

**SUBMISSION TO QUEENSLAND PARLIAMENT
TRANSPORTATION AND UTILITIES COMMITTEE**

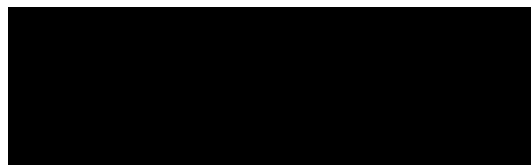
RE

**PROPOSED TRANSPORT OPERATIONS
(ROAD USE MANAGEMENT) (OFFENSIVE ADVERTISING)
AMENDMENT BILL 2016**

Date Submitted: 22 November 2016

Submitted via Email to: tuc@parliament.qld.gov.au

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I wish to support the proposed legislation in the Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016.

Whilst I accept that adults have every right to view pretty much what they want on private premises, we also have the right to choose what we and our kids see on the internet, TV, movies, books, magazines, video games, etc. There are standards, classifications and ratings that govern these areas, which guide us in our decision making of whether to view things or not, or allow our kids to. Adherence to guidelines is even more important in the case of outdoor advertising as we can't decide not to see it if it's in the public domain. But our rights to choose are taken away and our privacy invaded when companies like Wicked Campers thrust their offensive slogans and images indiscriminately on an unwilling audience of adults and children by continually ignoring demands by the Advertising Standards Bureau to remove offensive material from their vans that are in breach of the AANA Code of Ethics.

The company has well over 100 rulings against it since 2008, most of which they have ignored. As far back as January 2014, the Qld Parliament Health and Community Services Committee Report No. 36 "Inquiry into Sexually Explicit Outdoor Advertising" made numerous recommendations including to provide the ASB with some sort of punitive powers to enable enforcement of code breaches.

I have personally been campaigning for two years for action to be taken against Wicked Campers, since my own complaint to the ASB was upheld but ignored by the company. My online petition calling for legislative changes received nearly 7,000 signatures from all over the world including Australia, New Zealand, Philippines, Malaysia, Singapore, USA, Canada, England, France, Belgium, Luxembourg, Sweden, Hungary, Germany, Spain, Japan, Solomon Islands, Morocco, United Arab Emirates and Chile, including from many who have had bad personal experiences in hiring vans from this company. There have been numerous calls for action by others around the country, including local group Wicked Pickets, a petition by Paula Orbea in Sydney which received over 100,000 signatures and prompted a motion in the Senate condemning the company, and spray painting Byron Bay grandfather Paul McCarthy, to name just a few, but still the company refuses to comply, apart from removing the odd slogan here and there, only to be quickly replaced with others that are equally or more offensive.

I believe the proposal to deregister non-complying vehicles would provide a strong incentive for companies such as Wicked Campers to comply with directives from the Advertising Standards Board to remove material from their vehicles when they have been found to be in breach of AANA guidelines. To date, this company has routinely ignored rulings against it, and as they own the vehicles on which the offending material is displayed, and the ASB has had no powers to enforce their rulings, the company has continued to get away with not playing by the same rules as other advertisers.

The material displayed on some of these vans is often highly offensive by any objective standard, especially those targeting women, using misogynistic, sexist, degrading, threatening, violent and even racist messages and imagery. They often promote drug culture and contain highly sexualised content, frequently using cartoon-like imagery which has the effect of drawing children's attention to it (use of Lego, Barbie, Wiggles, Scooby Doo, etc., engaged in sex acts or drug taking). They are displayed in the public domain and are clearly inappropriate for children to view and would not be allowed on any publicly accessible medium such as TV, radio, magazines or billboards. Technically, they are subject to the same advertising guidelines as everyone else but as they continue to refuse to comply, the time has come to add some sort of punitive measure as an incentive.

Back on 23 March 2016, I emailed the Director-General of the Dept of Transport and Main Roads on the matter with the following suggestions:

"... I am wondering if your department has ever looked at this issue and whether it would ever consider a proposal such as cancelling or refusing registration to vehicles displaying offensive material, especially ones that were already the subject of a removal order from the Advertising Standards Bureau.

