



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0112/17</b>
<b>2</b>	<b>Advertiser</b>	<b>Our Watch</b>
<b>3</b>	<b>Product</b>	<b>Community Awareness</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Poster</b>
<b>5</b>	<b>Date of Determination</b>	<b>08/03/2017</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.5 - Language Inappropriate language

## DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement features a thermometer which is shaped like an erect penis which is ejaculating. The accompanying text reads, "Don't blow it. It is never ok to pressure someone into sex [www.theline.org.au](http://www.theline.org.au)".

## THE COMPLAINT

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

*It is aimed at only men and boys and sexual assault covers both sexes. But my complaint is the location of this ad. Outside a primary school is not appropriate. I have nine granddaughters under 9 - three at this school and I should not have to explain this as we exit the school in a quiet suburban street. There are many pubs in this area and busy Brunswick and Smith street close by where this ad may be acceptable. Also the starkness of the drawing is offensive to women and probably many men too. The ad is on the website.*

*The advertising is situated within meters of the Council Street and wellington street intersection of Clifton Hill. This intersection is opposite the entrance of Clifton Hills gold street primary school and a very busy drop off point for young children before and after school. I think the material being advertised is not appropriate for the audience in that*

*particular area. Including my son who has just learnt how to fluently read.*

## **THE ADVERTISER'S RESPONSE**

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

### *About Our Watch*

*Our Watch is Australia's primary prevention organisation that drives nationwide change in the culture, behaviours and power imbalances that lead to violence against women and their children. Our Watch is an independent, not-for-profit organisation.*

*Our Watch's focus is on stopping violence before it starts by challenging the deeply ingrained attitudes, beliefs and distorted values that give rise to men's violence against women, and engaging the systems and institutions that reinforce, allow or do not challenge these attitudes.*

*Our Watch was established in July 2013 by the Commonwealth and Victorian governments. The organisation has since developed as a national organisation, with the Northern Territory, South Australian, Tasmanian, ACT and Queensland governments also becoming members of Our Watch*

*Our Watch exists because there is a crisis in Australia:*

- One in three women have experienced physical violence and one in five women have experienced sexual violence since the age of 15.*
- 28 per cent of sexually active Australian female students in years 10, 11 and 12 have reported an experience of unwanted sex.*
- 89 women were killed by their current or former partner between 2008 and 2010, which equates to nearly one woman every week.*

*To stop girls and women being hurt and killed, we must challenge and change the attitudes that excuse, condone or trivialise violence towards women. One of the best chances we have to change our culture is to educate young people when they are having their first relationships.*

*Our Watch has a key focus on children and young people. Our Watch works to engage children and young people to reject violence-supportive attitudes and to promote equality and respect through two main areas of work: The Line and the promotion of best practice respectful relationships education in schools.*

### *About The Line*

*The Line is Australia's long-term initiative for young people aged 12 to 20 years to prevent violence against women and their children. The Line also provides resources parents, carers, teachers, educators and other influencers.*

*The Line helps young people to develop healthy, respectful and equal peer and intimate relationships and helps them to reject all forms of violence, including the attitudes that excuse, trivialise and minimise violence towards women.*

*The Line informs and engages young people and their influencers through social media, media, online information, ambassadors and partners, resources for parents and teachers, public relations, advertising and stakeholder engagement.*

*The Line helps young people to understand ‘the line’—what’s ok and what’s not when it comes to intimate relationships—and encourages them to call out behaviours that hurt and disrespect others.*

*The Line’s long-term goal is to prevent violence against women and their children by addressing the underlying factors that contribute to violence against women: gender inequality, violence-supportive and sexist attitudes, and rigid gender roles and stereotypes.*

*The Line is an initiative under the National Plan to Reduce Violence against Women and their Children 2010–2022 and is funded by the Australian Government Department of Social Services.*

*One-quarter of young people may be at-risk of perpetrating or excusing violence*

*In 2014, Our Watch commissioned market researchers Hall and Partners Open Mind (HPOM) to conduct research to inform The Line’s social marketing strategy from 2015. HPOM surveyed 3,000 people, including 2,000 12 to 24 year olds, conducted 49 focus groups and depth interviews with young people and parents, and interviewed experts and stakeholders.*

