Review of the Code of Ethics of the
Australian Association of National Advertisers

Submission from the Queen Victoria Women’s Centre Trust

24 September 2010

Overview

The Queen Victoria Women’s Centre Trust welcomes the opportunity to provide this submission to the Australian Association of National Advertisers’ (AANA’s) Code of Ethics Review. The areas we would like to see addressed are:

- Revising the current structure of the Code to enable consumers to lodge complaints in regard to truth and accuracy in advertising.
- Amending section 2.1 of the Code of Ethics to include gender as a discriminatory factor.
- Incorporating the principles of the Victoria Government’s Voluntary Media Code of Conduct on Body Image and/or the Australian Government’s new Voluntary Industry Code of Conduct into the Code.
- Restricting violent images, particularly in relation to violence against women and girls, in the Code.
- Incorporating trends in international standards, which are demonstrating a shift towards identifying and addressing the needs of specific consumer groups, vulnerable to exploitation.

This review is a timely opportunity to ensure that Australian community and consumer expectations around truth and fairness in advertising are reflected in the amendments to the Code of Ethics.

Background to the Queen Victoria Women’s Centre Trust

Queen Victoria Women’s Centre Trust was established in 1994 to manage the historic Queen Victoria Women’s Centre in the heart of Melbourne for the benefit of Victorian women. The Trust also provides programs that build the capacity of women, with a strategic focus on media literacy to promote positive body image and financial literacy to promote economic participation and independence.

The Queen Victoria Women’s Centre Trust is deeply concerned about the advertising industry’s continued portrayals of:

- gender and very limited stereotypes of femininity and masculinity
- the narrow definition of ‘beauty’ and an unhealthy ‘thin body ideal’
- the misrepresentation of body image through digital image manipulation
- the sexualisation of women, especially young women and girls
- standardisation at the expense of diversity
There is a growing disparity between the ‘real’ size and shape of women and girls; and the ‘thin body ideal’ portrayed in the media, which negatively affects the way women and girls think and feel about their bodies. Young women are particularly vulnerable; research shows that body image remains one of the three top issues of concern for Australian young people aged 15-19 years, with ‘young women ranking it a proportionally higher concern than young men’\(^1\). In addition, gender stereotypes limit and negatively impact on young women’s aspirations, self confidence, safety and identity.

The QV Women’s Centre is currently taking action through the development of an online media-literacy resource that challenges gender stereotyping and promotes positive, healthy and diverse portrayals of women and girls in the media. This project will build on the Centre’s previous work with young women and the publication of “Young Women, Body Image and the Digital Age”, an online information and activity kit focusing on media literacy.

The Trust believes the advertising industry has a significant role in better portraying the diverse roles women play and would like to respond to the following questions raised in the Code of Ethics Review discussion paper for public comment, drawing on our experience as a leading women’s organisation and through the personal experience of Trust Members.

**STRUCTURE OF THE AANA CODE OF ETHICS**

**REVIEW QUESTION: Does the current structure of the Code of Ethics adequately distinguish between the two sections of the Code of Ethics?**

The current structure of the Code of Ethics does not adequately distinguish between the two sections. It is unclear that Section 1 is an alternative dispute resolution system primarily to resolve disputes between competitors albeit in one section of the web site it states that this process is also available to any person, group or government agency. However, this information is not consistent throughout the website and under “where to Complain” (at URL http://www.adstandards.com.au/pages/page51.asp) consumers are invited to complain to the State/Territory Department of Fair Trading or ACCC for matters of truth or accuracy. The complaints processes available to competitors and consumers are not clear from reading the Code of Ethics. This information, which is also confusing, is only gleaned from researching the AANA’s website.

Secondly, the Code of Ethics only provides for the Advertising Standards Board Complaints Process (Section 2 of the Code of Ethics) and is silent on the process for complaints to the Advertising Claims Board (Section 1 of the Code of Ethics). As noted above, the Code is also silent on the objectives of these two Boards. The Code of Ethics should clearly state the objectives of these respective Boards and be explicit about who can lodge complaints with each Board.

