



Case Report

1	Case Number	0287/16
2	Advertiser	Our Watch
3	Product	Community Awareness
4	Type of Advertisement / media	Poster
5	Date of Determination	13/07/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement shows a young man facing the camera. On his naked chest are the words 'I forced her to have sex with me when she didn't want to', written in the style of a tattoo. The copy reads 'You can't undo violence. Know where to draw the line'. The website address is theline.org.au and the hashtag is #respecttheline.

THE COMPLAINT

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

This is an important topic and a great campaign, however, the billboards are not only visible and readable to the target audience of teenagers but also to a much younger audience. I was walking down St Georges Terrace with my family when my six year old began to read the bus stop advertisement depicting a young lad with the tattoo reading, "I forced her to have sex with me when she didn't want to." I felt it put an unfair onus on me, as the parent of the too-young-audience, to have to try and explain it. I strongly object to the ads in this campaign being displayed in places where a young child can read them.

THE ADVERTISER'S RESPONSE

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

Thank you for providing Our Watch with an opportunity to respond to a complaint received by the Advertising Standards Bureau under Section 2 of the AANA Advertiser Code of Ethics. Our Watch understands that a complaint was received in relation to an outdoor (bus shelter) advertisement for the national campaign, 'You can't undo violence. Know where to draw the line'.

This letter comprises the comprehensive response in relation to the complaint.

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.*
- 89 women were killed by their current or former partner between 2008 and 2010, which equates to nearly one woman every week.*
- One in four women have experienced intimate partner violence since the age of 15, with women at least three times more likely than men to experience violence from an intimate partner.*
- Intimate partner violence is the biggest contributor to ill health and premature death in women aged 15–44, more than any other well-known risks including high blood pressure, obesity and smoking.*
- Eight out of 10 women aged 18 to 24 were harassed on the street in the past year and in the past year, 87 per cent of young women changed their behaviour to ensure their own safety.*
- 28 per cent of sexually active Australian female students in years 10, 11 and 12 have reported an experience of unwanted sex.*

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.*
- 1 in 4 young people don't think it's serious if a guy, who's normally gentle, sometimes slaps his girlfriend when he's drunk and they're arguing.*
- More than one quarter of young people think it's important for men to be tough and strong.*
- 16 per cent of young people think that women should know their place.*
- 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.*
- 17% of 12 to 24 year olds have attitudes that are associated with a high risk of perpetrating, tolerating or excusing violence against women, albeit less so than the above group. 65% of this group is male.*

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

The good news is that many young people are still learning, they are still 'testing' attitudes, and they are open to receiving information from people they trust. Through The Line and the guidance of influencers such as parents and teachers, we can help young people to develop healthy, respectful relationships and encourage them to reject and call-out violence and violence-supportive attitudes.

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 'You can't undo violence'

Our Watch launched the 'You can't undo violence' campaign on 28 September 2015. Bursts of advertising are scheduled to run until 30 June 2017.

The campaign was created to engage and educate young people about different types of violence, impacts of violence, and the attitudes that excuse violence.

The campaign targets young people aged 12 to 17 years, with a particular emphasis on reaching young males aged 14 to 15 years who the HPOM research found are over-

represented in segments that hold attitudes that justify violent and controlling behaviours. This puts them at higher risk than their peers of perpetrating violence against females.

The campaign comprises a 60-second film and six portraits of young people—five males and one female—which depict the different types of violence that young people could experience in their relationships, and highlight the disturbing attitudes and behaviours that excuse violence or blame victims.

The advertising campaign is highly educational because educating young people about the behaviours that constitute violence towards women is vital if we are to stop women being killed and hurt.

The campaign's objectives are:

- Define behaviours that 'cross the line' in young people's relationships.*
- Define the attitudes that are used to excuse violence and therefore also 'cross the line'.*
- Convey the lasting impact that violence has on perpetrators.*
- Encourage young people and their influencers to seek information and guidance from The Line's website.*

A secondary objective 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 with these conversations: <http://www.theline.org.au/resources-for-parents-influencers>.

