



CASE REPORT

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| 1. Complaint reference number | 57/00 |
| 2. Advertiser | Sydney Morning Herald (17 year old homosexual) |
| 3. Product | Media |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3
Health and safety – section 2.6 |
| 6. Date of determination | Tuesday, 14 March 2000 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement depicts a teenaged boy talking to camera, saying ‘I can’t have sex, because I sleep with boys not girls. The law for heterosexual females and males is 16 years of age and 18 for homosexual males. I’m 17. I’ve been gay for 17 years now. I want the laws to be changed so the people I feel comfortable sleeping with will also feel comfortable sleeping with me’. The advertisement concludes with the superimposed words ‘What kind of tomorrow do you want? The Sydney Morning Herald – Tomorrow’s Paper.’

THE COMPLAINT

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

“I object to the fact that this type of person is even given air time to publicise their perversions ... bordering on paedophilia. ... I feel these types of loose and irresponsible placements of immoral value positions without the opportunity of others to argue against such positions in the long term will only serve to undermine society.”

THE DETERMINATION

The Advertising Standards Board (‘the Board’) considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board was of the view that the depiction of the boy within the advertisement did not contravene community standards in its treatment of sex, sexuality or nudity and did not breach the Code on this or any other ground. In reaching its decision, the Board noted that, while others may disagree with his remarks, the boy was expressing his own personal point of view, as was his entitlement. The Board, accordingly, dismissed the complaint.