

## **Submission on Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016**

From Wicked Pickets

Wicked Pickets (WP) is a Brisbane and Redlands based feminist activist group formed in 2014 (see more details at Attachment 1).

**Wicked Pickets supports the Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016 as a first step towards eliminating misogynist slogans, not only on commercial motor vehicles but in general.**

### **Limited scope of Bill**

This Bill only addresses one place of public display of misogynist slogans, namely on motor vehicles as advertising (with the Wicked Campers company the main perpetrator). It uses a complex process involving reference to the advertising industry self-regulatory Code of Ethics and a requirement for firstly complaints to the advertising industry body and an initial determination by the Advertising Standards Board (ASB), before the Department of Transport and Main Roads chief executive can de-register the offending vehicle.

There is a great deal more public misogyny used by commercial organisations which, while not always as crude as the Wicked Camper slogans, also vilifies and denigrates women and girls, for example the advertising of some clothing companies and nightclubs. They have often been the subject of complaints to the ASB which has upheld the companies' right to advertise in this way.

These slogans are as dangerous towards women and girls as Wicked Camper slogans. They objectify women, they sometimes promote rape as a glamorous act.

The Bill as written will not challenge this advertising.

### **Business and Employer Accountability – Not Now, Not Ever**

The report *Not Now, Not Ever: Putting an end to Domestic and Family Violence* in Queensland, commissioned by the Newman Government and accepted in full by the Palaszczuk Government in February 2015, highlights the responsibility of businesses and employers to challenge and help put a stop to violence against women (see relevant recommendations at Attachment 2). As a community we must hold businesses accountable for messages they send out to the community about women and girls. Recommendations 32, 41 and 48 of *Not Now, Not Ever* all focus on business and employer accountability.

All businesses which use misogynist slogans must be held accountable for the harm they are causing to women and girls. The public domain is an extension of the workplace and women in public spaces have an equal right to safety and non-harassment as they do in the workplace. Recommendation 17 of *Not*

*Now, Not Ever* has a focus on initiatives aimed at changing culture. We must raise awareness and educate men that women are equal human beings. These businesses demote women to less than human status and thus perpetuate the exact culture that allows domestic and family Violence and all forms of violence against women to thrive.

### **Free Speech**

Wicked Pickets does not support the views of some who cite the 'free speech right' of businesses to use slogans that promote rape culture and incite violence against women. Free speech cannot be considered in isolation from the social and political context and must always be balanced with social responsibility. The 'right' to vilify women and girls is not about free speech; it is about maintaining the objectification and inequalities that promote violence.

The *Australian National Community Attitudes Survey 2014* had this to say:

"Attitudes influence behaviour both directly and via their influence on broader social norms. They have been found to influence perpetration, women's responses to violence, and the responses of the community and health and criminal justice professionals ... The survey suggests that while there is minimal normative support for violence by way of justifying it, sizeable proportions of Australians are prepared to excuse violence, minimise or trivialise it or attribute some blame to the victim." (page 87).

The evidence is clear. Public vilification of women contributes to attitudes that minimise, even justify, violence against women. It needs to stop.

### **Recommendations for amendments to the Bill**

Wicked Pickets recommends that the Bill be amended to include amendment of Sections 124A and 131A of the Anti-Discrimination Act 1991 to extend the existing vilification on the grounds of race, religion, sexuality and gender identity to include the ground of 'sex' to include women and girls. See Attachment 3.

The slogans directed against women and girls would not be accepted, and could be challenged under existing Queensland anti-discrimination law, if they were aimed at other marginalised groups, for example if they targeted Muslims, Catholics, people of colour, Aborigines or Torres Strait Islanders, lesbians and gay people, or transgender people.

Misogynist slogans frequently threaten violence against women and girls, which is alarming especially at a time when governments of both persuasions at State and Federal level are taking initiatives to challenge and confront the high prevalence of violence against women, specifically domestic and family violence.

Even where the misogynist slogans do not directly threaten violence, they objectify women and girls. Objectification of a group of people is generally the first step to justification of the perpetration of violence against them.

