



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0240/18
2	Advertiser	Highgrove Bathrooms
3	Product	House Goods Services
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	23/05/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features Ayden and Jess walking through a construction site, carrying assorted bathrooms materials. They are talking directly to camera about said bathroom accessories. Ayden and Jess walk off the construction site into a house, into the bathroom, past a child brushing her teeth in the mirror and then to a boy in the bathtub. Jess bends down to talk to him and then stands up next to the bath beside Ayden as they deliver their final address to camera.

THE COMPLAINT

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

The last scene of the ad. Ayden and Jess turn their back on a child left in the bath, going against kid safe advice. Never take your eyes off children in water. Only takes seconds for a child to drown.



THE ADVERTISER'S RESPONSE

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

On behalf of our client, Highgrove Bathrooms, I write this response to the recent complaint against a Highgrove TVC that recently aired in Regional Victoria during the midday movie.

The complaint suggests the advert goes against kid safe practice, which could be viewed as a breach of AANA Code of Ethics 2.6 - Health and Safety. However, below is a direct response to all sections of the AANA Code of Ethics.

2.1 Discrimination or Vilification: We see a gender equal construction site where men and women are all contributing to the building of the house.

2.2 Exploitative or Degrading: We see men and women all working together on a construction site before entering a newly renovated home.

We see two young children in a bathroom - a girl brushing her teeth and a boy in the bath. The boy is wearing shorts in the bath to maintain modesty and the majority of his torso is obscured by the bubbles in the bath.

2.3 Violence: All workers on the construction site are abiding by safe work practices and can be seen wearing the appropriate PPE according to the tasks they are undergoing.

2.4 Sex, Sexuality + Nudity: We see two young children in a bathroom - a girl brushing her teeth and a boy in the bath. The boy is wearing shorts in the bath to maintain modesty and the majority of his torso is obscured by the bubbles in the bath.

2.5 Language: Please review attached script, there is no use of profane or indecent language at any point throughout the commercial.

2.6 Health + Safety: The child was not unsupervised in the bathtub - there was another older child standing behind the boy in the bath and Ayden and Jess were only one step away from the tub.

2.7 Distinguishable as Advertising: As per attached script, the dialogue spoken in the advert is clearly discussing Highgrove's bathroom products, Highgrove's pricing and showcases many of Highgrove's products. There is also an end frame bearing



Highgrove's logo at the conclusion of the commercial.

I hope this is an appropriate and adequate response to the complaint in question.

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 features unsafe behaviour.

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

The Panel considered Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Panel noted the complainant's concerns that the advertisement features parents turning their backs on a child in the bath and that this goes against child bathroom safety advice.

The Panel noted the advertiser's response that the child was not left unsupervised, that there was an older sibling watching him and the parents were one step away.

The Panel considered that the child is old enough to hold himself up in water, and is being closely watched by an older sibling.

The Panel considered that the parents of the child do not leave the room and are standing close enough to hear their child playing in the bath.

The Panel noted the Kidsafe NSW Inc, Water safety indoors webpage advises:
" - Always stay within an arm's reach of your child when he or she is in or near pools, spas, bathtubs, toilets or buckets.
- Never leave your child unattended in the bath or around any other body of water, even if he or she knows how to swim.
- Never leave your child alone or in the care of older children during bath time."
(<http://www.kidsafensw.org/water-safety/water-safety-indoors/>)

The Panel noted that an older child is watching the younger boy, however considered that the parents are still within arm's reach and able to hear both children. The Panel



considered that briefly turning your back on a child is not leaving them alone or unattended, and considered the parents were still supervising the child in the bath.

The Panel considered that whilst the parents do briefly turn their back on the child, in the Panel's view most members of the community would consider that this scene does not promote or condone unsafe behaviour.

The Panel considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety regarding bath safety. The Panel determined that the advertisement did not breach Section 2.6 of the Code.

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

