



CASE REPORT

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| 1. Complaint reference number | 57/10 |
| 2. Advertiser | Bisley Workwear |
| 3. Product | Clothing |
| 4. Type of advertisement | Outdoor |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 10 February 2010 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement depicts a man (television personality Scott Camm) in overalls. The caption reads "SEX AND THE GRITTY".

THE COMPLAINT

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

I had my grandchildren with me in the car and had to explain what SEX and the Gritty meant. Which I did but they asked what sex has to do with workwear. I remember seeing signs with SEX on them some time ago but that company was forced to remove them by your organisation. Why are you allowing the same style of sexual orientated ads to appear again. There should be one rule for all! If Bisley gets away with this then the flood gates will open and everybody will be using sex to promote their products instead of being creative.

The title is a take on the TV series Sex and the city and sends out mixed sexual messages. Does it mean that women are going to find a man wearing Bisley Workwear sexually appealing even after a hard day at work. Or is sex guaranteed for the woman if she approaches a man wearing Bisley Workwear. Maybe the man wearing Bisley Workwear thinks he is more likely to have sex. Who knows? It is lowest common denominator advertising and not at all clever. Does every man want to be associated with a brand of workwear that implies he is a stud? I don't think so.

Firstly, it would be quite obvious to most that the caption SEX IN THE GRITTY is a play on the works SEX IN THE CITY, a title with which I'm sure all avid TV viewers would be familiar.

Secondly, there is absolutely no logical or meaningful connection between SEX and dirty work clothes. Furthermore, in this context the ad degrades the beautiful act of sex.

Thirdly, from the growing pattern of anti-social behaviour, including sexual behaviour, among youth, I am concerned this ad already has and will continue to have a negative, de-personalising effect on viewers, particularly impressionable young people. Only yesterday, on the footpath on Spring Vale rd in Spring Shopping Centre, a young man who was with a group of girls, put his hand inside his pants and poked his finger visible through the front between his legs just as I was walking past. He was laughing as he did so. To me this is offensive, anti-social behaviour and I am quite confident it would have the same effect on anyone else who holds even the mildest respect for the true meaning of sex. This incident occurred only within 100 metres of the Bisley/sex billboard ad.

In light of these factors, I find the above billboard ad utterly offensive and should be immediately removed. For the sake of society, particularly the genuine feelings of those who hold sex to be something special and meaningful, I earnestly request the ASB to take immediate action to have this degrading and offensive ad promptly removed.

The slogan has very little to do with the product. The billboard is placed very close to a number of schools where children attend from age 4. It is inappropriate for them to be viewing this ad- they should not have a forced exposure to it. The ad gratuitously uses sex to sell its product which is unrelated and unnecessary. Please protect children from being over sexualised from a young age by unrepentant and unimaginative advertisers. If your children were forced to read sex messages to and from school from age 4, would you be allowing it?

THE ADVERTISER'S RESPONSE

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

We have been advised that the issues raised in relation to the advertisement in question relates to Section 2 of the AANA Code, in particular Section 2.3 Portrayal of sex/sexuality/nudity.

The creative for this campaign has our ambassador photographed fully dressed in our Workwear Clothing and some text which is a play on words. We did not include any visual imagery to highlight sexuality. We would like to submit that Section 2.4 of the Code is not relevant to this advertising. This advertising is not directed or in any way targeted at Children. The advertising does not use discriminatory or negative language of any kind. We would also like to highlight that we have not in any way promoted food or beverage pertaining to Section 2.8 of the AANA Code in this advertising.

Bisley Workwear did not in any way mean to offend anyone and the creative was simply a play of words. We received a couple of complaints on this campaign, which we took very seriously and acted on very quickly. After this, we also communicated with the Media Buyer and the Outdoor Media Groups direct to review locations of the billboards. After reviewing the locations we did request to change the creative in a couple of locations as our intention was never to offend anyone.

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 the complainants' concerns that the advertisement was offensive for using the word SEX to sell its product and it had absolutely nothing to do with the product being advertised.

The Board noted the advertiser's response and viewed the advertisement.

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code states:

"Advertising or marketing communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and where appropriate the relevant programme time zone."

The Board noted that the words SEX AND THE GRITTY are clearly a humorous reference to a well known television series and movie, contrasting the characters in that movie with the down-to-earth nature of the man in the advertisement. The Board considered that the image used in conjunction with the word 'sex' was not sexually suggestive or sexualised. The Board considered that the advertisement did treat sex with sensitivity to the relevant audience and did not breach section 2.3 of the Code.

The Board then considered whether the advertisement was in breach of section 2.5 of the Code. Section 2.5 of the Code states:

"Advertising or marketing communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided."

The Board noted the complainants' concerns however, they agreed that the word SEX is not of itself prohibited in advertisements. The Board considered that most people in the community would understand the context of the caption used in this advertisement as a reference to a well-known television series. The Board considered that most members of the community would not find the use of the phrase 'sex and the gritty' strong or obscene and that the reference to the television series meant that the use of the phrase was not inappropriate. The Board determined that the advertisement was not

in breach of section 2.5 of the Code.

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