

SUBMISSION:
AANA CODE OF ETHICS REVIEW

AUSTRALIAN CHRISTIAN LOBBY

18 October 2019

AANA Code of Ethics Review Discussion Paper
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Dear Sir/Madam,

The Australian Christian Lobby welcomes this opportunity to make a submission to the AANA Code of Ethics Review Discussion paper.

Our submission is attached.

Please feel free to contact me should you require any further information or clarification. I would also appreciate discussing my submission with the review committee if possible.

Yours sincerely,



Wendy Francis
Director | QLD & NT

Introduction

The review of the AANA Code of Ethics is a regular process. The Australian Christian Lobby welcomes the opportunity to contribute to this review. We note that the AANA is a self-regulatory body of advertisers and that the ethical organisations are not the problem. Issues of legality are easily addressed but it is those advertisers who do not conform to standards of decency, honesty or truthfulness that are the problem. As the discussion paper outlines, the code is divided into two sections: Section 1 – Competitor Complaints and Section 2 – Consumer Complaints. The ACL is more directly concerned with Section 2 relating to consumer complaints.

It is our observation that despite regular reviews of the code of ethics, there are some types of advertising which continue to attract public outcry and which repeatedly breach public standards. Often these are the same industries who are repeat offenders, or which have not been responsive to public concern. Our concerns include, but are not confined to, the following:

- Exposure of children, and other vulnerable persons, to inappropriate advertising of products such as gambling and alcohol; sexually explicit promotions;
- Advertising at sporting events and during sport telecasting;
- Objectification, including sexual objectification, of (mostly) women;
- Breaching issues of public decency through advertisers using shock value to ostensibly 'educate the community' – it is not the role of advertising to change public standards but the role of AANA to work inside those parameters.

It is evident that self-regulation only works for those who already operate within ethical frameworks. Where there is evidence of continual breaching of standards, there is scope for stronger intervention. This has already occurred in the tobacco industry, where government intervened to ensure that the harmful aspects of the product were made known to consumers and they did so in often very graphic ways. In this submission, we will outline our concerns relating to the points listed above, with the request that these concerns be addressed in the revised Code of Ethics.

Children: gambling, sex and alcohol

One of the key concerns regarding advertising is the effect of inappropriate advertising on children. The advertising of alcohol and gambling at times and places accessible to children continues to be an area of concern. Studies show that advertising of alcohol at sporting events has real life consequences.¹ The Alcohol Advertising Review Board identifies that an average 15-year-old Australian child could be exposed to alcohol marketing through Facebook, YouTube, Instagram, billboards, on public transport, at the supermarket, on television, and in the cinema ... all in one day.²

Sporting events

It is impossible to attend a sporting event or watch one on television without exposing children to gambling. There are timing restrictions on when advertisements for gambling may be aired during a sporting event. In an age of internet, downloadable programming, delayed viewing, and associated technologies, time restrictions for advertising of gambling and alcohol are meaningless. In a country where sport is a favourite pastime it is also futile to suggest that children will not watch favourite sporting programs aired after a certain timeslot.

Advertising on buses and other public places

There are regular public campaigns in response to inappropriate advertising of products on public transport. As these buses travel across town at all hours of the day and night, there is no way of avoiding them being seen by children, or indeed having children travel on them, even if they are not scheduled as school buses.³

There has also been public concern over advertising of sex industry events such as ‘Sexpo’ on public buses and on billboards.⁴ Mothers of young children voiced their concern:

“I’m in touch with a bunch of other concerned mums who’ve seen similar ads on billboards right outside school gates. We have kids in primary school for goodness sake — we don’t want ads and links to watch ‘live sex’ forced on them!”⁵

Shopping malls are other areas where children are exposed to inappropriate advertising, as well as while travelling on the roads – not just with billboards, but also with the presence of ‘Wicked Campers’ whose shocking misogynist slogans placed many parents in awkward situations having to explain, often disgusting, slogans to their children.

