



## **CASE REPORT**

1. Complaint reference number	304/08
2. Advertiser	Henderson & Horning
3. Product	Real Estate
4. Type of advertisement	Outdoor
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Wednesday, 13 August 2008
7. DETERMINATION	Upheld – discontinued or modified

## **DESCRIPTION OF THE ADVERTISEMENT**

This outdoor advertisement depicts a man lying on a bed, dressed but with his shirt undone. He is looking up towards a woman standing astride him - all that can be seen of her is her legs, from thigh to ankle, wearing red fishnet stockings. Text reads "How long have you been looking?" and alongside, details of the property for sale/lease.

## **THE COMPLAINT**

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

*This billboard is clearly sexist. It's offensive to live in a modern nation in 2008, and still be facing this. We know better than to elevate or degrade one of the sexes. Both are required, both are equal. Both are special. To resort to sex to try sell is not cool.*

## **THE ADVERTISER'S RESPONSE**

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

*We are happy for the ASB to review the ad. If in the view of the Board it is deemed inappropriate we will change the sign board. In our view the sign is neither explicit, or sexist. The reaction some people have to it is clearly in the mind/interpretation of the message.*

## **THE DETERMINATION**

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

The Board reviewed this billboard advertisement under Section 2.3 of the Code that deals with the portrayal of sex, sexuality and nudity.

The Board considered that the image of the woman standing over the man with her legs spread as he gazed upwards was a clear demonstration of sexual interaction between the pair.

The Board noted that this image was combined with language that contained sexual innuendo and was in a large, easy to read format.

As such, the Board considered that the advertisement was not a sensitive portrayal of sex.

The Board further considered that as the advertisement was a billboard it was accessible to community members outside of the target audience including children.

The Board also acknowledged that recent research conducted into community standards suggested that this type of sexual imagery was unacceptable to the community and as such the Board agreed that the advertisement was in breach of Section 2.3 of the Code.

Finding that the advertisement was in breach of the Code the Board upheld the complaint.

#### **ADVERTISER'S RESPONSE TO DETERMINATION**

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

The advertiser advised that the advertisement had been discontinued and will not be used again.