"Secondly, has any thought been given to amending Queensland's Roads Act to cover content of advertising signage, whether displayed on roadside billboards or on vehicles, where the content is of an obscene nature?"

"Thirdly, I am interested to know how often this company's vehicles are checked for road worthiness as social media is littered with tales of these rust buckets breaking down all over the country. Do you have to wait for someone to complain or can you take this email as a general complaint? Or do you have a system of reviewing all vehicle hire companies on a regular basis?"

At the time, the reply I received on the first point was along the lines that the department was concerned with issues of public safety rather than public decency. However, a few weeks afterwards in early April, I presented my petition and a submission to the Attorney-General in a personal meeting, where numerous options were discussed, including deregistration. I am pleased that the A-G has been able to progress discussions with the Minister for Main Roads and the DTMR and that the end result is now this proposed legislation. I am also pleased to see that the DTMR is working closely with other states and territories to promote the adoption of similar laws and that it was recently considered by the AUSTRROADS Registration and Licensing Taskforce (peak organisation of Australasian road transport and traffic agencies). I note the proposal is also supported by the ASB, AANA and RACQ.

I wish to raise a further concern - road worthiness and safety checks on rental vehicles – which requires a legislative amendment either in conjunction with this bill or separately. The DTMR's response to me confirmed that **no periodic inspections were required for Qld registered vehicles** except when initially registered or offered for sale, and that the department relies on ad hoc inspections or written complaints from members of the public, something few backpackers would do, or even know about.

In **NSW** for instance, light vehicles **more than five years old** require an **annual safety check** before you can renew the registration, in the **NT more than three years old**, in **SA more than seven years old**. I believe in at least one state, all vehicles used for **commercial rental** are required to have annual safety checks.

It is surprising that a company renting vehicles to tourists who often take them to remote places, can be allowed to do so without any annual safety checks, especially considering the age and condition of most of the vans in question. Social media and petition comments are littered with tales of the many instances of WC vans breaking down and being full of rust and mould, and leaving people stranded, that I strongly feel this is a matter of public safety, protecting visitors to our country and our tourism industry's reputation. The company clearly relies on tourists not hanging around long enough to bother going through a formal complaints process, other than to warn others on social media. The company just moves the problem on to the next unsuspecting visitor. Their attitude to safety is seemingly similar to their attitude to decency and community standards.

I raised the matter with the Attorney-General in July and understand my concerns and suggestions were passed on to the Minister for Main Roads - namely, to **bring in yearly (or every two years) road worthy inspections for all vehicles used by rental companies that are more than three to five years old.**

I urge the Minister and Department to seriously consider this suggestion and any legislative amendments that might be required to tackle the other main problem with this company, ie road worthiness, safety and reliability of their rental fleet.

With regard to the currently proposed legislation, judging by social media comments there will no doubt be those objecting on the basis of “free speech” and “nanny state” and not wanting to be told what’s funny and what’s offensive. However, **the target is not all the van slogans, nor will the government be telling people what they can find funny or offensive in their own private domain. Nor will this legislation impose any new moral code. It will merely give the ASB the ability to have some small measure of enforcement to encourage compliance with the existing guidelines** by one of the few companies refusing to do so and which seemingly thinks that the rules are for other people.

A recent editorial in The Age on 17 November 2016, titled “**Sexist advertising crackdown is welcome**”, sums it up nicely.

“... It is important to be very clear that this is not an attempt to impose any new standards on advertising. In the case of Wicked Campers, the laws would ensure that a company that has for years flouted regulations, is finally made to follow the rules that the rest of the community adheres to.

“... We already have laws and regulations for sexually explicit or offensive content. We don't allow R-rated movies on TV when children are likely to be watching, we don't allow pornographic magazines to be on display where everyone will see them, and we have laws against people shouting out the kind of aggressive, sexist taunts seen on some Wicked Campers vans.

“It is simply wrong to suggest that the laws would impose some kind of puritanical new standard.

“... It has been well established that environments that tolerate gross inequality and sexism do contribute to discrimination and even violence against women and girls.”

