



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
ACN 084 452 666

## Case Report

<b>1. Case Number :</b>	<b>0072-20</b>
<b>2. Advertiser :</b>	<b>WWWave Corporation</b>
<b>3. Product :</b>	<b>Other</b>
<b>4. Type of Advertisement/Media :</b>	<b>Internet</b>
<b>5. Date of Determination</b>	<b>26-Feb-2020</b>
<b>6. DETERMINATION :</b>	<b>Upheld - Modified or Discontinued</b>

### ISSUES RAISED

AANA Code of Ethics\2.4 Sex/sexuality/nudity

### DESCRIPTION OF ADVERTISEMENT

This app advertisement is cartoon comic style. Two images appear. The one on the left has an image of a girl with a hand patting her head and the speech bubble "Good girl". The image on the right depicts a man in a white shirt with apparent sweat on his brow and text stating "pant". The speech bubble next to him states "...You finally opened up". The girls head can be seen bent over towards the man. The whole image has a header stating "My stepfather is..."

### THE COMPLAINT

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

*It is a blatant depiction of child exploitation. It is a cartoon/anime and It is titled 'My Stepfather is' and depicts a child engaging in a sexual act with a man. Or at least insinuating it. It is very subtle but it is blatantly obvious once you read the captions surrounding it. Worse still this advert came up at the bottom of a news article about a US bus driver grooming a child. Totally abhorrent.*



## THE ADVERTISER'S RESPONSE

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

*In Japan, it is sold to and meant for all ages.  
It does not promote child abuse, in fact, it's the opposite; the main character of the story triumphs over her various adversities.*

## THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement is a depiction of child exploitation.

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

The Panel 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 Panel noted the Practice Note to the Code which states:  
*"Models who appear to be minors should not be used in sexualised poses. An advertisement in which the female looks very young and is lying in bed with a man, with no direct reference to the product being advertised, was found in breach by the Community Panel as it used a highly sexualised image regardless of the audience to which the advertisement was directed."*

The Panel noted the advertiser's response that the main character, the young girl, triumphs over adversity in the cartoon story. The Panel noted however that its role is to consider the content of the advertisement as it appears in media and not the overall storyline of the comic that is being advertised, as that is not available for viewers when viewing the advertisement in isolation.

The Panel noted that the advertisement is in a cartoon/comic form and the girl and the man are depicted in this stylised comic art style. The Panel considered that the girl in the advertisement appears to be in her early teens and the reference to "my stepfather is..." implies that the girl is a minor.

The Panel considered that the text of "Good girl...you finally opened up" in conjunction with the image of the girl's head bent towards his lower body, and the imagery depicting him sweating and panting, was a depiction of material that was strongly sexually suggestive and therefore inappropriate to the relevant audience.



The Panel considered that a depiction of a person who appears to be a minor in a context that is highly sexually suggestive does not treat sex, sexuality and nudity with sensitivity.

The Panel considered that overall the image amounted to a depiction of a young person in a context that is highly sexually suggestive and is therefore not appropriate. The Panel determined that the advertisement did breach Section 2.4 of the Code.

Finding that the advertisement did breach Section 2.4 of the Code the Panel upheld the complaint.

### **THE ADVERTISER'S RESPONSE TO DETERMINATION**

It is unfortunate that you have come to this decision, as the work's intention is the exact opposite from what you have interpreted it to be. We are currently making arrangements for the ad in question to be discontinued in Australia. Since we will be submitting the request to the advertisement company, you can expect the ad to be taken down in the next few days.