



Case Report

1	Case Number	0188/15
2	Advertiser	Toyota Motor Corp Aust Ltd
3	Product	Vehicle
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	27/05/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading - children
- 2.4 - Sex/sexuality/nudity S/S/N - sexualisation of children

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features scenes of a Toyota Landcruiser Prado driving both on road and off-road. The family in the vehicle are shown enjoying the drive across rough terrain and we see scenes of them unloading the vehicle and playing in a stream.

THE COMPLAINT

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

One brief scene has a river showing people swimming. In the foreground of the scene, quite prominently is the teenage girl bikini'd bottom, lower torso and legs.

It seems wrong to me, apart from a misguided target audience argument, it is not acceptable to depict scantily clad underage girls on TV.

It is not okay to just brush over it because it has been accepted in the past. The attitude that accepts this type of portrayal has caused, and continues to cause, damage to our girls, and our boys. It's wrong and it needs to stop.

There are enough instances of children being abused and sexualised in our society. Toyota Australia should be ashamed for allowing the ad, the ad agency should be made to issue an apology. Absolutely disgusted.

THE ADVERTISER'S RESPONSE

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

The Complaint

The Complaint was received by the Advertising Standards Board on 30 April 2015.

The key allegation in the Complaint appears to be that a scene in the Advertisement sexualises a young girl by showing her in a bikini.

Our response to the Complaint

The intention of the Advertisement is to advertise the Vehicle as the best vehicle for families that enjoy getting outside and having a weekend adventure. This intention is depicted in various scenes of a typical family unit enjoying their time together both in and out of the Vehicle.

The scene that the complaint concerns depicts the family, who have recently arrived at a campsite after driving to an 'out-of-the-way' place, enjoying themselves at a swimming hole. The kids are depicted swimming, diving and generally enjoying themselves with their Mum and Dad.

The scene in question is not exploitative or degrading, nor is it intending to sexualise children.

The specific shot that has been complained about is a quick-edit shot of two kids playing around a swimming hole - one in the water on a floatation device and the other about to enter the water and join her. The shot last for around 1.5 seconds. The very short shot is a fixed frame and does not particularly focus on, draw attention to or emphasise the girl who is entering the water. The camera does not change angle or emphasise the girl entering the water. Her entering the water is just one part of a broader depiction of people enjoying the outdoors.

The choice of costume in the scene in question is in no way sexually suggestive or inappropriate - it is completely reasonable to expect that a family swimming and playing in water, including the daughter, would be wearing swimwear.

The Advertisement, and particularly the scene that has been complained about, merely depicts a family enjoying being a family, and doing the types of things that families do when they are outdoors on a holiday.

2.1 As discussed above, the Advertisement is an attempt to portray a happy family enjoying a weekend away. The Advertisement does not include any material which discriminates or vilifies any person or group of people.

While a young girl is depicted in swimwear, the depiction is in no way sexually suggestive and does not encourage discrimination or vilification on the basis of gender, age or any of the other categories covered by section 2.1 of the Code.

2.2: *According to the Advertising Standards Board's determination summary for alleged breaches of section 2 of the Code (Determination), a breach of section 2.2 requires that an advertisement uses sexual appeal in a manner that is both exploitative and degrading.*

Sexual appeal

In our view the Advertisement does not use sexual appeal.

We note that "sexual appeal" is not a defined term, and that the Determination states that sexually appealing material may be taken to include a suggestion of sex; some nudity; a sexual pose; or tight clothing.

As discussed above, in our view the Advertisement does not employ sexual appeal or include any sexualised connotations. The Advertisement is an attempt to portray a happy family enjoying a weekend away by swimming and playing together in a water hole.

Exploitative

In our view the Advertisement is not exploitative.

The Determination describes something as being exploitative if it is "clearly appearing to purposefully debase or abuse a person, or group of persons, for the enjoyment of others, and lacking moral, artistic or other values".

As discussed above, the Advertisement is an attempt to portray a happy family enjoying themselves. The Advertisement does not debase or abuse anyone or any group of people.

Degrading

In our view the Advertisement is not degrading.

The Determination describes something as being degrading if it is "lowering in character or quality a person or group of persons".

As discussed above, the Advertisement is an attempt to portray a happy family enjoying themselves. The family are portrayed as happy, excited and enjoying spending time together. These themes cannot reasonably be interpreted as lowering in character or quality a person – they are positive traits that the broader community encourages and respects.

2.3: *The Advertisement does not involve violence.*

2.4: *As discussed above, in our view the Advertisement is not suggestive of sexual activity. We reject the allegation that a reasonable member of the community would interpret the Advertisement as sexually suggestive.*

The choice of costume in the scene that has been complained about is in no way sexually suggestive or inappropriate - it is completely reasonable to expect that a family swimming and playing in water, including the daughter, would be wearing swimwear.

The Advertisement was published in a broad public forum (on free to air television) and in

our view the image was suitable and appropriate for this broad public audience.

2.5: *The Advertisement does not include any strong or obscene language, nor any that would be considered inappropriate for the given audience.*

2.6: *The Advertisement does not contain any material that contradicts Prevailing Community Standards on health and safety.*

It is respectfully submitted that the Advertising Standards Board should take no further action against Toyota with respect to the Advertisement, and that the Complaint should be dismissed.

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 features a close-up image of a young girl’s bikini-clad bottom and that this is sexualisation of children and very inappropriate.

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

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: “Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.”

The Board noted the advertisement features a family going camping and that one scene shows the children playing in a stream.

The Board noted that in order to be in breach this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board noted the scene showing a young girl in a bikini and considered that her behaviour is consistent with a child at a water venue, her pose is not sexualised, her swimwear is appropriate for her age and the situation, and there is no undue focus on her body. The Board considered that most members of the community would agree that the image of the girl does not employ sexual appeal at all.

The Board determined that the advertisement did not breach Section 2.2 of the Code.

The Board then 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 that the scene showing the girl in the bikini is very fleeting and there is another child in the water next to her. The Board considered that the swimwear the girl is wearing is age-appropriate and does not reveal any of her private areas, and that although she is viewed from behind the focus is on the whole scene which includes her sibling and the water setting rather than a focus on any part of her body. The Board noted that this brief scene is followed by other water scenes where we see children playing in the water and the whole family gathered together as a group and considered that in the context of a variety of scenes showing a family enjoying themselves in the countryside the depiction of a child in swimwear is not inappropriate and does treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and 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.