



CASE REPORT

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| 1. Complaint reference number | 39/08 |
| 2. Advertiser | Blinck Mobile (Naughty Games Strip Poker) |
| 3. Product | Mobile phones/SMS |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 13 February 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features still images of young women in sexual poses with a female voiceover announcing "Play poker like you never have before. With hot strip poker on your mobile! Text STRIP to 191198. If you play your cards right, she might take her clothes off. Text STRIP to 191198- Do it now!" One image has a woman pulling down her bikini bottom.

THE COMPLAINT

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

The ad and product demeans women, it treats them as sex objects.

THE ADVERTISER'S RESPONSE

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

Lots of people (men) of 18+ like to get teased a bit by a beautiful lady. In The Strip poker game we are promoting anyone can order this game for his mobile phone.

We consider this innocent entertainment, where the lady is portrayed in a way that people get triggered by it without crossing the line.

We fully understand the position of (the complainant), but we do think she's over reacting a bit.

The Commercial doesn't show any explicit nudity, and is never instructed to the TV channels before 11PM (even though we're allowed to air it as of 9PM). It is a teasing commercial, but not demeaning to women.

The game is called strip poker and the game actually shows stripping ladies (if you win your hand of poker), but even there the underwear or bikini stays on.

Both the commercial as well as the content (game) has been given CAD Approval by FreeTV. Also to them we confirmed in writing that the content did not contain any sexually explicit stuff.

We never mean to upset or annoy people in any way, but at this time of day/night there are commercials shown which are more explicit and I really doubt if we would have gotten this reaction showing male strippers instead of female strippers.

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 that it is legal for advertisements to advertise products such as sex or nudity related mobile phone services provided that such advertisements comply with the Code.

The Board noted Section 2.1 of the Code which prohibits 'discrimination or vilification of people on account of their gender or sex'. This particular advertisement contains still images of a number of women in provocative poses. The Board considered that the depiction of women in sexually suggestive advertisements, while undoubtedly capable of being demeaning to women depending on the particular advertisement, was not of itself objectification of women that amounted to a breach of Section 2.1 and that this advertisement was at the milder end of late night content and did not breach Section 2.1.

The Board noted Section 2.3 of the Code which states that 'advertisements shall treat sex, sexuality and nudity with sensitivity to the relevant audience and where appropriate, the relevant programme time zone.'

The Board noted that this advertisement is aimed at the adult male market and is only shown on television after 11pm.

The Board noted that the women in this advertisement are either clothed - albeit in lingerie; or have their breasts and genitals hidden behind stars or silhouetted out. The Board agreed that the advertisement is risqué and suggestive of stripping and nudity. The Board noted that all of these images are still images and that there is not explicit sexual activity depicted. The Board considered that the advertisement was appropriate for the late night time zone and was not in breach of Section 2.3 of the Code.

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