



**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>0197-20</b>
<b>2. Advertiser :</b>	<b>Dreame</b>
<b>3. Product :</b>	<b>Entertainment</b>
<b>4. Type of Advertisement/Media :</b>	<b>Internet - Social - Facebook</b>
<b>5. Date of Determination</b>	<b>8-Jul-2020</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.2 Exploitative or Degrading  
AANA Code of Ethics\2.3 Violence  
AANA Code of Ethics\2.4 Sex/sexuality/nudity

### DESCRIPTION OF ADVERTISEMENT

This Facebook advertisement features a long excerpt of a story called 'Abused and Broken' available through the advertised app. The story's main characters are a teenage girl, Ember, who is a werewolf who is sexually and physically abused by her father and a teenage boy, Blaze, who is an Alpha werewolf.

The sponsored Facebook post initially appears as an image and a few paragraphs of text and the user needs to click on the advertisement to read more of the story. The story starts with the text: "I was woken up by the sudden sharp pain of having a hand wrapped into my hair and dragging me out of bed. He pulled me like I was nothing more than a rag doll as he made his way down the stairs, still half asleep I try to get my body to do what it needs to do to get some kind of footing. That proves to be impossible and I feel myself hitting every step on the way down."

The story ends with the text: "Will Blaze, the Alpha of future come to save Ember and figure out that she is his mate? Continue to read on Abused and broken."

The story is accompanied by an illustrated image of a girl embracing a large, black wolf in bed.



## **THE COMPLAINT**

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

*It depicts paedophilia*

*[https://m.Facebook.com/story.php?story\\_fbid=133867254996238&id=106165091099788](https://m.Facebook.com/story.php?story_fbid=133867254996238&id=106165091099788)*

## **THE ADVERTISER'S RESPONSE**

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

*Advertiser did not provide a response.*

## **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 depicts paedophilia.

The Panel viewed the advertisement and noted the advertiser had not provided a response.

The Panel considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: "Advertising or Marketing Communication shall not employ sexual appeal: (a) where images of Minors, or people who appear to be Minors, are used; or (b) in a manner which is exploitative or degrading of any individual or group of people."

The Panel noted that the advertisement included a long excerpt from a work of fiction.

The Panel noted that there were two parts of the book in particular where sexual abuse was referenced.

The two parts were:

*Mom was at work when dad came up to room, he was drunk again. I guess since I remind him of her he thought I was her. He walks up and sits on the bed,  
"Hey baby come here let me love you"  
"Dad I'm not mom. I am Ember your daughter"  
"Shh it's okay just let me smell you"*



*He grabs me hard and brings me to his lap pushing his face into the crook of my neck inhaling deeply and rips off my shirt  
"You don't smells as good as her, but she isn't here you will have to do"  
He starts kissing on my neck and I shudder in disgust. I try to push him away.  
"You need to know when a male comes for you you lose your choice!"*

And

*His eyes are pure black and his teeth are coming out. I can see his wolf is taking full control. I don't think he is gonna stop this time. He is going to beat me to death...*

*"No matter how disgusting you are, you are still mine, mine to hit, Mine to touch. Mine to do with as I please!"*

*He is now pulling me up the stairs towards my room. Tonight is going to be very bad and it's going to end in me being pulled about in more ways then one. I know it and there is nothing I can do to stop it. Once we get to my room he brings out his claws and rips every piece of clothing off my body. The last time this happened his friends were here and they all wanted to show me what a woman was good for, thinking back I still remember the pain. I bled and couldn't walk for days as they took away the last thing I had. I stand in front of him now trying to use my hands to cover my body the best I can. Has he starts to under himself he turns me around and pushes me into the bed.*

*"Please don't do this I didn't talk to him!"*

*"Look at you so black, blue and bloody, you know how that makes me feel seeing you covered in my marks"*

*I scream as his weight crushes me. I can't help it. I'm gonna die tonight so why does it matter how loud I scream it will be the last time.*

*"Now Ember don't worry. I love you, I am just going to show you that"*

The Panel noted that the advertised product was a work of fiction and the details of sexual abuse against the teenage girl were a part of the novel.

