

# DISSENTING REPORT

SENATOR BOB BROWN and SENATOR RACHEL SIEWERT, AUSTRALIAN GREENS

## Protecting Children from Junk Food Advertising (Broadcasting Amendment) Bill 2008

The overwhelming weight of evidence presented to this Committee confirms the urgent need to address the growing problem of childhood obesity in Australia and the benefits of restricting advertising junk food to children. The Australian Greens are grateful for the thoroughly researched and extensive submissions of many of the contributors and witnesses to this inquiry and will take on their advice in further improving the bill.

There is no dispute that obesity in Australia is a serious problem. The Committee majority report notes the following facts: Australia now has the fifth highest rate of adult obesity amongst OECD countries; that 17 percent of children aged between 2 -16 are overweight and 6 percent are obese; there is a demonstrated link between childhood and adult obesity; the cost of adult obesity in Australian in 2008 is estimated at \$8.3 billion; and there are 'negative effects of unhealthy food advertising to children'.

So the conclusions and recommendation of the majority report that the Bill not be passed ignore the evidence, the urgency of the problem, and the evidence and recommendations of the majority of submissions to the inquiry.

### The National Preventative Health Taskforce and advertising junk food to children

The recommendation to refer the information gathered by the Committee to the National Preventative Health Taskforce ignores the very title of the discussion paper released by this group: *"Technical Report No 1: Obesity in Australia: a need for urgent action"*.

The Committee report ignores action by concluding that it would be 'premature to bring forward legislative changes'. Nevertheless, the Taskforce report identified the need to *"Protect children and others from inappropriate marketing of unhealthy foods and beverages"* as a priority. Citing evidence from Australia, the United Kingdom, United States and other international examples, that report stated that the research "suggests that simple regulatory restrictions such as restricting content and timing of advertisements would reduce children's exposure to advertising of non-core foods".<sup>i</sup>

Importantly, the Taskforce report makes the specific recommendation to:

Curb inappropriate advertising and promotion including consideration of banning the advertising of energy-dense, nutrient-poor foods and beverages on free-to-air television during children's viewing hours (i.e. between the hours of 6.00am and 9.00pm), and reducing or removing

such advertising in other media such as print, internet, radio, in-store and via mobile telephone. <sup>ii</sup>

The Taskforce was fully apprised of the extensive information on this subject and presented a position that is entirely consistent with the objectives of this Bill. This is reason to proceed with this Bill with resolution, rather than dismiss it with a recommendation for further information.

### **Inadequacy of self regulation by industry**

The Committee majority concluded that the recent development of a self-regulatory initiative by industry is a positive step and notes industry's request that it be judged on its future progress in this area. Nonetheless, the Committee recognises the 'reservations' of witnesses and submitters which argue that self-regulation is inadequate, inappropriate and simply does not work. As Professor Rickwood, from the Australian Psychological Society told the Committee:

There appears to be a conflict of interest. If you are advertising products, the whole aim of advertising is to increase the use of that product. If they are advertising products that are high in fat, sugar and salt, their aim is to increase the uptake of those products. We know that those products are contributing to obesity, so there is a conflict. How can they self-regulate really when there is a direct conflict there?<sup>iii</sup>

We disagree with the Committee's rose-tinted view that self-regulation will do for now. In the face of a national obesity epidemic, described by the National Preventative Health Taskforce as one of the greatest public health challenges facing Australia, it is wrong to suggest the food and advertising industries should be given responsibility for regulating junk food advertising to children. This is the role of government and, as so many submitters and witnesses have argued, should be regulated through legislation.

### **Extending the advertising restriction times**

Numerous submissions and witnesses to the inquiry identified that the current timing of restrictions does not capture the broadcast periods when high numbers of children are viewing. The preponderant evidence is for extending the restricted times to 6.00am – 9.00pm, as proposed by the National Preventative Health Taskforce. We will be amending the Bill to incorporate this position.

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## Conclusion

The evidence presented by submission and witnesses on the link between advertising junk food to children and childhood obesity is compelling. A prohibition on junk food advertising during children's peak television viewing times, as this Bill will achieve, is one strong and effective measure in what must be a multi-faceted and comprehensive approach to addressing the enormous challenge of obesity in Australia. We welcome the input for all contributors to the inquiry to strengthen and improve this Bill.



Senator Bob Brown



Senator Rachel Siewert

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<sup>i</sup> National Preventative Health Taskforce, 2008 Technical Report No 1: Obesity in Australia: a need for urgent action pp 27

<sup>ii</sup> National Preventative Health Taskforce, 2008 Technical Report No 1: Obesity in Australia: a need for urgent action pp30

<sup>iii</sup> Professor Richwood Proof Committee Hansard, 19 November 2008 pp 20