With regard to free speech concerns, the Australian Constitution does not specifically outline the right to freedom of expression; it is an implied freedom within our democratic form of government. Therefore, it is not a constitutional right that can override legal restrictions. Currently under Qld and Commonwealth laws, freedom of speech is already quite rightly curtailed in a number of areas to protect the public or individuals, e.g. defamation, vilification, obscenity, etc.

Even in the USA, where the First Amendment provides that “Congress shall make no law... abridging the freedom of speech”, one exception involves signs which display obscene images or messages. The US Supreme Court has ruled that obscenity is not protected by the First Amendment. Public displays of offensive material are not constitutionally protected, because they are **thrust indiscriminately upon unwilling audiences of adults and children, and constitute assaults upon individual privacy**. The U.S. Supreme Court acknowledged “parental control or guidance cannot always be provided and society’s transcendent interest in protecting the welfare of children justify reasonable regulation” in order to protect children from material that is inappropriate for them.

Many councils and private businesses, as well as individual hirers of these vans, have had to take matters into their own hands to ensure the equal enjoyment of facilities, particularly by families unfortunate enough to have one of these vans set up camp beside them. A number of councils in New Zealand introduced fines for vans with offensive slogans and several councils and businesses around Australia and New Zealand have banned the vans from campgrounds, accommodation and tourist attractions.

After complaints by the NZ Associate Tourism Minister and the Police Commissioner, the NZ Chief Censor recently ruled against a number of the company’s vans, particularly those sporting drug references and highly sexualised content using images attractive to kids, with threats of fines up to \$200,000 for continued breaches. It was decided that **in the case of vehicles, it was impractical to require classification stickers to be displayed on vehicles as there was no opportunity for a member of the public to make an informed decision about whether the material was suitable to view, prior to being able to see it**. Therefore they were banned altogether as the only practical solution. In a nutshell, this is what we have been trying to say

to those critics who glibly say, “If you don’t like it, look away”. **You can’t unsee what you or your kids have already seen.**

Many of these same vans, however, can still be seen roaming Australia, despite also being in breach of our guidelines, as there are no punitive measures that can be applied. Whilst this proposed legislation may fix the problem for vehicles registered in Qld, or in other States that decide to adopt similar laws, **it requires a politician to make a complaint to the Australian Classification Board and ask for a ruling Australia-wide on non-G-rated material in the public domain that cannot be adequately dealt with by putting an M rated sticker on it**, currently the only likely outcome of any complaint. **I urge any interested politician to consider this course of action and proceed in consultation with the NZ Chief Censor’s office.**

Many hirers of these vans take it upon themselves to tape over the offensive parts with duct tape or cardboard, as they are often given no choice when it comes to what is written on them. The company rather dishonestly does not feature its more offensive ones on its website and they are generally not used in overseas countries, so tourists can be unaware of how bad they can be. Also, because media outlets are unable to show the worst ones on TV and in the paper, the general public is often unaware of the extent of the problem and ‘can’t see what all the fuss is about’. I have attached a by-no-means complete list of some of the slogans in question; however the impact is much greater when accompanied by the graphic imagery. And it must be remembered that what an adult may privately find amusing is not the standard used to determine the suitability of something in the public domain.

Lastly, as women are the target of many of these slogans, I would mention that the 2016 Royal Commission Report into Family Violence found that violence against women begins with bad attitudes towards women.

“If we are to prevent family violence we must change the attitudes and social conditions that give rise to it. There is a need to implement primary prevention strategies that are designed to dismantle harmful attitudes towards women, promote gender equality and encourage respectful relationships.”

If we can’t even get these vans dealt with, what hope do we have? Whilst getting these offensive vans off the roads is one step in the right direction, there is a wider issue of the portrayal of women in advertising and other mediums, and the hyper-sexualisation of children and the appropriateness of brand messaging and advertising directed towards them (eg full-size front window semi-porn images in Honey Birdette in Westfield shopping centres in view of minors; current range of goods in Typo stores in same shopping centres, marketed to and frequented by upper primary and high school girls – numerous items on display with messages saying “F*ck this Sh*t up”, “Hot as F*ck”, “F*ck Yeah”, “Do Epic Sh*t”, “Keep Your Sh*t Together”, “Shut the F*ck Up About Your Stupid Diet” and similar variations. Many have stickers over the words in online catalogues but yet are on full display in store). There continue to be large loopholes that make it difficult to get action taken, so we can let our kids be kids and not assaulted with these types of messages. In many cases, the ASB has also struggled to get compliance from these advertisers in a timely manner, if at all.

