



## **Submission to the Health and Community Services Committee Inquiry into Sexually Explicit Outdoor Advertising**

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### **Introduction**

*Collective Shout: for a world free of sexploitation* welcomes the opportunity to make a submission to the Health and Community Services Committee regarding the regulation of outdoor advertising in Queensland. Collective Shout is a grassroots movement challenging the objectification of women and sexualisation of girls in the media and popular culture, including billboard and outdoor advertising. We target corporations, advertisers, marketers and media that exploit the bodies of women and girls to sell products and services, and campaign to change their behaviour.

Collective Shout is critical of the current self-regulatory system and believes the advertising industry has used self-regulation to its commercial advantage, to the detriment of the community, and women and girls in particular. The self-regulation model enables the advertising industry to be seen as responsible while avoiding real scrutiny of its long history of irresponsible and profit-driven behaviour.

We have identified a range of inadequacies in the current system, including a weak code of ethics, the voluntary nature of the code, lack of pre-vetting, the Advertising Standards Board's lack of power to order removal of advertisements or impose consequences on advertisers, inadequate monitoring, subjective and inconsistent interpretation and application of the code, de-sensitisation of panel members, little to no consultation with child development experts, and lack of meaningful penalties to provide any real incentive for advertisers to change their behaviour. Moreover, there is little public knowledge about complaints processes and how to go about making a complaint with the result that, if few complaints are received because people are unaware of how to complain and to whom, it is difficult to ascertain the 'community standards' upon which the system depends.

It is our view that the colonisation of public space with objectified and sexualised images of and messages about women and girls, together with the lack of action by regulatory bodies except in a minority of cases, conditions the community, advertisers and regulators to see sexist advertising as acceptable or as 'just the way things are'. At a time when hyper-sexualised imagery is increasing, regulatory bodies need to be given both the tools and the power to deal with this problem.

We also wish to highlight the fact that sexualised representations of women and girls displayed in a workplace constitute sexual harassment under anti-discrimination law<sup>1</sup>. But the open display of similar objectified and sexualised images of women in the public domain is exempt from sexual harassment laws. If this material has been ruled inappropriate for workplaces or schools, why is it considered acceptable as the ‘wallpaper’ of the public domain, where we have no choice but to view it?

The proliferation and globalisation of sexualised imagery is of serious concern. Pornographic representations of women in public spaces have become normative. There is a growing body of research globally<sup>2</sup> that demonstrates the detrimental effect of these representations, especially on children and young people. As the Australian Psychological Association told the Senate Committee Inquiry into the sexualisation of children in 2008, “the values implicit in sexualised images are that physical appearance and beauty are intrinsic to self esteem and social worth, and that sexual attractiveness is a part of childhood experience... Girls learn to see and think of their bodies as objects of others’ desire, to be looked at and evaluated for its appearance.”<sup>3</sup> In addition, advertising plays a crucial part in socialising men and boys to see the sexual objectification of women and girls as normal.

We hope that the recommendations from this Inquiry will lead to proper scrutiny of the industry and a more effective framework for the regulation of billboard advertising. Public accountability and social responsibility should be the guiding principles of regulation, not profit margins.

We note that this is not the first inquiry into the regulation of outdoor advertising in Australia. After their 2011 inquiry, the House Standing Committee on Social Policy and Legal Affairs recommended a tightening up of the outdoor advertising industry through a more rigorous system of self-regulation, a recommendation welcomed by Collective Shout (see section 5 of this submission for detail).

However, it appears that very few, if any, recommendations arising from this or previous inquiries have been acted on. We hope that any positive recommendations arising from this inquiry will not meet with the same fate.

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<sup>1</sup> For example, see *Horne and McIntosh v Press Clough Joint Venture and Metals and Engineering Workers’ Union WA*, Equal Opportunity Tribunal of WA, nos 28 and 30 of 1992, 21 April 1994; and *Hopper v Mount Isa Mines Ltd* [1997] QADT 3 (29 January 1997), and *Mount Isa Mines Ltd v Hopper* [1998] QSC 287.

