



**Submission to the
Health and Community Services Committee on
Sexually Explicit Outdoor Advertising**

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ACL Queensland Office

PO Box 6347

Mitchelton QLD 4053

Telephone: 0411 431 141

Email: wendy.francis@acl.org.au

Website: www.acl.org.au

ABN 40 075 120 517

Introduction

The Australian Christian Lobby (ACL) welcomes this opportunity to make a submission into the inquiry into sexually explicit outdoor advertising and the sexualisation of children. This submission will address ACL's concerns about the sexualisation of children in general, and then focus on the particular issue of sexually explicit advertising displayed publicly on billboards and by other outdoor media.

An appendix is added at the end containing eight examples of outdoor advertising which offends community standards.

ACL has lobbied for many years for tighter regulation of outdoor advertising, making a number of submissions to federal inquiries on the issue of outdoor advertising. Most recently, ACL made two submissions to the Australian Law Reform Commission's National Classification Scheme Review,¹ each of which addressed sexualisation of children and outdoor advertising. In February 2011, ACL made a submission to the federal inquiry into the regulation of billboard and outdoor advertising,² and in 2008 ACL made a submission to a federal inquiry into the sexualisation of children in the media.³

This submission reiterates the main concerns presented in those submissions.

Outdoor Advertising: Public, Unavoidable, Harmful

Lauren Rosewarne says in her 2007 book *Sex in Public*, cited in the Standing Committee's 2011 report *Reclaiming Public Space*:

*Unlike the 'private' world of magazine and television advertising, outdoor advertising pervades public space, thus making regulation of the medium a pertinent public policy concern. The inescapable nature of outdoor advertising, compounded with the increasingly sexualised display of women within it, demands that a public policy response occurs.*⁴

Later, the Committee concluded regarding children:

*a consistent concern through the inquiry was that children are exposed to inappropriate outdoor advertising that is not aimed at them but nonetheless visible to them and capable of having a negative impact on their physical or psychological well-being.*⁵

Outdoor advertising is, by its nature, public and unavoidable. It is consumed by the general population, including children, and parents have no option to remove it from their children's view.

¹ Australian Christian Lobby (November 2011), *Submission to the Australian Law Reform Commission: National Classification Scheme Review*, pp 8-9: <http://www.acl.org.au/2011/11/acls-submission-on-the-national-classification-scheme/>. See also Australian Christian Lobby (July 2011), *Submission to the Australian Law Reform Commission: National Classification Scheme Review*, p 11: <http://www.acl.org.au/2011/07/acl-submission-to-the-alrc-review-of-the-national-classification-scheme/>.

² Australian Christian Lobby (February 2011), *Submission to the House of Representatives Standing Committee on Social Policy and Legal Affairs: Inquiry into the regulation of billboard and outdoor advertising*, <http://www.acl.org.au/2011/02/acls-submission-on-outdoor-advertising/>.

³ Australian Christian Lobby (April 2008), *Submission to the Senate Standing Committee on Environment, Communications and the Arts: Inquiry into the Sexualisation of Children in the Contemporary Media Environment*, <http://www.acl.org.au/2008/04/acl-submission-to-senate-inquiry-into-sexualisation-of-children/>.

⁴ Lauren Rosewarne (2007), *Sex in Public: Women, outdoor advertising and public policy*, Cambridge Scholars: Newcastle, p 137, as cited House of Representatives Standing Committee on Social Policy and Legal Affairs (July 2011), *Reclaiming Public Space: Inquiry into the regulation of billboard and outdoor advertising*, p 1.

⁵ Standing Committee, *Reclaiming Public Space*, p 87-88.

Unlike other forms of advertising, billboards and buses cannot be switched off, the channels changed, or the page turned. Young children driving with their parents, waiting at bus stops, or on school buses will be confronted with graphic sexual images which would not be permitted during the television programmes they watch.

Many of the advertisements in question would be deemed sexual harassment in a workplace context. The Australian Human Rights Commission (AHRC) defines sexual harassment as including “displaying posters, magazines or screen savers of a sexual nature”.⁶

Because outdoor advertising is necessarily for general consumption, it is appropriate that all outdoor advertising content conform to an equivalent of a G rating for TV. To allow otherwise is inconsistent and illogical.

In *Reclaiming Public Space*, the Standing Committee said “in addition to being unavoidable, there is no control over the prevalence of outdoor advertising”, and noted the issue of “not just inappropriate but also cumulative exposure to advertising”.⁷ Thus, because outdoor advertising is static and stays in place for extended periods in public, not only can people not avoid it, they are exposed to it frequently. This unavoidable, frequent, cumulative exposure that saturates children in an environment of overtly sexualised imagery which they are not mature enough to understand and which they cannot avoid.

