




Speech By
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MEMBER FOR KALLANGUR

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

 **Mr KING** (Kallangur—ALP) (3.26 pm): Today I rise to make a contribution to the debate on the Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016. The objective of the bill is quite simple, that is, to ensure that vehicles registered in Queensland can no longer drive around with sexist, obscene or otherwise offensive advertising painted all over them. This bill seeks to achieve that by allowing the chief executive to cancel the registration of a vehicle that displays offensive advertising if the owner does not remove advertising upon request by a determined time period. The determination of what is and is not offensive will be decided by the Advertising Standards Board. The board is made up of 20 individuals who represent the diversity of the Australian community. They are individually and collectively independent of the advertising industry. The bill contains clauses that, for the purpose of fairness, allow the owner an extended period if the vehicle is out on hire, which helps limit inconvenience to its customers. Provisions also ensure that owners cannot get around this legislation by transferring the registration into another name.

I think I have a fairly open mind. However, some of the content we saw, which is publicly displayed on those vehicles, is highly offensive and graphic. If I had hair, those slogans would have curled it. Out of respect for all in this place, I will not read out the offensive content, but suffice to say that we have had to put a warning on the committee's page to let people wishing to read the submissions know that they should be prepared for a shock if they go through them. I never thought we would have to do something such as that.

All submitters bar one and all witnesses at our public hearings were in full support of this bill and the majority wanted it to go much further. I will go into some of the submissions and witness statements later. We heard fairly clearly the strong sentiments that the advertising differs from television or printed media, which can be avoided by changing channels or turning a page. During our deliberations, I was told of the shock of a victim of assault who was affected further when confronted in traffic by one of those vehicles, which displayed a slogan and art that promoted the assault she had suffered. She was in traffic and could not look elsewhere without crashing. That is not on. As I said, a number of submitters wanted the legislation to go further. While we had no argument with that sentiment, the recommendations to go further were outside the scope of the committee's portfolio responsibilities and any further work in this area could be the subject of other legislation. One concern that was raised repeatedly was that these vehicles can be registered over the border in New South Wales to circumvent the legislation. I understand Minister Bailey is having conversations with his interstate colleagues to try to address this.

During our deliberations we were repeatedly informed that this problem has been around for many years and that previous governments have not done enough to curb it. In one of our submissions from a long-time campaigner we learned that one of these companies has been ignoring directives to remove this offensive material for years. The submission from Christine King reads—

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 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 ... 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) ... 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.

I am confident that this legislation helps to achieve this wish by taking a much firmer stance than previous attempts and is definitely a step in the right direction.

The Transportation and Utilities Committee recommended unanimously that this bill be passed. From our submissions we were also led to believe that a large number of these campers were in an unroadworthy state. We also recommended that the minister consider introducing a requirement that all Queensland hire vehicles that are more than five years old have a current roadworthy safety certificate. The response from the minister, as we heard, was—

The Department of Transport and Main Roads (DTMR) is not aware of any significant vehicle standards issues with hire car companies and to impose the recommended requirement on all hire car companies would be an unreasonable burden.

While annual inspections are able to check whether a vehicle is roadworthy on a particular day of the year, the mix of random and targeted enforcement undertaken by DTMR means vehicles may be checked anywhere and at any time.

Since 1 January 2012, there have been just two defect notices issued for Wicked Campers hire vehicles registered in Queensland, one of which was only a minor defect that the owner was able to correct themselves. This would not be sufficient to justify another full fleet inspection and would not suggest that these are high risk vehicles. Imposing an industry-wide audit of older hire vehicles would be resource intensive for DTMR and impose an unnecessary burden on the broader industry.

I am satisfied with that response. The minister certainly took our recommendation seriously and looked at what we had asked for.

I finish by thanking the members of the committee for their excellent and cooperative work on this legislation. I thank the member for Southport, the member for Murrumba, the member for Logan, the member for the Lytton, the member for Redlands and the member for Whitsunday. As always, I thank our hardworking secretary: Kate, Rachelle, Lyn and Mishelle. I commend this bill to the House.