



**Ad Standards** Community Panel  
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Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	Case Number	0445/18
2	Advertiser	SAHMRI
3	Product	Community Awareness
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	10/10/2018
6	DETERMINATION	Dismissed

## ISSUES RAISED

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

## DESCRIPTION OF THE ADVERTISEMENT

The television advertisement features cartoon images of indigenous people and a voice over stating 'This is an important story for us. Let's cut to the point. We all like sex. A cartoon image of two sets of feet in a bed which is moving up and down is shown. The voice over continues by describing the importance of syphilis testing, and describing what syphilis is. Cartoon imagery of the disease is also shown.

## THE COMPLAINT

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

*This ad is being aired between hours of 7pm and 8pm times when children are watching TV. Although I think this message is important my husband and I think the time this ad is aired is highly inappropriate. My children have asked what the ad is all about and I prefer to choose when to have this conversation to 5 and 9 yr olds.*

*My children (8yo and 5yo) watching tv at 7:25pm and hear words like 'sex' and*





'condom'.

*This is good health message for adults but not for kids, leave them out of sex ads. The ad starts "we all like sex" with some anted feet bouncing in a bed..... Not a great relax trying that conversation with your 8 year old during the AFL grand final ???????*

*I simply object to the word "Sex" being used very loudly and clearly in the ad. The ad is played during the day and early evening when kids are awake. Am I now expected to have them sex talk with my 4 and 6 yr old children because they heard the word on these ads.*

*I feel that the word sex needs to be removed from the ads or the ads need to be played only after 8pm.*

*The symbolic representation of people having sex in a bed - a cartoon bed with a pair of feet hanging over the end and another pair of feet straddling those while the bedding moves up and down. This is accompanied by the sound of a squeaking bed. This graphic representation of sex is not appropriate for this time of night while my children are still awake and watching family television. I acknowledge that the message relates to sexually transmitted diseases and this is important to share with the community. However such graphic representation of sex is not suitable for this time slot.*

#### **THE ADVERTISER'S RESPONSE**

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

*The advertisement is a health promotion advertisement aimed primarily at Aboriginal and Torres Strait Islander people living in remote areas of Australia including large cities in Far North and western regions of Queensland, Northern, South and Western Australia. Since 2011 there have been over 2000 cases of infectious syphilis notified among young Aboriginal people living in these regions and seven women have lost their babies due to the outbreak. The advertisement is an animation specifically detailing what syphilis is, how its acquired, the risks associated upon acquiring infectious syphilis and the call to action is to get tested today. The animation is a part of a series of advertisements outlining the outbreak. The campaign is running currently for 12 months with a month on off schedule after an initial 3 months of intense advertising. The advertisement has been developed specifically to deal with multiple language groups with English not as a major first language, it is simple in its explanation and emphasises an important public health message of testing to identify and treat cases to prevent onward transmission and further spread of the outbreak.*

*The animation designed to address low literacy in many remote communities affected*



*by the syphilis outbreak, the advertisement does briefly mention and graphically represents a sex scene to show how syphilis is transmitted (depicted with a bed scene with two feet visible hanging out of the bottom of linen and bed). The advertisement was categorised with CAD number G6773PSA (CAD)*

*Syphilis is not a common infection, and therefore not talked of in the Australian community. Syphilis is acquired during sex anal vaginal or oral. Syphilis is known as the great imitator- it appears initially with a painless sore that soon dissipates, that sometimes gets noticed or not. This is known as the primary syphilis stage. The infection then spreads through the blood stream and during this second stage of syphilis spots can appear on the palms of hands and soles of feet or other parts of the body. The final phase of syphilis is tertiary syphilis where the infection affects other organs (e.g. liver, spleen, joints, brain) Phases one and 2 are highly infectious stages and is where syphilis can be most spread. Awareness raising through broad media is required in conjunction with health service access, testing and treatment given that young people aged 15-30 infrequently use health services, the infection is largely asymptomatic, and the outcomes of syphilis can be devastating for individuals especially for pregnant women and their babies. The advertisement is part of a larger campaign to improve parents, young people and clinicians of the impact of syphilis and other STIs in remote Australia. The output of this project can be viewed at [www.youngdeadlyfree.org.au](http://www.youngdeadlyfree.org.au)*

*Syphilis in remote communities has dramatically increased in remote Aboriginal communities with very little attention given to spreading the messages to communities in culturally appropriate ways. The advertisement is available for viewing here <https://youtu.be/T8XT6qlBYOg>*

## **THE DETERMINATION**

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainants' concerns that the advertisement contains sexual references that are inappropriate to be seen by children.

The Panel viewed the advertisement and noted the advertiser's response.

The Panel noted the television advertisement features cartoon images of indigenous people and a voice over stating "This is an important story for us. Let's cut to the point. We all like sex." A cartoon image of two sets of feet in a bed which is moving up and down is shown.

The Panel 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 Panel noted that the television advertisement had been given a ‘G’ rating by CAD which means that the relevant audience would likely be broad and include children.

The Panel noted that many of the complaints were in relation to the time that the advertisement was broadcast and that children may view it, however considered that an advertiser cannot present a message about a sexually transmitted infection without talking about how it is transmitted.

The Panel considered that the advertisement uses clear, simple language and is presented as an informative community message. The Panel noted the advertiser’s response that imagery of sex scene using cartoon feet was used to address the low literacy in many areas and to ensure that the advertisement was still understandable by those whose first language is not English.

The Panel considered the words “we all like sex”, and considered that the use of the word sex does not of itself constitute a breach of the Code. The Panel considered that there was no innuendo or emphasis on the word and the word was not inappropriate in the context of an advertisement for awareness about sexually transmitted infections.

The Panel considered that in the context of an important community message, to inform the community about a sexually transmitted infection, the use of a brief cartoon depiction of intercourse and use of the word “sex” is not inappropriate for a broad audience which would include children.

The Panel determined that this advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience and did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.

