



## **CASE REPORT**

1. Complaint reference number	171/05
2. Advertiser	Regent Cinema, Albury, NSW
3. Product	Entertainment
4. Type of advertisement	Cinema
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**

This advertisement features a still photograph image of the back of a man wearing a trench-coat. The man is shown to open the trench-coat wide. The man in the image is not wearing any pants. The words: “*Expose yourself*” appear in big bold black and red letters on a grey background. The text: “*high impact, low cost. That’s cinema advertising... See our staff for more detail*” also appears in the advertisement.

## **THE COMPLAINT**

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

*“This ad makes me shudder and feel ill.”*

*“I recently had the unpleasant experience of being the target of a persistent flasher...”*

## **THE ADVERTISER’S RESPONSE**

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

*“... We feel that we have indeed conducted this advertisement with the required sensitivity.”*

## **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 image in this advertisement was not particularly explicit as no nudity featured in the advertisement.

The Board also noted that the image was linked to the message of the advertisement which promoted “media exposure”.

The Board sympathised with the complainant’s personal experience, however, it was of the view that in the context of prevailing community standards the majority of people would not find this advertisement offensive. The Board considered that most people would understand and be amused by the double entendre.

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of sex, sexuality or nudity.

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

dismissed the complaint.