



## Attachment D - Case Report

1	Case Number	0187/10
2	Advertiser	Betts Group
3	Product	Other
4	Type of Advertisement / media	Print
5	Date of Determination	12/05/2010
6	DETERMINATION	Dismissed

### ISSUES RAISED

2.3 - Sex/sexuality/nudity      Treat with sensitivity - Sexualization of Children

### DESCRIPTION OF THE ADVERTISEMENT

This 12 page print advertisement is the Betts Kids Autumn Winter 10 catalogue. The catalogue features a number of images of young boys and girls modelling the advertised products – a range of footwear and handbags. There children are depicted, either seated or standing, in a variety of poses in a forest with mist in the background.

### THE COMPLAINT

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

*The sexualisation of children from an early age is a topic both here and in the UK. A recent finding in the UK against a bikini for children reminded me of this Betts and Betts add. hence this email.*

*Both poses for the "shoes" are I feel against the standards that protect and project children as sexual objects.*

### THE ADVERTISER'S RESPONSE

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

*In the two and half years as National Marketing Manager for the Betts Group, specifically the Betts and the Betts Kids brands, we as a company, have been acutely aware of the need to ensure that we portray our brands in a positive manner. The recent Autumn Winter 2010 Betts Kids catalogue, to which the complaint is being made, is no different.*

*As a children's footwear retailer, Betts Kids have always been very sensitive to the portrayal of children in catalogue and in-store Point-Of-Sale (POS) executions.*

*As was with this recent catalogue, we cast professional young models to model the footwear. All regulations for working with children were complied with – they were booked for no longer than four hours, given a break every hour, a parent was present at all times, separate change areas were provided and they were supplied with healthy food and drink options.*

*The children were placed into a "Winter Wonderland" environment and asked to be inquisitive and bewildered by the surrounds. At no stage do we ask the models to pose in a particular manner. It is something we allow the children to naturally undertake on their own accord. We provide them the surround and ask them to interact with those surrounds or the other children in the shot. The poses of infant girl and boy on the last spread of the catalogue are natural. The infant girl found it difficult to stand straight, and was leaning in as it was a comfortable and natural stance for her. This is not suggestive of a provocative pose. The front cover shot where the junior girl (centre) has her hand on her hip, is most likely the result of a modelling course but is also a common pose for young children to stand with hand on hip and swivel their foot. It is not a sexual pose.*

*At all times, we also ask the parents of the children to be on-set and comfortable with the photography set-up and the results. We do not believe that the poses of the young children are those normally made by models 18 years of age and older.*

*We also take the comment of the sexualisation of children very seriously. At no stage do we set out to sexualise the models used to promote the Betts Kids brand. We cater for children from a pre-walker age (6 months) and upwards to teenagers (13 to 15 years of age), so we are very mindful of the need to be respectful of the children and the parents that the catalogues are aimed at.*

*It is important to note that we go to extreme lengths to ensure that we dress the children appropriately in clothing that is designed and made for their own age. At no stage do we dress these children in clothes that are designed for adults – all children's clothes are purchased from speciality children's boutiques as well as large department stores such as David Jones, MYER and Cotton On Kids. The clothing, although fashionable, is modest, loose fitting and covers the girls well.*

*Another point that we are most passionate about is the use of makeup. We are always very particular that minimal (if any) makeup is used on the children apart from some lip gloss. The only model we used some light foundation and colour on is our Senior Girl model that appeals to our tween market.*

## **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 depicted young models in sexualised poses.

The Board viewed the advertisement and noted the advertiser's response that the children posed themselves and that the pose depicted by the young models is most likely the result of a modeling course and not a sexually provocative pose.

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 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 the images in the catalogue of young boys and girls wearing the advertised product were reminiscent of the Victorian era. The Board also noted the boys and girls were depicted in model style poses, including 'a hand on a hip' or 'looking over a shoulder', in an age appropriate manner. The Board considered the images appropriate for professional young models and not sexually suggestive or sexualised. The Board determined that the images in the catalogue were not sexualised and that the advertisement did not breach section 2.3 of the Code.

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