



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0479/11</b>
<b>2</b>	<b>Advertiser</b>	<b>Ministry of Sound</b>
<b>3</b>	<b>Product</b>	<b>Entertainment</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>08/02/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

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

### DESCRIPTION OF THE ADVERTISEMENT

Advertisement promoting the CD release "The 2012 Annual" from Ministry of Sound. Features imagery of a young girl with glossy lips drinking through a straw, moving her sunglasses and unzipping her jeans.

### THE COMPLAINT

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

*Very provocative young lady ready to remove her clothing in a sexual way - don't understand what it has to do with the CD.*

### THE ADVERTISER'S RESPONSE

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

*The ad is merely mildly suggestive and is not in any way overtly sexual - and certainly does not contain any nudity!*

*It is a youthful, bright and fun visual compliment to the audio which features on the CD. We honestly do not feel that anything in the ad is in poor taste or 'provocative'. The visual which accompanies the music in this ad represents the youthfulness that the Ministry of Sound brand is all about, it's a tiny bit cheeky but "G" rated in every way!*

## **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 is has provocative and sexualized images.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement complied with Section 2.4 of the Code. Section 2.4 states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that the advertisement features imagery of a young girl with glossy lips drinking through a straw, moving her sunglasses with current popular music tracks playing in the background. There is also an image of an unidentified person unzipping a pair of jeans.

The Board considered that the advertisement is at most mildly sexually suggestive. The Board noted that the image of a person unzipping jeans, and noted that although there is a suggestion that it is the girl unzipping her jeans it is unclear. In any case the image is brief and quickly focuses on the advertised product, the 2012 CD. The bright colours and pop music playing give an element of fun and youthfulness that would appeal to a young audience, however in the Board’s view the advertisement is unlikely to be considered offensive to the broader community.

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