*The research revealed that one in four young people hold problematic attitudes that may excuse and tolerate violence against women. These attitudes have been associated with higher rates of perpetration. The research showed this group were more comfortable with coercive and disrespectful behaviours, more likely to justify violence and more likely to believe that being masculine means exerting power and control over their partners. They were less likely to understand that violence isn’t always physical, and less likely than other young people to call out violence-supportive attitudes and behaviours. The demographics of this group was mostly male, in their mid-teens. They were also more likely to have experienced or perpetrated bullying or violence, and be consuming sexually explicit material.*

*Key statistics from the research include:*

- 1 in 4 young people think it’s pretty normal for guys to pressure girls into sex.*
- 1 in 3 young people don’t think that exerting control over someone else is a form of violence.*
- 1 in 4 young people don’t think it’s serious when guys insult or verbally harass girls in the street.*
- 9% of 12 to 24 year olds showed problematic attitudes associated with high risk of perpetrating, tolerating or excusing violence against women. 77% of this group are male, and one-third of this group are 14 to 15 years old.*

*The HPOM research also found that most young people are struggling to work out what healthy, respectful relationships look like.*

*To stop girls and women being sexually assaulted, hurt and killed, we must challenge and change the attitudes that excuse, condone or trivialise violence towards women. International evidence shows that one of the best chances we have to change our culture is to educate young people when they are having their first relationships. Engaging with schools, universities, media, sports clubs, and other settings where young people live, work and play, is crucial to achieving cultural change to prevent violence against women.<sup>1</sup>*

*A summary of the research findings is on Our Watch's website: [www.ourwatch.org.au/What-We-Do-\(1\)/The-Line](http://www.ourwatch.org.au/What-We-Do-(1)/The-Line).*

*About the 'Don't Blow It' Campaign*

### *Background*

*In September 2015 Our Watch commissioned researchers TNS to conduct research to track attitudinal and behavioral change and evaluate the effectiveness of The Line campaign. The September 2015 survey involved 1,012 interviews with young people aged 12-20, 500 interviews with parents of 12-20 year olds, and 198 interviews with secondary school staff, all conducted online in September 2015.*

*The TNS research revealed;*

- 25 percent young people think it's pretty normal for guys to pressure girls into sex.*
- 15 percent of young people think it's ok for a guy to pressure a girl for sex if they're both drunk.*

*These TNS findings complement the National Union of Students' (NUS) Talk about It Survey conducted in 2015. The NUS survey collected information about the experiences of women University students in Australia and revealed that experiences of harassment, sexual assault and violence at university were found to be very common;*

- Nearly 43% of respondents indicated they had sex when they felt unable to consent, or had an unwanted sexual experience.*
- Nearly three quarters (72%) of respondents had experienced some form of sexual harassment or unwelcome sexual behaviour while enrolled in their current institution.*

*To help address some of these concerning attitudes and behaviours, The Line's 'Don't Blow It' campaign was developed to coincide with University Orientation week (O-Week).*

*The campaign was created to engage and educate young people (including University students) that it's never okay to pressure someone into sex, and that consent must be mutual and continuous. The target audience for this campaign is young males aged 15-20 years, who the HPOM research identified as part of the over represented segment most at risk of holding attitudes that justify violent and controlling behaviours.*

*The HPOM research also found that many young people lack adequate information and guidance about sex and respectful relationships. As a result, young people are being left to figure it out for themselves, while being exposed to dubious and problematic role models, social media, the media's portrayal of women, pornography, and porn-inspired popular culture.*

*The campaign's objectives are to:*

- Define behaviours that 'cross the line' in young people's relationships.*
- Educate young people about where 'the line' is when it comes to sex, pressure and consent.*
- Build capability of young people to be able to identify what pressure for sex looks like and know how to respond appropriately.*
- Drive our target audience to The Line website where they can learn about what is and isn't acceptable behaviour by taking The Line's pressure for sex test.*
- Raise awareness of The Line's goal of supporting young people to develop healthy, respectful and equal relationships.*

*A secondary objective of the campaign was to encourage young people to discuss the campaign with their parents, friends or partner. Resources are available on The Line's website to specifically assist parents and young people with these conversations: <http://www.theline.org.au/resources-for-parents-influencers>; [www.theline.org.au/pressuretest](http://www.theline.org.au/pressuretest) ; <http://www.theline.org.au/Great-Ways-to-Screw-It-All-Up>*

*The campaign launched on 18 February 2017 with street posters scheduled to run until 4 March 2017.*

