




Speech By
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MEMBER FOR MOUNT ISA

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**CLASSIFICATION OF PUBLICATIONS (BILLBOARD ADVERTISING) AND
OTHER LEGISLATION AMENDMENT BILL**

 **Mr KATTER** (Mount Isa—KAP) (7.47 pm): I rise in support of the Classification of Publications (Billboard Advertising) and Other Legislation Amendment Bill 2013. A wise man known as Professor Scott Prasser, Director of the Public Policy Institute at the Australian Catholic University, said 'Creating policy is a three-step process'—first, recognise the problem; second, compile the research and place it into a black box; and, third, develop a solution based on the research compiled in the black box and apply it to the development of an evidence based policy.

KAP have acted in precisely this manner when developing the Classification of Publications (Billboard Advertising) and Other Legislation Amendment Bill 2013. I am very proud to stand here in the Queensland parliament today to debate, on behalf of the Queensland people whom I represent, for the implementation of this bill.

Before developing this bill, KAP was assigned the task to gather academic, political and investigative journalistic literature for evidence that suggested a failure of self-regulation relating to outdoor billboard advertising in public spaces. The weight of evidence provided in the research suggested that, based on the balance of probabilities, self-regulation by the Advertising Standards Bureau is failing.

Acknowledging that there is sufficient evidence to suggest that the self-regulating outdoor advertising industry is ineffective, we went ahead and developed a policy that was based on evidence and community concerns. The policy utilises a wide range of literature such as the Australia Institute's *Corporate paedophilia: sexualisation of children in Australia*; the Australia Institute's *Letting children be children: stopping the sexualisation of children in Australia*; *Sexualisation of children in the contemporary media* by the Senate Standing Committee on Environment, Communications and the Arts in 2008; *Letting children be children*, a report of an independent review of the commercialisation and sexualisation of childhood; *Reclaiming public space*, an inquiry into the regulation of billboard and outdoor advertising; the 2011 House of Representatives Standing Committee on Social Policy and Legal Affairs' *Sexualisation of young people*; the *Sexualisation of girls in popular culture: neoliberalism, choice and invisible oppression*; 'Community perceptions research 2012—overview' from the Advertising Standards Bureau; the *Politics of Pornography and Pornographication in Australia* by M Tyler; 'Billboard Advertising and Sexualised Images' from Bravehearts; 'Premature Sexualisation of Children' by the Women's Forum; the Senate Inquiry into the Sexualisation of Children in the Contemporary Media Environment from the Victorian Child Safety Commissioner; the *Advertising effect: how do we get the balance of advertising right*; and *Think of me as evil? Opening the ethical debates in advertising*. As can be seen, there is a litany of literature that this bill is based on, and I table all of those documents to support this bill here tonight.

Tabled paper: Report of the Commonwealth Parliamentary Standing Committee on Social Policy and Legal Affairs, dated July 2011, titled 'Reclaiming Public Space' [\[4835\]](#).

Tabled paper: Australia Institute discussion paper No. 90, dated October 2006, titled 'Corporate Paedophilia, Sexualisation of children in Australia' [\[4836\]](#).

Tabled paper: Australia Institute discussion paper No. 93, dated December 2006, titled 'Letting Children Be Children, Stopping the sexualisation of children in Australia' [4837].

Tabled paper: Report of the Commonwealth Senate Standing Committee on Environment, Communications and the Arts, dated June 2008, titled 'Sexualisation of children in the contemporary media' [4838].

Tabled paper: Bundle of documents relating to the sexualisation of children in advertising [4839].

Tabled paper: Document, dated February 2010, authored by Dr Linda Papadopoulos, titled 'Sexualisation of Young People, Review' [4840].

Tabled paper: Independent review of the commercialisation and sexualisation of childhood, dated June 2011, authored by Reg Bailey, titled 'Letting Children be Children' [4841].

It is compiled and presented as evidence which suggests that inappropriate advertising and marketing content and geographical placement of billboards displaying this content in public spaces can have a negative impact on children and families. That is an undeniable fact that all of us are very conscious of. E Rush and AL Nauze deliberate that the sexualisation of children in advertising and marketing content exposes children to numerous risks. The effects of sexualisation on children can be identified by five different categories: physical harm, psychological harm, sexual harm, the 'opportunity cost' of sexualisation, and its ethical effects.

