



CASE REPORT

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| 1. Complaint reference number | 153/05 |
| 2. Advertiser | Thoroughbred Racing SA Ltd (Adelaide Cup 2005) |
| 3. Product | Leisure & Sport |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Sunday, 12 June 2005 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The first scene in this television advertisement depicts a young woman walking across the floor of her bedroom. She is shown from behind and it is clear that she is only wearing briefs. As she sits down to get dressed, she places a fancy hat on her head. The next scene in the advertisement depicts a short scene of a horse race. The advertisement then shows the female lead preparing for the races by putting on her dress and shoes. The text “*Cup it trackside*” appears on the screen. The final scene in the advertisement is a close-up shot of the woman wearing her race-day hat. The tagline reads: “*Princesses welcome*”.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

“... the advertisement itself is overtly sexualized – a tenuous thread at best, to draw people to a horse race meeting.”

“Surely these advertising people could have drawn from the context – horses, jockeys, gambling on outcomes, crowds and the multiplicity of atmospheres generated by all of the above. ...”

THE ADVERTISER’S RESPONSE

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

“We believe this TVC accurately depicts both the type of race-goer and her standard of dress and behavior in preparing for a racing event. We believe the TVC has been produced tastefully to promote the inherent glamour and showcase of fashion a day at the races represents. We believe we have treated our subject with sensitivity and have not contravened prevailing community standards. With our TVC, no actual nudity is shown and in our case, only a back and an underwear-covered bottom...”

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board was of the view that the depiction in the advertisement did not breach the provisions of the Code relating to the portrayal of sex, sexuality or nudity.

The Board considered that the depiction was not overly graphic and noted that the advertisement did not contain any images that portrayed breasts or genitals.

The Board was of the view that in the context of prevailing community standards the majority of

people would not find this advertisement offensive.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.