Engaging young people, particularly male teens, can be extremely difficult for advertisers. Young people are a hard-to-reach audience, with a fragmented media landscape and high content consumption.

The creative needed to address the findings identified through the campaign developmental research conducted by Hall and Partners Open Mind in 2014, and the insights from the creative agency and media buying agency Carat:

- Young people need clear definitions about the behaviours that are not acceptable in relationships (behaviours that "cross the line").*
- The respect of others comes from self-control, not control over others.*
- Hurting a girl will hurt your reputation.*

Our Watch received advice from its media buying agency and creative agency that for the campaign's important messages to cut through, the creative needed to be relevant, eye-catching, appropriately located, and confronting. 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 creative tapped into a key insight gleaned by the media buying agency and the creative agency: that for young people, their reputation is everything. They want to be respected by friends and peers. They understand that if they cross the line, it cannot be undone; everyone will know what they did, and they won't be respected.

The 'indelible marks' on young people in the campaign convey the lasting impacts and consequences of violence for perpetrators and victims. For perpetrators of violence, an 'indelible mark' would affect their reputation and how others see them, and this may be a powerful incentive for young people to question and change their behaviours.

Advertisements appear primarily where young people are: online, in cinema, and in outdoor locations where young people frequent. This enables a highly targeted approach, ensuring that content reaches the specific primary audience.

The media agency defined the role of media as 'Command attention by leveraging the current zeitgeist and becoming a part of the dialogue surrounding gender imbalance and the negative impacts associated. Engage with our audience in relevant spaces and allow them to stand by positive sentiment as a statement about their own appearance', therefore the role of media is to 'Join the conversation'. To activate this strategy, the key media channels were narrowed down to online, cinema, outdoor. It was a targeted buy, with a focus on reaching 12 to 17 year olds.

Concept testing

To ensure the campaign would be effective for the target audience, Our Watch commissioned market research agency TNS to test the campaign with 1,081 people: 833 12 to 20 year olds and 248 parents.

The aim of the research 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. Research also ascertained any risks or barriers associated with particular concepts, messages or executions.

Concept testing research revealed that over two-thirds of young people, and three-quarters of parents, believed the campaign was appropriate, relevant, effective, impactful and thought-provoking.

Most young people took away the message that violence against women is wrong; and many young people felt that the campaign would cause some young men to think about their behaviours.

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

- is relevant and relatable*
- emphasises that negative consequences are long-term*
- is impactful and confronting*
- sends a clear message*

- *is not offensive*
- *is realistic*
- *is serious and less likely to be made fun of*
- *is believable.*

Comments from young people included:

- *It shows a strong message that is clear and uses appropriate language to my group age.*
- *I think it is more appropriate for all audiences, really taps into the tattoo hype which many teenagers now know the pain and expense of, maybe even regret.*
- *The more serious approach towards tackling the issue works better because it shows how being disrespectful towards women has lasting effects.*
- *It got the message across without being rude... swear words.*
- *It doesn't use inappropriate language so it will be able to be viewed by more audiences on more forms of media during more times etc.*

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 'You can't undo violence' 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 12 to 17 years, with a particular emphasis on reaching young males aged 14 to 15 years who the HPOM research found are over-represented in segments that hold attitudes that justify violent and controlling behaviours. This puts them at higher risk than their peers of perpetrating violence against females.

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 'You can't undo violence' campaign does not employ sexual appeal. The young male in the 'I forced her to have sex with me when she didn't want to' creative is not presented in a sexual manner. Although the male is presented shirtless, this is to appropriately display the 'indelible mark' on his skin and the creative does not employ sexual appeal in a manner that is exploitative or degrading.

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 'You can't undo violence' campaign depicts different types of violence that young people may experience in their relationships. The campaign highlights that violence isn't just physical - controlling behaviours, sexual assault and emotional violence are also types of violence. This is entirely justifiable because the campaign aims to prevent violence against women and their children by educating young people about the types and impacts 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 change the story that currently ends in 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 'You can't undo violence' campaign does not explicitly depict sex or sexuality. The creative execution 'I forced her to have sex with me when she didn't want to' highlights issues of sexual violence, coercion and consent without explicitly, or insensitively, depicting 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. Benchmarking research conducted by TNS at the inception of the 'You can't undo violence campaign' found that 55% of 12-20 year olds think that if a guy wants to have sex with a girl, it is up to the girl to make it very clear that she doesn't want to, and 21% think it is normal for guys to put some pressure on girls to do sexual things.