The Panel considered that the fiction was written from the perspective of the teenage girl and the abuse was portrayed in a negative light.

The Panel considered that the advertisement did not employ sexual appeal of the young girl.

The Panel determined that the advertisement did not employ sexual appeal of minors and therefore did not breach Section 2.2 of the Code.

The Panel considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".



The Panel noted that the advertisement included excerpts from the work of fiction which included details of physical and sexual abuse of a teenage girl and a murder.

The Panel noted that the promoted work of fiction was called “Abused and broken” and considered that the advertisement only included words directly from the promoted product. A minority of the Panel considered that the detailed sexual violence was excessive and was not necessary or justifiable in promoting a work of fiction. A minority of the Panel considered that the advertiser could have promoted the work of fiction without including the specific excerpts depicting sexualised violence.

The majority of the Panel considered that the details in the advertisement were directly relevant to the product being promoted. The majority of the Panel considered that the imagery in the advertisement was not violent and that the theme of the writing was consistent with fantasy-style literature. The majority of the Panel considered that it was reasonable for the advertiser to use an example of available fiction in an advertisement for a literature app.

In the Panel’s view the violence portrayed in the advertisement was justifiable in the context of the product advertised and did not breach Section 2.3 of the Code.

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 considered the meaning of ‘sensitive’ and noted that the definition of sensitive in this context can be explained as indicating that ‘if you are sensitive to other people’s needs, problems, or feelings, you show understanding and awareness of them.’  
(<https://www.collinsdictionary.com/dictionary/english/sensitive>)

The Panel considered that the requirement to consider whether sexual suggestion is ‘sensitive to the relevant audience’ is a concept requiring them to consider who the relevant audience is and to have an understanding of how they might react to or feel about the advertisement – the concept of how subtle sexual suggestion is or might be is relevant to the Panel considering how children, and other sections of the community, might consider the advertisement.

The Panel noted that the advertiser had not responded and it was not clear who the advertisement had been targeted towards, however considered that the theme and style of the advertisement would be attractive to teenagers. The Panel considered the relevant audience was Facebook users aged 13 and over.

The Panel considered that the imagery of the cartoon woman in bed with a wolf was not sexualised.



The Panel considered that only the first few paragraphs of the advertisement would have been visible unless the consumer chose to click on the advertisement to expand it and read the rest of the content. The Panel noted that there were two scenes in the story which detailed sexual abuse of the main character however these were in the middle and at the end of the advertisement and would not be immediately visible to people who viewed the advertisement without reading the entire story.

A minority of the Panel considered that many members of the community would find the scenes detailing sexual abuse to be confronting and inappropriate to be seen by a broad audience of adults and teenagers. A minority of the Panel considered that the advertiser had made a choice to include these scenes in the advertisement and considered that this choice had not been made with sensitivity to the relevant audience.

The majority of the Panel considered that the sexualised scenes were a small part of a much larger advertisement and that consumers would need to choose to click on the advertisement and then read the entire story to be exposed to the particular content portraying sexual activity. The majority of the Panel considered that the story is told from the perspective of a teenage girl and the sexual abuse is depicted in a negative light, and the father is portrayed as the villain in the story. The majority of the Panel considered that the advertisement did not go into explicit or graphic detail of the abuse, and that the abuse was not the focus of the story.

The majority of the Panel considered that the content of the advertisement was consistent with themes and concepts common in young adult fantasy literature. The majority of the Panel considered that the advertisement would have a limited audience and that those who were committed enough to read most of the story would be familiar with these themes. The majority of the Panel considered that literature is a form of artistic expression and that there is a higher degree of acceptance for sexual themes in art than in other mediums.

The majority of the Panel considered that the overall advertisement did not focus on sex or sexuality and that those scenes that did were treated with sensitivity to the relevant audience of facebook users served the advertisement and who have voluntarily chosen to read the text heavy story.

The Panel considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant broad audience and did not breach Section 2.4 of the Code.

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