In an effort to tackle these bigger issues, I would ask the Government to continue to consider the following:

- 1) Implement where possible other recommendations made in the Qld Parliament Health & Community Services Committee Report No. 36 "Inquiry into Sexually Explicit Outdoor Advertising" in January 2014;**
- 2) introduce further legislation if required in future to allow the Advertising Standards Bureau to impose fines for non-vehicle related breaches of advertising codes, particularly those that denigrate women or are on display to children, and to regularly review the AANA Code of Ethics to ensure it keeps pace with community expectations;**

3) review Queensland's public indecency laws which seem inadequate to deal with public obscenity cases such as the use of foul language or degrading images displayed on private property in shops, on t-shirts and on merchandise where it is easily viewed by minors or the general public. This proposed legislation only covers vehicle advertising and not instances where similar images and slogans are displayed, whether on vehicles or not, that is not deemed to be advertising, but could be dealt with under the Summary Offences Act – Public Nuisance with some minor changes. I propose that Section 3a be rewritten as follows:

3 (a) a person behaves in an offensive way if the person uses, displays, or publishes offensive, obscene, indecent or abusive language or images, or which incite or counsel any person to commit an offence, or which can be seen or heard in the public domain, even if on private property or vehicles.

4) amend the Qld Anti-Discrimination Act to add the term "sex" to the existing Part 4 Anti-vilification section, rather than just the current grounds of race, religion, sexuality or gender identity (as is already the case in Tasmania). The Government should provide women and girls with the same protection against vilification as other groups, not just in advertising. The AANA Code of Ethics, Section 2.1 Advertising or Marketing Communications includes 'gender' in its guidelines "... shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

SUMMARY

- I fully support the introduction of this legislation.
- I ask that the Department of Transport & Main Roads also seriously looks at further legislative amendments to bring in annual safety checks for rental vehicles over three to five years old (Refer to P. 3)
- I ask that a Government Minister or MP or Attorney-General's Office ask for an Australia-wide ruling by the Australian Classification Board, in conjunction with discussions with the NZ Chief Censor, on the list of slogans in this submission (photos can be supplied) with regard to non-G-rated material in the public domain that cannot be adequately dealt with just by putting an M rated sticker on it. (Refer to P. 5)
Continue to revisit and implement the other recommendations from the Inquiry into Sexually Explicit Outdoor Advertising. (Refer to Point 1 above)
- Provide further powers to the ASB if necessary to tackle non-vehicle advertising breaches and non-compliance and ensure AANA Code of Ethics is regularly reviewed and updated. (Refer to Point 2 above)
- Review Queensland's public indecency laws, particularly the Summary Offences Act – Section 6 Public Nuisance, paragraph 3(a) to better deal with non-vehicle non-advertising related offences. (Refer to Point 3 above)
- Add "sex" to the anti-vilification provisions of Qld Anti-Discrimination Act to afford women and girls the same protection as other groups. (Refer to Point 4 above)

ATTACHMENT A – WICKED CAMPERS SLOGANS

Here are some examples of the more offensive Wicked Campers slogans. Remember that the impact is much greater when accompanied by the graphic images, and what an adult may privately find amusing is not the standard used to determine the suitability of something in the public domain, especially where it can be viewed by children.

