



CASE REPORT

1. Complaint reference number	522/06
2. Advertiser	Decks By Design
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, 16 January 2007
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This print advertisement features a male employee of the company standing nude (except for boots) on a timber deck, and holding a large power drill in front of his genitals, and looking startled. Text reads "Is your deck too small?"

THE COMPLAINT

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

I consider (the advertisement) to be offensive - word play on "dick"; naked male model. Not nice to make fun of a deceased person.

THE ADVERTISER'S RESPONSE

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

We understand you have received a complaint regarding this ad. We believe this ad has not breached any Australian standards; we have had an enormous favorable response and didn't set out to offend. As for the comment regarding the Steve Irwin look alike, the person shown is one of my employees and the first in the series using other workers. We can't help that it resembles in some way the late Steve Irwin.

THE DETERMINATION

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

The Board viewed the advertisement and considered whether the advertisement breaches Section 2.3 of the Code dealing with sex, sexuality and nudity.

The Board agreed that the advertisement was "cheeky" and that there was a play on words involved in the advertisement. The Board also noted that, while there was nudity in advertisement, the subject's genitalia were concealed. The Board agreed that the sexual reference in the advertisement was not so explicit or offensive by community standards as to warrant removal of the advertisement from print.

The Board assumed that the subject's likeness to the late Steve Irwin was incidental and therefore irrelevant to consideration of the advertisement.

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