



CASE REPORT

1. Complaint reference number	204/08
2. Advertiser	Kogan Technologies
3. Product	House goods/services
4. Type of advertisement	Internet
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Wednesday, 11 June 2008
7. DETERMINATION	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

This Internet advertisement displays an image of a television including text detailing specifications and price. The tag line reads: "We've also stripped the price of the FHD 42" ' Hanging from the text are small items of underwear. Superimposed with the image of the television is the image of two naked women. It appears to be the same women displayed twice, one is the mirror image of the other. The woman is viewed on profile and is not wearing any clothing. She is lying on her back, bottom raised in the air, back arched. She has one leg raised with the knee drawn toward the chest. The television appears to be resting on the raised foot/feet.

THE COMPLAINT

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

I do not want my son viewing a naked woman in an ad, as we are looking for televisions he too has been checking ads. This ad is distasteful and I find it highly offensive. It is totally inappropriate to have a picture of a naked woman using a lifted leg to advertise a television.

THE ADVERTISER'S RESPONSE

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

I have no comments about the complaint.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board viewed the Internet advertisement and noted that the two women pictured were completely naked. As such they considered the advertisement under Section 2.3 of the Code which states:

Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone.

The Board noted that as this advertisement appeared on the Internet it could be accessed at any time of the day or night by anyone including children, regardless of the relevant audience. The nature of the image also meant that content filters would not prevent access to the site.

The Board considered that it was not just the full nudity that rendered the image unacceptable but also the way in which the women were portrayed - as mere structures used to support a television.

The Board could see no link between the naked women and the product being advertised, that of the television. The Board considered the image to be gratuitous and extremely offensive.

The Board further considered that image went so far as to vilify women by portraying them as sex objects.

The Board determined that the advertisement breached both Section 2.1 and 2.3 of the Code.

Finding that the advertisement was in breach the Code 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:

We will take this advertisement down.