



CASE REPORT

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| 1. Complaint reference number | 245/04 |
| 2. Advertiser | Keogh Institute for Medical Research |
| 3. Product | Professional Services |
| 4. Type of advertisement | Print |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 14 September 2004 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement is a print advertisement which asks readers whether they have premature ejaculation. It then provides details of an investigation of a new medication and calls for volunteers to participate in the research study.

THE COMPLAINT

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

“The newspaper advertisement published in the Western Australian ‘Do you have premature ejaculation?’ has caused me great offence. My eight year old daughter while reading the paper with me saw the ad and asked if she had it. When I explained she did not, she then insisted on knowing what it was.”

THE ADVERTISER’S RESPONSE

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

“Whenever a clinical trial is accepted to be run at our Institute it must have three levels of ethical agreement.”

“Firstly, the protocol must be approved by the TGA (Therapeutic Goods Agency). Then, it must be approved by the Clinical Drug Trial Committee based at Sir Charles Gairdner Hospital and finally, the Ethics Committee based at Sir Charles Gairdner Hospital .”

“All ‘proposed’ advertisements are included in the package submitted to the Ethics Committee and cannot be placed in the newspaper without the Ethics Committee’s consent.”

“I feel sure that we have followed the correct and required ethical guidelines .”

THE DETERMINATION

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

The Board formed the view that in the context of prevailing community standards, the majority of people would not find this advertisement offensive.

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

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