<sup>2</sup> See Report of the American Psychological Association Task Force on the sexualisation of girls, at <http://www.apa.org/pi/women/programs/girls/report.aspx> ; UK Home Office, Sexualisation of Young People Review, at <http://webarchive.nationalarchives.gov.uk/+/http://www.homeoffice.gov.uk/documents/SexualisationofCyoungCpeople.html>; Scottish Parliament Equal Opportunities Committee, Research on sexualised goods aimed at children, at <http://www.scottishparliament.uk/nmCentre/news/news-comm-10/ceq10-s3-goo001.htm>; The Australia Institute, *Corporate Paedophilia: Sexualisation of children in Australia*, at [https://www.tai.org.au/documents/dp\\_fulltext/DP90.pdf](https://www.tai.org.au/documents/dp_fulltext/DP90.pdf); and Melinda Tankard Reist ed., *Getting Real: challenging the sexualisation of girls* (Melbourne: Spinifex Press, 2009).

<sup>3</sup> See submission 115 at [http://www.aph.gov.au/senate/committee/eca\\_ctte/sexualisation\\_of\\_children/submissions/sublist.htm](http://www.aph.gov.au/senate/committee/eca_ctte/sexualisation_of_children/submissions/sublist.htm)

## 1. The sexualisation of children and other adverse impacts on children through sexually explicit outdoor advertising

We note that this inquiry is titled ‘Sexually explicit outdoor advertising’. However, we feel it is important to note that while sexually explicit advertising content is an important factor in carrying sexualised messaging, advertising or media content which contains strong messages about the objectification or exploitation of women’s bodies may not necessarily be obviously sexually ‘explicit’. Jean Kilbourne, an author and filmmaker internationally recognised for her work on the image of women in advertising, describes this objectification and its effect in her documentary *Killing Us Softly*:

*We all grow up in a culture in which women’s bodies are constantly turned into things and objects. Here she’s become the bottle of Michelob; in this ad she becomes part of a video game. And this is everywhere, in all kinds of advertising. Women’s bodies are turned into things and objects. Now of course this affects female self-esteem. It also does something even more insidious – it creates a climate of widespread violence against women. I’m not at all saying that an ad like this directly causes violence; it’s not that simple. But turning a human being in to a thing is almost always the first step towards justifying violence against that person. We see this with racism, we see it with homophobia, we see it with terrorism. It’s always the same process. The person is dehumanised and violence becomes inevitable. And that step is already and constantly taken against women.*

*Women’s bodies are dismembered in ads, hacked apart – just one part of the body is focused upon, which of course is the most dehumanising thing you could do to someone. Everywhere we look, women’s bodies have been turned into things and often just parts of things. And girls are getting the message these days just so young, that they need to be impossibly beautiful. Hot, sexy, extremely thin – they also get the message that they’re going to fail, there’s no way they’re going to really achieve it. Girls tend to feel fine about themselves when they’re 8, 9, 10 years old but they hit adolescence and they hit the wall and certainly a part of this wall is this terrible emphasis on physical perfection. So no wonder we have an epidemic of eating disorders in our country and increasingly throughout the world.<sup>4</sup>*

It is important to recognise, then, that images and messages in advertising, which contribute to child sexualisation and have other adverse impacts on children may not be as immediately explicit as the messages they convey. In much the same vein, some advertising or media content, which may be deemed sexually explicit (for example public health and safety messages referring to sexual health), are not necessarily sexualising or objectifying. We urge the committee to keep these distinctions in mind when identifying and defining appropriate messaging and content in outdoor advertising.

While advertising is not the only media, which has a sexualising influence on children and young people, it is consistently included among the major contributors to the commercialised, sexualised and sexualising culture in which they grow up. There is

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<sup>4</sup> See [http://www.youtube.com/watch?v=jWKXit\\_3rpQ](http://www.youtube.com/watch?v=jWKXit_3rpQ)

substantial evidence of the harms of sexualisation to children. It contributes to body image concerns, eating disorders, and gender stereotyping.<sup>5</sup> Younger adolescents and children are likely to be more strongly affected by sexualisation due to the developmental processes they are undergoing in which their sense of self is being formed. Additionally, Dr Emma Rush, Associate Lecturer in Ethics and Philosophy at Charles Sturt University and co-author of *Corporate Pedophilia: Sexualisation of children in Australia*, writes that “premature sexualisation also erases the line between who is and is not sexually mature, and as such, may increase the risk of child sexual abuse by undermining the important social norm that children are sexually unavailable”.<sup>6</sup>

