

## Case Report

1. Case Number :	0074-23
2. Advertiser :	WC Savage
3. Product :	Sex Industry
4. Type of Advertisement/Media :	Billboard
5. Date of Determination	26-Apr-2023
6. DETERMINATION :	Dismissed

### ISSUES RAISED

AANA Code of Ethics\2.2 Exploitative or Degrading  
AANA Code of Ethics\2.4 Sex/sexuality/nudity

### DESCRIPTION OF ADVERTISEMENT

This billboard advertisement features an image of a woman in a black bikini swimsuit on her hands and knees in shallow water outdoors. The billboard includes a QR code directing to the w.c.savage OnlyFans account, as well as the OnlyFans and Instagram logos.



### THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

*The billboard is very large and present at an intersection on a main route to daycares and schools. It is also along a bus route. This means that children and young people will be exposed to the imagery. This imagery encourages a particular view of the female body and value and is inappropriate. It is also situated in a culturally diverse area and I am confident would offend many people of various beliefs and cultural backgrounds due to the near nudity and clear sexual nature. It is also inviting young people to look up the advertiser which is a pornographic social media platform.*

*The image is provocative and distasteful and not appropriate for young children and other motorists who are forced to see it while passing by. There is no way to avoid it or block it from children and then having to explain what Only Fans is to young impressionable girls. It is very outdated and I don't want my children thinking that's how to make money when you grow up.*

*Not only is this advertisement inappropriate for children to see, which is of course obvious to anyone, it also affects teenagers who have access to mobile phones which allow them to access this content with the click of a button, which could then lead them down a dangerous path of adult content addiction and a warped view of the world. Additionally, this is not only about those who go to the website to view the content for their own interest, but also about the ones who feel like they have to live up to that ideology of how a woman must look and act! Flaunting their sexuality to gain attention and money! This is NOT a message that we should be advertising to our younger generation!!*

*It sends a message that it's acceptable to sexually objectify women. Sexual objectification of women is known to contribute to violence against women, including physical and sexual violence, and coercive control. It promotes pornography to children - the billboard is clearly able to be seen by everyone who passes. It enables children to use a digital device, like a smartphone to use the QR code to be taken to a pornography website. As a woman, it makes me feel less safe in society, and distressed at the message this sends my teenage daughter (it's socially acceptable to view women as sexual objects) and my teenage sons (society says it's OK to portray women like this). I find it very upsetting and offensive.*

*She may be dressed in a bikini which we can all see when we go to the beach, but that pose is not any normal pose. It is ONLY a pose that you see in sexualised content like pornography. The image is so large that it takes up a 1/3 of the billboard! People have no choice but to see it, whether they want to or not.*

*Young, old, male or female, I have no choice when I look up, I am going to see that! Its big, its unmissable, its there and I dont WANT to see that.*

*Either does my 12 year old daughter who I am trying hard to raise to be a strong young women who shouldn't need to feel pressured to dress, look or behave like a woman in porn movie.*

*All outdoor advertising to be G-rated. Child development experts, psychologists and educators have long warned of the serious risks that flow from the premature sexualisation of children. Children should not be exposed to sexualised advertising when they travel with their parents.*

*Australia is supposed to be trying to combat the rise of domestic violence, including sexual violence, and coercive control; clear links between attitudes that objectify women and these criminal and social issues, have been established by a plethora of research*

## THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

### *SUBMISSION TO ADVERTISING STANDARDS – OUT OF HOME PANEL- 4 MAIN STREET OSBORNE PARK. OPENING STATEMENT*

*I hereby submit the following information in support of the current “message” or material being displayed at the above location.*

*I am not a member of the advertising industry and therefore not required to submit the material for approval.*

*I sought advice from a professional media body at the graphic design stage of the content and several modifications were made to the content to ensure it met the standards of the Ad Standards and spirit of what Ad Standards sets out to achieve.*

*I was aware that the content could possibly create some objections and apart from an initial wave of media attention this has now subsided.*

*It's my view that certain segments of the media portrayed this issue in a deliberately controversial manner that is self-serving and damaged my professional reputation as a content creator.*

*The content of the sign is consistent with many other Out of Home advertising messages in that it uses pictorial image along with a web site address, a QR code and several small icons for well-known social media sites.*

*None of the websites listed depicts adult content.*

### *SUPPORTING COMMENTS*

*Parents don't “need to explain only fans”, they can say it's something for adults only - the same as alcohol or gambling ads we see every day everywhere especially during sporting events.*

*Children in general do not know what Only Fans is.*

*The image is of me in a bikini at the beach, to link this with pornography is simply wrong. The assertion that a girl in bikini is directly linked to pornography is wrong.*

*The photo used in the message is not sexual - I am the model and it was taken at a public beach in swimwear –I would wear to any beach.*

