



CASE REPORT

1. Complaint reference number 77/08
2. Advertiser Seven Network (Dirty Sexy Money)
3. Product Media
4. Type of advertisement Outdoor
5. Nature of complaint Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination Wednesday, 12 March 2008
7. DETERMINATION Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement features a photograph of actor Donald Sutherland above the words of his new TV series "Dirty Sexy Money", and the outline of a cityscape below.

THE COMPLAINT

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

The text of the ad is unavoidable and extremely prominent. My children have encountered it on numerous occasions. Being normal children or young teenagers, they can read with great ease and facility and have certainly read this sign on numerous occasions. Naturally enough they are wondering what it means. What should I tell them? And how can I possibly hope to explain this ad to them without risking developmentally inappropriate exposure to adult concepts that could possibly harm their self confidence in their own bodies' changes and their growing awareness of their sexuality. Since when has it been advised to deliberately associate sexuality with dirt in the education of young people? I have certainly done my best to create great positivity around the subject and about my daughter's developing sexuality. Why should channel 7 be allowed to undo this so casually in the public domain. I was given no choice as a parent. My children were given no choice. But in highly prominent use of public spaces, Channel 7 has promoted a message about sexuality that is unmistakably about sleaze, dirtiness and possibly prostitution, crime and pornography. All with complete disregard for the adverse sexualisation effects this would have on thousands of children and young teenagers. The fact that the ad appears to be everywhere adds to the negative impact on kids. See it once and they might think nothing of it. But see it everywhere and they will very naturally wonder what it is about.

THE ADVERTISER'S RESPONSE

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

The ASB have requested comments from Seven in relation to section 2 of The Australian Association of National Advertisers – Advertiser Code of Ethics.

Section 2.3 provides that "advertisements shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone". Section 2.5 further provides that "advertisements shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided".

Having reviewed the billboard promotion, Seven is confident that it complies in all respects with the AANA Advertiser Code of Ethics.

In support of this position, we note that the text used in the billboard is the title of one of Seven's

programmes, Dirty Sexy Money. The words are not used as a statement nor intended to be of an educative nature.

In light of the context of the billboard, we believe that the words dirty, sexy and money, both in isolation and in conjunction with each other, would be considered to be appropriate for all ages. We also believe that the title of the program does not treat sex, sexuality or nudity in an inappropriate manner for the general viewing public.

We do not agree that the title of the programme can be construed to be “promoting a message about sexuality that is unmistakably about sleaze, dirtiness, and possibly prostitution, crime and pornography”.

We note that the Seven Network broadcasts promotions for the programme which are classified G (General) under Appendix 4 (Classification) of the Commercial Television Industry Code of Practice in all time-zones. Seven has been broadcasting promotions for this program for over 4 months and has not received one viewer complaint in relation to the title of the programme or for any other reason.

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 determined the words used were the title of the television programme it was promoting. The Board noted that the Seven Network's logo was clearly visible and that the person in the advertisement was fully clothed. The Board therefore determined that the advertisement did not breach Section 2.3 of the Code.

The Board further noted that as no strong or inappropriate language was used 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.