



CASE REPORT

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| 1. Complaint reference number | 17/08 |
| 2. Advertiser | Global One Mobile Entertainment (Six Russian Babes) |
| 3. Product | Mobile phones/SMS |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 13 February 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a still image of six young women all topless, but with breasts obscured. As video footage of the women in various poses is shown a female voiceover announces "Six gorgeous Russian babes playing on your mobile. SMS SIX to 1994 9999. Six sexy naughty Russian babes. Yes, their hot videos on your mobile. SMS SIX to 1994 9999 now."

THE COMPLAINT

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

I object to the nudity and sexual content in the ad. I object to the ad showing a girl using her fingers to play with another girl's butt on TV. I also object to the images of girls butts in g-strings being shown in the ad. These are images I don't want to have to see as I watch late night TV.

THE ADVERTISER'S RESPONSE

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

To reach our target audience, we requested our advertisement to be aired in the 11pm plus timeslots. The next criteria are for the advertisements to be telecast on appropriate channels which we believe would have a high percentage of our target market.

Global One television advertising appears on both Free To Air (FTA) and Subscription TV (STV). Classification of our TVCs are through CAD who dictate placement on FTA. As each market is purchased individually, telecast is in local time. STV is a single feed across Australia so telecast times vary. These complaints relate to activity on Channel 7, which is a FTA channel. I note that the complaint is after 11pm which is within this time frame.

The advertisement is for our product 'Six Russian Babes', which offers viewers the chance to purchase mobile videos to be downloaded to their mobile phones. The advert has a sales oriented voiceover for the entire duration of the advert.

On reviewing the content of our advertisement, we are of the strong opinion that we have not breached Section 2. of the AANA Advertiser Code of Ethics, which reads :

'Advertisements shall treat sex, sexuality and nudity with sensitivity to the relevant audience and where appropriate, the relevant programme time zone'

We appreciate that our advertisements will not appeal to 100 percent of TV viewers, and note that this applies to almost all TV advertisements.

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 the advertisement was inappropriately sexual and the specific complaint about the image of a woman touching another woman's bottom and the image of a woman wearing a g-string.

The Board noted that it is legal for advertisements to advertise products such as sex or nudity related mobile phone services provided that such advertisements comply with the Code.

The Board noted Section 2.1 of the Code which prohibits 'discrimination or vilification of people on account of their gender or sex'. The Board considered that the depiction of women in sexually suggestive advertisements, while undoubtedly capable of being demeaning to women depending on the particular advertisement, was not of itself objectification of women that amounted to a breach of Section 2.1, and that this advertisement did not contain specific material that would breach section 2.1.

The Board noted Section 2.3 of the Code which states that 'advertisements shall treat sex, sexuality and nudity with sensitivity to the relevant audience and where appropriate, the relevant programme time zone.'

The Board noted that this advertisement is aimed at the adult male market and is only able to be shown on television after 11pm.

The Board noted that the women in this advertisement are either clothed - albeit in lingerie; or have their breasts and genitals hidden. The Board agreed that the advertisement is risque and sexually suggestive and noted the images of a woman wearing a g-string and of what is intended to be a woman's hands touching another woman's bottom. The Board noted the context of the advertisement is sexually suggestive but that there is not explicit sexual activity depicted. The Board considered that the advertisement was appropriate for the late night time zone and was not in breach of Section 2.3 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.