



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 387/08  |
| 2. Advertiser                 | Advanced Medical Institute                      |
| 3. Product                    | Professional services                           |
| 4. Type of advertisement      | Radio   |
| 5. Nature of complaint        | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination      | Wednesday, 8 October 2008                       |
| 7. DETERMINATION              | Dismissed                                       |

## **DESCRIPTION OF THE ADVERTISEMENT**

This radio advertisement has a catchy jingle with a male voice singing "Jenny lays there begging Johnny for more - he only lasts 3 seconds, maybe 4. Her ex-boyfriend could go all night - now Johnny has to get it right. Hey Hey Johnny go slow - up your nose and away you go".

## **THE COMPLAINT**

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

*My children are starting to sing along to this song as the tune is really catchy.*

*The effect of sexually explicit advertising on children is often discussed but my concern is in regards to this add and the whole series of AMI radio adds that are regularly played on radio and there effect on adolescents. This add in particular appears to be targeted at a young audience. My concern is that adolescents below the age of consent (16) as well as children are being exposed to these advertising campaigns which appear to be intended to create anxiety about sexual performance rather than debunk the issue as AMI are claiming. Children and adolescents should be enjoying there young lives they should not feel the need to know or think alot about sex least of all sexual performance. On a personal note as a young adult I find these adds offensive esp when they connect satisfaction in a relationship to sexual performance. I am also sick of having to look across at my 14 yr old brother in the car and change the radio station because neither of us would like to listen to these ads. As a young adult I have only to look forward to the days when I have young children and when listening to popular radio stations in the car will be totally out of the question.*

*The inappropriate time slot, when children would be listening to the radio on the way to or from school. The Jingle which would entice children to sing along (as they do with commercials).*

## **THE ADVERTISER'S RESPONSE**

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

*The ad does not breach Section 2 of the Code - I cannot see how this ad breaches any of the issues raised under s2.3 - the ad is not in any way vulgar or sexually explicit. The ad does not use any obscene language or content.*

*We submit that the ad complies with the Standards as set by the AANA.*

## **THE DETERMINATION**

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

The Board considered the application of Section 2.3, relating to sex, sexuality and nudity. The Board noted complainants’ concerns that the advertisement might attract children because of the jingle used. However, the Board agreed it is not a children’s song, but an original working of a rock song. The Board discussed whether the advertisement was sensitive to the relevant audience and agreed that the reference to sex was implied, and treated with sensitivity to the relevant audience. The Board considered that this advertisement did not breach Section 2.3.

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