

COMPLAINT NUMBER	20/311
ADVERTISER	Dead Bird Books
ADVERTISEMENT	Poster for book called “Sex, with Animals”
DATE OF MEETING	25 August 2020
OUTCOME	Upheld in part, Not Upheld in part Advertisement has been removed

Summary of the Complaints Board Decision

The Complaints Board upheld a complaint about an outdoor poster for a book called “Sex, With Animals” which was located near a children’s playground.

Advertisement

The poster advertisement had the words: “Sex, With Animals” and “Laura Borrowdale” along with “Out July 10” and two venues listed under “Launching” and was displayed at several outdoor locations in central Christchurch, including near a children’s playground. The logo for Dead Bird Books was in small print at the bottom of the poster. The poster came in two sizes, A3 size and Supersize (1,820mm wide x 2,620mm high).

Summary of the Complaints

There were two complaints about this advertisement. One of the Complainants said this advertisement was unsuitable for children to see. The other Complainant questioned what the advertisement was promoting, and whether it was promoting sex, with animals, which is a criminal act.

Issues Raised:

- Social Responsibility
- Decency and Offensiveness

Summary of the Advertiser’s Response

The Advertiser defended the advertisement and said the claim that it promotes bestiality is “absurd”. The poster doesn’t condone or encourage people to take part in sex acts with animals, nor does it contain any imagery of a graphic nature. The advertising campaign for the book ended on 17 July 2020, and it is no longer accessible to the public.

Relevant ASA Codes of Practice

The Chair directed the Complaints Board to consider the complaint with reference to the following codes:

ADVERTISING STANDARDS CODE

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.

Relevant precedent decisions

In considering this complaint the Complaints Board referred to two precedent decisions, Decision 17/395 and 19/417, both of which were Not Upheld.

The full versions of these decisions can be found on the ASA website:

<https://www.asa.co.nz/decisions/>

Decision 17/395 concerned an outdoor poster advertisement for the play *‘Venus in Fur’* which showed a man and woman from the waist up about to kiss. The Complaints Board acknowledged the advertisement was provocative in that it showed a passionate embrace but said it did not reach the threshold to offend against generally prevailing community standards or cause serious or widespread offence.

Decision 19/417 concerned an outdoor poster advertisement for a play which showed a photo of two men hugging, with one looking towards the camera. The title “Cock” was written in large red letters. The Complaints Board said the advertisement did not reach the threshold to cause serious or widespread offence. The Board said the word “Cock”, which was the name of the play being advertised, has several different meanings, some of which were relevant to the themes in the play.

Complaints Board Discussion

Consumer Takeout

The Complaints Board agreed the likely consumer takeout of this advertisement was it was promoting the launch of a book, or some sort of cultural performance called “Sex, with animals”.

Does the advertisement breach Rule 1(c) Decency and Offensiveness?

The Complaints Board said the poster advertisement located near a children’s playground was in breach of Rule 1(c) of the Advertising Standards Code which says:

“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 Complaints Board said while the exact meaning of the statement was not clear from the poster, it was a play on the words sex, with, and animals. The possibility that the poster was referring to bestiality could not be ruled out, and some children reading it could draw this conclusion.

The Complaints Board said with or without the comma, the received meaning of the words didn’t change significantly.

The Complaints Board said it was acceptable for the poster to be located in downtown Christchurch, and this part of the complaint was Not Upheld.

Is the advertisement socially responsible?

The Complaints Board said the advertisement was not socially responsible, when located near a children's playground, and this placement was therefore in breach of Principle 1 and Rule 1(c) of the Advertising Standards Code.

Outcome

The Complaints Board ruled the complaints were **Upheld in part, Not Upheld in part.**

Advertisement has been removed.

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.

APPENDICES

1. Complaints
 2. Response from Advertiser
 3. Response from Media
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Appendix 1

COMPLAINT 1

This advertising poster and bill board in Central Christchurch - for a upcoming book release I think - has a disgusting and sexually inappropriate title for general public display.

I have seen at least 2 large public billboards displayed with it and then was appalled to see smaller ones on a advertising bollard directly next to Margaret Mahy playground. This is clearly extremely unsuitable for children to be reading and thinking any further about!

COMPLAINT 2

The attached billboard is on the corner of Manchester and Welles Street in Christchurch. The complaint is what is this ad actually promoting; one could only assume its advocating / promoting sex, with animals which is a criminal act.

The other words on this billboard are in such a small font unless you are up close you cant see them and in fact they still don't actually say what the product is

Appendix 2

RESPONSE FROM ADVERTISER, DEAD BIRD BOOKS

I am writing in response to the complaints made against our publishing company Dead Bird Books for posters promoting a new book titled 'Sex, With Animals' by Christchurch based writer Laura Borrowdale.

The posters in question (printed and placed by Phantom Billstickers) were used to promote the release and launch events associated with this release and as outlined in my previous correspondence with the ASA this campaign ended on the 17th of July and is no longer accessible to the public.

While this campaign is now over (and won't be used again) we would still like to defend the complaint. Firstly, these are printed posters, not billboards (there is a significant difference) and as Phantom Billsticker clients we don't have control over the exact locations in which they are placed. We also feel the claim that this poster advocates and promotes bestiality is absurd and we feel it's important to draw attention to the coma used in the title of the book - there is a substantial difference between the sentence 'Sex, With Animals' and 'Sex With Animals' and at no point does the advertising condone or encourage people taking part in sex acts with animals nor does it contain any imagery of a graphic nature.

As an independent publisher, publishing books by marginalised writers - street posters are one of the few ways for us to get these important voices out to the public. It would be incredibly disappointing to censor these important voices by upholding complaints that misrepresent the title and content of our books.

Appendix 3

RESPONSE FROM MEDIA

We can settle the complaint.
Media has been removed from our network.