Often the five different categories can occur simultaneously in a child's life. For example, eating disorders can present physical and psychological harm, which are closely interrelated. The ethical debate has been used by the advertising and marketing industries to justify their use of inappropriate content, claiming that they are merely reflecting community values and reject responsibility for various undesirable social effects. Clearly, there is quite often a moral vacuum. Pollay in 1986 offered an opposing view which is almost unanimous among humanities and social science scholars, suggesting that advertising and marketing operate as a 'distorted mirror', reinforcing a particular set of cultural values and symbols. This view can be highlighted by the regular exposure of young children to images of adult sexual behaviour expressing no emotions, attachments or consequences, debilitating them from developing 'the foundation they need to become adults who are capable of forming positive, caring sexual relationships'.

It appears that children themselves are now being sexualised in advertising and marketing content which emphasise male domination, which appears to possibly increase the risk that the ethical values that foster healthy relationships will be undermined, in particular for boys. Rush and Nauze in 2006 further suggest in their discussion paper *Letting children be children* that a solution could start with a restructure of the regulatory environment for Australian media. The establishment of a division within an office of media regulation to protect children's interests with respect to all forms of media would acknowledge the increasing importance of media in children's lives. In particular, it would be able to address the ways in which children are now much more heavily targeted by advertisers and marketers than they were in the past. At the same time, it would allow parents more choice about the ways in which they introduce issues related to sex and sexuality to their children. At present, unless children are kept at home with tight and constant supervision of their media consumption, that choice is being taken out of their parents' hands.

In June 2008 the Australian Senate conducted a Standing Committee on Environment, Communications and the Arts inquiry into the sexualisation of children in the contemporary media. There were many recommendations that came from the inquiry, but the one that concerns billboard advertising was recommendation 12, stating—

The committee recommends that the Advertising Standards Board rigorously apply standards for billboards and outdoor advertising to more closely reflect community concern about the appropriateness of sexually explicit material and the inability of parents to restrict exposure of children to such material.

The concerns and recommendations made relating to the 2008 Standing Committee on Environment, Communications and the Arts' *Sexualisation of children in the contemporary media; Corporate paedophilia: sexualisation of children in Australia*; and *Letting children be children: stopping the sexualisation of children in Australia* were echoed in Britain through the *Letting children be children* report of an independent review of the commercialisation and sexualisation of childhood by Reg Bailey. This review was presented to the parliament by the Secretary of State for Education by command of Her Majesty in June 2011. It appeared the British public and government were dealing with the same issues relating to inappropriate content in the contemporary media as in Australia. The KAP used the Bailey review as an international comparative study whilst developing our billboard advertising policy. The Bailey review presented many recommendations that were compatible to the June 2008 standing committee. In particular, recommendation 2 states—

Reducing the amount of on-street advertising containing sexualised imagery in locations where children are likely to see it. The advertising industry should take into account the social responsibility clause of the Committee of Advertising Practice (CAP) code when considering placement of advertisements with sexualised imagery near schools, in the same way as they already do for alcohol advertisements. The Advertising Standards Authority (ASA) should place stronger emphasis on the location of an advertisement, and the number of children likely to be exposed to it, when considering whether an on-street advertisement is compliant with the CAP Code. The testing of standards that the ASA Summary of Report and Recommendations undertakes with parents (see Recommendation 7) should also cover parental views on location of advertising in public spaces..

The KAP combined the two recommendations from the 2008 standing committee with regard to this bill. This placed content and geographical placement as the main focus when developing this bill and other legislation within the policy framework. In July 2011 the House of Representatives Standing Committee on Social Policy and Legal Affairs conducted a reclaiming public space inquiry into the regulation of billboard and outdoor advertising, which reinforced the importance of the findings made. The inquiry found that outdoor advertising has no special category and the current board determinations may take into consideration the medium of an advertisement, such as use of a billboard, in addition to its placement. Certain codes place restrictions on the placement of outdoor advertisements for some products. However, there is no separate regulatory code or process for outdoor advertising. Despite their public and unavoidable nature, outdoor advertising is regulated by the Advertising Standards Bureau in the same manner as other forms of advertising.

Central to this inquiry is the issue of whether outdoor advertising warrants consideration as a special category. Two issues are raised from this evidence. Firstly, should outdoor advertising constitute a special category of advertising which is subject to a different code regarding content and placement? The second issue is whether the current self-regulatory system has the capacity to adequately regulate outdoor advertising. It is quite obvious from the evidence presented in the literature that the current self-regulating system has only the capacity to act as a reactionary system, after the damage has been done by scrupulous and self-interested advertisers and marketers. With this in mind, we believe that outdoor advertising constitutes a special category of advertising which is subject to a different code regarding content and placement.