*Some complaints are attempting to make a tenuous link to the image and pornographic content which it does not do.*

*I attached a link to petition that supports the message, many are from women - [https://petitions.eko.org/petitions/keep-the-of-billboard?source=rawlink&utm\\_source=rawlink&share=b2e25c29-bd7c-4f49-8d32-a46357c5492f&fbclid=IwAR01veIHeZwUOhAT1q6gXnYGArJmlQv8e-uxwarautaKWBz2NktwrmHGZ20&mibextid=ykz3hl](https://petitions.eko.org/petitions/keep-the-of-billboard?source=rawlink&utm_source=rawlink&share=b2e25c29-bd7c-4f49-8d32-a46357c5492f&fbclid=IwAR01veIHeZwUOhAT1q6gXnYGArJmlQv8e-uxwarautaKWBz2NktwrmHGZ20&mibextid=ykz3hl)*

*I am promoting my own legitimate business, which is registered with ASIC and the Australian Taxation office. My earnings are subject to being taxed as is any other commercial trading entity in Australia and unlike many foreign nationals and companies I don't use off shore accounts to avoid tax. Therefore I believe I have the right to advertise my services in a responsible manner.*

*I have been inundated with chain emails from a small religious group in an attempt to collapse my email address. The same group have in my opinion been the ones that have threatened me with physical harm.*

*To remove the message would send a message to these small extreme groups that harassment of an individual person can work.*

*The QR code is on the far side from the road and is not intended for road users but the people in the car park. To access the QR code a person would need to walk up to the base of the sign and scan the code.*

*QR codes are commonly incorporated into other Out of Home messages and its placement was chosen so as not to be considered a road safety issue.*

*If a member of the public does use the QR code – the person is directed to a web site landing page that requires you to pass a Pay Wall which includes the visitor certifying that they are over 18 and to enter a credit card to subscribe. No adult content is available until these steps are completed.*

*The image used is me at the beach in a bikini which is an act participated in by majority of Australians and its tourists and is not considered sexual.*

*The City of Stirling - the local government authority has issued a statement that the message does not breach any local laws and that the matter rests with the advertiser and sign company.*

*In relation to Ad Standards guidelines:*

*There is no discrimination or vilification of any person or group as per (2.1)*

*There is no exploitation or degrading images or references thereto as per (2.2)*

*There is no depiction of violence as per 2.3  
There is no sexual content in this ad as per the definition of 2.4.  
There is no nudity or sexuality (2.4)  
There is no sexual act sex, or overt sexuality and nudity (2.4),  
There is no offensive language (2.5),  
There are no self-harm messages 2.6.  
The message is clearly an advertising message (2.7)*

#### **CLOSING STATEMENT**

*As the advertiser I have been receptive of input from industry professional's processional graphic designs to create a clear and simple message that would in my opinion meet the Ad standards guidelines.*

*The message is not demeaning to women as some complaints maintain or in reference to being obscene when measured against the definitions listed above.*

*The billboard location is sited in a commercial / industrial area.*

*The site cannot be seen from any residential area. Nor any park or recreational facility.*

*There are no schools or childcare centres nearby or any other venue that children would attend.*

*The content on the website cannot be seen simply by scanning the QR code, you must accept you're 18, create an account, add a credit card and then pay to subscribe to the site. This effectively prevents under 18 visitors from accessing any content.*

*Many steps must be taken before seeing ANYTHING of a sexual nature. I seek to promote my page by using an image of me in a bikini at the beach.*

*Not in a bed in lingerie or using any sexual connotations. Nowhere on the billboard is message the mention of sexual services or content.*

*Therefore I submit that case 0233-22 is similar in nature to this message and that an approval would be consistent with past approvals that Ad Standards have given.*

*The only people who will be able to see this as sexual in nature are those who are already exposed to sex, porn or sexual interactions themselves - therefore excluding children from the argument. The site the QR code directs to be 18 years age restricted with credit card walls and 18+ walls put in place to prevent minors from accessing exclusive content. With this being highlighted as a reassurance to the Panel the direction of the QR code to my site is not under the Panel's purview, only the media on the sign itself. It is clear that the photo & QR code doesn't impact any clause of the code.*

*I take matters such as these extremely seriously, and did my due diligence to ensure the image on the billboard was safe and respectful towards ALL members of the community - especially children. All I do through my page is empower & educate subscribers around sex & enjoyment and to say that is demeaning to women (as a female owner of the ad) is quite absurd. I, along with many other women including radio talk show hosts, mothers, single women of all ages and those in relationships of various types have come forward to not only sign the billboard but also message me directly, comment and share in support of me. Anyone of any gender can wear a bikini and be photographed in one without being made to be demeaning. At the time this photo was taken there were multiple young people, children and families on the beach - (even a school excursion) all of which either had no issue or told me how great my images looked and how confident I should feel. If it wasn't sexual in person to see why is it now?*

*On this occasion, I challenge the complainants' belief that the advertisement is Inappropriate.*

*I have not been forced to take the billboard down by local council, I have reached all standards and regulations and have had thousands of comments in support from not only Perth and Australia - but worldwide.*

*Case 0233-22 and other similar were dismissed by the Panel in the past and are all examples as to why this case should also be dismissed.*

*The area the billboard is located is described as an industrial suburb.*

## **THE DETERMINATION**

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted complainants' concerns that the advertisement objectified women and was inappropriate for display where a broad audience, including children may view it. A summary of complaints received is included as appendix 1 the end of this report.

