



CASE REPORT

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| 1. Complaint reference number | 350/04 |
| 2. Advertiser | Take 2 Interactive Software P/L (Grand Theft Auto - San Andreas) |
| 3. Product | Toys & Games |
| 4. Type of advertisement | Outdoor |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1 |
| 6. Date of determination | Tuesday, 7 December 2004 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement is a print advertisement which features an animated female leaning over wearing a bra top revealing a tattoo on her breast and licking her lips.

THE COMPLAINT

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

"[The advertisement] had what appeared to be a prostitute leaning in the window of a car. I am concerned that this hyper-violence and glorification of crime is allowed to be marketed. I question the appropriateness of both posters and the messages that it gives young impressionable minds."

THE ADVERTISER'S RESPONSE

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

"The second poster showing a young woman in sunglasses is not intended to depict a prostitute at all and she is certainly not leaning in at a car window as claimed. This is simply a piece of character art taken from the game packaging. As such there is nothing that even comes close to contravening any section of the code of ethics."

THE DETERMINATION

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

The Board was of the view that there was no overt indication that the female was a prostitute and also noted that the image was taken from the game being advertised.

The Board was of 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 people (sex).

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