



ADVERTISING
STANDARDS
BUREAU

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Case Report

1	Case Number	0273/14
2	Advertiser	Sony Pictures Releasing Pty Ltd
3	Product	Entertainment
4	Type of Advertisement / media	Transport
5	Date of Determination	13/08/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The outdoor billboard features an image of the stars Cameron Diaz and Jason Segel for the release of the comedy film 'Sex Tape', in cinemas from July 17. The title of the movie is in large red letters against a black background and the image of the stars is in front of the title.

THE COMPLAINT

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

This advertisement is inappropriate because it is placed on the side of a bus. I have seen numerous buses passing up and down Miller Street with these ads, running past numerous schools there. In doing so, they obliquely advertise the product to children. This contributes to their sexualisation and to the early viewing of pornography (the average age of a first time porn viewer is 11). Pornography has been linked to the objectification of women by men who watch porn, which leads to sexual and domestic abuse against women. This therefore violates Section 2.2 of the AANA Code of Conduct.

When did this material become ok for children to be exposed to? Why am I having to explain to my nine year old daughter what this is about? This movie is NOT suitable to be plastered everywhere you look across the city.

I'm writing to lodge a complaint in regards to the promotion of the Cameron Diaz and Jason Segel movie 'Sex Tape'. This complaint specifically relates to the promotion of this film in outdoor advertising.

I consider the pose of the woman in the advert in her underwear is not appropriate for

unqualified public display (in underwear with legs spread) especially when combined with the words "SEX TAPE", which would normally be associated with restricted material. I have three children aged 6,8 and 9 and these adverts are in their face on the street. I consider the content of the advert is inappropriate for display to minors or in places and at times where minors might reasonably be expected to see the advert.

THE ADVERTISER'S RESPONSE

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

We have reviewed the letter of complaint regarding our Outdoor campaign for our film Sex Tape, which releases on Thursday July 17 nationally.

The artwork appears on APN Outdoor - Portrait Bus Side posters, which have been booked nationally from Monday June 30 – Sunday August 10.

The creative was produced by our US studio and has been used worldwide. The concept was to position the film as a comedy to a mature audience, and the image of the male running and the female in a jumping jack position to cover up the title of the film, was to reinforce the comedy aspect of the film in line with the tagline for the movie 'the chase to erase begins', and which both actors are usually associated with comedy films.

The artwork was not designed to be seen in a discriminatory manner, degrading, violent, crude or sexual in nature. The wording 'Sex Tape' on the artwork is the actual name of the film that we are advertising. In addition, we did not intentionally target children with the outdoor advertising campaign.

For all outdoor campaigns APN Outdoor exercise a duty of care and the creative is submitted to the company for approval. This process was conducted with and APN Outdoor prior our proceeding with the advertising campaign.

APN Outdoor approved the creative on Tuesday 3rd June, 2014:

"We believe that we have complied with the guidelines for outdoor advertising and that we have in no way intended to communicate or offend or promote sex in a crude manner, or specifically target children."

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 depicts the name of a movie which is not appropriate for outdoor display where children can read it and that the pose of the woman in the advertisement is sexualised and inappropriate.

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 features the name of the movie, "Sex Tape" in large letters with an image of the two main actors in front of the words.

The Board noted that some members of the community find the word, 'sex' to be inappropriate and that it had previously upheld complaints about the use of this word when used on transport in case 0350/12 where:

“The Board considered that the placement, size, and bold colours of the current advertisement do make the advertisement very visible and the nature of the advertisement (covering a car in a convoy of identically covered cars) makes it available to a broad community which would include children. The Board noted that recent research on community standards (ASB Community Perceptions 2012) which was undertaken by Colmar Brunton Social Research earlier this year indicated that the community is more conservative regarding advertising relating to sex, sexuality and nudity particularly where children may be exposed to such advertising.

The Board considered that consistent with its previous determinations in cases 278/08 and 414/09, the phrase “longer lasting sex” is not medical or clinical but is a blatant message about the sexual act and is a message which is not appropriate for a broad audience.”

In the current advertisement the Board noted that the advertised product is a movie called 'Sex Tape' and considered that although the size and red colouring of the wording does make it more visible in the Board's view there is a difference between an advertisement using the word 'sex' to promote a sexual performance enhancement product and an advertisement promoting a movie with the word 'sex' in its title. The Board noted that the placement of images of the two main actors in the movie in front of the wording does lessen the impact slightly and considered overall that the name of the movie, 'Sex Tape, is not inappropriate for use on an advertisement which can be seen by children.

The Board noted the images of the actors used in the advertisement. The Board noted the complainants' concerns that the image of Cameron Diaz is not appropriate due to her clothing and pose. The Board noted that Cameron is depicted wearing cotton undies and singlet and considered that this clothing covers her private areas and is not sexy or revealing. The Board noted that Cameron is posed in a jumping jack with her arms and legs spread out. The Board noted that Jason Segel also has his arms and legs spread out and considered that the overall impression of the two actors is that in reference to the story line of the movie they are trying to cover up the words “Sex Tape” with as much of their bodies as they can. The Board noted that Jason Segel is wearing more clothing than Cameron but considered that overall Cameron is not posing in a sexualised manner and her clothing is not of a sexual nature.

Based on the above the Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience of a transport medium.

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 complaints.

