



Ad Standards Community Panel
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Case Report

1. Case Number :	0320-20
2. Advertiser :	A City Free From Porn Toowoomba
3. Product :	Sex Industry
4. Type of Advertisement/Media :	Billboard
5. Date of Determination	21-Oct-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.4 Sex/sexuality/nudity
AANA Code of Ethics\2.5 Language

DESCRIPTION OF ADVERTISEMENT

This billboard advertisement features the text "Porn promotes violence against women" with an image of a fist. Text at the bottom of the advertisement states "A city free from porn".

THE COMPLAINT

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

Not appropriate having a huge billboard with the word pron on it where young children who don't even know what sex is can see it.

THE ADVERTISER'S RESPONSE

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

City free from Porn was launched by myself and the Toowoomba Mayor back in 2016 to help raise awareness around the harms of porn and especially the harm it is causing



children. We are thankful that our local school principals have come on board as they see first hand day to day how porn is impacting the young.

With the average age of exposure to porn now at around 8-10 years of age, we have to start talking to our kids in age appropriate ways. If your child can read the word porn on a billboard, I would hope that perhaps parents have begun to talk to them about it. I speak at conferences around the world on this issue and have talked to many child psychologists who say that if you child has access to a device, you need to have talked to them about porn. There are now children's book out there on how to talk to your three year old in age appropriate ways about porn.

So we believe that in this day and age, having the word porn on a billboard is not dangerous or offensive. The word 'porn' is not of itself pornographic or sexualised in nature and does not violate any part of the code; the ad does not contain sexualised imagery or any other feature which violates the Code. We are seeking to raise community awareness about the harms of pornography - particularly its connection to violence against women. We have had many parents thank us for the billboards and the awareness we are bringing, as they were unaware and it has forced them to be equipped and talk to their kids.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the use of the word 'porn' is inappropriate for children to view.

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

The Panel 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 Panel considered whether the advertisement contained sex, sexuality or nudity.

The Panel considered whether the images depicted sex. The Panel noted the dictionary definition of sex most relevant to this section of the Code of Ethics is 'sexual intercourse; sexually stimulating or suggestive behaviour.' (Macquarie Dictionary 2006).

The Panel considered that the advertisement refers to porn in the context of it promoting violence against women. The Panel considered that the word is not being used in a sexually suggestive manner and considered that the advertisement did not contain sex.



The Panel considered whether the advertisement featured sexuality. The Panel noted the definition of sexuality includes 'sexual character, the physical fact of being either male or female; The state or fact of being heterosexual, homosexual or bisexual; sexual preference or orientation; one's capacity to experience and express sexual desire; the recognition or emphasising of sexual matters'. The Panel noted that the use of male or female actors in an advertisement is not of itself a depiction of sexuality.

The Panel considered that the reference to 'porn' in the advertisement is a reference to sexual matters. The Panel considered that the advertisement did include sexuality.

The Panel considered whether the advertisement contained nudity and noted that the dictionary definition of nudity includes 'something nude or naked', and that nude and naked are defined to be 'unclothed and includes something 'without clothing or covering'. The Panel considered that the Code is intended for the Panel to consider the concept of nudity, and that partial nudity is factor when considering whether an advertisement contains nudity.

The Panel noted that there is no person depicted in the advertisement and considered that the advertisement does not contain nudity.

The Panel then considered whether the advertisement treated the issue of sex and sexuality with sensitivity to the relevant audience.

The Panel considered the meaning of 'sensitive' and noted that the definition of sensitive in this context can be explained as indicating that 'if you are sensitive to other people's needs, problems, or feelings, you show understanding and awareness of them.'
(<https://www.collinsdictionary.com/dictionary/english/sensitive>)

The Panel considered that the requirement to consider whether the treatment of sex is 'sensitive to the relevant audience' requires them to consider who the relevant audience is and to have an understanding of how they might react to or feel about the advertisement – the concept of how subtle a sexual reference is or might be is relevant to the Panel considering how children, and other sections of the community, might consider the advertisement.

The Panel noted that this advertisement was displayed on a billboard and considered that the audience would be broad and would include children.

The Panel considered that the word porn itself is not explicit and the use of the word, without any actual depiction of that type of content, is not a breach of the Code. The Panel acknowledged that some members of the community would prefer that this word not be used where children can view it, but considered that the actual content of the advertisement is not sexually explicit and did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.



The Panel considered that the advertisement did not depict or explain the meaning of the word and that the overall advertisement was not sexually explicit, or inappropriate for the broad audience.

The Panel considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant broad audience and did not breach Section 2.4 of the Code.

The Panel 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 Panel considered that the word porn is not explicit and the use of the word, without any actual depiction of that type of content, is not a breach of the Code.

The Panel acknowledged that some members of the community would prefer that this word not be used where children can view it, but considered that the use of the word in itself is not inappropriate in the circumstances, or strong or obscene.

The Panel 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 Panel dismissed the complaint.