For this reason, a full response to misogynist slogans will only be achieved by amendment of the Anti-Discrimination Act 1991 to extend the existing vilification to women and girls.

## **Attachment 1**

### **About Wicked Pickets**

Wicked Pickets (WP) is a feminist activist group, the only face to face group in Australia or New Zealand to have formed with the specific intention of campaigning against the Wicked Campervan (WC) slogans. The group's members come from Brisbane and Redland. Through its activities WP has been instrumental in keeping the issue in the public's mind since July 2014.

The formation of Wicked Pickets was inspired by the action of Sydney woman Paula Orbea in initiating a petition against WC misogyny that attracted more than 127,000 signatures in a short time in July 2014.

For more than two years WP conducted public and other actions against WC's slogans:

We have held pickets outside WC van depots, one in Brisbane, one in Mackay and one in Cairns.

We held two Brisbane rallies – April 2015 and July 2015.

We conducted twelve information stalls at Brisbane and Redlands community markets.

We collected and posted some 750 letters from Qld citizens to the Qld Premier calling for action against WC misogyny.

Our Facebook page has more than 2000 'likes' and we continue to post about Wicked Campers, including the posting of photos of vans with misogynist slogans sighted around Brisbane, Hobart and other places; we have also posted a number of 'before' and 'after' photos of vans where citizens have painted over the slogans.

We have given presentations at community meetings, at union women's meetings, at women's liberation events eg most recently we presented at Brisbane's Reclaim the Night rally and march on 28 October 2016.

In June 2016 we conducted a forum attended by women and men interested in stopping violence against women, which was opened by the Minister for the Prevention of Domestic and Family Violence, the Hon Shannon Fentiman MP.

We have attempted to engage with Queensland Government Ministers, we wrote to every Queensland MP, we wrote to the Brisbane City Council and Redland City Council, and we met with the Anti-Discrimination Commissioner.

Wherever we have presented, conducted community information stalls, asked community members to sign letters to the Premier opposing WC misogynist van slogans etc we have met with warmth and support from community members. From our experience, it is apparent that most citizens and community members are opposed to the misogynist WC slogans and to those slogans that target children with positive messages about illicit drugs (other submissions will likely focus on the latter, our focus is on misogynist slogans).

## Attachment 2

### Relevant Not Now, Not Ever Recommendations

(16)

The Queensland Government leads and promotes sustained, inter-generational communication in the community about the seriousness of domestic and family violence, the community's intolerance of domestic and family violence, and the services available to victims and perpetrators.

(17)

The Queensland Government funds the development of evaluation criteria and a robust evaluation program for existing and future initiatives aimed at changing culture and attitudes towards domestic and family violence. Evaluation of existing initiatives should be commenced as soon as possible.

(25)

The Queensland Government leads and facilitates the introduction of programs to ensure that all secondary students can:

- » Recognise domestic and family violence and where to go for help
- » Safely intervene and provide support to victims.

(28)

Principals of non-government schools consider the Queensland Government program and incorporate as appropriate into the school culture.

(32)

The Queensland Government funds the development of a training program for employers and businesses on building workplaces supportive to victims of domestic and family violence, that includes skills on identifying and responding to domestic and family violence.

(41)

The Queensland Government supports businesses and non-government organisations to develop and maintain workplaces that support victims of domestic and family violence. This includes providing all directives, human resources policies and training programs established for state public service employees.

(48)

Business and non-government organisations in Queensland sign up to the CEO Challenge to build relationships with domestic and family violence support services, and foster workplaces that do not tolerate violence and support victims.

### Attachment 3

Relevant sections of the Qld Anti-Discrimination Act 1991

“S124A Vilification on grounds of race, religion, sexuality or gender identity unlawful

A person must not, by a public act, incite hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of the race, religion, sexuality or gender identity of the person or members of the group.”

S131A Offence of serious racial, religious, sexuality or gender identity vilification

(1) A person must not, by a public act, knowingly or recklessly

incite hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of the race, religion, sexuality or gender identity of the person or members of the group in a way that includes—

(a) threatening physical harm towards, or towards any property of, the person or group of persons; or

(b) inciting others to threaten physical harm towards, or towards any property of, the person or group of persons.”