Consideration should also be given to whether the current structure is appropriate in today’s environment. The Code of Ethics includes in its objectives, “…to ensure that advertisements are

---

\(^1\) Mission Australia, 2009, “National Survey of Young Australians”
legal, honest….and truthful”. Yet, this self regulated model does not provide consumers with a mechanism to voice complaints (free of charge) regarding matters of truth and accuracy relying instead on other legal avenues which exist.

The Trust believes that consumers should be able to lodge a complaint based on truth and accuracy, across all the content of Section 2 of the Code of Ethics not just the current limited Sections 2.1 of the AANA Food and Beverages Advertising and Marketing Code, Section 2.2 of the AANA Code for Advertising and Marketing to Children, and Section 1 (i) of the AANA Environmental Claims in Advertising and Marketing Code. This is particularly important for women given that the AANA’s own statistics show that between 1998-2009, 57% or more complaints were made by women and the most often complained about area during this period was in relation to the Code of Ethics’ section 2.3 sex, sexuality and nudity.²

## CONTENT OF SECTION 2

The Trust believes that the current objectives and content of the Code of Ethics do not adequately address the issues of gender stereotyping and misrepresentation of body image through advertising in traditional and new media. Females are more often depicted visually than males and a lack of equality or reality of gender roles in advertising results in women experiencing damaging affects as individuals and as a group.

QV Women’s Centre Trust believes the objectives and content of the Code of Ethics must be amended to address the following:

1. **Gender**

   Section 2.1 of the Code of Ethics should be amended to include gender as a discriminatory factor.

   The words ‘sex’ and ‘gender’ are sometimes used interchangeably however, they have completely separate meanings. ‘Sex’ refers to the biological and physiological characteristics that define men and women. While ‘Gender’ refers to the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for men and women.³

   Gender awareness is vital for an improved understanding of the complex issues faced in today’s society.

2. **Reality of Advertising Images**

   QV Women’s Centre Trust encourages the AANA to amend the Code of Ethics to better promote realistic, healthy and diverse images of women and girls. To achieve this, the Code of Ethics should incorporate the following principles from the Victoria Government’s Voluntary Media Code of Conduct on Body Image:

---

³ World health Organisation, 2009, “What do we mean by "sex" and "gender"?”
1. Stop the use of unachievable and unrealistic digitally-manipulated images and, if alterations have occurred, these should be disclosed.

2. There should be an inclusion of a variety of body shapes, to provide fair representation.

3. Consideration should be given to the context in which diet, exercise or cosmetic surgery advertising is placed (Fair Placement).

4. Effort should be made to depict people of healthy weight and size.

The Trust is in agreement with the Commonwealth Government’s proposed National Strategy on Body Image 2009 and believes it is time to ‘stop promoting images in media that make young people believe their physical appearance isn’t good enough’. Young women are particularly vulnerable to media pressure to conform to a narrow definition of ‘beauty’ and a ‘thin body ideal’. Internalisation of such unattainable ideals can lead to low self-esteem, body dissatisfaction and disordered eating.

An amended Code of Ethics, reflecting the four principles above, can promote positive body image and contribute to the reduction of body dissatisfaction.

Addressing the body image issues in the Code of Ethics provides further transparency and accountability to the self regulatory model. It is now widely accepted that self regulation works best within a regulatory framework as per the Australian model. Whilst the Federal and Victorian State governments have not legislated on this issue they both have voluntary industry codes of conduct dealing with the matter. By having a Code of Ethics reflecting the Government’s position would ensure that your self regulation model would be a part of the solution to this complex societal issue.

3. Violence

The Trust believes that the Code of Ethics should more strongly restrict violent images, particularly in relation to violence against women and girls. The Trust is concerned about advertising images that depict female victimisation, which can desensitise communities to the very real experience of violence against women. Limited gender stereotypes where women are depicted as dependent, sexual objects can contribute to violence against women.

