



**ADVERTISING
STANDARDS
BOARD**

Level 2, 97 Northbourne Avenue, Turner ACT 2612
Ph: (02) 6173 1500 | Fax: (02) 6262 9833
www.adstandards.com.au

ACN 084 452 666

Case Report

1	Case Number	0448/17
2	Advertiser	Greg Hocking Real Estate
3	Product	Real Estate
4	Type of Advertisement / media	Billboard
5	Date of Determination	25/10/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

Real Estate Photo Board 8 x 6 (LED Illuminated). The billboard has photos on it to display the interior of the property for sale.

In these images are paintings hanging on the walls that contain breasts and some pubic hair.

THE COMPLAINT

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

The billboard has photos on it to display the interior of the property for sale. In these images are pictures that contain nudity. These are large images and clearly visible at street level and the nudity is highly inappropriate as there is also a childcare centre not far from the advertisement from which lots of families with children are walking by every day.

THE ADVERTISER'S RESPONSE

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

The billboard has photos on it to display the interior of the property for sale. In these images are paintings hanging on the walls that contain breasts and some pubic hair.

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 images that contain nudity which is 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 that this advertisement is a large sign showing photos of the home that is for sale. One of the images shows the lounge room and partly visible in that image is the artwork on the wall in that room. The artwork/painting includes images of women who are exposing some parts of their bodies. The sign includes information about the property and the agent’s details.

The Board noted that the style of the sign is in keeping with typical property for sale signs and considered that it is not inappropriate for an advertiser to feature rooms within the home for this purpose.

The Board noted the placement of the advertisement meant that the relevant audience for the sign would include any passers-by and that this would include children.

The Board considered that this type of advertisement was likely to be targeted to adults looking to purchase a new home.

The Board noted the advertiser’s response that the images do include naked breasts and pubic hair.

The Board noted that the image is stylised and the painting in the lounge room is not the focus of the advertisement. The Board noted the clothing does not fully cover the women’s private areas but considered that overall the level of nudity is mild and is subsidiary to the main picture and overall tone.

The Board acknowledged that some members of the community might be offended by the use of an image that includes nudity and considered that the inclusion of a photograph which reproduces pieces of art on the wall of the home is not inappropriate. The Board considered that the image is mild and did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience of a newspaper advertisement.

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 complaint.