

The Reverend Heather Cetrangolo
on behalf of the Anglican Public Affairs Commission

**SUBMISSION TO THE LEGAL & CONSTITUTIONAL AFFAIRS COMMITTEE
PARLIAMENT OF AUSTRALIA**

Re: Inquiry into the Australian film and literature classification scheme

This submission is made by the Anglican Public Affairs Commission (PAC).¹

The entire scope of this inquiry is of interest to the PAC, since the issue of censorship extends to our concern for the sanctity and value of human life, for child protection and for the capacity of consumers to make free and informed choices. We submit that the current form of the *Classification (Publications, Films and Computer Games) Act 1995* fails to adequately protect against the sexualisation of children and the public exposure to adults of material that should be restricted, even by the current standards of the *National Classification Code*. Because of the broad nature of the inquiry, this submission focuses on only two of the terms of reference:

- h) the possibility of including outdoor advertising, such as billboards, in the National Classification Scheme; and

¹ The PAC is an advisory body for the Anglican General Synod that *does not carry the authority of the Anglican Church of Australia*.

- a) the effectiveness of the National Classification Scheme in preventing the sexualisation of children and the objectification of women in all media, including advertising.

The PAC recommends that the definition of 'publication' within the *Classification (Publications, Films and Computer Games) Act 1995* be amended to specifically include:

- (a) outdoor advertising, such as billboards, and any advertisement that is on public display in an outdoor setting. This includes advertisements placed on public transport such as buses and taxis; and
- (b) advertising of products and services.

We recommend that as part of its inquiry the Legal & Constitutional Affairs Committee arrange for an independent review of the current practice and Codes administered by the Advertising Standards Bureau (ASB). We argue that the ASB is a compromised and ineffective structure for restraining advertisers and that formal government restraint is needed if contemporary Australian values are to be upheld. The ASB is a self-regulating body that is compromised by its need to protect the interests of advertisers. Because of this, Australians are in a vulnerable position, relying on the ASB to regulate outdoor advertising, a body which then creates the perception that it is upholding community standards, when in fact, it is setting and influencing community standards from a biased position. It is not surprising that between January 2002 and December 2005, of the 407 cases involving complaints made to the ASB in the category of 'sex, sexuality and nudity', it only upheld 0.5%.²

Inclusion of outdoor advertising, such as billboards, in the National Classification Scheme

² Emma Rush & Andrea La Nauze (2006), 'Letting Children be Children: stopping the sexualisation of children in Australia', *The Australian Institute* (Discussion Paper Number 93), p16.

Under the current legislation, the Classification Board does not have the power to make a classification of advertising material. Under s29 the Board can refuse to approve an advertisement for a publication, but this does not extend to advertisements for products or services. It includes only advertisements for publications, films or computer games. In the opinion of the PAC the Board's power should extend to include classification, upon application, of all advertising material.

s8 of the *Classification (Publications, Films and Computer Games) Act 1995* gives the Minister of each state who is responsible for censorship matters, the power to determine markings to be made for each type of classification as well as the manner in which these markings are displayed. s13A gives a similar power to the Classification Board, to impose conditions that certain publications only be displayed for sale in a sealed package. We argue that this power should be extended in the case of outdoor advertising material, to determine that any material that receives a Restricted classification by the Classification Board, be banned from outdoor display.

The concerns that we have for protecting the public in outdoor areas, relates to two main issues:

1. The current freedom that advertisers have to promote products and services within the sex industry and to commodify sex in a manner that does not conform with the moral standards of large sections of the community; and
2. The need to protect children from being exposed to material that they are not of an age to cognitively understand and that may therefore cause psychological and spiritual harm.

When it comes to the use of public space there is a strong meeting of minds between concerns expressed by the public and those held by the PAC. This

submission is in no way an attempt to suppress sexuality or artistic expression. It is a response to the lack of boundaries that currently exists around what children and adults are exposed to in outdoor areas.

