



Case Report

1	Case Number	0349/13
2	Advertiser	COUGERLIFE.COM
3	Product	Sex Industry
4	Type of Advertisement / media	TV
5	Date of Determination	09/10/2013
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

- 2.3 - Violence Violence
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

A woman explains that older woman know what they want: young guys. We see her walking around a bar commenting on the behaviour of younger woman, pushing a burger in to the mouth of one woman, telling another woman she folds sweaters for a living and then pushing her off her chair before offering to buy a younger man a drink.

THE COMPLAINT

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

I found the ad very offensive, as it depicts an older women inferring that the men in the ad would be better 'taken care of' by her, rather than the younger women. It seemed to suggest that she would be a better 'mate' for the men in the ad than the younger women. Such a sexually suggestive ad should not be on that early in the evening when young and impressionable kids would still be watching TV. The ad would be better suited to an 'adults only' channel, as apposed to one that is showing movies at that time of night !

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

No response received from advertiser.

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 complainant’s concerns that the advertisement features sexually suggestive material and is offensive in its suggestion that older women can take care of young men better than younger women could.

The Board viewed the advertisement and noted the advertiser had not provided a response.

The Board first considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted the advertisement is for a dating service that connects men to more mature woman “Cougars” and features a woman explaining that older women are a better choice for young men and has scenes of a more mature woman walking around a bar approaching younger woman and physically interacting with them. The Board particularly noted two scenes in which acts of violence are depicted. In the first scene the older woman shoves a burger into the younger woman’s face. In the second scene the older woman pushes the girl off a chair and, although she is not seen to hit the floor, the sound of breaking glass is heard.

The Board noted that the advertisement is intended to highlight, presumably in a humorous manner, that older woman are ‘better’ than younger women.

A minority of the Board considered that the way the woman struts around and approaches the younger women is humorous and that most members of the community would be able to identify with the staged and fabricated way the advertisement is intended to be portrayed.

The majority of the board considered however that two scenes in the advertisement depicted a woman committing a violent act against another woman. The majority of the Board considered that in a bar or licensed venue, such aggressive behaviour is not considered humorous or acceptable.

The Board noted that section 2.3 of the Code is strict in its requirement that violence not be shown unless it is justified in the context of the product or service advertised. The majority of the Board considered that the actions displayed by the older woman are violent, are socially unacceptable and are not justified in the context of the service being advertised. The Board determined that the advertisement did breach section 2.3 of the Code.

The Board then considered whether the advertisement was in breach of Section 2.4 of the

Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board considered that there are members of the community who do not like the concept of a dating service designed to match older women to younger men. The Board considered however that the product is legally able to be advertised and that it is not the position of the Board to comment on the suitability of the service.

The Board noted that the women and men in the advertisement are fully clothed. The Board considered that there is no inappropriate nudity and that any suggestion of sexual intimacy is very mild and would not be understood by children.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and determined that the advertisement did not breach Section 2.4 of the Code.

Further finding that the advertisement did breach section 2.3 of the Code, the Board upheld the complaint.

ADVERTISER RESPONSE TO DETERMINATION

The advertiser did not respond.

The ASB will liaise with Free TV to have the CAD number revoked and the advertisement will no longer be aired on Australian Free TV.