### *Campaign creative*

*The campaign creative comprises two posters, the first being a cartoon style phallic shaped pressure barometer, designed to symbolise a measurement of pressure for sex. This poster is always accompanied by a second text poster which states 'Don't Blow it. It's never ok to pressure someone into sex. Know where to draw the line: Visit [www.theline.org.au](http://www.theline.org.au).' It is important to note that these two posters will only ever be displayed together in all placements, removing the risk of the image alone being taken out of context.*

*The image is aimed at depicting 'pressure' in a way that is likely to engage young men, and then immediately inform them that there's never an excuse for pressuring someone into sex. The creative confronts harmful stereotypes that suggest it is normal for males to put pressure on women to have sex, and that it is a woman's responsibility to stop them.*

### *Placement*

*Engaging young people, particularly male teens, with social change messaging is extremely difficult. Young people are a hard-to-reach audience, with a fragmented media landscape and high content consumption.*

*Our Watch received advice from its creative agency that for the campaign's important messages to cut through, the creative needed to be relevant, eye-catching, appropriately located, and humorous. It needed to reflect the issues that young people can relate to; it needed to use the language that young people use; it needed to be visible where young people are; and vitally, it needed to 'disrupt' the attitudes, excuses and behaviours that can lead to violence towards girls and women.*

*The advertisements appear primarily where young people are: online, at universities and in outdoor locations where young people frequent. This enables a highly targeted approach, ensuring that content reaches the specific primary audience. The media buy comprises 600 street poster placements across Australian universities and public transport hubs, along with postcard distribution in 13 Australian Universities.*

### *Concept testing*

*To assist in forming the campaign concepts, The Line developed and tested this campaign with a cohort of young people on The Line's Digital Youth Committee, aged 15-20 years old. The aim of engaging with this group of young people was to determine the most effective messages and most appropriate language, tone, information and layout to ensure the campaign achieved cut-through and achieved the objectives.*

*This testing revealed that the overwhelming majority believed the campaign was appropriate, relevant, effective, impactful and thought-provoking. Most young people took away the message that it is never ok to pressure someone into sex, and there is no excuse. Many young people felt that the campaign would disrupt young people and cause some young men to think about their behaviours.*

*Reasons why young people said they liked this campaign is because it:*

- conveys a clear message*
- effectively portrays a serious message*
- is impactful and engaging*
- is eye catching without being intimidating*
- is not offensive because of its cartoon form.*

*Comments from young people included:*

- I like it a lot. I think it sends a clear message and is definitely not going to fail to catch people's attention. I think it is also great and really important to include a reference to who is statistically most likely to pressure someone into sex (males) because it makes the ad campaign more informative and relevant. The design is simplistic and attention grabbing.*
- It clearly conveys the message, and because it's such an unique and unusual poster (as in, I've never seen anything like it before) I would definitely notice this if it was on the street! I like it a lot, because some will find it confronting, others humorous, yet it still effectively portrays the serious message.*

- *The "Don't blow it" line works well because it isn't particularly abrasive but it does communicate the message. And the penis graphic is great. Drawing penises on things is eye catching without being intimidating*
- *I like it also, I think because it is simple it conveys the message really easily, I would definitely look if I saw it and the bold writing makes it really clear. I like the whole concept.*
- *I think this is a great advertisement! It gets the message across strongly but without being confronting. It also doesn't just target pressuring someone for sex in a one night stand situation but also might make someone who is in a relationship think twice about jeopardising their relationship or future relationships by pressuring their partner into sex.*

### *Response against the Code of Ethics*

*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.*

*The 'Don't Blow It' campaign does not discriminate against or vilify a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief. The campaign targets young people aged 15 to 20 years with a specific focus on reaching young men as they are statistically at a much higher risk of perpetrating sexual violence. 2*

*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.*

*The 'Don't Blow It' campaign does not employ sexual appeal. The phallic shaped pressure barometer was specifically designed to resemble a cartoon drawing to ensure the creative was humorous and symbolic, as opposed to graphic or confronting. The phallic barometer is not presented in a sexual manner nor does it employ sexual appeal in a manner that is exploitative or degrading. The image is also always accompanied by clear messaging with text that communicates 'it is never ok to pressure someone into sex', so the image alone cannot be taken out of context.*

*2.3 Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.*

*The 'Don't Blow It' campaign highlights that pressure for sex, controlling behaviours and sexual assault are types of violence. This is justifiable because The Line campaign aims to prevent violence against women and their children by educating young people about the types of violence, and the attitudes that excuse, condone or trivialise violence, including sexual violence.*

