



## **CASE REPORT**

1. Complaint reference number	268/01
2. Advertiser	The Australian Family Association, Western Australian Division
3. Product	Community Awareness
4. Type of advertisement	Print
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Portrayal of sex/sexuality/nudity – section 2.3 Other - Causes alarm and distress to children
6. Date of determination	Tuesday, 13 November 2001
7. DETERMINATION	Upheld – discontinued or modified

## **DESCRIPTION OF THE ADVERTISEMENT**

Published in Western Australia, this coupon advertisement is headed: ‘WANTED Your teenage son’, and states: ‘Many more boys will be seduced by older men if Dr Gallop’s homosexual law goes ahead. Dr Gallop plans to lower the age of consent for sodomy to 16. The “reasonable belief” defence would then allow 18 year old men to get away with having sex with boys as young as 13.’ The coupon incorporated in the advertisement, and intended to be mailed back to the advertiser, states: ‘Dr Gallop, please for the sake of our children, STOP your plans to legalise homosexual behaviour in primary and secondary schools.’

## **THE COMPLAINT**

Comments which the complainants made regarding this advertisement included

the following:

*‘It perpetuates grotesque myths and stereotypes regarding gay males and draws an association between consenting gay sexuality and child sexual abuse. .... While the advertisers may purport to be concerned for the protection of children, this propaganda is far more likely to have a deleterious effect on teenagers who are gay, or who think they may be.’*

*‘The advertisement clearly links the criminal act of child molestation/paedophilia with the homosexual community and thus vilifies this section of the community on the basis of their sexual preference.’*

*‘I find this advert slanderous and offensive toward homosexual people ..... It incites hatred, misinformation and does ill towards the toleration of different types of people within the general community.’*

## **THE DETERMINATION**

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

The Board determined that the advertisement contravenes Section 2.1 of the Code. Section 2.1 provides that:

Advertisements 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, sex, age, sexual preference, religion, disability or political belief.

In reaching its determination, the Board opined that the material within the advertisement vilified homosexual people by its implication of an association between homosexuality and paedophilia.

**ADVERTISER'S STATEMENT**

'We refuse to comply with the Board's determination and resolve to continue to inform the public of Western Australia accurately and fully about legislation regarding homosexual behaviour.'