



CASE REPORT

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| 1. Complaint reference number | 282/07 |
| 2. Advertiser | Bay Leather Republic |
| 3. Product | Housegoods/services |
| 4. Type of advertisement | Print |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 11 September 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This advertisement is featured on the front page of a furniture catalogue and features a white woman wearing a furry white hat and black hipster pants but topless, covering her breasts with her hands. The male is black and is also topless, his lower body unseen as he stands behind a lounge. He is holding a camera to his eye with his left hand. Text reads "Don't look now. We've taken half off".

THE COMPLAINT

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

I'm objecting particularly to the nudity of the female who is standing there with only her hands to cover her breasts, which also has attention drawn to them because of a fur hat with pompoms which dangle to breast level. I think this is too explicit for unsolicited advertising (letter box drop) and the exposure to children as it's amongst other brochures too.

Unnecessary use of nudity to get attention for product! The brochure came as a letterbox delivery so in our faces and that of our grandchildren!

This advertisement for furniture with its strong sexual overtones has gone beyond common decency in advertising, to low level pornography. We hear of people with young children at risk. However how many four or five year olds can access the internet to see these images? While advertising of this sleazy nature can find its way right into the sanctuary of the family home.

THE ADVERTISER'S RESPONSE

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

Bay Leather Republic is of the view that the catalogue complies wholly with the AANA Code of Ethics.

Bay Leather Republic also considers the contents, tone and manner of this catalogue to be relevant to our commercial message and sensitive to the standards of the wider community and therefore justifiable in the context. Furthermore, the vast majority of feedback received by Bay Leather Republic has been extremely positive.

We also note that the catalogue is of a standard consistent with a large number of other advertisements displayed to a general audience.

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 complainants' concern about the partial nudity of the couple depicted in the advertisement. The Board noted that the man's torso was bare and that while the woman's top was also bare her breasts were covered and her nipples were not exposed. The Board noted that although the couple was depicted standing together with bare torsos, there were no sexual implications or sexuality in the advertisement. The Board noted that this image appeared in a furniture brochure and determined that the advertisement did treat partial nudity with sensitivity to the relevant audience.

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