¹ <https://www.sbs.com.au/news/alcohol-advertising-in-sports-fueling-drink-culture-according-to-study>

² <http://drinktank.org.au/2019/05/alcohol-advertising-is-impossible-to-escape-for-aussie-kids/>

³ <https://news.curtin.edu.au/media-releases/study-finds-alcohol-advertising-rules-may-fail-protect-australian-kids/>

⁴ <https://www.news.com.au/finance/business/media/brisbane-sexpo-ads-running-on-school-buses-billboards/news-story/a8a5b1520d387c7513d4f8b4071f34c9>

⁵ <https://www.news.com.au/finance/business/media/brisbane-sexpo-ads-running-on-school-buses-billboards/news-story/a8a5b1520d387c7513d4f8b4071f34c9>

Serial offenders – objectification and sexual exploitation of women

Companies such as Honey Birdette and Wicked Campers have been serial offenders in this area.

Honey Birdette has often marketed its lingerie products via provocative sexually explicit displays in its shop windows in suburban shopping malls. The company has had 20 of its advertisements banned for breaching advertising standards.⁶

Similarly Wicked Campers had been the subject of many campaigns against its misogynistic slogans⁷. These vehicles were effectively traveling billboards, registered in one state jurisdiction and traveling across others. It took ten years of public campaigning before state and federal transport ministers could agree on a strategy to ban vehicles with offensive slogans from Australian roads.

The role of advertisers and shaping public opinion.

It is not the role of advertising to change public standards. The mode of operation of the AANA Code of Ethics is to suggest that advertisements ought not breach concepts of public decency and that advertising should reflect community standards. This submission has already listed some clear breaches of this in the examples above. It has also pointed out that holding some of these advertisers to account is particularly challenging.

A recent advertisement for Libra sanitary products resulted in over 600 complaints about the depiction of menstrual blood in television advertisements.⁸ It seems that Libra has embarked on a campaign to 'normalise' menstrual blood. Is this the legitimate role of an advertiser?

Internet advertising

While algorithms target internet advertising to particular demographics, this is not always as accurate as advertisers may wish. Children are often exposed to age-inappropriate via the internet. Age verification ought to be mandated before anyone is targeted with advertising material regarding alcohol, gambling or sexually suggestive or explicit material on the internet to protect children from inappropriate advertising.

⁶ <https://mumbrella.com.au/honey-birdette-has-20th-ad-banned-by-ad-standards-547542>

⁷ <https://www.theage.com.au/national/victoria/no-place-for-sexism-wicked-van-slogans-set-to-be-run-off-the-road-20190802-p52dad.html>

⁸ <https://7news.com.au/lifestyle/health-wellbeing/libra-pad-ad-attracts-more-than-600-complaints-to-advertising-standards-body-c-461414>

Conclusion

Self-regulation is problematic

Self-regulation has not helped in preventing the on-going offensive campaigns of Honey Birdette and Wicked Campers. Nor does it appear that self-regulation is particularly effective in the areas of alcohol and gambling advertising.

According to Michael Thorn, Chief Executive of the Foundation for Alcohol Research and Education (FARE):

Regulation in this country around the advertising of unhealthy products – alcohol, junk food and gambling – is a hodgepodge of black letter law; codes of practice; industry voluntary schemes; and policy-led arrangements variously administered by the commonwealth, states/territories and local government across the range of broadcast, print, online, outdoor, branded merchandise and sponsorships. What a mess. A mess that contributes in a significant way to Australia's longstanding problems with alcohol, obesity and gambling. Together these take too many Australian lives each year, as well as destroying families and costing the community millions of dollars.⁹

The community needs to be protected from unscrupulous advertisers. There needs to be clear guidelines about acceptable and unacceptable valued. These need to reflect the values of the community not push the boundaries. In particular there need to be tougher guidelines around advertising of alcohol and gambling as well as issues pertaining to decency which reflect the values of the community.

These must be accompanied by real and actionable sanctions against those who continually breach those standards.

About Australian Christian Lobby

Australian Christian Lobby's vision is to see Christian principles and ethics influencing the way we are governed, do business, and relate to each other as a community. ACL seeks to see a compassionate, just and moral society through having the public contributions of the Christian faith reflected in the political life of the nation.

With more than 170,000 supporters, ACL facilitates professional engagement and dialogue between the Christian constituency and government, allowing the voice of Christians to be heard in the public square. ACL is neither party-partisan nor denominationally aligned. ACL representatives bring a Christian perspective to policy makers in Federal, State and Territory Parliaments.

⁹ <http://drinktank.org.au/2019/05/writing-on-the-wall-for-unhealthy-advertising-but-commonwealth-slow-to-act/>
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acl.org.au