



Case Report

1	Case Number	0353/16
2	Advertiser	National Australia Bank Ltd
3	Product	Finance/Investment
4	Type of Advertisement / media	Poster
5	Date of Determination	24/08/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement, placed inside NAB branches, depicts a toddler having a bath. The image shows only the toddler's face and neckline and lots of bubbles. The NAB logo is in the top right corner along with the text, "more than money" and underneath the toddler's head it reads, "This is a home loan".

THE COMPLAINT

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

The bank is advertising loans. Nothing is gained by having a picture of a small child sitting, naked, in a bath - it is irrelevant and unnecessary. I think it is inappropriate - the child could have been photographed doing any activity, fully clothed. That child is someone's daughter and her picture is on posters inside the bank and is being plastered across the internet - any person could easily obtain a copy of it.

THE ADVERTISER'S RESPONSE

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

We are sorry to hear that a recent NAB advertisement has caused concern for a member of the community. It is never our intention to cause any discomfort or distress with any of our advertisements.

The image of the toddler in the bath is part of a new advertising campaign showing that NAB recognizes the priceless moments that matter most in life. We recognize that while money is an important enabler for customers and their families, we understand it's not the most important thing.

The image is part of series of images used for an advertising campaign that also includes a musician playing music, a woman sewing, a man fishing and a woman playing with her dog. By showing meaningful moments in customer's lives we encourage them to ask themselves: 'what really matters to me?'

We believe it is through this understanding that NAB can support customers in whatever they choose to do.

NAB takes the AANA Code of Ethics very seriously. In addition to engaging with Clemenger BBDO to ensure the advertisement complied with advertising standards, numerous representatives from NAB (including legal and risk team members) considered the advertisement before proceeding and publishing.

We worked closely with our agency to ensure the child was represented in a dignified and respectful manner. The image shows only the toddler's face and neckline.

We followed the Mandatory Code of Practice for the Employment of Children in the Entertainment Industry including the following:

- In accordance with child welfare guidelines, we had a police checked person, responsible for the child's welfare, on set the whole time.*
- The child's parents were fully informed on the concept before the shoot. They completed a child welfare form and consented to the image being used.*
- The child's parents were also directly supervising the shoot and were in the room when the photo was taken.*
- The child's parents fully support the use of the image.*

We do not believe that the image represents a sexualisation of the child. It is a picture of a toddler sitting in a bath full of bubbles, reminding us of one of the joys of parenthood - and connecting with a parent's understanding that life is very much about more than money.

We have reviewed more than 2,500 comments regarding this campaign, via social media and into our call centre and can find only two complaints in relation to this image. We believe this supports our view that we have not breached any community standard as to acceptable advertising, or the sexualisation of children.

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 concerns that the advertisement features an image of a naked young child in a bath which is unnecessary and inappropriate.

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

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 this poster advertisement features an image of a toddler in bubble bath and is displayed inside NAB branches.

The Board noted the advertiser's response that the image is part of a series of 'meaningful moments' used in their new advertising campaign and that this particular image only shows the toddler's face and shoulders and her parents consented to the use of the image.

The Board noted the complainant's concern that the image used in the advertisement is unnecessary and considered that advertisers are free to use whomever they wish, in any manner they wish, in their advertising provided the provisions of the Code are not breached.

The Board noted the complainant's concern that the advertisement uses an image of a naked young child which is inappropriate.

The Board acknowledged that the issue of sexualisation of children is serious and of significant community concern, however the Board noted that in this advertisement, while the facial expression of the child is very solemn, the manner in which the child is depicted is not sexualised, she is covered in bubbles and is in a bubble bath, and the level of nudity is not explicit or inappropriate.

Overall the Board considered that the complainant's interpretation of the advertisement is an interpretation unlikely to be shared by the broader community.

Consistent with its recent determination for the use of the advertisement on a billboard in case 0352/16, the Board considered that the advertisement 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 complaint.

