



CASE REPORT

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| 1. Complaint reference number | 128/99 |
| 2. Advertiser | Levi Strauss Aust Pty Ltd |
| 3. Product | Clothing |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Other – section 2.1
Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 11 May 1999 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The two-part advertisement is without dialogue.

Part one

The advertisement begins with a close up of a man placing his eye to a telescope. The scene changes to a woman ('the first woman') rising from bed, shown nude from the waist up and viewed from behind. The first woman, now apparently dressed in a pyjama shirt, appears behind the man, embracing him from behind as he continues to look through the telescope. The advertisement then shows a dark haired woman ('the second woman'), in the apartment opposite, dressed in underwear, apparently being viewed at a window through the telescope. The advertisement concludes as the second woman begins to remove her bra, followed by the advertiser's name accompanied by a web site address 'originalsin.com.au'.

Part two

This begins with a close up of a man placing his eye to a telescope. There is a shot of the second woman removing her singlet. The advertisement then shows the first woman, from behind, embracing the man as he continues to look through the telescope. The advertisement then shows the second woman (in the opposite apartment) removing her bra. The scene then changes to show the first woman assuming a position at the telescope. The next shot is of the interior of the opposite apartment. It shows a person, dressed in a black hooded sweatshirt apparently creeping into the second woman's apartment. The advertisement concludes at this point followed by the advertiser's name and a web site address.

THE COMPLAINT

Comments which the complainants made regarding this advertisement included the following:

'(The advertisement)...seems to portray the act of "Peeping Tom" as sexy, which I find extremely offensive.'

'(The advertisement) leads the general public to believe, that young girls are not offended, when their lover is looking through a telescope, at another girl taking off her clothes. It also leads us to believe, that it's acceptable to be having an affair with a man many years their senior, and old enough to be their fathers. It also leads us to believe that men in general have a fetish for young women, and appreciate voyeurism.'

THE DETERMINATION

The Advertising Standards Board ('the Board') considered whether either version of this

advertisement breaches Section 2 of the Advertiser Code of Ethics ('the Code').

The Board, while appreciating the personal points of view expressed by the complainants, determined that neither version of the advertisement constituted discrimination or vilification and therefore did not breach the Code on this ground. The Board also determined that neither version of the advertisement's portrayal of sex, sexuality and nudity breached the Code. The Board did note, as acknowledged by the advertiser, that the advertisement dealt with adult themes but felt that these were not presented in a manner that would offend prevailing community views and standards. The brevity of the advertisements, each being of 15 seconds' duration, was also taken into account in reaching this conclusion. The Board dismissed the complaint.