*Change the story: A shared framework for the primary prevention of violence explains that victim-blaming, violence-supportive attitudes and excusing violence are some of the drivers of violence against women and their children. The results from the HPOM research and the National Community Attitudes Survey shows that a significant proportion of young people*

*hold attitudes that put them at-risk of perpetrating or excusing violence. To prevent violence against women and their children, we must challenge attitudes that trivialise, minimise, condone and excuse violence.*

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

*The 'Don't Blow It' campaign does not explicitly depict sex, sexuality or nudity. The creative execution highlights issues of sexual violence, coercion and consent without explicitly, graphically or insensitively depicting sex. The phallic shaped pressure barometer was specifically designed to resemble a cartoon drawing to ensure the creative was humorous and symbolic, as opposed to graphic or confronting. The creative confronts harmful stereotypes that suggest it is normal for males to put pressure on women to have sex, and that it is a woman's responsibility to stop them. The pressure barometer and accompanying message, 'don't blow it. It's never ok to pressure someone into sex' is vital in confronting these attitudes and challenging the associated behaviours.*

*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.*

*The creative uses language that is appropriate for the target audience and advertising medium. It does not contain strong, inappropriate or obscene language. The use of the word 'sex' is appropriate for the circumstances depicted in the creative. Language used in this execution was specifically selected to interrupt young people's media habits and disrupt their attitudes towards violence.*

*2.6 Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.*

*Our Watch believes the majority of Australians are completely against violence towards women and their children, and are supportive of concrete actions to prevent violence. The 'Don't Blow It' campaign is not contrary to prevailing community standards on health and safety because it aims to prevent violence against women and their children. It does this by educating young people about types of violence and the attitudes that excuse, condone or trivialise violence.*

*Response against the Code for Advertising and Marketing Communications to Children*

*2.3 Placement - Advertising or Marketing Communications to Children must not be placed in Media where editorial comment or program content, in close proximity to that communication, or directly accessible by Children as a result of the communication, is unsuitable for Children according to Prevailing Community Standards.*

*The media buying agency for this campaign specifically selected outdoor sites particularly relevant to 15 to 20 year olds, for example near university institutions and in areas where 15 to 20 year olds are likely to socialise, such as public transport hubs. The media buy used outdoor street posters that are more likely to disrupt and reach this target audience. There were additional levels of targeting in timing and location, to ensure the media buy focused on reaching 15 to 20 year olds, during peak times of audience activity, including O-Week.*

*Our Watch understands that outdoor advertisements can potentially be seen by a broader*



*audience, but disagrees that this creative execution contains material unsuitable for younger children who may see the advertisement. Children of an age who are able to read and understand the words would have a trigger to start a conversation with an adult regarding the important concepts behind the message. It is important for all young people to be exposed to information that helps them identify relationship violence and educate them about behaviour that crosses the line in relationships.*

*2.6 Social Values - Advertising or Marketing Communications to Children (a) must not portray images or events in a way that is unduly frightening or distressing to Children.*

*Australian and international evidence indicates that to stop women being hurt and killed, we need to reach people when they are having (or thinking about having) their first romantic relationships: and that's when they're young. We need to help young people understand what violence looks like, and explain that there is never an excuse for violence.*

*Our Watch's Policy Brief 5 – Working with Children and Young People, explains that from an early age, young people are exposed to harmful messages that can lead to violence, discrimination and stereotypes. Exposure to negative messages about gender, consent and violence means some young people accept violence as normal in their daily lives. They are less likely to understand the dynamics of violence against women, less likely to reject violence-supportive attitudes, and more likely to engage in victim-blaming.*

*This is why we need to build the skills of children and young people to decode and challenge violence-supportive and gender-stereotyping norms and practices, and help them to build equitable, safe and respectful relationships of their own.*

*The complainant did not outline whether their child was frightened or distressed by the advertisement. Our Watch believes that the 'Don't blow it. It's never ok to pressure someone into sex' creative does not portray the issues of sexual violence, coercion and consent in a way that would be unduly frightening or distressing to children.*

*2.7 Parental Authority - Advertising or Marketing Communications to Children: (a) must not undermine the authority, responsibility or judgment of parents or carers*

*One of The Line campaign's objectives is to encourage young people to seek information and guidance. The Line's website has information and resources to help parents talk to their children about issues raised in campaign from The Line:*

*<http://www.theline.org.au/resources-for-parents-influencers>.*

*Additional complaint and response*

*Australian and international evidence indicates that to stop women being hurt and killed, we need to reach people when they are having (or thinking about having) their first romantic relationships: and that's when they're young. We need to help young people understand what violence looks like, and explain that there is never an excuse for violence.*

