
OUR WATCH

SUBMISSION TO THE AANA CODE OF ETHICS REVIEW

October 2019

About Our Watch

Our Watch is an independent, not for profit organisation established by the Commonwealth and Victorian Governments in 2013. Since establishment, all Australian governments have now become members of Our Watch. Our vision is shared with the *National Plan to Reduce Violence against Women and their Children 2010–2022* (the National Plan), namely an Australian community free from violence against women and their children.

Our Watch works to drive nation-wide change in the social norms, structures, attitudes and practices that underpin, drive and support violence against women and their children.

In 2015 Our Watch launched [*Change the story: a shared framework for the primary prevention of violence against women*](#). Developed in partnership with Australia's National Research Organisation for Women's Safety (ANROWS) and VicHealth, the framework draws on a significant review of the international evidence on what drives violence against women, as well as comprehensive national consultations with stakeholders. *Change the story* outlines a national approach to prevention, involving diverse stakeholders who can contribute to this shared national effort. In line with this, this submission draws strongly on *Change the story*, and to a large extent reflects the approach outlined there.

Since its launch, all Australian governments have endorsed *Change the story* in the Third and Fourth Action Plans of the *National Plan to Reduce Violence against Women and their Children* and many are now working to embed it in policy structures and processes.

The specific mandate of Our Watch is to focus on the primary *prevention* of violence against women and their children. We aim to provide leadership at national, state, regional and local levels to drive change in the social norms, structures, attitudes and practices that underpin, drive and support violence against women and their children. Our Watch has four key areas of work:

1. Design and deliver public campaigns that engage and educate individuals and the community
2. Promote a sustained and constructive public conversation
3. Enable organisations, networks and communities to effect change
4. Influence public policy, systems and institutions.

Preventing violence against women

Australia's shared framework for the primary prevention of violence against women and their children, *Change the story*, identifies that gender inequality sets the necessary social context in which violence against women occurs. The framework demonstrates that there are particular expressions or manifestations of gender inequality that are most consistently associated with higher levels of violence against women. These are referred to in *Change the story* as the 'gendered drivers' of violence against women. A range of international evidence finds that these gendered drivers arise from unequal and discriminatory institutional, social and economic structures, social and cultural norms, and organisational, community, family and relationship practices. Together, these structures, norms and practices create environments in which women and men are not considered equal, and violence against women is both more likely to happen, and more likely to be tolerated and even condoned.

The gendered drivers of violence against women outlined in the framework are as follows:

- Condoning of violence against women
- Men's control of decision-making and limits to women's independence in public life and relationships
- Rigid gender roles and stereotyped constructions of masculinity and femininity

AANA Code of Ethics

Section 2.1

- **Our Watch recommends** that the AANA draw on the UK approach by including a focus on minimising the risk of causing harm in section 2.1 of the Code of Ethics. For example, adding ‘advertising or marketing communication shall not portray people or depict material in a way which discriminates against, vilifies **or causes harm...**’ to this section.

Practice notes – Gender stereotypes (Section 2.1)

Our Watch supports the inclusion of guidance relating to gender stereotypes in the AANA Code of Ethics. As noted above, rigid gender roles and stereotyped constructions of masculinity and femininity have been shown in the international and national literature to drive violence against women. Levels of violence against women are significantly and consistently higher in societies, communities and relationships where there are more rigid distinctions between the roles of men and women – for example, where men are assumed to be the primary breadwinner and women to be primarily responsible for childrearing – and between masculine and feminine identities, or what an ‘ideal’ man or woman is.¹

Gender stereotypes have an influence on all of us – how we behave, what we wear, the interests we have, and how we relate to one another are all influenced by our society’s ideas and norms about gender. Our families and friends, workplaces, communities, media, advertising and other forms of popular culture all communicate messages, whether explicitly or subtly, about the roles men and women should play in relationships, communities, the world of work, their typical traits, and even how and when they should express emotion.² Research by Women’s Health Victoria has shown that the roles and settings used in advertisements targeted to both children and adults tend to reinforce gender stereotypes.³

Advertisers can choose to include more positive and gender transformative depictions of people in their communications. Fostering positive personal identities and challenging gender stereotypes and roles is one of the five essential actions set out in *Change the story* to address the drivers of violence against women and contribute to its ultimate prevention. To this end, Our Watch recommends that the language relating to gender stereotypes in practice notes is strengthened.

- **Our Watch recommends** that the practice notes are amended to state that advertising and marketing communication must not include gender stereotypes that are likely to cause harm, and that such communications should encourage positive, gender transformative portrayals.

