



the frontpage campaign

protecting children from harmful media

Franck David, Assistant Clerk to the
Public Petitions Committee
Scottish Parliament
EDINBURGH
EH99 1SP

25th May 2010

Dear Mr David,

Written Submission for Petition 1169

As a charity registered in Scotland whose aim is to protect children from harmful media, we wish to submit further evidence. Since our last submission we have had significant involvement in issues of particular relevance.

National Federation of Retail Newsagents (NFRN) Guidelines: A spokesperson from the Joint Industry Group (JIG) gave the following responses (February and March 2010) which highlight the lack of clarity and also lack of enforceability of the voluntary guidelines:

Questions: What age does a “young person” mean/ What height would be considered minimum eye-level of a young person/What minimum height would be considered out of reach of a young person?

JIG Response: “The age group to which this applies is implicit in the guidance, i.e. not to display these titles alongside “children’s titles and comics.” As these titles are commonly displayed at low levels, displaying Lads magazines higher than that level implies they will be above the eye line and out of reach of most young children. As the law does not define “young persons” nor specify age-rating in magazines, neither do children come in standard heights. It is not possible to be more specific than this general guidance which, whilst perhaps not perfect, aims to address the issue in a common-sense way, which JIG hopes will encourage retailers to be sensitive to the issue and which most parents would support and welcome.”

Question: Where a consumer and a retailer are familiar with the guidelines, the consumer complains but the retailer disagrees that any change in the display is necessary do they just have to agree to differ?

JIG Response: “JIG believes it is a matter for the consumer to interpret and decide whether or not a retailer is complying with the spirit of the guidelines and there is little more that JIG or its associations can do other than make the guidelines available to both parties”... .. “a consumer has the right to escalate any complaint. The industry is currently discussing a process whereby a retailer

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could advise the consumer on the next steps if his/her actions do not bring a satisfactory conclusion.”

Industry Discussions:

In their minutes of 29 November 2009 JIG agreed that any complaint regarding the display of “lads mags” would receive a standard acknowledgement of their concerns and that the only action that they could take would be to forward it to the relevant body concerned. The Periodical Publishers Association was asked to revise the guidelines (copy attached) and set up a “straw man” complaints and monitoring process by January 2010, meaning it would have no substance. JIG was disbanded on 31st March 2010.

We conclude that there is no meaningful complaints procedure. In our experience writing to head-offices usually do not illicit a response to the complainant. Where complaint is made against a chain store we find that the display may be changed in the particular store named, but not throughout the chain. What they say and what they do does not always agree. A chemist chain, over one year after saying they were discontinuing a planogram with lads mags on the bottom shelf appear to be still issuing the same instructions today. Even very persistent members of the public have become disheartened to find that there is no one to arbitrate their complaint. They do not know who to complain to other than in-store or to the store’s head office, often to be met with no response. If the industry bodies claim not to receive many complaints that could be because they are not taken seriously and not passed on and also because they do not monitor retailers.

Indecent Displays Act – First Conviction for Ten Years

Mr Saeed Ahmed who owns Newsworld, St Clair Street, Kirkcaldy pled guilty under the Indecent Displays Act, which we believe is the first conviction for ten years. His store was reported to us by two boys age 12 and 14 who attend school nearby. The shop is popular with secondary school children for lunches and snacks. Mr Ahmed was reportedly very aggressive when police entered his shop, and failed to turn up three times for court appearances, before pleading guilty the fourth time on 4th March 2010 at Kirkcaldy Sheriff Court. He was fined only £53 – a clear message that his shortcomings are not considered to be very serious, in fact on a par with being caught dropping litter. Hard-core DVDs and magazines were displayed from floor to ceiling next to groceries. (You will see the proximity of the fruit and veg baskets on the right hand side of one of the enclosed photographs also an image from the bottom shelf giving an idea of the material on display).

Magazine Content:

Attached is a four page article from the March issue of FHM magazine which is not age rated. According to their most recent monitoring report ChildWise, a leading children’s researcher, say that FHM is a top favourite with 13-14 year old boys. The front page is often less explicit than other lads mags so there may be less embarrassment for youngsters to be seen buying it. When a customer queried why this issue was displayed on the bottom shelf the store manager said it was not sexually explicit so it was OK to be displayed anywhere on their stand.

The article entitled “Extreme Sex” does nothing to discourage the illegal practices of incest, bestiality, using knife cuts for sexual turn-on, sado/masochism, etc. Indeed the whole tone of the article is to joke, sensationalise and almost to applaud. Certainly no restraint or caution is expressed. The illustration of an

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attractive young woman appearing to lick blood from a large knife is an indication of how far we have rationalised against the welfare of the majority in the guise of freedom of the press.

These themes and attitudes are recurring across a variety of unrated magazines and newspapers. Because of the way they may be shaping the attitudes and behaviours of young people we would like to see a higher age rating than the 15 recommend by the recent Home Office report by Dr Linda Papadopoulos. Newspapers and womens' magazines, LGBT, as well as "lad" magazines should all be included in any review.

