

COMPLAINT NUMBER	20/282
ADVERTISER	Pink Triangle Press - Squirt
ADVERTISEMENT	Pink Triangle Press, Billboard
DATE OF MEETING	13 July 2020
OUTCOME	No Grounds to Proceed

Advertisement: The billboard advertisement for an online dating service app for gay men, Squirt.org, featured two men wearing unbuttoned shirts and an image of a mobile phone showing the website. The text says “Hookups = Squirt.org. Visit www.squirt.org to hook up today.”

The Chair ruled there were no grounds for the complaint to proceed.

Complaint: The billboard located on k rd Auckland to me seems inappropriate as it displays a dating/pornographic website link , as displayed in the photo the word SQUIRT.org is in big writing and visable for a child to see and go onto the link which the home page doesn't require a date of birth at all and being visable I would hate for any child to see this billboard when travelling k rd in the weekend just driving through town

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c);

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1(c) Decency and Offensiveness: Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

The Chair noted the Complainant’s concern the imagery and text in the advertisement was unacceptable for a billboard advertisement in the Karangahape Road, Auckland location, as children could see it, then visit the website which is ungated.

In considering the complaint, the Chair referred to Decisions 14/658, 19/011 and 19/030 which were for similar advertisements from the same Advertiser and were ruled no grounds to proceed by the Chair of the Complaints Board.

Decision 14/658 said in part:

...“As a preliminary matter, the Chairman noted under current New Zealand legislation she was not able to rule directly on the use of the name itself when it was used to refer to a product of the same name in an advertisement.

Looking at a copy of the billboard, the Chairman said nothing in the image itself was offensive. The Chairman was also of the view the term “hookups,” did not reach the threshold to cause serious or widespread offence in light of prevailing community standards.

Therefore, while she acknowledged the offence the advertisement caused the Complainant, the Chairman said the Advertiser was entitled to advertise its service, and the image of two men together in an advertisement for adult entertainment placed in a suburban street did not reach the threshold to cause serious or widespread offence.

When addressing the Complainant's concern over the visibility of the advertisement to children, the Chairman said and nothing in the image itself was explicit or provocative and therefore, its placement did not breach the requirement for advertisements to observe a due sense of social responsibility to consumers and to society. Therefore, the Chairman said there was no apparent breach of the Advertising Codes..."

In considering the complaint before her, the Chair said that despite the billboard advertisement being available to an unrestricted audience, there was nothing explicit in the image it featured. With regard to the wording, she said most children would be unlikely to associate the word 'squirt' with any sexual connotation and as noted in the previous decision, the Advertising Standards Authority does not have jurisdiction over the name of a product or service.

The Chair said the website has a disclaimer warning visitors to the page that the site contains adult content.

The Chair said taking into account context, medium, audience and product (service), the advertisement and its placement did not meet the threshold to cause serious or widespread offence or offend against generally prevailing community standards.

The Chair said the advertisement did not meet the threshold to breach Principle 1 or Rule 1(c) of the Advertising Standards Code

The Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint **No Grounds to Proceed**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.