



Case Report

1	Case Number	0425/11
2	Advertiser	Peter Jackson Head Office
3	Product	Clothing
4	Type of Advertisement / media	TV
5	Date of Determination	9/11/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The Advertisement is a set at the foot of a stair well at a house. There is interaction between a man and woman where the woman is obviously taken back by the man's clothing (Peter Jackson suit). Passion follows when the woman sees the suit is from Peter Jackson and hurriedly rushes off to get "something" from the wardrobe, returning with a Peter Jackson suit hanger so the man can hang the suit up correctly.

THE COMPLAINT

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

I am very offended by this advertisement - the innuendo is obvious. It would not be as bad if it was on late at night but when children are bound to be around it is completely inappropriate. This ad has been shown all throughout September- at any time during the day and on Sun 2nd Oct. It's very inappropriate. I have to continuously get my 5yr old kid to close her eyes every time it comes on. The woman and man are sensually kissing, she pins him against the wall like they are about to have sex. The reason for this ad is obviously because sex sells and they are trying to get public recognition - but really, what is this society coming to. Soon they'll actually be having sex on the ads - our kids are exposed to all these things and then we wonder why they are having sex at the age of 10 maybe even younger. How are we supposed to be good role models for our kids and teach them respect and the right way of things when

they are exposed to all these things? This ad disgusts me as not only my child is exposed to it but so are a million other children out there. Anyone who has kids would understand.

THE ADVERTISER'S RESPONSE

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

The advertisement's underlying communication is that the Peter Jackson suit is the Hero, and so special given the passion should be hung correctly. The reasoning was to capture the audience by this embrace the couple share, and then when having the audience watching end on a light note. There is no further sexual activity other than a couple sharing a kiss.

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 concerns that the advertisement features scenes that are inappropriate for young children to see.

The Board reviewed the advertisement 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 shows a couple in a passionate embrace and kissing. The woman starts to remove the man's jacket and notices the brand ie: Peter Jackson. She then gets a coat hanger for him to hang the jacket on.

The Board noted that the advertisement features two consenting adults passionately kissing but does not include any inappropriate scenes or actions. The Board noted that the dialogue between the couple is sexually suggestive and contains sexual innuendo that would not be understood by young viewers. The Board considered that the level of sexual connotation is mild and is appropriate for the PG rating the advertisement received from CAD. The Board considered that the depiction of a couple kissing is not inappropriate for the relevant audience.

The Board considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and 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.