



Case Report

1	Case Number	0138/13
2	Advertiser	Kotton Kandy
3	Product	Clothing
4	Type of Advertisement / media	Internet
5	Date of Determination	01/05/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

Images of young girls on the Kotton Kandy website modeling their range of clothing and swimwear. They are wearing make up and bright coloured wigs.

THE COMPLAINT

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

Because the way in which the photos have been taken appear to be sexualising the kids. By dressing them up and putting them into adult poses. I find it offensive because I don't like to see children represented in the manner.

Sexualisation of pre-pubescent girls. The models are wearing makeup more suited to someone ten years older! Provocative, seductive poses are completely unwarranted and unacceptable in this market. There is 40 years of advertising history for two-piece swimsuits that are less sexy than this... surely they can find themes and poses more appropriate to use for the target age group!

The young girls in the pictures are heavily made up to appear much older and posed in a sexualised way.

THE ADVERTISER'S RESPONSE

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

*My newly launched business www.kottonkandy.com.au caters for girls 3-12 years. I produce girls tights and swimwear. The complaint/s which have been received are completely of a subjective nature and we believe we have in no way sexualised children in our advertising. The idea behind our shoot drew inspiration from the kids TV series *Lazy Town* and we used different coloured wigs which we believe are of a fun and whimsical nature, all children are fully clothed other than the swimwear which has to be shot as swimwear, however even our swimwear line is of a modest nature. There are also other advertising campaigns being run by doll fashion line *LaLa Loopsy* with kids wearing wigs and also pyjama manufacturer *Peter Alexander*. The girls were treated with respect during the shoot and my photographer took great pains to see their poses were modest and not showing immodesty in any way. The kids were not told to pout or look sexy during the shoot, they were simply looking at the camera for the shots and the nature of these complaints are seeing something that simply is not there. The parents, grandparents and friends of all models involved in the shoot have approved the photos and have not taken any offence to them and my own two daughters were a part of it. As my name *Kotton Kandy* suggests, we have prints of jellybeans, ice cream shops etc. We have incorporated lollipops, marshmallows etc into the shoot to reflect the fun and colour of our name. Because of the sadistic and malicious comments I have received from people in this campaign I have temporarily removed the swimwear from my site until this matter is settled. I felt to leave the pictures on the site were subjecting our beautiful models to a form of abuse due to a small group deliberately coming to our site to gain negative feedback and defame us which was unacceptable. The images of the tights are still on the site for viewing.*

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 complainants’ concerns that the advertisement depicts sexualised images of young girls and is not appropriate.

The Board viewed the advertisement and noted the advertiser’s response.

The Board 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 noted the advertisement is the advertiser’s website which promotes their range of tights and swimwear and that it features various images of girls advertising the products.

The Board noted that in each image the girls are wearing clothing appropriate for their age and considered that the use of the colourful wigs and make up is intended to be fun rather than making the girls appear to be older than their years.

The Board expressed concern over some of the images of the girls, specifically: the image featuring a girl wearing a swimming costume and sitting in a blue pod-like chair, the image of the girl wearing a two piece costume and standing on a purple ball, the two images of the girl wearing a red swimming costume and white blond wig, and the image of the girl in a multi-coloured swimsuit and a red wig. A minority of the Board considered that these images

were not appropriate as the girls appeared to be posing in manner which was not age appropriate. The majority of the Board noted these concerns but considered that the poses of the girls were consistent with the poses children of that age would naturally assume if asked to pose for the camera and considered that most members of the community would interpret the images to be promoting a children's product in a manner which is appropriate and not sexualised.

The Board noted that advertisers should take care when using images of children and that in this instance the advertiser had removed the images pending the Board's findings. Following considerable discussion the majority of the Board considered that the images on the website were not sexualised or inappropriate and did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaints.