

Film Inquiry Submission No. 96.....
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**THE PLACE OF ADULT "FILMS" IN THE AUSTRALIAN  
ECONOMY**

**SUBMISSION TO THE HOUSE OF REPRESENTATIVES STANDING COMMITTEE ON  
COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS**

**INQUIRY INTO FUTURE OPPORTUNITIES FOR AUSTRALIA'S  
FILM, ANIMATION, SPECIAL EFFECTS AND ELECTRONIC  
GAMES INDUSTRIES.**

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## PREAMBLE

This submission to the inquiry on the Australian film, animation and effects industries is presented at the invitation of the Committee, on the basis that our research into the production, content and consumption of pornographic "films" in Australia might be of interest. We would emphasise from the outset that the data discussed below are only preliminary, and have been generated specifically for this Committee. They should not be taken to be publishable data generated by our project. Nevertheless, we are happy to present this information for the Committee's use.

### 1. SIZE OF THE INDUSTRY

1.1. Pornographic "films" are not actually produced on film, nor are they circulated in cinemas. When we discuss pornographic 'films', we are in fact discussing videos and DVDs.

1.2. We have contacted the distributors of pornographic material in Australia and estimate that the distribution of adult materials in Australia is worth approximately \$245,000,000 (see table below). However we must also point out that the legislative system in Australia - where it is legal to *buy* and *possess* pornographic materials in any State, but illegal to *sell* them in any State - has resulted in a booming black market. We thus suggest that the actual size of the distribution industry (particularly the sales of videos/DVDs) might be up to twice the size we have identified

Video/DVD sales	\$230,000,000 (low estimate)
TV/Cable subscriptions	\$7,935,561
Hotel pay per view	\$7,500,000
Total worth of distribution industry, videos/DVDs.	\$245,435,561

1.3. Production: Over 99.9% of the adult videos/DVDs distributed in Australia are of overseas origin. There is almost no production of adult videos/DVDs in Australia.

(we have evidence of a small number of local productions - less than twenty - over the last few years). It is thus the case that a vast market for local audio-visual productions is currently untapped.

## **2. SOCIAL EFFECTS**

- 2.1. In considering whether this is an area of cultural production into which Australia should move, the Committee must consider whether the fact of adult materials being produced in Australia can, of itself, produce a social harm.
- 2.2. Studies in other countries aiming to discover whether a link exists between the availability of pornographic materials, and incidence of sexual violence have proved contradictory. Some studies find that the availability of sexually-explicit materials leads to a decrease in instances of sexual violence (supporting a theory of catharsis). Others find that the availability of such materials leads to an increase in instances of sexual violence (the 'getting people excited' model). We can state with authority that there is no obvious or simple link between the availability of pornography and incidence of sexual violence in a country; and that it may be the case that the availability of pornography actually leads to a decrease in sexual violence.
- 2.3. To date our results would tend to suggest that the availability of pornographic materials does *not* lead to an increased instance of seeing women as sexual objects. Indeed, our current data suggests the opposite case (see below). Again we must emphasise that this data must not be treated as final or as publishable. It is presented only for the interest of the committee. The results have not been cleaned up; incomplete and duplicate data have not been identified and removed; and the most systematic element of this survey, its postal application to subscribers to pornographic catalogues, has only just begun. With such caveats, and on an informal analysis of the data gathered to date (from 320 survey responses from consumers of adult materials), the following may be of some interest to the Committee:
- 2.4. About 20% of the consumers responding to our survey are female, 80% male