The Panel viewed the advertisement and noted the advertiser's response.

### **Section 2.2: Advertising should not employ sexual appeal in a manner which is exploitative or degrading of any individual or group of people.**

The Panel noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

*Exploitative - (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or (b) focussing on their body parts where this bears no direct relevance to the product or service being advertised.*  
*Degrading – lowering in character or quality a person or group of people.*

Does the advertisement use sexual appeal?

The Panel noted that the advertisement depicts a woman in a black bikini swimsuit on her hands and knees in shallow water outdoors. The advertisement is to promote the woman's site on the internet content subscription service platform OnlyFans.

The Panel noted that the OnlyFans platform hosts the work of a range of content creators, including that of adult-only content creators.

The Panel considered that the body of the woman in the advertisement is covered by a bikini swimsuit but that some members of the community would consider that the depiction of a woman in a bikini swimsuit is a depiction of sexual appeal.

The Panel therefore considered that the advertisement uses sexual appeal.

Does the advertisement use sexual appeal in a manner that is exploitative?

The Panel noted that the woman depicted in the advertisement is the advertiser and owner and content creator of the OnlyFans page being promoted.

The Panel noted that it is common for individual content-creators to use images of themselves, to promote their brand and online sites. For example, individuals promoting health and fitness often use images of themselves in swimwear and exercise wear to draw attention to their products and services.

The Panel considered that in this case the advertiser has chosen to share an image of herself to promote her own personal brand and site and is not shown to be an object or commodity.

The Panel also considered that the use of an image of the advertiser is directly relevant to the advertiser's brand and site.

The Panel considered that the advertisement does not employ sexual appeal in a manner which is exploitative of women.

Does the advertisement use sexual appeal in a manner that is degrading?

The Panel considered that in this advertisement the woman is promoting her own personal brand and content. The Panel considered that her choice to share her image does not lower her in character or quality.



The Panel considered that the advertisement did not employ sexual appeal in a manner which is degrading to the women.

## **Section 2.2 conclusion**

Finding that the advertisement did not employ sexual appeal in a manner which is exploitative or degrading of an individual or group of people, the Panel determined that the advertisement did not breach Section 2.2 of the Code.

## **Section 2.4: Advertising shall treat sex, sexuality and nudity with sensitivity to the relevant audience.**

The Panel noted the Practice Note for the Code states:

*“Overtly sexual images are not appropriate in outdoor advertising or shop front windows.*

*“Although not exhaustive, the following may be considered to be overtly sexual:*

- *Poses suggestive of sexual position: parting of legs, hand placed on or near genitals in a manner which draws attention to the region;*
- *People depicted in sheer lingerie or clothing where a large amount of buttocks, female breasts, pubic mound or genital regions can be seen; The use of paraphernalia such as whips and handcuffs, particularly in combination with images of people in lingerie, undressed or in poses suggestive of sexual position;*
- *Suggestive undressing, such as pulling down a bra strap or underpants; or*
- *Interaction between two or more people which is highly suggestive of sexualised activity.*

*“Discreet portrayal of nudity and sexuality in an appropriate context (eg advertisements for toiletries and underwear) is generally permitted but note the application of the relevant audience. More care should be taken in outdoor media than magazines, for example.*

*“Images of models in bikinis or underwear are permitted, however, unacceptable images could include those where a model is in a suggestively sexual pose, where underwear is being pulled up or down (by the model or another person), or where there is clear sexual innuendo from the ad (e.g. depicting women as sexual objects).”*

### Does the advertisement contain sex?

The Panel considered whether the advertisement contains sex. The Panel noted the definition of sex in the Practice Note is “sexual intercourse; person or persons engaged in sexually stimulating behaviour”.

The Panel noted that the woman in the advertisement is not depicted engaging in sexual intercourse or sexually stimulating behaviour.



The Panel considered that the advertisement does not contain sex.

Does the advertisement contain sexuality?

The Panel noted the definition of sexuality in the Practice Note is “the capacity to experience and express sexual desire; the recognition or emphasis of sexual matters”.

The Panel noted that some members of the community might consider an image of a woman in a bikini swimsuit to be a depiction of sexuality.

