

6 February 2011

The Secretary,
House Standing Committee on Social Policy and Legal Affairs
Inquiry into the regulation of billboard and outdoor advertising
House of Representatives,
PO Box 6021,
Parliament House, Canberra ACT 2600.

Submission Number: 007
Date Received: 07/02/2011

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**SUBMISSION TO THE INQUIRY INTO THE REGULATION OF BILLBOARD
AND OUTDOOR ADVERTISING**

The following seeks to address the terms of reference of this enquiry.

1. the existing self-regulatory scheme for advertising

I believe the existing self-regulatory scheme for advertising has failed because of the deliberate flouting of community standards by some enterprises as demonstrated by the large increase in complaints. It must be kept in mind that one formal complain represents many complaints which have not been formalised. Many people in today's society are very time-poor and will often complain to their work colleagues, friends or neighbours but not take the time to make a formal complaint.

I heard Mr Perrott on ABC radio in Brisbane on 31 January 2011 refer to the number of complaints received about offensive billboards as "only" so many hundred complaints. (I can't recall the exact number). This begs the question, how many complaints are enough ? What measure is used and how is it derived ? What value do we give to each complaint ? I think all complaints are of equal value and deserving of investigation.

In these days of blogs, twitter, text messaging, Facebook and the like, I believe the Federal Government needs to move with the times and make it easier for people to lodge complaints. We may then get a better idea of what community expectations are.

2. whether the current arrangements, including the Industry Codes administered by the Advertising Standards Bureau (ASB), meet community concerns about billboard advertising

I do not believe the current arrangements meet community concerns. Clearly by the level of complaints both formal and on talk-back radio and the internet, this is the case. In my view, the ASB is not sufficiently in touch with community standards and nor is the advertising industry. Clearly we cannot trust the advertising industry to responsibly self-regulate because they use their profit motivated standards. Let's face it, sex does sell and they know it. We are saturated by sexualised images and messages in the media and on the big screen and many of us are simply fed up. Public space is the last frontier that the advertising industry wants to dominate and many of us in the community want to win back this space for the good of our communities. Our children for one, deserve it. And it is not only offensive advertising which I would like to eliminate; it is the ever increasing size of billboards which is causing visual pollution and road user safety issues. They are simply too distracting for a lot of motorists. After all the billboards are designed to attract attention and be read. I would therefore like to see much tighter restrictions on the use of billboards on roadsides.

I have visited other countries like the Philippines where the use of "mega" billboards is common. I believe the majority of Australian's would be horrified to see this type of thing here.

3. trade practices and fair trading legislation in all jurisdictions that contain consumer protection provisions that prohibit false, misleading and deceptive advertising

I believe that legislation should be aligned across the States and Territories of Australia. Provided that the recommendations in this submission are heeded, I recommend that the jurisdiction with the highest standards should provide the model upon which a National standard is based. I do not want to see the "lowest common denominator" adopted.

4. technical developments in billboard advertising, if any

Whether it be hard copy or electronic or any other form of billboard, community standards and decency need to apply. The ASB needs to be proactive in the area of new developments occurring with electronic billboards that can be changed very quickly to avoid prosecution after displaying offensive material. Similarly there is the potential for privacy to be flouted with this type of technology.

I am concerned about new technology being applied to outdoor advertising and it's potential effect on road safety. The last thing we want is more distracting images and messages designed to grab the attention of road users.

5. the rate and nature of complaints about billboard advertising

Refer to item 2 above.

6. any improvements that may be made to current arrangements

I believe that;

- regulations need to be tightened because some commercial enterprises have clearly demonstrated that profit comes before complying with community standards and expectations. One has to question whether the advertising industry is the best judge of these standards having the profit motive uppermost in their minds. I would therefore recommend tighter regulation not less regulation. Sure some industries are doing the right thing and will have to bear greater regulatory scrutiny but the principle of many suffer because of a few is unfortunately one of the downsides of the Western style democracy.
- The ASB needs to increase scrutiny and proactively ensure compliance rather than letting the public do it's work. This of course applies to many Government functions today where, in my view, the responsibility for compliance work, is being continually shifted to the public in order to cut costs.

7. the desirability of minimising the regulatory burden on business, and

See Item 6 above.

8. Other comments

I refer to the comments made on line by Karyn to a recent ABC Radio program. I totally agree with this person's comments (slightly edited). Please see the Attachment.

Important privacy requirements;

If necessary, you have my authorisation to publish my comments with my name, suburb and State only. ***You are not authorised to publish my home address, email address or phone numbers.***

Yours sincerely



A large black rectangular redaction box covers the signature area. To the left of the box, there is a faint, vertical watermark that reads "Copyright © 2014".



Ian Moller

ATTACHMENT

ABC RADIO NATIONAL PROGRAM ON ADVERTISING STANDARDS

Ref: <http://www.abc.net.au/rn/lifematters/stories/2011/3117522.htm>

24 January 2011

Program introduction: How do you feel about those dominating billboards or ads on the outside of buses that sometimes depict graphic sexual images or suggestive slogans?

Questions have been raised about the effectiveness of the current self regulatory system of outdoor advertising and the House of Representatives is calling for submissions to an inquiry.

Graham Perrett is the chair of the Committee on Social Policy and Legal Affairs and submissions to the inquiry are welcome until February 18.

COMMENTS ON THE WEBSITE:

Karyn :

27 Jan 2011 11:26:40am

Although I take Nathan's point that advertising is inherently misleading, I do not agree with his comment that 'squeamishness about risqué advertising content misses the point'. In fact our 'squeamishness' IS the point or needs to be. I am incensed about inappropriate advertising on billboards etc! By 'inappropriate' I mean those ads with overt sexual and/or violent messages or connotations. These often demean women and men, and have the effect of sexualising children. The latter point I am particularly concerned about. In Melbourne, the voices of many (including mine) recently saw the removal of a series of billboards which advertised a brand of jeans. These billboards were highly sexually explicit, contained nudity and implied sexual violence against women.

What are parents supposed to say to their children who have no choice but to see these billboards in very public places? Yes, they can help the child spell out the word 'SEX' and then proceed to explain it, however simply. After all the earlier a 5 or 6 year old learns about sex the better (oh yeh?) - its vital information at that age isn't it? Parents can then explain why the image of the young woman is bearing her breast/s and has multiple young men around her in predatory poses. Of course all this is perfectly normal and acceptable in our society. These are the objects and role models we want our children to see, aren't they? The two-legged paedophiles are a real worry, yes, but there is no bigger worry than our very own omniscient and omnipresent paedophile - the media, which includes advertising - the great destroyer of all innocence, self-

[REDACTED]

esteem and contentment. As you can hear I (and many others) feel passionately about it!
