



CASE REPORT

1. Complaint reference number	125/08
2. Advertiser	Mortgage Now
3. Product	Finance/Investment
4. Type of advertisement	Outdoor
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Monday, 19 May 2008
7. DETERMINATION	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

Bright yellow background. Text reads: ARE YOU BEING (inserted image of a screw) BY YOUR LENDER? An image of two monkeys, one on all fours, the other is poised with two hands on the hind quarters of the other and legs are off the ground. This image has a red circle with a line through it. The text continues: WE CAN HELP G'TEED! MORTGAGE NOW 1300 667 239
www.mortgagenow.com.au

THE COMPLAINT

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

I object to this advertisement as I do not think the content is appropriate as the ad is located on a main road next to a local primary school.

THE ADVERTISER'S RESPONSE

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

The ad is designed to create conversation. The monkeys are clearly playing leapfrog. And being screwed by the bank (lender) is not something new to any Australian. I am simply trying to let people know that there are alternatives.

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 complainants' concerns about the inappropriate content of this advertisement and considered the complaint under Section 2.3 which deals with the use of sex, sexuality and nudity and also Section 2.5 which deals with the use of language in advertising.

The Board viewed the outdoor advertisement and noted the combination of two images, the first of which was two monkeys and the second of which was a large screw.

The Board noted that the advertiser's response stated that the monkeys were playing leapfrog. However upon viewing the image the Board agreed that any reasonable adult would assume that the image was of two monkeys copulating.

The Board considered that this image was an inappropriate depiction of sex, particularly given the size and location of the advertisement.

The Board further considered that when this image was combined with the over-sized screw the sexual reference was very clear.

The Board determined that the use of these images could not be justified in the context of the product being advertised and therefore determined that the advertisement breached both Sections 2.3 and 2.5 of the Code.

Finding that the advertisement breached Section 2.3 and Section 2.5 of the Code on the Board upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

Please note the sign has been removed.