¹ Our Watch (2015) *Change the story: A shared framework for the primary prevention of violence against women and their children in Australia*, <https://www.ourwatch.org.au/getmedia/0aa0109b-6b03-43f2-85fe-a9f5ec92ae4e/Change-the-story-framework-prevent-violence-women-children-AA-new.pdf.aspx>

² Our Watch (2018) *Challenging gender stereotypes in the early years: the power of parents*, <https://www.ourwatch.org.au/getmedia/e42fe5ce-8902-4efc-8cd9-799fd2f316d7/OUR0042-Parenting-and-Early-Years-AA.pdf.aspx?ext=.pdf>

³ Women’s Health Victoria (2018) *Advertising (In)Equality: The impacts of sexist advertising on women’s health and wellbeing*, [https://womenshealthvic.com.au/resources/WHV_Publications/Issues-Paper_2018.12.06_Advertising-inequality-the-impacts-of-sexist-advertising_Dec-2018_\(Fulltext-PDF\).pdf](https://womenshealthvic.com.au/resources/WHV_Publications/Issues-Paper_2018.12.06_Advertising-inequality-the-impacts-of-sexist-advertising_Dec-2018_(Fulltext-PDF).pdf)

Practice notes - Discrimination and vilification (Section 2.1)

Our Watch supports the prohibition on discrimination and vilification in advertising on the basis of race, ethnicity, nationality gender, age, sexual preference, religion, disability, mental illness or political belief. The Code of Ethics should also account for the way that different forms of discrimination intersect, for example gender and race discrimination can manifest as racialised gender discrimination.

While gender inequality is always influential as a driver of violence against women, it cannot be considered in isolation, nor is it experienced in the same way by every woman. Other forms of systemic social, political and economic discrimination and disadvantage influence and intersect with gender inequality, and in some cases, increase the frequency, severity and prevalence of violence against women. This means that while gender inequality may be a necessary condition for violence against women, it is not the only, or necessarily the most prominent, factor in every context.⁴

- **Our Watch recommends** that complaints should be able to be made under the Code of Ethics relating to discrimination portrayed in advertising based on one or more attributes/identities, and on the way different attributes/identities intersect.

Exploitative or degrading (Section 2.2)

The objectification of women both stems from and reinforces stereotyped ideas such as women's sexual availability, and men's sexual entitlement. It condones and encourages disrespect towards women, and increases the acceptability of violence against women. The AANA Code of Ethics provides a significant opportunity to reduce objectifying portrayals of women in advertising and marketing materials.

- **Our Watch recommends** that section 2.2 of the Code of Ethics is strengthened by including wording to stipulate that advertising or marketing communications shall not employ sexual appeal in a manner that could cause harm.
- **Our Watch supports** the recommendations on the practice notes for section 2.2 made by Women's Health Victoria in its submission to this Review.

Violence (Section 2.3)

Our Watch supports restrictions on the presentation and portrayal of violence in the Code of Ethics. When societies, institutions, communities or individuals support or condone violence against women, levels of such violence are higher. This driver includes social norms, structures and practices that justify, excuse, trivialise or downplay violence, or shift blame for the violence from the perpetrator to the victim.⁵

The available evidence suggests that images of women being subordinated or victimised in advertising are not uncommon.⁶ Advertisements that portray violence against women can have the effect of normalising and condoning such violence. In recognition of this, we suggest that the Code of Ethics should not allow depictions of violence that are 'justifiable in the context of the product or service advertised' and instead should use a public health and wellbeing test.

⁴ Our Watch (2015) *Change the story*.

⁵ Ibid.

⁶ Women's Health Victoria (2018) *Advertising (In)Equality*

The Code of Ethics can be further strengthened by specifically referring to all four gendered drivers of violence against women. This would demonstrate leadership in contributing to the prevention of this violence by addressing its various underlying drivers.

- **Our Watch recommends** that the AANA Code of Ethics states that advertising or marketing communication shall not present or portray violence unless it is justifiable in the interests of public health and wellbeing.
- Additionally, **Our Watch recommends** that the Code of Ethics states that advertising or marketing communications should not present or portray attitudes and behaviours that drive violence against women, namely:
 1. Condoning of violence against women
 2. Men's control of decision-making and limits to women's independence in public life and relationships
 3. Rigid gender roles and stereotyped constructions of masculinity and femininity
 4. Male peer relations that emphasise aggression and disrespect towards women

Practice notes – violence (section 2.3)

The practice notes for section 2.3 currently lack clarity, making it difficult for advertisers and members of the public to understand the meaning of this section. For example, the practice notes state that 'realistic depictions of the consequences of violence are not acceptable', which contradicts the code statement that portrayals of violence cannot be presented 'unless it is justifiable in the context of the product or service advertised'.

Our Watch recommends that the practice notes for section 2.3:

- are re-drafted to increase the clarity and consistency of the guidance
- include further information about the condoning of violence against women – that is, advertising or media communications should not condone violence against women including portrayals that justify or excuse violence against women, trivialise the impact of violence, downplay the severity, or shift blame from the perpetrator to the victim
- include further information about the other gendered drivers of violence against women (as listed above)

Sex, sexuality and nudity (Section 2.4)

Our Watch supports the recommendations made by Women's Health Victoria in relation to this section of the Code of Ethics and practice notes.

Other suggestions or comments

Our Watch highlights the importance of gender equality expertise for those reviewing complaints made under the Code of Ethics. We recommend that the AANA takes steps to develop this gender expertise, for example:

- provide appropriate training on gender equality for Ad Standards Community Panel Members
- establish a Gender Equality Advisory Board to the AANA and/or Ad Standards to assist with decision-making by providing expert advice on complaints

Our Watch supports the recommendations made by Women's Health Victoria relating to strengthening of the complaints process and compliance mechanisms.