In Australia, body image has been named in a major survey as a leading concern for young people for the seventh year in a row.<sup>7</sup> One in 100 adolescent girls in Australia is suffering anorexia and one in 20, bulimia.<sup>8</sup> According to Melinda Tankard Reist, author of *Getting Real: Challenging the sexualisation of girls*, high school aged girls regularly tell her that they are “tired of the way advertisers cover the public domain with unrealistic, sexualised, hyper-thin images of women, eroding their self-confidence and making them feel inadequate”.<sup>9</sup>

The messages about women, girls and their sexual value that are having such a devastating impact on the health and wellbeing of young people, are a staple of contemporary advertising. The colonisation of the public space with these objectified and sexualised images of women and girls, via outdoor advertising, serves to strongly reinforce not just these messages but also their social acceptability. In the public space, explicit and objectifying messaging is normalised – it becomes the ‘wallpaper’ to our everyday lives, which is not just walked past but absorbed and internalised, inescapable, and entrenched with every exposure.

In the private sphere children, adolescents and their parents can exercise control over what advertising they consume and how to consume it. There is a degree of both mental and physical space in which to critically evaluate the images and ideas presented in whatever advertising might be allowed in. Outdoor advertising, however, cannot be turned off or avoided as we go about our daily lives. The industry is well aware of this, as the following extract from APN Outdoor’s website illustrates:

*Outdoor advertising is the only advertising medium that is virtually immune to consumer avoidance. It can’t be turned off, flipped to the next page or thrown away. And it is free to view. Outdoor truly is the last of the mass media.*<sup>10</sup>

It is obvious that the advertising industry recognises the power of outdoor advertising and has a deep interest in harnessing this power. The ubiquity of objectifying, sexualised, gendered and/or explicit content in outdoor advertising, and its

<sup>5</sup> See Report of the American Psychological Association Task Force on the Sexualisation of Girls, Op. Cit.

<sup>6</sup> Rush, Emma: *The Market Is Eating Our Children*. See <http://www.onlineopinion.com.au/view.asp?article=10062>

<sup>7</sup> See <http://www.missionaustralia.com.au/document-downloads/category/55-youth-survey-2012>

<sup>8</sup> See <http://www.eatingdisorders.org.au/media/key-statistics.html>

<sup>9</sup> At <http://melindatankardreist.com/2012/12/girls-still-getting-the-wrong-messages-about-their-bodies-mtr-in-sunday-herald-sun/>

<sup>10</sup> At <http://www.apnoutdoor.com.au/Insights/Trends.aspx>

unavoidable impacts on the children and young people who are not only unable to avoid it but not yet developmentally equipped to process its messages, therefore must be urgently addressed in order to provide safeguards from known harm.

## **2. The range of outdoor advertising, including roadside billboards, shopfront windows and public transport, and the existing regulation of such advertising spaces**

‘Outdoor advertising’ covers a wide variety of media and mixed media formats delivering advertising content to the public space. New technologies, which develop, are rapidly harnessed by the advertising industry, meaning that the range of media by which advertising can be spread in public is continuously broadening.

Despite its name, outdoor advertising is not necessarily limited to outdoor locations. It is telling that Outdoor Media Association of Australia refers to it not as ‘outdoor advertising’ but as ‘Out-of-Home’ advertising:

*Out-of-Home advertising (OOH) is advertising that exists out of the home – on roadsides, bus interiors and exteriors (also known as bus wraps), tram exteriors (also known as tram wraps), shopping centres, airports, train stations and office tower foyers... Advertising found on the inside of buildings is still classified as OOH because it is technically found outside of the home. Although it is housed inside a structure, it is outside of the home and therefore classified as OOH.<sup>11</sup>*

The Australian ‘OOH’ advertising industry posted net revenue of \$503 million in 2012.<sup>12</sup> It is considered one of the most important and effective advertising mediums.

Outdoor advertising in Australia, including in Queensland, is self-regulated by industry. Advertisers ostensibly follow various industry codes in devising their campaigns, which are not required to be pre-vetted before being displayed. The system places the onus for determining what ads are acceptable on the community, who are able to submit complaints about advertisements on a case-by-case basis to the Advertising Standards Bureau (ASB), a secretariat for the industry-funded Advertising Standards Board and Advertising Claims Board. While there are a number of codes in place, the Australian National Industry of Advertisers (AANA) Code of Ethics is the primary guideline followed by the ASB when examining complaints.

