



Case Report

1	Case Number	0288/15
2	Advertiser	Glandore Hydro
3	Product	House Goods Services
4	Type of Advertisement / media	Billboard
5	Date of Determination	22/07/2015
6	DETERMINATION	Upheld - Not Modified or Discontinued

ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

The naked back of a topless woman straddling a naked man who is online shopping on his laptop.

THE COMPLAINT

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

I think it objectifies women. I wonder how I would explain this to my daughter. I also think it sends an unhealthy message to boys and men about intimacy.

It is within 200m of a primary school, with a major tram stop on other side. Seems to be pretty gratuitous and on the lewd side, inappropriate for primary aged children. Also visible from south road, a v. Main road.

THE ADVERTISER'S RESPONSE

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

Advertiser failed to respond.

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 features a sexualised image of a man and a woman that is objectifying to women and generally inappropriate for viewing by children.

The Board viewed the advertisement and noted the advertiser did not respond.

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: “Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.”

The Board noted that in order to be in breach this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board noted the image in on the business itself and features a man lying on his back with a laptop in front of him. There is a woman sitting with her back to him straddling him. The couple are naked and the text reads “GLANDOREHYDRO.COM – Shop Online – Anywhere, anytime.”

The Board noted the complainant’s concern that the image is objectifying women and sends an unhealthy message to men about intimacy. The Board noted that the man does not appear actively involved in the sexual encounter but is shopping online instead.

The Board considered that although the image is using sex in a way to shock and draw the attention of the viewer to the business, the image includes both a naked man and woman and they appear involved in a consensual pose and situation. The Board considered that the depiction of a naked woman with a naked man is not exploitative and degrading imagery of the woman.

The Board determined that the advertisement did not breach Section 2.2 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 this advertisement appears on the side of the business building and is near to a school and tram stop.

The Board noted that although the private areas of the couple are not visible, the image suggests they are naked and involved in a sexual encounter. The Board noted that the use of sex and nudity in an advertisement for a hydroponic store has no relevance to the product.

The Board considered that the use of this style of imagery to promote the online shopping facility is strongly sexualised and that the size of the advertisement means that the audience would be broad and would include children.

The Board considered that the level of nudity and sex related activity was at a high threshold, and overall the Board considered that the advertisement did portray a sexualised image and did not treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

Finding that the advertisement did breach the Code on section 2.4 of the Code, the Board upheld the complaints.

THE ADVERTISER'S RESPONSE TO DETERMINATION

The advertiser failed to provide a response to the Board's determination. The ASB will continue to work with relevant authorities in relation to this matter.