



**ADVERTISING
STANDARDS
BUREAU**

Level 2, 97 Northbourne Avenue, Turner ACT 2612
Ph (02) 6173 1500 | Fax (02) 6262 9833
www.adstandards.com.au
ACN 084 452 666

Case Report

1	Case Number	0425/13
2	Advertiser	Warner Village Theme Parks
3	Product	Tourist Attractions
4	Type of Advertisement / media	Internet
5	Date of Determination	11/12/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The Advertisement features two smiling girls in swimsuits sliding on mats going down a water slide. The promotional wording is in respect of the cost of buying a Season Pass to the new Wet n Wild water park in Sydney.

THE COMPLAINT

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

I find this advertisement offensive because I feel that it makes the two young girls in the ad unnecessarily sexualised. It's an ad for a water park and I can think of about a hundred images of water parks that would be more appropriate and representative than two young girls who look about 13 coming down a water slide on their stomachs giving the viewer gratuitous cleavage shots. This is wrong in so many ways, why not show a bunch of kids or families, or even teenage girls on slides from an angle other than straight down the top. These two girls are clearly underage and I think that to show them in thus position in this ad is disgusting and the advertiser should be pulled up on it.

THE ADVERTISER'S RESPONSE

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

Kindly note that the actual advertiser of the internet advertisement promoting Wet'n'Wild Sydney ("the Park") as featured on 19 November 2013 at 9 p.m. on the side bar of the smh.com homepage ("the Advertisement") is the below company Wet'n'Wild Sydney Pty Ltd and not "Warner Village Theme Parks" as referenced in your communication.

In response we comment as follows:-

PRODUCTION OF ADVERTISEMENT

The Advertisement was produced by our in-house art studio and involved the two (2) females [talent aged 15 & 17 years] being photographed in the studio lying on blue foam mats. This image was then edited or combined with background image of the water slide and additional water to create an artist impression of the ride in use as at the time of the Advertisement's production the construction of the water slide [called "H2Go Racers"] at the Park had not been completed. The water you can see was actually composited by our art studio in front of the blonde talent to cover her cleavage so as not to cause any offense to the viewing public. The Advertisement has been placed in various media [outdoor, press, transit and digital advertising] and used extensively since 6 October last. We envisage that once construction of the H2Go Racer slide is completed and operating [the Park opens to the public on 12 December next] we will have the ability to photograph real assets in the Park and the image in question will be phased out.

With respect to the Complainant, taking into consideration the applicable Codes of the Australian Association of National Advertisers, we reasonably believe that:-

- A. the Advertisement does not employ sexual appeal in a manner which is exploitive or degrading of young women/girls nor are the images improper in the circumstances but rather portrays the talent in a dignified and respectful manner;*
- B. the relevant audience looking at buying a Season Pass to the Park [i.e. young children, adults and families] would not reasonably regard the content of the Advertisement when viewed as a whole as promoting sexual images of young girls as complained of, rather the audience would see it as two female riders on a water slide getting wet and having a fun time;*
- C. (in so far as the Advertisement may be one targeted to children) the Advertisement does not include sexual imagery or implies that children are sexual beings or that enjoyment of a product (i.e. a water park's slides) will enhance their sexuality; and*
- D. that the Advertisement is not against nor infringes prevailing community standards.*

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 young girls in a sexualised image.

The Board viewed 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 advertisement features two girls coming down a waterslide on their stomachs. The Board noted the complainant's concerns that the image offers gratuitous cleavage shots as a result of the bikinis the girls are wearing.

The Board noted that the advertisement featured on the side bar of the Sydney Morning Herald website and that it is promoting a season pass to the newly opened Wet 'n' Wild water park in Sydney. The Board noted that the girls in the advertisement are young and considered that this was not of itself inappropriate as water parks would be of appeal to all ages, specifically children of similar ages to the girls. The Board considered that the image was relevant to the product being advertised.

The Board noted that the girls are wearing bikinis and considered that this is consistent with the apparel worn by girls when at a water park. The Board noted that the girls are pictured looking happy and confident and considered that the way they are positioned on the slide is consistent with normal use of a water slide. The Board noted it had previously dismissed a complaint about young girls in bikinis in case 0003/12. In that instance the Board noted the advertisement included an image of a girl wearing swimwear and reclining in the back of the vehicle, and noted that “there are no boys or men depicted in the advertisement, that the girl is appropriately dressed in swimwear and is lying in a position that is not sexually suggestive.”

In this instance the Board noted that there are also no males in the advertisement and considered that the girls are wearing appropriate swim wear and are not presented in a manner which is sexual, sexualised or inappropriate.

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 other grounds, the Board dismissed the complaints.