One example of outdoor advertising that is frequently overlooked is that of shop front advertising. Shop front windows, billing and signage are one particular situation where sexualised and/or explicit content is frequently and easily broadcast to the public, either through a specific marketing campaign, or simply due to the nature of what is being sold from or occurring on the premises (e.g. a lingerie store, ‘adult’ store, strip club etc).

While it is important that businesses be permitted to accurately depict their purpose and product, the impact of this advertising on those who walk past a premises must be

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<sup>11</sup> <http://oma.org.au/facts-and-figures/faqs2>

<sup>12</sup> <http://oma.org.au/facts-and-figures/industry-performance>

taken into account. Currently, the Advertising Standards Board is empowered to consider complaints about shopfront windows, however there is little public awareness of this and as such few complaints are submitted. Of those which are, dismissal of complaints is common, for example in this complaint about the window display of Honey Birdette, a national chain store (locations include Queensland) selling sex toys and adult products:

Description of the advertisement:

*A young woman wearing black underwear with pink tie straps and black high heels is posing next to an antique style vanity. One arm is folded across her chest and the other is raised with her hand resting on an eye mask which is on her forehead. The text reads, "Nice girls do..."*

The complaint:

*The Honey Birdette store is positioned inside the busy Westfield shopping centre - one of the largest in the southern hemisphere I believe - and is designed to be seen by all passing foot traffic including children. About 300m away is a children's play area for children aged 2-5 years. The store is positioned between Target and Kmart and is right beside Just Cuts hairdresser where children routinely get their hair cut. The image is not a G rated image but is positioned in a G rated environment. It is highly offensive and completely and utterly inappropriate.*

Despite the shopfront advertising content being not only of a sexualized nature but designed to sell sex toys, and located adjacent to a shopping centre playground, the Advertising Standards Board determined that the advertisement “did treat sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.3 of the Code.”<sup>13</sup>

If an adult ‘sensuality boutique’ can use posters and shop window display of a clearly sexual nature to advertise its products in an environment frequented by children without being considered in breach of the Code designed to regulate such occurrences, it is clear that the regulatory system is not working. Whatever media or format it appears in, those exposed to outdoor advertising are failed if the impact of the advertising content - particularly when this impact is of potential harm to young or vulnerable members of our community – is not taken into proper account.

### **3. The adequacy of the existing regulation of outdoor advertising in Queensland, focusing on the effectiveness of the regulatory model to limit children’s exposure to sexually explicit images and slogans**

Despite ASB claims<sup>14</sup> praising the impact of its voluntary guidelines on the regulation of advertising content, we contend that the current arrangements do little to control

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<sup>13</sup>See <http://122.99.94.111/cases/0293-11.pdf>)

<sup>14</sup> At

[http://issuu.com/cre8ive/docs/research\\_report\\_june2010?mode=embed&layout=http%3A%2F%2Fskin.issuu.com%2Fv%2Fflight%2Flayout.xml&showFlipBtn=true](http://issuu.com/cre8ive/docs/research_report_june2010?mode=embed&layout=http%3A%2F%2Fskin.issuu.com%2Fv%2Fflight%2Flayout.xml&showFlipBtn=true)



the placement or lessen the prevalence of advertising that objectifies and degrades women and also sexualises children.

The ASB, rather than providing an effective system by which advertising is scrutinised and community standards genuinely upheld, simply provides a complaint mechanism. While relied upon in upholding complaints concerning outdoor advertising, The AANA Code of Ethics does not prevent the placement of sexualised advertisements in the first place. This is despite the recommendations of an Australian government inquiry in 2008 that the ASB rigorously apply standards for billboards and outdoor advertising so as to more closely reflect community concerns about the appropriateness of sexually explicit material and the inability of parents to restrict exposure of children to such material.<sup>15</sup>

We contend that it is not sufficient to attempt to ensure consumer protection by providing a free and fast route for consumers to express their views about advertising. In an environment where billboards are in effect “unclassified”, the right of consumers to be protected should extend to prohibiting the offending conduct in the first place. This is how Australian consumer protection legislation works. The law does not provide the same protection where billboards are concerned. Depending on the commercial interest of the advertiser and its approach to risk, almost any sexualised image could be displayed on a billboard, with the rights of consumers limited to lodging a complaint to the ASB that may or may not be upheld. If the complaint were dismissed, in the absence of any other legislation, the consumer would perhaps be able to rely on any common law remedy or, if applicable, hope that State and Territory criminal statutes could be enforced. Collective Shout is not aware of any local government ordinances that regulate billboard content.

