a sexual nature.*

*The game paintball is played all around the world and probably the most common place to be hit in Paintball is on the face mask as more often than not you are hiding behind a barricade of some description. The wording on the Billboard Advertisement therefore has a completely non-sexual meaning that is very easy to explain to people under a certain age that is also supported by the accompanying image of a paintball player with a paintball splattered on his face Mask. In our opinion any interpretation that is of a sexual nature can only be made by someone who is of an age old enough to think of a different meaning for themselves.*

*Section 2.4 - Advertising or Marketing Communications to Children shall comply with the AANA's Code of Advertising & Marketing Communications to Children and section 2.6 of this Code shall not apply to advertisements to which AANA's Code of Advertising & Marketing Communications to Children applies.*

*Response - The Billboard Advertisement is not direct at Children. The minimum legal age to participate in paintball in Victoria is 18 years of age. As a result the target audience for this campaign is people aged 18 years or older. Children under this age will see the Face mask with a paintball splattered on it and question what the sport of paintball is.*

*World Series Paintball is a fun company and our business is providing Paintball players with a fun time, running around with their friends. The billboard advertising WSP has embarked on is an expensive way to reach its Target Market and has shown to be very successful to this point. The Billboard advertising World Series Paintball has embarked on is aimed at appealing to the companies target market of 18 – 30 year olds. It is aimed at generating feelings of fun and humour within this group of people which is consistent with the image World Series Paintball tries to display at our Paintball fields. Great care has been taken to minimise any offense with the primary message of the advertisement being paintball. The billboard displays the image of a paintballer with a splattered paintball on their face Mask and clear branding that it is a Paintball advertisement.*

*We have used the image on our Website and in our Facebook pages and the feedback from our target market has been very positive. The owners of both Paintball fields are parents too and we all believe that this message is an appropriate message that can be displayed and publicized in this fashion.*

## **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’ concerns that the advertisement is overtly sexual and is inappropriate as it is suggestive of oral sex.

The Board reviewed the advertisements 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 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 the advertisement is for a Paintball event and features the text, “Are they my paint balls on your face.”

The Board noted the complainants’ concerns that the wording of the advertisement is suggestive of oral sex and considered that the advertisement was intended to convey innuendo of a sexual nature. The Board considered that whilst some members of the community could take a double entendre reading of the advertisement, in the Board’s opinion most members of the community, including children, would take the wording to be related to Paintballing.

The Board considered that the content of the advertisement is not inappropriate for the nature of the product being advertised, and considered that the advertisement is not overtly sexualised or inappropriate.

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 not breach the Code on other grounds, the Board dismissed the complaint.

