



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0497/11</b>
<b>2</b>	<b>Advertiser</b>	<b>Queensland Theatre Company</b>
<b>3</b>	<b>Product</b>	<b>Entertainment</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Print</b>
<b>5</b>	<b>Date of Determination</b>	<b>18/01/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Upheld - Modified or Discontinued</b>

### ISSUES RAISED

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

### DESCRIPTION OF THE ADVERTISEMENT

A couple are lying down on their sides. The lower half of their bodies is covered in a silky fabric. The female is looking directly at the camera and has a light coloured gown on. The male, shirtless, has his arm wrapped around the female.

The text reads, "Queensland Theatre Company. Ignite your love of theatre. Buy a flexible season ticket and save up to 30%. [theatre2012.com.au](http://theatre2012.com.au)."

### THE COMPLAINT

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

*It actually made me feel ill. It needs to be referred to the appropriate department. The photo is suggestive of paedophilia. I found it shocking.*

### THE ADVERTISER'S RESPONSE

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

- *A Shakespearean classic, Romeo and Juliet is the cornerstone production for Queensland Theatre Company (QTC) in 2012.*
- *An ideal and very relevant play, this production was selected to represent the QTC Season 2012 campaign offer in communications.*
- *The specific image was created to dramatically capture the core essence of the story of play itself - a story of doomed young love and forbidden passion*
- *The couple appearing in the photo are the professional actors who have been cast to star in Queensland Theatre Company's forthcoming season of Romeo and Juliet*
- *Melanie Zanetti, the female actor is 26 years old and Thomas Larkin, the male actor, is 26 years old*
- *Melanie Zanetti was not styled or retouched in any way to look deliberately younger - the selected shot was chosen due to the powerful intensity of her direct and rebellious gaze into the camera*
- *QTC's imagery is true and authentic to the time in which it is set and, indeed to the playwright. Juliet's age in the play is that of a young woman, presumed to be no more than 16 years old*
- *It's important to note that the original play is currently studied in full detail by teenagers ranging from 14 to 17 years throughout Australian secondary schools, with no censorship enforced in terms of Juliet's intended age of key story themes.*
- *The advertisement featuring this image appeared in The Weekend Australian Magazine Saturday 3 December. The readership profile of this publication is as follows - 93% of readers above 25 Years of age with 50% are above 50 years of age.*

## **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 complainants' concerns that the advertisement is suggestive of paedophilia.

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 and, where appropriate, the relevant programme time zone".

The Board noted that the advertisement is an image of a young woman and young man lying in a manner which is suggestive of them being in bed.

The Board considered that the advertisement is suggestive of a couple in a bed naked and, in the Board's view, also suggests that the couple have been engaged in sexual activity.

The Board noted the advertiser's response that one of the performances put on by the theatre company is Romeo and Juliet and that the actors depicted in the advertisement are both 26 years old.

The Board considered that there is no reference in the advertisement to Romeo and Juliet as being one of the plays performed and that it was not obvious that the image was a reference to Romeo and Juliet.

The Board considered that the woman, regardless of her actual age, appears in the advertisement to be very young – at most a young teenager. In the Board's view the woman would be considered by the audience as being a young teenage girl.

The Board noted that the advertisement was placed in The Weekend Australian Magazine which has a predominantly adult audience.

The Board noted the Practice Note to the Code which states in part 'Advertisements with appeal to younger people which contain sexualised images or poses are to be used with caution. Models which appear to be young should not be used in sexualised poses.'

The Board considered that the advertisement uses a model who appears to be very young in a manner which is suggestive of sexual activity with a man and that there is not an obvious link to a play about young love. The Board considered that the use of a young looking woman who appears in the advertisement as a young teenager is inappropriate in a highly sexualised image regardless of the audience to which the advertisement was directed. The Board determined that the advertisement did not treat sex, sexuality and nudity with sensitivity to the relevant audience.

Finding that the advertisement breached section 2.4 of the Code the Board upheld the complaint.

## **ADVERTISER RESPONSE TO DETERMINATION**

Queensland Theatre Company has discontinued use of this image in print media.