The Panel noted that the advertisement is promoting an account on a platform known to some members of the community to contain adult content. The Panel therefore considered that in combination with an image of a woman wearing a bikini this advertisement does contain sexuality.

Does the advertisement contain nudity?

The Panel noted that the definition of nudity in the Practice Note is “the depiction of a person without clothing or covering; partial or suggested nudity may also be considered nudity”.

The Panel noted that the advertisement depicts a woman in a bikini swimsuit and that this is a depiction of partial nudity.

Are the issues of sex, sexuality and nudity treated with sensitivity to the relevant audience?

The Panel noted the advertisement is displayed on a large outdoor billboard.

The Panel noted the complainants’ concerns that the advertisement is visible from a main road, bus route and petrol station and children are able to view the advertisement. The Panel also noted the advertiser’s response that the billboard is in a commercial / industrial area and there are no schools or childcare centres nearby or any other venue that children would attend.

The Panel considered that while most people viewing the advertisement are likely to be adults, the audience of the advertisement would include children in vehicles driving past the billboard and at the petrol station.

The Panel therefore considered that the relevant audience for the advertisement would be broad and include children.

The Panel noted that the definition of sensitivity in the Practice Note is “understanding and awareness to the needs and emotions of others”.

The Panel noted that some members of the community would prefer that this type of product not be advertised at all or where it can be seen by children. The Panel noted that its role is to consider the content of an advertisement and not the product being advertised.

The Panel noted the complainants' concerns that children could scan the QR code and be directed to adult-content. The Panel noted however that the advertisement itself did not include any adult content, and that many members of the community including young children would not know what OnlyFans is.

The Panel considered that even if a child was to scan the code and access the site, all explicit images and videos are still hidden behind age-gating. While text descriptions of adult content can be accessed by selecting 'more info' these are not obvious and would be unlikely to attract the attention of children.

The Panel considered whether the image used in the advertisement was overtly sexual.

The Panel noted the advertiser's response that she is wearing swimwear and the photograph was taken at a public beach. The Panel considered that while the woman's cleavage is visible her breasts and genitals are covered, and the level of nudity was not inappropriate for a beach setting.

The Panel considered that although the woman is depicted on her hands and knees this pose is not of itself suggestive of a sexual position, and there are no other elements in the advertisement to indicate otherwise. For example, the Panel considered that the image does not draw attention to the genital region, indicate clear sexual innuendo, or is highly suggestive of a sexualised activity.

The Panel considered that the image was consistent with the types of images used by individuals to promote their personal fashion, health or fitness brands, and that the actual content of the advertisement was not overtly sexual or explicit.

The Panel therefore decided that the advertisement was not overtly sexual and that the sexuality and nudity in the advertisement was treated with sensitivity to the relevant broad audience.

## **Section 2.4 Conclusion**

The Panel determined the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.4 of the Code.

## **Conclusion**

Finding that the advertisement did not breach any other section of the Code, the Panel dismissed the complaints.

## Appendix 1: Summary of complaints

The Panel noted that complaints received about the advertisement include that it:

- Sends a message that it's OK to sexually objectify women, and sexual objectification of women leads to violence against women
- Promotes the commodification of women's bodies which does not empower women
- Teaches men and boys to treat women like play things
- Provides an example to young girls how a woman must look and act Is degrading of women
- Suggests that the woman is for sale/only there to service men
- Is large and visible from a main road to day-cares and schools and a petrol station meaning that children and young people will see it.
- Is on a bus route and lots of busses go past, including school buses
- Is also in a culturally diverse area and may be offensive to people of particular faiths and cultures
- Is in public and parents can't stop their kids from seeing this
- Is distracting for people driving past, and people driving past shouldn't use a camera to access QR Code
- Is inappropriate as There are childcares, schools and family homes in the area
- Contains a QR Code which provides direct access to a porn site to anyone who scans it, including children who know how to scan QR codes
- Is advertising a pornographic website which is not appropriate to be seen by children, have to explain to children what it is
- Shows teenagers how to access porn, which is addictive and dangerous to developing minds
- Exposes children to porn and objectifying imagery which is linked to mental health issues, eating disorders, victim blaming and violence against women. Exposing children to pornographic images is a form of grooming and child abuse
- Is not G rated and is for the promotion of 18+ products and services
- Includes a link from QR Code which describes content available, including 'bondage' and 'anal'.
- Undermines the Government's roll-out of the National Principles for Child Safe organizations.
- Is inappropriate for adult males struggling with a porn addiction
- Does not include any kind of disclaimer that the website was for adults only
- Includes an image which is highly sexual and not appropriate for the audience
- Includes a picture of a woman in a suggestive pose, legs spread, leaning forward, on all-fours and she is half-naked
- Includes an image which is overtly sexual
- Includes an image which if it were in a work place in WA would be illegal under OH&S regulations. Hence it is inappropriate to expose the whole community to such an image.