



Case Report

1	Case Number	0272/15
2	Advertiser	Crazy Domains
3	Product	Information Technolo
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	08/07/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The commercial is set in a massage parlour and features a masseuse massaging a man's back. The masseuse, Greta, is revealed to be a man dressed as a woman and he proceeds to give the client, Brian, advice on how to make a website. Greta demonstrates her website to Brian and imitates the poses in the photos she has uploaded as part of her modelling career. Greta explains that she does a lot of modelling: "Mainly hand jobs - that's where the money is. So many hand jobs"

THE COMPLAINT

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

During the course of talking about the modeling career, the man talks about 'so many hand jobs'. This is blatantly a sexual reference which I find highly offensive. Surely this does not conform to the Advertising Standards Code of Ethics?

*The blatant references to 'hand jobs', there is just no need at all for it. Being set in a massage parlour it's pretty clear what is being said and meant.
It's an ad for web services, crass sexual jokes are just not called for.*

THE ADVERTISER'S RESPONSE

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

Please see below information as requested pertaining to complaints received regarding our recent television commercial.

The TVC in question (key number CDO0003000345PHR) ran a total of 44 times across free-to-air networks from Sunday 14th June through until Friday 19th June.

The ad received an M rating, allowing broadcast between 12-3pm and after 8:30pm. A spot report has been provided by our media agency Vizeum, showing that the commercial did not violate these restrictions and only aired between these times.

We have addressed all parts of Section 2 of the code as follows:

2.1 This advertisement does not in any way discriminate against race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

2.2 In the advertisement the masseuse discusses how easy it was to set up a website for her hand modeling career. She shows her patient the website, which clearly illustrates photos of her hands. She then mentions she does a lot of hand jobs – as in modeling jobs. There is no use of sexual appeal in the ad, nor is it intended to be degrading to any individual or group of people.

2.3 There is no evidence of violence in this ad.

2.4 The advertisement does not feature any references to sex, sexuality or nudity. The person being massaged is clearly covered by a towel. The advertisement has only aired within the M time slots, with this audience in mind there should be no issue for concern.

2.5 This advertisement does not feature any strong or obscene language.

2.6 There is nothing in this advertisement that constitutes dangerous or unsafe behavior.

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’ concern that the advertisement features a reference to ‘hand jobs’ which is sexual, offensive and inappropriate.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted this television advertisement features a man being massaged by Greta who is revealed to be a man dressed as a woman. Greta shows her client the website she has made

to advertise her modelling skills and makes reference to the fact most of her modelling jobs are 'hand jobs'.

The Board noted that there is genuine community concern regarding the ridiculing of transgender or cross dressing people. The Board noted that when the character 'Greta' reveals her hairy and masculine hands to the client he appears shocked. The Board noted that the interaction between the characters continues and the client does not act out or refuse any further treatment. The Board agreed that the scenario adds humour and surprise to the situation and does not depict a scene that would amount to vilification or discrimination toward a section of the community on account of sexual preference or lifestyle choice.

The Board considered that the advertisement did not breach section 2.1 of the Code.

The Board then 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 Greta does explain that she does modelling and that her references to 'hand jobs' are in the context of modelling work featuring her hands. The Board acknowledged the link between a masseuse and sexual favours and considered that the advertisement does make a cheeky reference to this. The Board noted that the client, Brian, remains covered by a towel throughout the advertisement and considered that there is no suggestion or depiction of any sexual contact between the masseuse and her client.

The Board noted this advertisement had been rated 'M' by CAD and considered that in the context of an audience which would be mostly adult, the level of sexual innuendo is not inappropriate.

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

The Board then 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 complainants' concerns over the use of the phrase, 'hand jobs'. The Board noted that this phrase can relate to masturbation but considered that it is used in the advertisement in the context of modelling work featuring the masseuse's hands. The Board acknowledged that some members of the community could find the use of the phrase, 'hand job' to be inappropriate but considered its use in this instance is not strong or obscene and in the context of an 'M' rated advertisement it is not inappropriate.

The Board determined that the advertisement did not breach Section 2.5 of the Code.

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