Sexualisation of Children

ACL believes that the sexualisation of children is one of the most serious cultural challenges faced in the West today. “Sexualisation” was defined by Rush and La Nauze as, broadly, the “act of giving someone or something a sexual character”.⁸ They present a more focused application of the term “sexualisation of children” as that which “captures the slowly developing sexuality of children and moulds it into stereotypical forms of adult sexuality”.⁹ In other words, children are being presented an image modelled on adult sexual behaviour before they are developmentally ready for it.

The American Psychological Association (APA) defines sexualisation as occurring when:

- a person’s value comes only from his or her sexual appeal or behaviour, to the exclusion of other characteristics;
- a person is held to a standard that equates physical attractiveness (narrowly defined) with being sexy;
- a person is sexually objectified – that is, made into a thing for others’ sexual use, rather than seen as a person with the capacity for independent action and decision making; and/or
- sexuality is inappropriately imposed upon a person.¹⁰

All these points are significant problems in media today, including in advertising and in outdoor advertising visible to children. The APA states that only one of these conditions needs to be present to indicate sexualisation. Perhaps the most immediately relevant to this inquiry is the fourth point: with some billboards, sexuality is inappropriately *imposed* upon anyone who happens to drive or

⁶ Australian Human Rights Commission, *Sexual Harassment*, <http://www.humanrights.gov.au/our-work/sex-discrimination/guides/sexual-harassment>, accessed on June 20, 2013. See also *Sexual Harassment – Code of Practice for Employers* (2004), chapter 1 – ‘What Is Sexual Harassment?’: <http://www.humanrights.gov.au/publications/sexual-harassment-code-practice-employers-2004>.

⁷ Standing Committee, *Reclaiming Public Space*, p 19.

⁸ Emma Rush and Andrea La Nauze (October 2006), *Corporate Paedophilia: Sexualisation of children in Australia*, The Australia Institute, p 1.

⁹ Rush and La Nauze (October 2006), *Corporate Paedophilia*, p 1.

¹⁰ American Psychological Association (2010), *Report of the APA Task Force on the Sexualization of Girls*, <http://www.apa.org/pi/women/programs/girls/report-full.pdf>, p 1.

walk past, and there is nothing they can do to avoid it. It is by no means the only relevant point, however. As some of the examples listed below demonstrate, the sexual objectification of people, especially women, and the equation of attraction and value with sexual appeal or “being sexy” is prevalent in outdoor advertising.

Rush and La Nauze call the problem of sexualisation of children a modern development and argue that it has the potential to harm children in a variety of ways.¹¹ The Australian Medical Association (AMA) has warned about the hazards of “idealised images” and their impact on self-esteem, body image, and eating disorders.¹²

Similarly, the APA Task Force summarised the evidence they examined, stating:

*there is evidence that girls exposed to sexualizing and objectifying media are more likely to experience body dissatisfaction, depression, and lower self-esteem... Self-objectification has been shown to diminish cognitive ability and to cause shame. This cognitive diminishment, as well as the belief that physical appearance rather than academic or extracurricular achievement is the best path to power and acceptance, may influence girls' achievement levels later in life.*¹³

The APA report discusses evidence of the prevalence of sexualisation in media aimed at girls, including movies, television including cartoons, dolls such as Bratz dolls and other products including clothing and cosmetics, music videos and lyrics, magazines, video games, sport coverage, and of course the internet.¹⁴ Much space was given to demonstrating the prevalence of sexualisation in advertising,¹⁵ arguing that:

*young women and adult women are frequently, consistently, and increasingly presented in sexualized ways in advertising, creating an environment in which being female becomes nearly synonymous with being a sexual object.*¹⁶

Even more shockingly, the APA Task Force argues that

*although advertisers are typically careful not to sexualize young girls directly, several advertising techniques do so indirectly.*¹⁷

These indirect techniques include depicting children, especially girls, as counterparts to sexualised adult women; blurring the distinction between women and girls both with young girls being “adultified” and women “youthified”; and employing youthful celebrities in highly sexualised ways.¹⁸

It is for this reason that Rush and La Nauze argue that:

*the sexualisation of children also risks normalising and possibly encouraging paedophilic sexual desire for children.*¹⁹

This is relevant to advertising in general, and to media more broadly, but ACL submits it is also directly relevant to outdoor advertising. Although, tragically, many children are being exposed to sexualised imagery at younger and younger ages through more and more forms of media, this is still mostly within the abilities of a vigilant parent to control. With such sexualisation becoming increasingly prevalent in outdoor areas frequented by families and children, it is increasingly difficult

¹¹ Rush and La Nauze (October 2006), *Corporate Paedophilia*, p 2.