*Our Watch understands that outdoor advertisements can potentially be seen by a broader audience, but disagrees that this creative execution contains material unsuitable for younger children who may see the advertisement. Children of an age who are able to read and understand the words would have a trigger to start a conversation with an adult regarding*

*the important concepts behind the message. It is important for all young people to be exposed to information that helps them identify relationship violence and educate them about behaviour that crosses the line in relationships.*

*The complainant did not outline whether their grandchildren were frightened or distressed by the advertisement. Our Watch believes that the 'Don't blow it. It's never ok to pressure someone into sex' creative does not portray the issues of sexual violence, coercion and consent in a way that would be unduly frightening or distressing to children. The creative execution highlights issues of sexual violence, coercion and consent without explicitly, graphically or insensitively depicting sex. The phallic shaped pressure barometer was specifically designed to resemble a cartoon drawing to ensure the creative was humorous and symbolic, as opposed to graphic or confronting. The creative confronts harmful stereotypes that suggest it is normal for males to put pressure on women to have sex, and that it is a woman's responsibility to stop them. The pressure barometer and accompanying message, 'don't blow it. It's never ok to pressure someone into sex' is vital in confronting these attitudes and challenging the associated behaviours.*

*The creative uses language that is appropriate for the target audience and advertising medium. It does not contain strong, inappropriate or obscene language. The use of the word 'sex' is appropriate for the circumstances depicted in the creative. Language used in this execution was specifically selected to interrupt young people's media habits and disrupt their attitudes towards violence.*

*One of The Line campaign's objectives is to encourage young people to seek information and guidance. The Line's website has information and resources to help parents talk to their children about issues raised in campaign from The Line:  
<http://www.theline.org.au/resources-for-parents-influencers>.*

*To conclude, while Our Watch believes the creative does not contravene any section of the standards, we will work with the media buyers to ensure any future placements are a reasonable distance from primary school locations.*

*Our Watch does not believe this advertisement contravenes Section 2 of the Code.*

## **THE DETERMINATION**

The Advertising Standards Board (the "Board") considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the "Code").

The Board noted the complainants concerns that the advertisement is offensive and inappropriate for viewing by young children.

The Board viewed 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".

The Board noted that this poster advertisement featured a penis shaped thermometer with

steam pressure cloud escaping from the tip. The text next to the image reads “don’t blow it. It’s never ok to pressure someone into sex.” The website address for the organisation responsible is below the text [www.theline.org.au](http://www.theline.org.au)

The Board noted that the organisation “our watch and the line” is responsible for providing information and articles for parents, teachers, carers and youths about various issues including topics such as sex, gender and violence.

The Board noted that the current advertisement included an image of a thermometer that is drawn to look like a penis. The Board considered that the image is highly recognisable as a penis and that young children would recognise it as such.

The Board noted the complainants’ concerns that the poster is located near a primary school.

The Board noted the advertisers’ response that the advertisement is targeting male teens and that the image is designed to symbolise a measurement of pressure for sex. The Board considered that the image on its own was clearly identifiable as a penis and would be confronting for young children. The Board considered that in connection with the text there was a direct relationship to sex and sexual activity.

A minority of the Board considered that the placement of this advertisement near a primary school was not a suitable location and that the topic and image were not suitable for primary aged children. A majority of the Board however, considered that the message being delivered in the poster is a very important message and that the location of the poster could mean that adults may have to address these issues earlier than they would have liked but that it would be possible to give a suitable age relevant explanation if necessary.

In the majority Board’s view, the important social message being addressed in the poster is one that is of broad community concern and that the depiction of a penis as a thermometer was a creative way to appeal to a teenage audience.

The Board considered that in the context of a poster advertisement about unwanted sexual activity, the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and determined that the advertisement did not breach Section 2.4 of the Code.

The Board then considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “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”.

The Board noted that the poster was always presented as two parts, together one including the image and the other the text. The Board considered the use of the word “sex.”

The Board noted the Practice Note to the Code which states that: The use of the word “sex” does not, of itself, make an advertisement unacceptable. However, such advertisements must not contain images that are highly sexualised.

The Board noted that the word sex is clear but in the context of an advertisement about unwanted sex and the image of a phallic symbol, the word does not amount to a language

which is inappropriate, strong or obscene and did not breach section 2.5 of the Code.

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