



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0130/18
2	Advertiser	Danz Worx
3	Product	Professional Service
4	Type of Advertisement / media	Poster
5	Date of Determination	21/03/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - sexualisation of children

DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement features a young girl, dressed in a cat outfit with her face painted, doing the splits. Information about dance classes offered are also displayed on the poster.

THE COMPLAINT

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

A small child with her legs spread open wide to every person who passes that very busy intersection. It gives her no protection from the 30000 strangers who live in the city of Wangaratta, and clearly identifies which school you could find her at. I believe this places her at risk. Even though the pose is not overtly sexual, her little legs are still wide open, her body is on full display and her face so clearly identifiable.

THE ADVERTISER'S RESPONSE

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



The banner is placed on the intersection of Tone Road & Sisley Ave in Wangaratta on a property that I rent and have permission from the owner.

The area is a high motor traffic area which makes it an excellent place for me to advertise the dance studio.

WHAT IS DANZWORX?

Danzworx is a dance studio for children from the ages of 2 - 18yrs

- Studio has been operating for 14yrs with a second studio opening at the start of 2018 in Yarrawonga

- Danzworx vision is for all young dancers to build their confidence through their love of dance

BANNER DESCRIPTION

Date banner was placed - January 2nd 2018

Size - 1220 x 2440mm

Advertising dance classes at Danzworx with studio address

The image is of a young dancer sitting in a dance pose, side splits, in character costume. She has her face painted and a blue wig which has made her unrecognisable in my opinion. I received permission from the parents to use the image on the banner.

The complaint that was filed against the advertisement states that the pose is not overtly sexual but could place the child at risk. I feel this is incorrect and an unwarranted complaint. The advertisement uses an image of a proper dance technique done by a student that has hair and makeup to alter the appearance of the student. The clothing she is wearing shows no definition and the pose represents the skills being learnt at this age group. This banner was only ever created to show the joy in dance for all children.

To address the risk factor of this young student :-

240+ students

2 different locations, Wangaratta and Yarrawonga Studios

Multiple classes over multiple days and times

Parents drop off and pick up their child

I have spoken to the child's parents and they both have no concern over the safety of their child through this banner due to her appearance being alter through face paint



and a blue wig. Even family members of the student didn't recognise her on the banner until they were told.

I appreciate you bringing this to my attention and allowing me to reply in kind

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 viewed the advertisement and noted the advertiser's response.

The Panel noted the complainant's concern that the use of the young girl in the advertisement posing in a sexualised manner could place her at risk.

The Panel noted the advertiser's response that the girl's face was painted so that she was unidentifiable and that there were multiple classes at different locations.

The Panel noted that the use of a child in an advertisement is not an issue that is covered by Section 2 of the Code, however considered that the advertiser appears to have taken reasonable steps in ensuring the safety of the child.

The Panel noted the complainant's concern that the advertisement shows the girl with her legs wide open to every person that passes, and that this was inappropriate.

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 this outdoor advertisement depicts a young girl in dance costume doing the splits. Details of the dance classes are also present.

The Panel noted that there is clear community concern around the use of sexualised images of children and that such images are inappropriate for use in advertising.

The Panel considered that the pose of the young girl in the advertisement was a common pose in dancing, and the pose was not sexualised.

The Panel considered that the girl was dressed in a costume appropriate to a dance class, her pose was that of a dancer and that there was nothing in the advertisement which could be considered as indicating sexually suggestive content.

The Panel determined that the advertisement did not contain sexualised imagery and therefore did not raise an issue under Section 2.4 of the Code.



Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaint.