

Submission to the Health and Community Services Committee (Queensland Parliament) on the Inquiry into Sexually Explicit Outdoor Advertising



The Queensland Association for Healthy Communities (Healthy Communities) thanks the Health and Community Services Committee for the opportunity to make a submission to this inquiry.

Key points:

- HIV & sexual health advertising has long been accepted by the general public in Australia.
- Sexual health content is not the same as sexually explicit or sexualised content and is suitable for outdoor advertising.
- While children and young people should not be exposed to sexually explicit or sexualised content, it is important that they have an age-appropriate understanding of sex, relationships and sexual health and feel able to talk about these issues without shame.
- Advertising standards should be based on objective measures of appropriate content not moral objections to social issues (e.g. homosexuality).
- Healthy Communities believes the existing self-regulation of advertising (including outdoor advertising) and complaints process is effective.

About Healthy Communities

Healthy Communities is a community based health promotion charity and incorporated association working in Queensland to promote the health and wellbeing of the lesbian, gay, bisexual and transgender communities. Prior to 2006 we were known as the Queensland AIDS Council. For the past 28 years, Healthy Communities/Qld AIDS Council has educated the community about HIV and sexual health, including through the use of outdoor advertising.

Use of Outdoor Advertising for Public Health

Since the early days of HIV/AIDS in the 1980s, outdoor advertising has been a key medium for communicating messages about HIV, safe sex and sexual health. While public discussion of these issues is and for some continues to be confronting, the use of mass advertising has been a cornerstone of Australia's effective response to HIV compared to many other countries.

Outdoor advertising allows us to reach a mass market with important public health messages. People encountering messages in and around the places they live, work and play

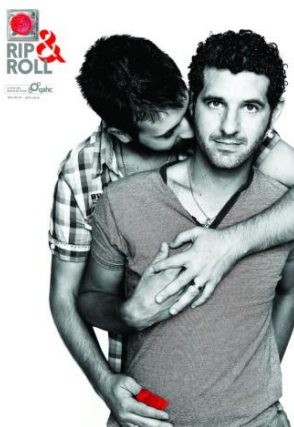
increases the impact of the message. While Healthy Communities targets much of its social marketing to media primarily consumed by gay men (e.g. gay newspapers, website and pubs/clubs), most gay men do not spend all, or even most of their time in gay settings. Outdoor advertising is an important means of reaching gay men wherever they are, especially those not strongly connected to the organised gay community and provides a backdrop to more detailed, targeted interventions.

Almost three decades of HIV/sexual health social marketing has demonstrated that these messages are accepted by the majority of the general public, including in outdoor settings.

Sexual Health v. Sexualisation

We believe a clear distinction should be made between advertising that has sexual health content and advertising that uses sexually explicit images and slogans or that sexualises people (especially young people). Outdoor advertising should continue to be able to have sexual health content, but not use sexually explicit images and slogans.

In the development of our 'Rip & Roll' campaign, we carefully selected images for use in outdoor advertising that did not show or imply sexual acts, did not depict nudity and did not use explicit slogans.



The slogans 'Rip & Roll' and 'A safe sex message from QAHC' in no way use explicit, rude or crude words. The picture of a condom in its packet is subtle. If children know what it is, then they are already aware of condoms. If they ask about it, it is an opportunity for parents to give an age-appropriate response. Children are much more likely to encounter and enquire about condoms in every supermarket, pharmacy and petrol station than they are on occasion in outdoor advertising.

Our 'Drama Down Under' campaign (a national campaign developed through our peak body the Australia Federation of AIDS Organisations and placed on billboards and bus shelters) also had sexual health content. While the image used is of a man in his underwear, he is not

presented in a sexually explicit manner. The image is no different to that commonly used in outdoor advertising to promote brands of underwear.



Children and Sexual Health

Sex is a reality of life and should not be something that is shrouded in secrecy and shame. From a young age children need to understand what is and isn't acceptable in public (e.g. nudity, playing with genitals). They also need to understand what is inappropriate touching and to report this to a trusted adult if it happens. Children and young people are exposed to the issue of sex and relationships through a variety of ways (e.g. pregnancy of a family member, sex or pregnancy of pets, theme in TV and magazines). Encountering outdoor advertising with a sexual health message will not be the only place children are exposed to these issues.

Children need a basic understanding of their bodies, of relationships between people and of childbirth. Age appropriate discussion of sex, relationships and sexuality is important to ensure that children and young people develop a healthy attitude to sexuality and are able to talk openly and honestly about it. Actions that send direct or indirect messages to children and young people that sex is dirty and something that should not be talked about has negative consequences as the child grows older, including ignorance or shame about one's body, lack of ability to talk openly and precisely about sexual function and difficulty negotiating relationships, sexual activity and sexual health.

Repeated research has shown that young people who receive sex & relationships education before they are sexually active, delay first sexual activity and when they do have sex are more likely to use condoms/contraception than young people who have not received sex & relationships education.^{1 2}

¹ Kirby D, *Emerging Answers 2007: Research Findings on Programs to Reduce Teen Pregnancy and Sexually Transmitted Diseases*, Washington, DC: National Campaign to Prevent Teen and Unplanned Pregnancy, 2007.

² Center for the Advancement of Health (2007, December 23). Sex Education Linked To Delayed Teen Intercourse, New Study Says. *ScienceDaily*.

We believe that children should not be exposed to sexually explicit images or slogans, or be represented in a way that sexualises them. However this does not mean that young people should be shielded from all discussion of sex, relationships and sexuality. As discussed in the previous section, the topic of sexual health is not in and of itself something that children should be protected from. However care must still be taken not to present sexual health advertising which uses explicit imagery or slogans.

Objective Content v. Subjective Morality

As much as possible any regulation of outdoor advertising needs to be based on objective standards of content which can be easily and consistently assessed. Clear definitions of 'sexually explicit' and 'sexualisation' are needed if their use is to be restricted in outdoor advertising.

Healthy Communities has used outdoor advertising on many occasions to promote sexual health messages.



We note that the only year in which complaints were received was in 2011 when a gay male couple was depicted. We take from this that the issue that complainants had with the advert was not its sexual health content (which is the same for all three versions of 'Rip&Roll'), nor explicit or sexualised content, but rather the depiction of homosexuality.

Homosexuality in and of itself is not 'sexually explicit' or 'sexualised' in nature. Therefore depiction of homosexuality should not be restricted in outdoor advertising. To say that a class of people, homosexuals, cannot be depicted in the public sphere would be completely unacceptable in a modern society. The same standard should be applied whatever the sexual orientation of the subjects depicted.

Any regulation of outdoor advertising must be based on objective standards of content, directly related to the issues of sexually explicit or sexualised content and not the moral objections of a minority to social issues (including homosexuality).

Existing Codes of Practice & Complaints Mechanism

In 2011 Healthy Communities responded to complaints made to the Advertising Standards Board regarding our 'Rip&Roll' outdoor advertising. We found this to be a satisfactory process.

We note the current Australian Association of National Advertisers Code of Ethics (January 2012), particularly section 2 '*Consumer Complaints*':

2.1 Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

2.2 Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.

2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

2.5 Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.

We find these to be satisfactory self-regulating rules for advertising (including outdoor advertising) dealing with sexual content, based on prevailing community standards (although we note that 'sexual preference' should be 'sexual orientation' as it is not a choice). We also note and support the accompanying 'Practice Note' which gives further interpretations (although transsexual/transgender is a form of gender, not sexual orientation (preference) and should be listed under gender – page 4). We also note and support the more detailed '*Code for Advertising & Marketing Communications to Children*'.

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