The 'I forced her to have sex with me when she didn't want to' creative 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 that is the subject of this complaint, 'I forced her to have sex with me when she didn't want to', uses language that is appropriate for the target audience and advertising medium. It does not contain strong or obscene language. The use of the word 'sex' is appropriate for the circumstances depicted in the creative.

Language used in this execution, and the wider campaign, was specifically selected because it is commonly used by young people but is still striking enough 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 'You can't undo violence' 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, the impacts 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 12 to 17 year olds, in locations where they are likely to be, for example near secondary educational institutions and in areas where 12 to 17 year olds are likely to socialise. The outdoor media buy used outdoor formats (street furniture, street posters) that are more likely to disrupt and reach a younger audience. There were additional levels of targeting in timing and location, to ensure the media buy focused on reaching 12 to 17 year olds.

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.

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 'I forced her to have sex with me when she didn't want to' 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 campaign's objectives is to encourage young people to seek information and guidance. In concept testing, 52% of young people said they would discuss the advertisements with their parents. By the complainant's child asking their parent about the advertisement, and the parent explaining it to their child, this objective appears to have been achieved in this particular instance. The Line's website has information and resources to help parents talk to their children about the campaign: <http://www.theline.org.au/resources-for-parents-influencers>.

To conclude, Our Watch does not believe this advertisement contravenes Section 2 of the Code.

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 features a reference to rape which is not appropriate for children to read.

The Board viewed the advertisement and noted the advertiser's response.

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted that this poster advertisement features an image of a boy with a 'tattoo' on his bare chest which reads, "I forced her to have sex with me when she didn't want to".

The Board noted that it had previously dismissed complaints about a similar advertisement in the same campaign in case 0509/15 where:

"The Board noted that this billboard advertisement features an image of a young man with a tattoo on his naked shoulder which reads, "She pissed me off so I hit her".

The Board noted the complainant's concern that the subject matter is not appropriate for children.

The Board noted that domestic violence is of serious concern in the community and considered that whilst the advertisement is raising awareness of this issue it does not actually feature any violence. The Board noted the reference to the male having hit a female but considered that this reference is presented in a manner which is not graphic and is justifiable in the context of the important anti-violence community service being advertised."

The Board noted the current advertisement also features the text, #Respect the line" and "You can't undo violence. Know where to draw the line. Theline.org.au".

The Board noted the issue of sexual violence is of serious concern in the community and considered that consistent with its previous determination the advertisement is raising awareness of this issue but does not actually feature any violence. The Board noted the reference to forced sexual activity but considered that this reference is presented in a manner which is not graphic and is justifiable in the context of the important community awareness message.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

The Board then 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 the complainant’s concern that a reference to sexual violence is not appropriate for children. The Board acknowledged that the advertisement does make uncomfortable reading but considered that the message in the advertisement is a serious community concern. The Board noted that unlike in case 0509/15, where the writing was in simple capital letters, the current advertisement features cursive writing which in the Board’s view reduces its attractiveness to small children and is more difficult for them to read. The Board noted that children of an age who were able to read and understand the words would have a trigger to start a conversation with an adult or carer or peers regarding the important concepts behind the message. The Board noted the advertiser’s response that this outdoor campaign is targeted toward 12 – 17 year olds with an emphasis on reaching young males aged 14-15 years and considered that the content of the advertisement was not inappropriate for this target audience. The Board noted that the advertisement would be viewed by children younger than the advertiser’s target market of 12-17 year olds but considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

The Board 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 advertisement features the words, “I forced her to have sex with me...” The Board acknowledged that some members of the community would find the use of the word ‘sex’ to be confronting and inappropriate but considered that the word itself is not strong or obscene and in the Board’s view its use is not inappropriate in the context of a community awareness advertisement for sexual violence.

The Board determined that the advertisement 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.