The ASB lacks any real power to enforce its determinations. In the absence of legislation underpinning the self-regulation system, the ASB has no real power to enforce its determinations. This lack of an enforcement mechanism renders the ASB powerless in the face of recalcitrant advertisers and corporations. Two recent examples of inadequate regulation of billboard advertising in Queensland are typical experiences of the failure of the current system:

#### Example 1 –Aussie Boat Loans

In January 2012, the ASB upheld a complaint against a Queensland billboard advertising Aussie Boat Loans, determining that the advertisement breached the Code on the grounds of objectification of women. (<http://122.99.94.111/cases/0517-10.pdf>) The ASB advised Aussie Boats Loans, which refused to comply with the ASB determination. The company planned to continue its display of the offending billboard, as indicated by the very last line of the determination: *The advertiser advised that the billboard will be brought down at the end of summer.* The ‘end of summer’ was the intended end of the advertiser’s billboard campaign, and a full six weeks after the date the complaint was upheld.

Collective Shout was subsequently advised by the ASB<sup>16</sup> that in response to the advertiser’s non-compliance, the ASB contacted the Outdoor Media Association, which then contacted the owner of the billboard alerting them to the ASB’s ruling.

<sup>15</sup> See [http://www.aph.gov.au/senate/committee/eca\\_ctte/sexualisation\\_of\\_children/report/report.pdf](http://www.aph.gov.au/senate/committee/eca_ctte/sexualisation_of_children/report/report.pdf)

<sup>16</sup> Email correspondence, 1 March 2011

The owner of the billboard removed the billboard advertisement on February 18. This was only ten days before the end of the advertiser's campaign and almost a full month after the ASB's determination. The advertiser faced no penalty for their non-compliance. Complying with the ASB's determination and removing a sexist billboard only ten days before the end of a campaign is not an adequate deterrent for repeating the same behaviour in future.

#### Example 2 – Honey B's

In February 2013, a billboard for a strip club was placed directly outside a Brisbane boys' high school and near a main thoroughfare used by staff and students. The billboard depicted the lower half of a woman's body straddling the word "sweetest" with 'honey' dripping over her bottom and legs. The text advertised Honey B's as "Brisbane's sweetest adult club".

A school staff member submitted a complaint to the (ASB) which was immediately dismissed - complaints about this ad had been rejected previously. The ASB was unwilling to take into account the 'product' being advertised (women's bodies and adult services in a strip club) and the proximity to schools when making a decision about the billboard. This was not the first time this school had had strip club advertising placed in their immediate surrounds; complaints about a billboard visible from within school grounds for the club 'Love & Rockets' had also been dismissed in 2011.<sup>17</sup>

Local residents, deciding that the ASB ruling was insufficient, created a petition calling on the ASB, Eye (owner of the billboard) and the Brisbane City Council to prevent the sex industry from targeting minors through outdoor advertising. The petition accumulated thousands of signatures and local media covered the issue.<sup>18</sup>

When the advertiser's campaign has ended and the billboard had changed, the residents who created the petition opposing it received the following response from the Outdoor Media Association:

*While we are aware that this content does not breach the AANA Code of Ethics, we have worked with our member involved with this particular billboard to remove the advertisement in question. They have also taken steps to ensure that this type of content is not posted in this location in the future. While the OMA does not have a placement policy, with the exception of alcohol advertisements, we do support the community's concerns to have advertisements like this relocated.*<sup>19</sup>

This action from the OMA affects just that one billboard. There are numerous other billboards around the school, all of which have hosted strip club advertisements, visible from within the playground and the classroom. The removal of one billboard does not affect these other billboards, let alone begin to address the broader issue of inappropriate outdoor advertising across Queensland or the rest of Australia.

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<sup>17</sup> <http://collectiveshout.org/2013/02/priming-children-through-the-classroom-window-sex-industry-advertises-outside-schools/>

<sup>18</sup> <http://collectiveshout.org/2013/03/would-you-want-this-outside-your-school/>

<sup>19</sup> <http://collectiveshout.org/2013/04/win-strip-club-billboard-removed-from-outside-school/>



These are just two of countless examples we could provide of how the current system is failing the community. These situations should never have been allowed to occur in the first place. Children, young people and others who are placed at risk by the proliferation of sexualised, objectifying messages deserve their rights to healthy development protected. It is simply unacceptable to expect them to fight battle after battle against industry bodies and powerful vested interests currently allowed a thinly veiled free rein in our public space.