- She can't wrestle, but you should see her box
- Legs are a girl's best friend, but even the best of friends must part
- Save water...take a shower with your neighbour's daughter
- Your daughter is on my list of things to do tonight
- Bukkake ruined my carpet (act where a group of men masturbate over a woman)
- A blowjob a day keeps the breakup away
- I ate so much pussy in those days, my beard looked like a glazed donut (Dennis Hopper quote using his picture)
- Virginity is curable / She wants my brick (hypersexualised LEGO figures in sex act)
- Pussy; taste the difference (Pepsi Logo)
- Fat chicks are harder to kidnap
- I've often wanted to drown my troubles, but I can't get my wife to go swimming
- Life sucks if your girlfriend doesn't
- My cock just died, can I bury it in your backyard?
- Blow in her face and she'll follow you anywhere
- Your thighs won't touch if my head's between them (picture of bare breasted reclining woman)
- OMG! My pussy needs recovery but I still want more
- To all virgins, thanks for nothing
- If a dog sniffs you're (sic) arse, then you're probably a bitch
- Everyone feels the cold except Polar Bears and Hookers
- It makes my heart race when you sit on my face
- What do you put in your mouth but don't swallow?
- Honk if you want to be dipped in chocolate and thrown to the lesbians
- A blowjob a day beats an apple
- We only break for pussy
- Women fake orgasms because they think men care
- OMG!...Barbie's a slut!
- Hurricanes are like women – when they come they're wet and wild; when they leave they take your house and car
- A blowjob is a great last minute gift
- A man would be interested in a woman's mind, if it bounced gently as she walked
- Save a tree ... Eat a beaver
- I wouldn't trust anything that bleeds for five days and doesn't die
- I'm straight ... so don't rear end me
- Merci Madame, Voila La Bearded Clam
- You're F#ckin' out!...I'm F#ckin' in!! (with aggressive male face)
- Fuck...I just snapped my G-string
- It's a joke, not a dick. Don't take it so hard.
- The boss called me a wanker...I was so shocked I almost let go of his cock.
- Confucius say Man with Dick in Peanut Jar is Fucking Nuts
- I'm not losing hair, I'm getting more head

- 90% of priests who've tried camels, prefer young boys
- Legover (featuring two Lego figures having sex)
- RBT Random Breast Testing (van covered in naked breasts)
- Who came first? (chicken being f***ed from behind by an egg)
- If sex is a pain in the arse, you're doing it wrong
- I know the perfect place for us to dry hump
- Can your pussy do the dog?
- All I want is peace in the Middle East and a Blow Job
- A good husband will always make his wife's vagina wet, but never makes her eyes wet. A good wife will always make her husband's penis hard, but never makes his life hard
- A loose tongue will get into tight places
- Weed gives us the giggles (picture of The Wiggles stoned)
- Anything's a dildo if you're brave enough
- Men have two emotions – hungry and horny...If you see him without an erection, make him a sandwich!
- Polite as Fuck!
- A blowjob is better than no job
- Drink till she's pretty
- Suckaway (using Subway-type lettering & picture of women with mouth around long phallic-shaped Subway roll)
- Dear Lucy, I can already imagine the gaffer tape on your mouth (in response to Byron Bay journalist Lucy Clark's article criticising Wicked Campers)
- Does your arsehole ever get jealous of the shit that comes out of your mouth?
- I'm happy as a bitch with a cock in her mouth (picture of dog with rooster in mouth)
- This cock loves ass! (picture of rooster and donkey)
- It's believed God created man to walk upright to free his hands for masturbation
- Gangnam Style (picture of Korean pop star Psy 'banging' a girl from behind)
- They say you are what you eat...But I don't remember eating a Fucking Legend
- A wet dream is just a hand job from God
- I'd eat a shit sandwich but I don't like bread
- In every princess there is a little slut who wants to try it just once (since removed following petition by Paula Orbea signed by 127,000 people and a Senate motion condemning Wicked Campers)
- Save a whale.....Harpoon a Jap! (possibly since removed)
- I believe in giving women rights....and plenty of lefts too (possibly since removed)
- It's not rape if it's only half way in (possibly since removed)
- "It's not rape if you yell...Surprise!"
- Behind every great woman is a man checking out her arse
- It seems you've mistaken me for someone who gives a fuck
- If God were a woman, would sperm taste like chocolate?
- Smile, it's the second best thing you can do with your lips
- Sex Police Spread 'Em!
- A vagina is like the weather....Once it's wet, it's time to go inside!
- Women are like banks. Once you withdraw, you lose interest.
- I don't like small cars or real big women but sometimes I always find myself in them.
- Get out ya tits and we'll call it quits
- Flash ya tits for the driver
- It's easier to apologize rather than ask permission
- It's easier to get forgiveness than permission

