



Case Report

1	Case Number	0516/17
2	Advertiser	Roadshow Films
3	Product	Entertainment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	22/11/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

BAD MOMS is a comedy feature film that release in cinemas on November 2. The film received a classification of MA15+ with the consumer advice of Strong Crude Sexual Humour. One scene shows a woman yelling out to a male stripper "put a baby in me santa number 2."

THE COMPLAINT

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

One of the main clear statements made by one of the female actresses is "put a baby in my belly" which she yells to a male stripper. Given the time of night is viewing for children I think it is totally inappropriate and should be either removed or scheduled into a more adult appropriate time slot.

THE ADVERTISER'S RESPONSE

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

The tvc in question received a J CAD rating by Free TV. The spot contains no discriminatory material, strong or obscene language, violence, nudity, or material contrary to health and safety standards. The TV spots do not exploitative or degrading material - however the

comment "put a baby in me Santa number 2" I'm assuming is what the complainant believes to be degrading to women in this instance. The film is a comedy and this joke is relevant to the tone of the film.

The TV spots have been placed in accordance with the Free TV code of practice applicable to J rated TV spots.

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 contains sexually suggestive content and 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 the advertisement features scenes from the movie Bad Moms 2. The advertisement shows scenes of the mother arriving at their daughter's home. There is one scene of the women at a strip show and the men are dressed in santa outfits. One of the characters yells to him "put a baby in me santa number 2." Details of cinema screening times appear on screen.

The Board noted the advertisements had been given a J rating by CAD based on their content meaning it may be broadcast at any time of day, except during P and C programs or adjacent to P or C periods. Exercise care when placing in programs principally directed to children. The Board noted the advertisement was aired at the appropriate time for the rating given. (http://www.freetv.com.au/media/CAD/Placement_Codes.pdf).

The Board noted that the movie itself is an MA15+ rated movie and that the scenes from the movie included in the current advertisement are not overtly sexualised and include scenes that are humorous and related to the film.

The Board noted that the scene of the woman yelling to the male stripper is fleeting and that the stripper is not naked and there is no inappropriate nudity. The Board noted that the words used are not obscene and that the inference has a sexual connotation however it would require a certain level of understanding to know what was meant by the statement. The Board considered that most young children would not understand what was meant by the woman.

The Board noted that the women are not seen approaching the strippers and the scene itself is not the focus of the advertisement.

The Board noted the advertisement included scenes from the movie it was advertising and

considered that the scene showing the woman calling out to the stripper was mildly sexualised. The Board acknowledged that the relevant audience would include children and noted that the classification meant that the advertisement cannot be shown in programs principally directed to children. The Board noted the advertisement was shown during the news and in the Board's view the comment from the woman was unlikely to be understood by children.

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.