#### **4. The regulatory frameworks for other forms of media including publications and television that limits children's exposure to sexually explicit and inappropriate advertising and whether such frameworks could be applied to outdoor advertising**

The regulatory frameworks currently in place for other forms of media raise issues not dissimilar to those raised by the frameworks for outdoor advertising.

Commercial television and radio services are regulated by a co-regulatory framework, under the *Broadcasting Services Act 1992*. In this system, industry self-regulatory codes and classification guidelines are overseen by the Australian Communications and Media Authority (ACMA), a government statutory authority.

Under this system, there is a certain degree of pre-vetting, with advertising required to meet certain ACMA standards, as well as being in accord with advertising industry codes and broadcaster charters, before broadcast. There has been a notable effort to address programming and advertising content during dedicated childrens' programming in recent years, including the prohibition of the use of sexual imagery of children in advertising or marketing within the AANA Code for Advertising and Marketing for Children.

The gains, however, have been limited. While explicitly sexual content is, commendably, now excluded from childrens' programming and advertising targeted to children, this is really only a drop in the ocean of the sexualising media content children are exposed to on a daily basis. Thinly veiled objectifying, gendered, and sexualising messages still abound in childrens' and family timeslots, and the process of community redress is laborious and confused.

Complaints about television and radio content are handled by the ACMA, in a similar fashion to the ASB. However, complaints must first be submitted – typically in writing – to the relevant broadcaster within 30 days. A complaint may be referred to the ACMA if not satisfactorily dealt with by the broadcaster. The process is further obfuscated by the fact that a number of other agencies, including the ASB, the Australian Competition and Consumer Commission (ACCC) and Australian Press Council (APC), are all variously equipped to deal with media complaints.

Once again, the burden of complaint rests on a community who has already been unnecessarily exposed to potentially harmful sexualised content. The range of options for complaint is confusing. At Collective Shout, one of the questions we are most regularly and consistently asked is 'Who can I talk to about this ad'? The complaints processes are slow, and complainants frequently feel unheard or 'fobbed off' by broadcasters and advertisers. Despite a stronger level of government involvement in

the ACMA, the regulatory framework for other forms of media in Australia remains insufficient for protecting children from sexualising content and as such we would not advise replications of these systems in seeking to reform outdoor advertising regulation.

## **5. Previous parliamentary and expert reports on the regulation of outdoor advertising**

The most recent Australian parliamentary report on the regulation of outdoor advertising is the Report of the House Standing Committee on Social Policy and Legal Affairs Inquiry into the Regulation of Billboard and Outdoor Advertising.<sup>20</sup>

The Committee's 19 recommendations go some way to addressing the concerns outlined in Collective Shout's submission to the inquiry.<sup>21</sup> We are particularly supportive of recommendations 4 and 8 from the Committee's Report:

### ***Recommendation 4—Australian Government***

*The Committee recommends that the Attorney-General's Department investigate, through its anti-discrimination legislation consolidation project, how to include the unrestricted display of racist or sexualised images in the public space under the scope of discriminatory practice.*

### ***Recommendation 8— Australian Association of National Advertisers***

*The Committee recommends that the Australian Association of National Advertisers amend its Advertising Code of Ethics to proscribe sexual objectification of men, women and children.*

We also welcome Recommendation 1: that industry bodies report to the Attorney-General's Department by 30 December 2011 detailing their responses and how the relevant recommendations will be implemented and that they provide a comprehensive report to the AG's Department by 30 December 2012 detailing how the recommendations have been implemented and 2: If the self-regulatory system is found lacking, the Committee recommends that the Attorney-General's Department impose a self-funded co-regulatory system on advertising with government input into advertising codes of practice.

Additionally, we welcome the exposure of recalcitrant advertisers outlined in Recommendation 18: that the Advertising Standards Bureau address instances of advertiser non-compliance by establishing a dedicated webpage that names advertisers, and their products, who have breached advertising standards or refused to comply with Board determinations.