¹² Australian Medical Association (2002, revised 2009), Position Statement – Body Image and Health.

¹³ APA (2010), *Report of the APA Task Force*, p 34.

¹⁴ APA (2010), *Report of the APA Task Force*, pp 4-14

¹⁵ APA (2010), *Report of the APA Task Force*, pp 10-12

¹⁶ APA (2010), *Report of the APA Task Force*, pp 11-12

¹⁷ APA (2010), *Report of the APA Task Force*, p 12

¹⁸ APA (2010), *Report of the APA Task Force*, p 12

¹⁹ Rush and La Nauze (October 2006), *Corporate Paedophilia*, p 2.

for even the wariest parent to find a safe place where their children will not be confronted by harmful messages.

Outdoor Advertising and Advertising Codes

In its report *Review of the National Classification Scheme*, the Legal and Constitutional Affairs References Committee called outdoor advertising “a special case... by virtue of [its] public nature”. It also noted the “contribution of outdoor advertising to the sexualisation of children and objectification of women.”²⁰

The current system of self-regulation of outdoor advertising is, at best, inconsistent, and at worst inadequate in its application. The Outside Media Association (OMA) developed a code of ethics which includes a commitment to only endorse the display of advertising that adheres to both the Australian Association of National Advertisers (AANA) Code of Ethics and the AANA Code for Advertising and Marketing Communications to Children.²¹

The AANA Code of Ethics says that “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone”.²² The Code for Advertising and Marketing Communications to Children says that:

- *Advertising or Marketing Communications to Children... must not include sexual imagery in contravention of Prevailing Community Standards.*²³
- *Advertising or Marketing Communications to Children... must not undermine the authority, responsibility or judgment of parents or carers.*²⁴

These guidelines are breached by sexually explicit outdoor advertising. The public nature of outdoor advertising means that the “relevant audience” includes most people in society, including children. ACL submits that sex, sexuality, and nudity is not treated sensitively in outdoor advertisements. As shown below, many billboards use overtly sexualised images to attract attention and to gain brand exposure.

There may be no “time zone” in the sense of a television time zone but the advertising is on display all day. Just as only G rated material is allowed on television, for example, between 4 and 7pm, it would be equally appropriate to require a G rating for all outdoor advertising.

“Prevailing community standards” are also being ignored. Such standards would hold that such sexualised images are inappropriate for children. They would also hold that advertisements for prostitution services and for erectile dysfunction are likewise inappropriate for children.

Research by the Advertising Standards Bureau (ASB) from 2012 shows that the public is more conservative than the Advertising Standards Board with regards to sex, sexuality and nudity.²⁵ This

²⁰ Legal and Constitutional Affairs References Committee (June 2011), *Review of the National Classification Scheme: achieving the right balance*, http://www.aph.gov.au/Senate/committee/legcon_ctte/classification_board/report/report.pdf, Executive Summary

²¹ Outdoor Media Association, *Outdoor Media Association’s Code of Ethics*, http://oma.org.au/data/assets/pdf_file/0019/2458/OMA_Code_of_Ethics_May_2012.pdf, p 2.

²² Australian Association of National Advertisers (1 January 2012), *Code of Ethics*, http://www.aana.com.au/data/Documents/Codes/AANACodeofEthics_1Jan2012.pdf, p 2.

²³ Australian Association of National Advertisers, *Code of Advertising & Marketing Communications to Children*, <http://www.aana.com.au/data/Codes/Code-Childrenv4.pdf>, p 2.

²⁴ AANA, *Code of Advertising & Marketing Communications to Children*, p 2.

²⁵ Advertising Standards Bureau (2012), Fact Sheet: Community perceptions research 2012 – Overview, <http://www.adstandards.com.au/storage/2899879fe516062936d15b2eacdc700a.Research%202012%20-%20overview.pdf>.

confirmed earlier research in 2007 and 2010 indicating community concern about sexualised images in view of children. In 2010, the ASB also found that seven of the year's ten most complained about advertisements related to sex, sexuality and nudity, and four of these seven were billboards,²⁶ while in 2009, this issue accounted for a quarter of all complaints about advertisements.²⁷

Despite this, complaints are often ignored. Of the four billboard ads in 2010 mentioned, only two complaints were upheld (one TV ad complaint was also upheld).

The failure of the self-regulation system is shown most recently with the case of a billboard advertisement for the Honey B's Strip Club in Brisbane. The billboard was originally displayed near the Brisbane Grammar School, a boys school, and complaints were ignored by the ASB. After a petition commenced by two teachers at the school, the OMA "mediated" and the billboard was removed. It has reappeared since then, eight kilometres away from its original site. Although it is no longer next to a boys high school, it is in a family neighbourhood and near the Enoggera Army Barracks, a poorly timed move given the army's recent sex scandals.