- Ya Mum's on the top of my Things To Do list
- Fuck Google, Ask Me!
- Let's go to my place and do all the things that I'll tell people we did anyway.
- Honey, when your face leaves, I want to be on it.
- The best thing about oral sex – 5 minutes of silence.
- Save lollipops, suck a dick. (with picture of bare breasted woman)
- Up the bum. No babies.
- Bitch Don't Kill My Vibe
- Honey, when your face leaves I want to be on it
- If I want Shit from you, I'll squeeze your head
- A big legged woman ain't got no soul.
- It only hurts the first time (with picture of fox anally raping another cowering cartoon animal)
- There's no way I was just born to pay bills and die (picture of Snow White snorting cocaine)
- Meth Machine (pictures of Scooby Doo and Shaggy with meth paraphernalia)
- Crack – Enjoy! (copying Coke lettering style and showing Snow White smoking a crack pipe) – *recently classified RU16 by NZ Chief Censor and banned from public viewing in NZ, not Australia.*
- Someone pass Shaggy the baggie so he can roll Scoobie a doobie (One side shows pictures of Shaggy and Scoobie Doo stoned and smoking a joint. Other side says "Bad trip" with picture of Cookie Monster with gun to his head) - *recently classified RU16 by NZ Chief Censor and banned from public viewing in NZ, not Australia.*
- I did a bong! I did, I did! A bong! A bong! A bong I did! (picture of Dr Seuss character Sam I Am smoking a marijuana bong) – *recently classified RU16 by NZ Chief Censor and banned from public viewing in NZ, not Australia.*

ADDENDUM TO SUBMISSION BY CHRISTINE KING TO TRANSPORT & UTILITIES COMMITTEE RE DEBATE OF PROPOSED ROAD USE MANAGEMENT OFFENSIVE ADVERTISING ON VEHICLES BILL

- Whilst this legislation is a good first step, it does not cover non-vehicle advertising breaches or non-advertising related material in the public domain (eg Typo stores current merchandise, Honey Birdette) that is unsuitable for children or that denigrates and degrades women.
- Ensure Government has continued input into the AANA Code of Ethics and ensures it is regularly reviewed and strengthened where necessary to reflect prevailing community standards. For instance, many complaints about Wicked Campers and other companies have not been upheld by the ASB, even though they are clearly border line in terms of what is acceptable in the public domain and would appear to breach the code.
- Introduce further legislation if required in future to allow the Advertising Standards Bureau to impose fines for non-vehicle related breaches of advertising codes, particularly those that denigrate women or are on display to children. Ask the ASB for examples of the other 1% or so of advertisers that currently don't comply with their breach directives and what further powers the ASB requires to deal with these.
- Immediately amend AANA Code of Ethics to further clarify "relevant audience" in the case of outdoor advertising:

2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience; and

2.5 Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.

The 2014 Parliamentary Health & Community Services Committee Report into Sexually Explicit Outdoor Advertising recommended that this section be amended to put beyond doubt that the "relevant audience" for all outdoor advertising is everyone, including children, and therefore when considering complaints about outdoor ads, the ASB should have regard not just to whom the ad is targeted, but also to who can see the ad. Section 2.4 should specify that, when considering the placement of ads which include sex, sexuality and nudity, particular care should be taken to avoid locations frequented by children, for example, near schools, sports grounds and on public transport. Others argue that all outdoor advertising by its very nature is able to be viewed by children and therefore should all be G rated.

- If members of the public have painted over offensive Wicked Campers vans, the company has a habit of quickly re-painting the same offensive material onto the same van or painting something even more offensive. What's to stop them doing this after the legislation is introduced? One photo may not be enough. They may need to be asked to provide further photo evidence of the same registered vehicle one month later.