There have also been a number of other expert and government reports into the sexualisation of children in advertising and the media, which touch on the impacts of outdoor advertising and which we commend to the Committee, notably:

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<sup>20</sup> See

[http://www.aph.gov.au/Parliamentary\\_Business/Committees/House\\_of\\_Representatives\\_Committees?url=spla/outdoor%20advertising/report/chapter1.pdf](http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=spla/outdoor%20advertising/report/chapter1.pdf)

<sup>21</sup> <http://collectiveshout.org/wp-content/uploads/2013/04/Submission-Outdoor-advertising.pdf>

*Against Hyper-Sexualisation: A New Fight For Equality.* Parliamentary report, French Senate. Jouanno, Chantal, 2012.<sup>22</sup>

*Letting Children Be Children: Report of an independent review of the commercialisation and sexualisation of childhood.* UK Department for Education, 2011.<sup>23</sup>

*External research on sexualised goods aimed at children.* Scottish Parliament Equal Opportunities Committee, 2010.<sup>24</sup>

*Getting Real: Challenging the sexualisation of girls.* Ed Melinda Tankard Reist, Spinifex Press, 2010

*Sexualisation of children in the contemporary media.* Senate Standing Committee on Environment, Communications and the Arts, 2008.

*Report of the American Psychological Association Task Force on the Sexualization of Girls.* APA, 2007.<sup>25</sup>

*Corporate Pedophilia: Sexualisation of children in Australia.* Emma Rush & Andrea LaNauze, 2006.<sup>26</sup>

## **6. Any recommendations for reform for the regulation of outdoor advertising in Queensland**

Collective Shout believes freedom from harm should outweigh commercial interests. We urge the Committee to consider this in its deliberations. As we have argued above, advertisements are not just harmless images, but act to create a public space in which our community, including children and young people, are encouraged to see girls and women in certain ways and as fit for certain purposes. Our choices are made within that public space and constrained by those images.

Collective Shout recommends the following:

1. Responsibility for regulation should be given to an independent body or authority, with power to establish a system of pre-vetting billboards before their placement. An independent review system should replace industry self-regulation as a way to assess the suitability of outdoor advertising.
2. The onus of regulation must be clearly placed on broadcasters, publishers, advertisers, retailers and manufacturers to take account of community

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<sup>22</sup> Available at [http://www.social-sante.gouv.fr/IMG/pdf/rapport\\_hypersexualisation2012.pdf](http://www.social-sante.gouv.fr/IMG/pdf/rapport_hypersexualisation2012.pdf)

<sup>23</sup> Available at <https://www.gov.uk/government/publications/letting-children-be-children-report-of-an-independent-review-of-the-commercialisation-and-sexualisation-of-childhood>

<sup>24</sup> Available at

<http://www.scottish.parliament.uk/parliamentarybusiness/PreviousCommittees/17983.aspx>

<sup>25</sup> Available at [www.apa.org/pi/wpo/sexualization.html](http://www.apa.org/pi/wpo/sexualization.html)

<sup>26</sup> Available at <http://www.tai.org.au/documents/downloads/DP90.pdf>

standards and concerns, as opposed to reliance upon the community to express their concerns in reaction to advertisements.

3. Any code of ethics by which Queensland advertisers are required to abide should reflect the growing body of research in regard to the sexualisation of children and objectification of women. Objectification and sexualisation of women and girls should be considered to constitute sexual harassment and discrimination, and treated as threats to the health, well-being and status of women and girls.
4. Any code of ethics by which Queensland advertisers are required to abide should clearly reflect the fact that unsolicited and unwanted exposure to sexualised and pornified images is a form of sexual harassment.
5. Any regulatory body (either existing or new) be required to consult the international research along with child and youth development experts, to ascertain the possible impact of advertising with sexualised content or messaging on this audience.
6. Clear rules should be set out governing the placement of outdoor advertising, and limitations imposed in respect of where outdoor advertising can be placed.

According to Dr Emma Rush, co-author of *Corporate Pedophilia: Stopping the sexualisation of children in Australia*:

*The 'case by case' approach currently used by both government regulation and industry self-regulation will not work for this issue. We need an integrated regulatory approach covering all relevant industries, with the expertise of child health and welfare professionals structured into the regulation process and regulation enforceable by law. The evidence of... minimal response by industry shows that the market culture around this issue will not shift without stronger government initiative."*

We commend the Committee in its efforts to provide this stronger initiative, and wish it well in its deliberation.



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