The biblical view of human sexuality is first, that it is a gift from God, who made men and women in God's own image (Genesis 1:27). The human body is therefore sacred and to be treated with respect and dignity. Christians see their bodies as "a temple of the Holy Spirit" and that they are to honour God with their bodies (1 Corinthians 6:19-20). Indeed, for Christians, the physical and sexual dimensions of human life are inseparable from the spiritual life, since Christians believe they will be given resurrected bodies in God's new creation, which began in Jesus Christ, who was made human, dwelt physically in the world and was bodily resurrected. These are all reasons why sexual exploitation through advertising is of concern to Christians, especially in public areas where people have no choice about what they are exposed to. No one, least of all children, should be forced to observe advertising material that exploits the human body for commercial gain, or presents human sexuality as something to be commodified.

Christians aren't the only people who think so. This view is apparent in the recent Shout petition to the Standing Committee of Attorneys-General Censorship Ministers, calling for "more stringent requirements for the display of the so-called 'lads' magazines ..".³ In fact, the current legislative regime for censorship itself reflects a concern for protecting people from being exposed to dehumanizing material.

One of the stated purposes in s1(b) of the *National Classification Code* is that, 'everyone should be protected from material likely to harm or disturb them, and that everyone should be protected from exposure to unsolicited material they find offensive.' In this same vein, s11 of the *Classification (Publications, Films and*

³ Collective Shout: for a world free of sexploitation <<http://collectiveshout.org>> (Accessed 25 February 2011).

Computer Games) Act 1995 sets out the matters the Board takes into consideration when classifying a publication and includes:

- (a) 'the standards of morality, decency and propriety generally accepted by reasonable adults.'

A number of advertisements currently on outdoor display go beyond this standard and disrespect the sanctity of human life, including the sanctity of human sexuality. For example, it is currently legal for brothels, strip clubs and businesses within the sex industry to advertise on large billboards, in public spaces and on public transport. This includes prolific advertising of the annual Sexpo which is advertised as a 'health, sexuality and lifestyle expo', but really is sponsored by and promotes the sex industry.

In recent years there has also been rampant promotion by the Advanced Medical Institute on outdoor billboards for 'nasal delivery technology'. Whilst it is a perfectly acceptable community standard that sex therapists and treatment facilities should be free to advertise in the community, the nature of many of the public billboards displayed goes beyond public policy standards, because of the involuntary nature of exposure to the entire community. It follows that anything that would receive, under the *National Classification Code*, above a 'PG' or 'Unrestricted' classification should not be placed on public display.

A second stated purpose of the *National Classification Code* is that 'minors should be protected from material likely to harm or disturb them' (s1b). s11 of the *Classification (Publications, Films and Computer Games) Act 1995* similarly states that the Classification Board must take into consideration when classifying a publication:

- s11(d) the persons or class of persons to or amongst whom it is published or is intended or likely to be published

This touches on the issue of what children are exposed to in public spaces, which is beyond the control of parents and guardians. It is the opinion of the PAC that the current lack of government regulation of advertising in outdoor areas, contributes to the growing problem of sexualisation of children, which leads to the second term of reference addressed by this submission.

The effectiveness of the National Classification Scheme in preventing the sexualisation of children and the objectification of women in all media, including advertising

It is widely accepted that the sexualisation of children through exposure to media publications, film and computer games, is a reality. Emma Rush and Andrea La Nauze of the Australia Institute have described the source of the problem as images that depict children dressed in clothing and posed in ways designed to draw attention to adult sexual features that children do not yet possess, as well as exposure to highly sexualized representations of adults.⁴ Though no conclusive studies have as yet been undertaken, there is ample anecdotal evidence to suggest that such images damage children psychologically, leading in many instances to increased body dissatisfaction, eating disorders, and sexual harm by promoting earlier sexual activity. The American Psychological Association's research into the sexualisation of girls, found evidence of multiple forms of harm caused to girls including to cognitive functioning, physical and mental health, sexuality and attitudes and beliefs.⁵

There is a real presence in Australian society of what Phillip Adams terms 'corporate paedophilia', being "the selling of products to children before they are able to understand advertising and thus before they are able to consent to the

⁴ Emma Rush & Andrea La Nauze (2006), 'Corporate Paedophilia: Sexualisation of Children in Australia', *The Australia Institute* (Discussion Paper Number 90), pvii-viii.