‘Today in Australia, over half of all women experience some form of physical or sexual violence in their lifetime. A woman is killed almost every week by a male partner or ex-partner and thousands of women are injured each year.’ Advertising can have ‘negative, social and economic impacts on our society’ affecting personal safety, freedom and quality of life.

Violence against women must stop and the advertising industry has a role to play in achieving this.

4. Stereotyping

---


5 European Advertising Standards Alliance at http://www.easa-alliance.org/page.aspx/166


8 Iqbal, 2010, “Social & Economic Impacts of Advertising”
The Trust believes that advertising images should better reflect the diverse roles women play in civic, political, economic and family life.

There is ongoing gender stereotyping of women in both the traditional media and digital or social media, with women being overly represented in ‘domestic’ or ‘sexual’ roles, which is far from reality. The reality is more women complete secondary school than men and more women hold bachelor degrees than men. In addition women’s participation in the workforce has risen to 58%.

Women of all ages, particularly younger women, need to be exposed to a range of female role models in the media so that they are able to aspire to options other than a sexualised Barbie. “How can young women feel confident about entering public life when they know that they are likely to be judged not for their competence and skills, but on how closely they resemble a porn star?”

5. Sex, Sexuality and Nudity

Clause 2.3 of the Code of Ethics stipulates that sex, sexuality and nudity should be treated with sensitivity to the relevant audience, and where appropriate the program time zone. This is too narrowly defined, ignoring the use of sexual appeal in a manner which is exploitative and/or degrading to sell services or products. The New Zealand Code of Ethics takes this even further and prohibits people being portrayed in a manner which uses sexual appeal to draw attention to an unrelated product. Your own recent research in this area found that participants would define ads as unacceptable if they felt nudity in the ad was irrelevant to the product/service or sexuality in the ad was too explicit. In considering consumer sensitivities, the Trust believes that the broader New Zealand definition would better reflect current community standards.

One other limiting consideration of clause 2.3 is the stipulation that program time zone be given consideration, where appropriate. Given the quickly changing landscape of technology and new media, program time zones become irrelevant when access is available through other forms of technology at any time.

6. Recognising ‘advertising or marketing communications’

In line with the New Zealand Code of Ethics all advertisements should be clearly recognisable as such. Advertisements in a medium containing editorial or news can be misleading and/or confusing. To avoid this all advertisements should be clearly identified as such, rather than just those currently dealt with in specific codes as outlined in the discussion paper.

7. Take into account what other countries are doing

The QV Women’s Centre Trust urges the AANA to consider trends in international standards which are demonstrating a shift towards identifying and addressing the needs of specific

---

consumer groups, reflecting growing community concern about exploitative advertising practices.

On the 1\textsuperscript{st} of September 2010 the United Kingdom amended its voluntary Code of Broadcast Advertising to state that ‘ads should be legal, decent, honest and truthful but include enhanced protections for consumers and in particular children’.\textsuperscript{11} The amended UK Code refers to ‘gender’ in relation to financial products, services and investments.

The New Zealand Code of Ethics requires all advertising to be neither deceptive nor offensive. Their Code states that ‘advertisements should not contain any statement or visual presentation or create an overall impression which directly or by implication, omission, ambiguity or exaggerated claim is misleading or deceptive, is likely to deceive or mislead the consumer, makes false and misleading representation, abuses the trust of the consumer or exploits his/her lack of experience or knowledge.’\textsuperscript{12}

The Trust looks forward to seeing the outcomes of the Review, and to seeing an amended Code of Ethics that reflects women’s concerns.

Catherine Brown
Chair
Queen Victoria Women’s Centre Trust

\textsuperscript{11} Advertising Standards Authority (UK), 2010, “The Broadcast Committee of Advertising Practice: Television Advertising Standards Code”

\textsuperscript{12} Advertising Standards Authority (NZ), 2008, “Advertising Standards Authority: Code of Ethics”