Early Sexualisation of Young Persons:

Attached also is a photograph of the front page of a pornographic magazine picked up in an Edinburgh city-centre Costcutter store at the eye-level of a 12 year old. The model, while she may be over 18, is clearly portrayed as a child. This was reported to the police last year and after initially promising a speedy investigation with a written response within weeks, this has not been received to date. Dr Papadopoulos's report on page 37 highlights a finding against an advertiser by the Advertising Standards Authority where the model was age 23 but was styled to look like a child. She was modelling a hooded top in six photographs with the zip lower in each one till finally her nipple was exposed.

While the problems caused in our society by the early sexualisation of children cannot all be laid at the door of the publishing industry there are clear signs that there continues to be a pushing down of the boundaries of decency and family values from this, if not all branches of the media. Reported sexual crimes against children by children are on a steady rise, which may indicate that the greater exposure to sexual images and adult issues is detrimental. Although harm is impossible to prove, other social factors may strengthen this view.

We trust that the Scottish Parliament will act decisively in this matter in the interests of both our children and our society at large rather than in the interests of money- motivated individuals and corporations who do not care to admit any harm being caused.

This matter of inappropriate printed media is also being taken seriously at Westminster. MPs Lindsay Roy, Sir Menzies Campbell and The Rt. Hon Ann Widdecombe, in cross-party agreement proposed the following Early Day Motion which received the support of 156 MPs. In the last parliamentary session.

"That this House believes that politicians, retailers, publishers and distributors have a collective responsibility to protect children and young people from displays of sexually graphic material that they are not emotionally equipped to deal with; calls for an urgent review of existing guidelines drawn up between the Home Office and the National Federation of Retail Newsagents; further believes that such a review must consider the availability of sexually graphic publications to children and young people, the positioning of these publications on the shelves of retailers, and the potential for concealing these publications in bags and consider the question of age-rating such publications; and further believes that failure to follow the revised guidelines could lead to calls for legislation covering all aspects of the availability and display of sexually graphic

The EDM is being re-tabled this session in the hope of increasing support with Conservative MP Nadine Dorries replacing Ann Widdecombe, who has retired.

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We would welcome an opportunity to explore any of these matters further and provide any further information or evidence.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Sylvia Brown'.

Sylvia Brown, Secretary
The Front Page Campaign
www.thefrontpagecampaign.org.uk

Encl:
Revised NFRN/JIG Guidelines
2 Photos inside NewsWorld, St Clair Street, Kirkcaldy
4 pages FHM Article March 2010
Front cover of Tight Magazine June 2009 from Costcutter
Front Page Campaign Flyer

HOW TO MINIMISE CONSUMER COMPLAINTS ABOUT CHILD EXPOSURE TO "GROWN-UP'S" TITLES

Adult Top-Shelf Titles

With the expressed permission of the publishers of Adult Top Shelf titles, the NFRN publishes and recommends the following Code of Practice:-

- That Adult Titles should be displayed on the Top Shelf only and out of the reach of children
- That Adult Titles should not be sold to any person under the age of 18 years.
- That Adult Titles should only be acquired from bona fide trade channels (on the basis that these will have been vetted by the suppliers' lawyers for compliance with legislation)
- That care and sensitivity be exercised over the display of Adult Titles with explicit front covers

Members are also advised to be responsive to the views of their customers and, in particular they are advised that they are not obliged to stock these titles if they have objections on religious, moral or other grounds.

"Lads Mags" (and "Ladies" Mags) with front covers or content that may offend some customers

These titles are not Top Shelf titles, however we do urge members to be sensitive to the concerns of consumers, particularly in relation to the display of titles with front covers and/or content that may be inappropriate to display at a young person's eye-level or below.

To minimise complaints from consumers, without adversely affecting the sale of these titles, we recommend:

- That you do not display them at children's eye-level or below, to ensure that they are not in the direct sight and reach of children
- That you do not display them adjacent to your display of children's titles and comics
- Where display space restraints preclude the above, that titles with front covers that may cause concern are part-overlapped with other titles so as to minimise the potential for offence to parents with children.

Other Titles and National Newspapers

The size of some titles preclude them being displayed from a magazine rack. However, with a little common-sense you can still minimise consumer complaints about titles with front covers that may cause offence, for instance:

- You can fold newspapers in half so that the masthead and price is exposed, but the front cover picture is not.
- On a plinth display, you can overlap newspapers with other newspapers to leave the masthead and price exposed but not the front page picture.
- Where a title carries a masthead on the back page, as well as the front, you can display the back page uppermost.

By following this advice, it is most unlikely that you will adversely affect the sale of any title. On the contrary, by making your customers aware that you adopt a "family friendly" policy on display, you may find that parents with children are much happier to shop in your store.

Remember. It's your business and you cannot be forced to stock any title that you and your customers find objectionable.