



Case Report

1	Case Number	0241/15
2	Advertiser	Universal Sony Pictures Home Entertainment
3	Product	Entertainment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	24/06/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement is promoting the DVD version of the movie '50 Shades of Grey' and features a couple of scenes from the movie including an office meeting, flying in a plane and a bedroom scene where a man asks a woman if this is what she wants and we see her lying clothed on a bed with her wrists held up replying with "yes". The voiceover says the unseen version of the movie is out now and we see images of the DVD covers on screen.

THE COMPLAINT

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

Since when has it been acceptable to advertise a well-know soft core porn product on free to air TV during the family viewing timeslot?

Footage of a young woman lying on a bed with her partner and asking to be handcuffed is totally inappropriate at this time and during this program.

I am dismayed by the messages this is sending to young viewers ie that it is totally normal and fine for a woman to ask for this kind of treatment from her lover/spouse.

It makes me feel a quiet sense of despair that not more attention was paid to this advertisement and you have not expected any adverse response.

But I feel a responsibility to report it as a television event that I find deeply troubling and a poor way to portray relations between men and women. Especially when so many young

people watch this program.

THE ADVERTISER'S RESPONSE

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

All affected spots highlighted in your correspondence post reports as being out of the Zone, in fact have not aired outside classification restrictions and have been aired on compliance with the FTA Code of Practice.

The FTA Code of Practice extract supplied in your correspondence appears to be from the FTA Code Section relating to airtime appearing on Seven. I note that the affected spots highlighted in your correspondence post reports as being out of the Zone actually appeared on 7TWO and 7Mate, where extended PG Zones apply. I refer you to FTA Code Appendix 6: Multichannel Appendix which clearly defines the extended PG classification zones on 7TWO & 7Mate.

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 depicts sexualised material of a woman asking to be handcuffed whilst lying on a bed and is inappropriate for airing on television where children may see it.

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 the advertisement is promoting the DVD release for the '50 Shades of Grey' movie and includes scenes from the movie, one of which shows the female lead lying on a bed and holding out her wrists to the male lead who asks if she is sure this is what she wants.

The Board noted it had recently dismissed complaints about the promotion of the cinema release of the same movie in case 0047/15 where:

"The Board noted the movie is based on a contemporary novel which most members of the community would be familiar with as being an adult book about a sexual contract between a man and woman and containing sexually explicit content. The Board noted that some of the

complainants were concerned about the promotion of an adult themed product during times when children would be watching television. The Board noted that the advertisement had been rated 'J' by CAD which means it is a PG style advertisement for an 'M' or 'MA' movie and can therefore be aired in PG programming and timeslots.

The Board noted the content of the advertisement and considered that the scenes chosen were relatively mild given the nature of the movie. The Board noted that there is no explicit nudity, no sex scenes and whilst we see the main character wearing a blind-fold this scene is very fleeting and is only mildly sexualised.

The Board acknowledged that some members of the community would prefer that this type of movie was not promoted on television at times when children could view it but considered that overall the content of the advertisement was not inappropriate in the context of the relevant broad audience.”

In the current advertisement the Board noted that there is no nudity in any of the movie scenes featured. The Board noted the bed scene and considered that whilst there is an implied reference to the man using handcuffs on the woman, this scene is very fleeting and the innuendo is relatively mild. The Board noted that this advertisement has also been rated 'J' by CAD and considered overall whilst the movie itself has strong sexual themes, the content of the advertisement is mild and does treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement 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.