



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0253/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Salvation Army</b>
<b>3</b>	<b>Product</b>	<b>Professional services</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Mail</b>
<b>5</b>	<b>Date of Determination</b>	<b>27/06/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

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

### DESCRIPTION OF THE ADVERTISEMENT

The advertisement under complaint is a brochure inserted into various publications across Victoria/WA/TAS/SA/NT. The brochure tells the story of "Melinda and Lucy" who came to The Salvation Army for care and comfort. The brochure has an image of "Melinda and Lucy" on the front and back sitting on jumping hoppers in the garden. It is representative of the 1970's.

### THE COMPLAINT

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

*I am concerned that this image however innocent the intentions were it would be provocative to some sections of our society.*

### THE ADVERTISER'S RESPONSE

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

*The photo shoot was conducted under strict guidelines, with full consent and agreement of parents who were in attendance for the activity. We undertake on every occasion to look after the welfare of any person used for our media and have the deepest concern for their well being. This includes the following measures:-*

- *Police checks are carried out for anyone working on set*
- *Child safety legislation was complied with including Working with Children*
- *Parents were on set at all times*
- *A nurse was present on set at all times*
- *At no stage were the children harmed or threatened during the shoot*
- *Parents of the children involved were given the opportunity to review all materials produced and express any concerns, we did not receive any complaints or concerns from anyone involved.*

*The Salvation Army is concerned that anything other than this would be read into this photo. That a depiction of innocent children is turned into something seen to be provocative is of concern.*

*The brochure is not a standalone piece. It is a follow on to a TV campaign with children playing under a sprinkler on a hot summer's day depicting a typical 1970's setting. In all innocence the photo of the girls on the jumping hoppers, was just that, a photo of two girls whose story tells of them being potentially torn apart from difficult circumstances experienced within the family.*

## **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 complainant’s concern that the advertisement features images of young girls in inappropriate poses.

The Board reviewed 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 that the images are featured in a brochure inserted into various publications nationwide. The Board noted the images depict two girls sitting on jumping hoppers in a backyard surrounding with text to draw attention to the Red Shield Appeal by the Salvation Army.

The Board noted that the image of young children sitting on a jumping hopper, is something that is familiar and relevant to families, and that many young children either have a similar toy at home or have played with one at friends or family homes or other care facilities.

The Board noted the complainant’s concern that the images could be provocative to some sections of society. The Board considered that there are no boys or men depicted in the

advertisement, that the girl are appropriately dressed and that in its view there is no sexual connotation associated with this image.

The Board considered that the complainant's interpretation of the advertisement is unlikely to be one which is shared by the majority of the community and determined that the advertisement was not sexualised and did not breach section 2.4 of the Code.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach Section 2.4 of the Code.

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