⁵ American Psychological Association (2007), 'Sexualisation of Girls' Report of the APA Task force on the Sexualisation of Girls <http://www.apa.org> (Accessed 25 February 2011), p2.

process of corporate-led consumption.”⁶ Research has shown that younger children are unable to understand the persuasive nature of advertising and are more likely to see it as informative.⁷ This is concerning given that, as Emma Rush and Andrea La Nauze write:

“Children are now much more heavily targeted by advertisers and marketers than they were in the past, and at the same time media are becoming increasingly important in their lives.”⁸

It is a struggle enough for parents to monitor and supervise the imagery that their children are exposed to in the home. It is impossible for them to control what their children see in public outdoor areas, where “most outdoor and television advertising sexualizes adults ... children pick up the message that being sexy is the way to be successful and feel good about oneself.”⁹ This is why legislative restraint on what advertisers can place in outdoor settings is desperately needed.

Research also shows that exposing children to highly sexualized images in advertising does not accord with contemporary Australian attitudes. The responses to research undertaken by the Australia Institute, as well as numerous complaints made to the ASB show the public’s concern that children should be free to develop at their own pace.¹⁰ In December 2004 the Institute surveyed over 1600 Australians and 86% of respondents agreed that there should be more limits on advertising to children.¹¹ A survey undertaken by the Australian

⁶ Phillip Adams (1995) as quoted by Emma Rush & Andrea La Nauze (2006), ‘Corporate Paedophilia’, p1.

⁷ Mallalieu et al (2005) as quoted by Emma Rush & Andrea La Nauze (2006), ‘Corporate Paedophilia’, p33.

⁸ Emma Rush & Andrea La Nauze (2006), ‘Letting Children be Children’, pvi.

⁹ Emma Rush & Andrea La Nauze (2006), ‘Letting Children be Children Letting Childen’, p2.

¹⁰ Emma Rush & Andrea La Nauze (2006), ‘Letting Children be Children’, pv.

¹¹ Hamilton & Denniss 2005 as quoted by Emma Rush & Andrea La Nauze (2006), ‘Letting Children be Children’, p5.

Childhood Foundation in 2005 found that 85% of parents believe that children are growing up too fast.¹² The ASB cannot be relied on to respond to parent's concerns. In 2006 a Board member was quoted in the AdStandards News as saying:

"I think one of the Board's significant challenges is that we must deal with the expectations of parents who think we should be the arbiters of good and bad taste ... The Board cannot assume some kind of parental role and try to make decisions based on what is good and bad taste for children."¹³

For Christians, childhood is a time to be protected for shaping and training children in the ways of righteousness (Proverbs 22:6). It is imperative that children during their formative years are shielded from abusive imagery within and outside of the home. For these reasons we strongly encourage that a review of the current Codes administered by the ASB and that amendments be made to the definition of 'publication' within the *Classification (Publications, Films and Computer Games) Act 1995* be amended to specifically include:

- (a) outdoor advertising, such as billboards, and any advertisement that is on public display in an outdoor setting. This includes advertisements placed on public transport such as buses and taxis; and
- (b) advertising of products and services.

Signed:-

Date:- 4 March 2011

¹² Tucci et al 2005 as quoted by Emma Rush & Andrea La Nauze (2006), 'Letting Children be Children', p5.

¹³ Emma Rush & Andrea La Nauze (2006), 'Letting Children be Children', p24.

Heather Cetrangolo

on behalf of the Anglican Public Affairs Commission

This submission is made by the Public Affairs Commission of the Anglican Church of Australia. The Commission is empowered to make submissions under its own authority but does not speak for the whole of the Anglican Church of Australia.

References

American Psychological Association 2007. 'Sexualisation of Girls' Report of the APA Task Force on the Sexualisation of Girls <http://www.apa.org> (Accessed 25 February 2011).

Rush, Emma & La Nauze, Andrea 2006. 'Corporate Paedophilia: Sexualisation of Children in Australia', *The Australia Institute* (Discussion Paper Number 90).

Rush, Emma & La Nauze, Andrea 2006. 'Letting Children be Children: Stopping the Sexualisation of Children in Australia', *The Australia Institute* (Discussion Paper Number 93).

Collective Shout for a world free of sexploitation <http://collectiveshout.org>
(Accessed 25 February 2011).