- 2.5. We have received responses from all states and territories; and from Australians living everywhere from regional Australia to urban locations. 33% are married, 39% are in other unmarried relationships, 28% single.
- 2.6. 63% have some religious conviction (the majority Christian). 37% identify as atheists
- 2.7. 25% of consumers of pornographic material vote for the Liberal/National coalition, 32% vote Labor, and 22% vote for the Green Party.
- 2.8. We asked a number of questions specifically designed to measure the attitude of the consumers of pornography towards women as sexual objects or as equal citizens. We asked about attitudes to equal pay for equal work; about a woman's right to return to the workplace after having children should we wish; about right to abortion on demand; etc. The results of these questions overwhelmingly suggest that consumers of pornography do *not* treat women as sexual objects. Of particular notice is the question where consumers were asked about the extent to which they agreed or disagreed with the statement: 'A woman has a right to stop a sexual encounter at any point, no matter how keen she may have been initially'. Only a single respondent out of 320 strongly disagreed with this statement. 7% disagreed slight. 93% either agreed or had no strong opinion on this issue.
- 2.9. We also asked consumers to tell us about the effects that consuming pornography has had on their own attitudes towards sexuality. Respondents have been remarkably open about this, and around 10% stated that they felt pornography has had a negative effect on their attitudes. The most common reason given was that they felt pornography had given them unreasonable expectations of what to look for in a sexual partner. Two (from 320) complained of their uncontrollable addiction to pornography. Around 90% felt that pornography had either had no effect, or a positive effect on their attitudes towards sexuality. The most common responses given were that it had made them more open to seeing different body types as beautiful; and that it had made them more tolerant about their partner's sexual needs and better able to fulfil them.
- 2.10. The contradiction in the previous section - that some people feel pornography promotes unrealistic body images, while others feel that it opens up the range of attractive body images - is relevant to the medium addressed by this committee.

Our analysis of pornographic content suggests that mainstream magazines, such as *Playboy* and *Penthouse*, tend to be the most 'unrealistic', and it may be these magazines that have had negative effects on the respondents. By contrast, the top selling pornographic videos and DVDs in Australia are much less judgemental about body types, and include men and women of a variety of body sizes, all presented as being sexually desirable. From our evidence it seems possible to argue that pornographic videos and DVDs in Australia perform a social good in allowing people to be more relaxed about their own, and other's, bodies and sexual needs.

### 3. SCOPE FOR GROWTH

3.1 It is clear that at the moment the full economic potential of the production and circulation of pornographic materials in Australia is not being fulfilled. Should the Committee wish to develop this industry, there are two possibilities for growing this area of the Australian economy.

3.2 Firstly, it would be possible to undertake a number of initiatives to increase the *distribution* of pornographic materials in Australia. Secondly, it would be possible to undertake initiatives to create a *production* industry for Australian pornography materials.

3.3 Distribution. There are severe legislative impediments to the growth of the distribution sector in Australia. If the Committee wishes to grow this sector, it should recommend that the sale of X-rated material be legal in all States in Australia. This single and simple move would remove the black market status of adult materials, and bring a much greater proportion of the market into the visible - and taxable - realm.

3.4 It has also been reported by importers of adult materials that the wide-ranging and unclear status of current classification guidelines are causing problems at the point of entry to Australia. This greatly increases the time it takes for material to pass customs. It would be possible to simplify or clarify the guidelines, and to ensure that those involved in assessing the status of imported adult materials are fully cognisant with the rules about what can legally be shown in Australia.

3.5 It is worth noting a separate sector that has been strongly disadvantaged by recent Federal legislation. In the course of our research we have come across several cottage-industries producing their own fetish-pornography. Since the introduction of new legislation in 2000 it has been illegal to sell any material, anywhere in Australia, which shows consensual fetishes - including wearing leatherwear, rubberwear, spanking and consensual bondage practices. A significant number of Australians whose sexual tastes have thus been outlawed are now involved in producing their own materials illegally for distribution within their own communities. This is obviously untaxed, and is not articulated to any other form of production. Again, if the Committee wishes to grow this sector, it should recommend that the restrictions on showing consensual fetishes should be rescinded.

3.6 It is inconceivable, given the size of the pornographic distribution industry in Australia, that were Australians to begin to produce pornographic materials there would not be a market for them. Specific steps to promote the growth of such an industry are outside the scope of our expertise. However, we suggest that making X-rated materials more available might lessen the stigma of being involved in producing such materials. We would also suggest that the Committee approach the Eros Association, Australia's adult goods and services Association (02 6285 2477) to discuss ways in which an indigenous sector producing pornographic films might best be established.

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