



CASE REPORT

1. Complaint reference number	100/09
2. Advertiser	Sarre Photography
3. Product	Photography services
4. Type of advertisement	Print
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Wednesday, 8 April 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The poster image shows two couples. The more prominent main photograph shows a man and woman in an embrace. The man has a large tattoo on his left arm. The couple appear to be unclothed but covered by a sheet. The woman's bottom is partially visible. The less prominent photograph show a man and woman in an embrace. They also appear to be unclothed, however no body parts are shown.

THE COMPLAINT

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

I would like to register my disgust at this advertisement. It shows very clearly the woman's 'rear end and only hers. This is not shown. Clearly this is designed to be soft porn not designed to advertise the company. When can your Bureau do something about this proliferation of such images. It is disguised as simple advertising of a service but children and young people can easily see such titillating images in a family Sunday newspaper/magazine. Surely the market is saturated enough.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

I do understand where the person complaining is coming from as far as his or her feelings of bombardment. But I feel that the photography was tastefully done in a romantic and loving way and was in a magazine insert for the Sunday Times.

The photography received a silver medal in the Portrait category in the Australian Institute of Photography's national awards.

Children are likely to see more nudity in a chemist window and certainly much more in a magazine rack at the newsagents where you eyes are assaulted with pumped up oily boobs and legs spread-eagled as far as the 'art director' can get them apart, not to mention collagen injected and pouting lips threatening to suffocate anyone foolhardy enough to get within sucking distance.

The photograph used was a recently married couple and was a gift for themselves. Any child that would give it a second glance, I feel would not be negatively impressed by it.

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 concern that this image of a couple embracing is overly sexual and inappropriate for the audience.

The Board considered the advertisement and noted that it is an image of a couple embracing. Parts of the woman's bottom is visible. The Board noted that this advertisement appeared in a supplement to a Sunday newspaper. The Board considered that the image of the couple was intimate but not overtly sexual. The Board considered that most people would consider the advertisement artistic and not consider it offensive or inappropriate in a mainstream newspaper. The Board considered that the advertisement did treat sexuality and nudity with sensitivity to the relevant audience and that it 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.