The failure of the system is shown by the responses from the OMA and the ASB. The ASB dismissed complaints and the billboard remained where it was until the OMA stepped in and the billboard was removed. After it was placed at the new site in Enoggera, more complaints have been made and the ASB has failed to respond. OMA has responded and claimed that they support all decisions made by the ASB Board and that it is not in OMA's power to do anything.

This is inconsistent advice, and it shows that self-regulation is ineffective.

²⁶ Advertising Standards Bureau (14 December, 2010), Media Release: Most complained about ads for 2010.

²⁷ Advertising Standards Bureau (November, 2009), AdStandards News, Edition Eleven, p 4, http://www.adstandards.com.au/storage/5d0e372a3a8f55cecaae349e53be699e.AdStandardsNewsletter_1109_final.pdf.

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Conclusion and Recommendations

Overtly sexualised imagery should not be tolerated in public spaces in the name of free speech or of advertising. Sexualisation is harmful to children in a number of ways. Furthermore, it devalues and objectifies women. A society which values children and women should not tolerate such sexualisation in advertising. When this advertising is prevalent outdoors, in full view of the public, steps need to be taken to regulate it and ensure such harmful messages are not displayed.

Because the self-regulation system has been so ineffective in regulating outdoor advertising, especially with regards to sex, sexuality and nudity, ACL submits that outdoor advertising should be regulated under a similar classification scheme as commercial television regulations, with all outdoor advertising content to be limited to an equivalent of a G rating. Regulations should be enforced, with the disincentive of heavy penalties for advertisers who fail to comply. These disincentives should outweigh the gains from brand awareness raised by the controversy and media attention that offensive advertisements often create.

The Australian Christian Lobby recommends that the Queensland Government legislate to regulate outdoor advertising using similar guidelines as those applying to commercial television. All outdoor advertising should be G rated. Significant penalties should be introduced for billboard companies and advertisers who fail to comply with these regulations. These penalties should be significant enough to act as a deterrent against breaching the guidelines, and there should be increasing penalties for repeat offenders.

Thank you for consideration of our submission

Yours sincerely



Wendy Francis

Queensland Director

Australian Christian Lobby

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Appendix – Examples of Offensive Billboards

These are some recent examples of billboards and bus shelter advertisements which are not appropriate for general consumption:



Example 1 is an Ansell condom ad displayed at bus shelters in Brisbane in March 2013. The ad shows a naked couple embracing with clothing spray-painted on.

This ad was found outside a Catholic primary school.

Example 1: Ansell bus shelter ad



Example 2 promoted a burlesque show, displayed in on Brisbane buses in June 2013.

Example 2: Burlesque show bus ad



Example 3: Foxtel billboard

Example 3 was removed and has stayed down after public outcry. The billboard was put up in Sydney in May 2013 to promote Foxtel's "Festival of WTF". Foxtel apologised, saying the billboard was "clearly in appalling taste and demonstrates a lapse of judgment by Studio and a failure in the approvals process at Foxtel".²⁸

Even though it was removed, this was not before it gained significant media attention, and thus the exposure Foxtel was seeking.



Example 4: Honey Bs adult club billboard

This is the Honey Bs strip club advertisement which appeared near the Brisbane Grammar School. It was taken down after public outcry, but has reappeared in Enoggera near the army barracks. See discussion above.

²⁸ Michael Lallo (May 1, 2013), "Appalling taste': Foxtel to remove bestiality billboard", *Sydney Morning Herald*, <http://www.smh.com.au/entertainment/tv-and-radio/appalling-taste-foxtel-to-remove-bestiality-billboard-20130501-2is89.html#ixzz2WhYXbeKF>.

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Example 5: Restaurant ad

Example 5 was an ad for restaurant Burger Urge with the caption “Get Intimate With Our New Premium Beef” and a woman licking a cow. It was found on flyers delivered to Brisbane letterboxes as well as on posters in February 2013.



This was a poster advertising the store Honey Birdette displayed in the Chermside shopping centre, a family shopping area, opposite K-Mart in 2012-2013. Honey Birdette have removed the advertising previously only to replace it repeatedly.

Example 6: Honey Birdette poster

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Example 7: JAG bus shelter ad

Example 7 was displayed in bus shelters in March 2013 outside a Catholic primary school. The ASB dismissed complaints.



Example 8: Factorie shop window

Example 8 was displayed in the window of fashion store Factorie, a clothing store for teenage girls, with the text "Girls: Getting layered this weekend?"