- What's to stop WC stalling deregistration by continually claiming a van is out on hire? Consider adding wording to legislation to say that the 'excuse' of being out on hire can only be used once per complaint (or once per vehicle rego, as they may paint over with another offensive slogan instead.) Perhaps a sliding scale of penalties could be added so that, if the same vehicle rego is the subject of a further complaint either about the same slogans/images or new ones, a fine will be added.
- Review Queensland's public indecency laws to better deal with non-vehicle advertising and non-advertising related offences in the public domain (such as Typo stores current range of merchandise sporting foul language, t-shirts, etc), particularly **Queensland Summary Offences Act - 6. Public Nuisance**, which currently says:
 - (2) A person commits a public nuisance offence if-
 - (a) the person behaves in-
 - (ii) an offensive way.
 - (3) Without limiting subsection (2) -
 - (a) a person behaves in an offensive way if the person uses offensive, obscene, indecent or abusive language.

I recommend wording be amended along the lines of the following:

3 (a) a person behaves in an offensive way if the person *uses, displays, publishes or otherwise exhibits offensive, obscene, indecent or abusive language or images, or language or images which incite or counsel any person to commit an offence, which can be seen or heard in the public domain, even if on private property or vehicles.*

**_"Offensive" could be defined as that which could reasonably cause offence to the average person, having regard to current community standards, especially if likely to be seen or heard by minors in the public domain.*

*** Provision could be made to exclude political protests, demonstrations and placards.*

- Tackle the other problem with Wicked Campers which is **road worthiness, safety and reliability**. Since my submission to the TUC, I held discussions with ██████████ Dept of Transport, on 29 Nov 2016 about this issue, following my correspondence to the Minister's office, regarding the suggestion of safety checks for rental vehicles over five years old.

I ask that the TUC, Minister, and Department of Transport & Main Roads seriously look at further legislative amendments to bring in **annual safety checks for rental vehicles over five years old** by adding this category to the list needing annual COI's (Certificates of Inspection) such as taxis, buses, trucks, and from August 2017, personalised transport such as Uber. This change could piggyback onto the legislative changes proposed for Uber. It should not affect the vast majority of rental businesses as they turn over their fleet more regularly (though this would have to be established via consultation with the industry). It would only affect WC and a few rent-a-bomb car companies. This would provide further safety to tourists who are

already driving vehicles with fewer safety features due to the age of vehicles, prevent stranding in isolated regions, and better protect our tourism reputation.

Just as Qld is leading the way with this advertising legislation, it can also lead the way in keeping tourists safer as this issue is largely once again limited to Qld based company Wicked Campers.

Currently rental vehicles are treated the same as private vehicles which only require a safety certificate when selling. No periodic inspections are required for Qld registered vehicles (NSW has annual checks for all vehicles), and the department relies on ad hoc inspections (the last time WC was inspected by compliance officers was 2010) or written complaints from members of the public (something few backpackers would do, or even know about). Social media is littered with tales of breakdowns and being stranded and holidays ruined from renting these old rust buckets. This is a matter of public safety, protecting visitors to our country and our tourism industry's reputation.

At the very least, as Wicked Campers is a repeat offender, I would ask the Department's compliance officers to schedule annual inspections, or every two years, of this company's fleet.

- I ask that a Government Minister or MP or Attorney-General's Office ask for an Australia-wide ruling by the Australian Classification Board, in conjunction with discussions with the NZ Chief Censor, on the list of slogans in this submission (photos can be supplied or most can be found in this link <https://questionsforus.com/2015/01/16/literally-wicked-campers-still-offend/>) with regard to non-G-rated material in the public domain that cannot be adequately dealt with just by putting an M rated sticker on it.
- Give consideration to adding "sex" to the anti-vilification provisions of Qld Anti-Discrimination Act to afford women and girls the same protection as other groups. Whilst the AANA Code of Ethics includes "gender" in its vilification provisions, wider protection is required to cover portrayal of women in all mediums, not just advertising.

Lastly, in response to issues raised by Family Voice that the legislation should be limited to breaches of the AANA Code of Ethics regarding sexually explicit material only, and their concerns that they may get caught up by Section 2.1 of the AANA Code of Ethics, namely "Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief" in putting forward a campaign against same sex marriage – I would argue firstly that by limiting this legislation to only sexually explicit material, it would miss many of the Wicked Campers vans that are homophobic, racist, sexist, misogynistic, degrading to women, etc. Secondly, I would suggest that any arguments against same sex marriage should be able to be made without resorting to denigration or vilification.