

ASA statement on sexual imagery in outdoor advertising

Background

In June 2011, the Department for Education published *Letting Children be Children*, its independent report into the commercialisation and sexualisation of childhood, following a review by Reg Bailey. The Report urges the ASA to reduce the amount of outdoor advertising that contains sexualised imagery in locations where children are likely to see it.

Before the publication of the Report, and as part of our ongoing commitment to listen to the views of parents and children about irresponsible or misleading advertising, we published the results of our engagement activities with parents and schoolchildren in Cardiff. That research found that although advertising was not considered to be a prominent influence when considering the issue of 'sexualisation' as a whole, participants were more likely than not to think we had been too permissive when judging sexual imagery on posters.

The ASA Chairman Lord Smith said: "As we make judgments on behalf of the public it is crucial that we continue to listen to and understand their concerns. Our engagement with parents and young people in Wales has been a fascinating and valuable exercise. We have learned some lessons; we know that we do not always get it right – the strength of feeling about untargeted ads of a sexual nature was particularly telling – and that feedback is already being taken on board."

A two-tier approach

Our aim is to ensure that children are appropriately protected from irresponsible sexual imagery. Given that there is no set definition of 'irresponsible sexual imagery', the ASA will be taking decisions on a case-by-case basis. In doing that, we will consider complaints we receive about sexual imagery in light of the new evidence we have received about the public's views. We will, as we have when judging such matters in the past, be looking to reflect the opinions of society and generally accepted standards.

This statement gives an indication to the advertising industry of our approach and some direction on the sort of imagery that might prompt closer examination.

We intend to take a two-tiered case-by-case approach to sexualised images:

1. we will consider carefully what is likely to be acceptable in outdoor advertising, informed by the new evidence of the public's view of outdoor images, tightening up where that is justified and
2. we will, in addition, focus on images in locations of particular relevance to children with a view to applying a placement restriction where appropriate. That will allow us to act proportionately, limiting children's exposure to outdoor advertising that contains, for example, sexually suggestive imagery, which is not so overtly sexual that it warrants a complete outdoor ban.

Over the coming months, new adjudications, reflecting both 'upheld' and 'not upheld' complaints, will further establish where we are drawing the line. In the meantime, advertisers, agencies and media should familiarise themselves with this statement and can seek advice, before publication, from the CAP Copy Advice team.

How the ASA will judge complaints

When considering complaints the ASA will take into account:

- the nature of the product advertised
- the context of the ad and its location
- the medium in which the ad appears, including the size of the advertisement
- the audience and
- the likely response of that audience.

The ASA will also take into account the ability of advertisers to restrict the placement of their outdoor advertising, for example within 100m of schools.

Examples

Images that are not sexual, or no more than mildly sexual:



The model on the left is wearing a bikini and holding a pose which is unlikely to be considered to be sexually suggestive. Similarly, the image on the right shows a topless male model, but again his pose is unlikely to be considered sexually suggestive.

Images in outdoor ads similar to these are likely to remain acceptable on the basis that they are no more than mildly sexual.



Images that are sexually suggestive:

However, the following images might be viewed as sexually suggestive. The woman in the image on the left is shown with her legs astride, drawing attention to her groin area, and the woman in the image on the right is shown both in sexy lingerie and in a seductive pose.

Those images in ads might be acceptable in some locations but are likely to require a **placement restriction**, preventing them from being placed in locations of particular relevance to children.

The ASA understands that outdoor media providers offer an option to advertisers not to place advertisements within 100m of schools if that is requested at the time of booking. The ASA will take account of whether a placement restriction has been applied when considering complaints.



Below is an example of another image which may merit a placement restriction. The couple are clothed, a mitigating factor, but they are shown in a passionate clinch, suggestive of sexual interaction.



Overtly sexual images that are unlikely to be acceptable in outdoor advertising

Some advertisements may not be suitable for general outdoor display, irrespective of a placement restriction. The following images are unlikely to be acceptable in outdoor generally, even if they had a placement restriction, because they are likely to be deemed too overtly sexual. On the left, a woman in lingerie pulls down the side of her knickers and bra strap in an overtly sexual and seductive way. On the right, the couple are engaged in an overtly sexual embrace: the lingerie, clinch and facial expressions add to the overall impression.



Advertisers should be particularly cautious about the imagery they use to advertise gentlemen's clubs or sex shops because our research tells us that the public responds differently to those images in light of the product or service offered.

Key questions to consider:

Although not exhaustive, characteristics that the ASA might consider sexually suggestive or overtly sexual are:

- Poses suggestive of a sexual position: the parting of the legs, accentuation of the hip etc.
- Amorous or sexually passionate facial expressions
- Exposure of breasts, including partial
- Poses such as hands on the hips, gripping of hair in conjunction with a sexually suggestive facial expression
- Images of touching oneself in a sexual manner, such as stroking the legs or holding/gripping the breasts
- Suggestion in facial or bodily expression of an orgasm
- Images of suggestive undressing, such as pulling down a bra strap or knickers
- Ads which draw undue attention to body parts, such as breasts or buttocks, in a sexual way
- Ads which show people in poses emulating a sexual position or alluding to sexual activity and
- Overtly sexual lingerie such as stockings, suspenders or paraphernalia such as whips and chains.

Other contextual considerations include:

- What size is the ad? A large outdoor poster may have a different impact to a small poster
- Where has your ad been placed? What is the product? What is the likely response of the audience?
- Does your poster contain anything which may be considered sexually suggestive or overtly sexual? If so, does it merit a placement restriction?

Help and Advice

For free advice visit www.copyadvice.org.uk

Links:

The Bailey Report, Letting Children be Children:

<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/CM%208078>

ASA's Cardiff research:

<http://www.asa.org.uk/Resource-centre/~media/Files/ASA/Reports/Advertising%20and%20young%20people%20June%202011.ashx>