

# **Chapter 1**

## **Introduction**

### **Terms of reference**

1.1 In 2006, the Australia Institute published two discussion papers on the issue of the sexualisation of children in the contemporary media: *Corporate paedophilia: sexualisation of children in the media*<sup>1</sup> and *Letting children be children: stopping the sexualisation of children in Australia*.<sup>2</sup> The two papers prompted considerable public debate amongst parents, media and retail industry stakeholders, academics and interested parties more generally, indicating a high level of public interest in the issue.

1.2 On 15 August 2007, the Senate passed an Australian Democrats motion noting the harmful effects of sexualisation of children in the media and calling on the Australian Communications and Media Authority (ACMA) to specifically comment on the issue in its then current review of the Commercial Television Industry Code of Practice and the Commercial Radio Code of Practice. ACMA was also called on to make recommendations on the effectiveness of different approaches and strategies to reduce and/or prevent sexualisation of children in the media.

1.3 On 12 March 2008, the Senate referred the following matter to the Senate Standing Committee on Environment, Communications and the Arts (the committee) for inquiry and report by 23 June 2008:

The sexualisation of children in the contemporary media environment, including radio and television, children's magazines, other print and advertising material and the Internet.

1.4 On 19 June 2008, the committee sought and received an extension of time for the tabling of the report until 25 June 2008.

1.5 In undertaking the inquiry the committee was required to:

- examine the sources and beneficiaries of premature sexualisation of children in the media;
- review the evidence on the short- and long-term effects of viewing or buying sexualising and objectifying images and products and their influence on cognitive functioning, physical and mental health, sexuality, attitudes and beliefs; and

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1 Emma Rush and Andrea La Nauze, *Corporate paedophilia: sexualisation of children in the media*, Australia Institute, Discussion Paper 90, October 2006.

2 Emma Rush and Andrea La Nauze, *Letting children be children: stopping the sexualisation of children in Australia*, Discussion Paper 93, December 2006.

examine strategies to prevent and/or reduce the sexualisation of children in the media and the effectiveness of different approaches in ameliorating its effects, including the role of school-based sexuality and reproductive health education and change in media and advertising regulation such as the Commercial Television Industry Code of Practice and the Commercial Radio Codes of Practice.

1.6 In a ministerial statement on the motion to refer the matter, the Minister for Broadband, Communications and the Digital Economy, Senator the Hon. Stephen Conroy, stated that ACMA's statutory functions were not 'broad enough for it to address the full breadth of the issue of sexualisation of children'.<sup>3</sup> The minister indicated that the government, despite some concerns about the inquiry's terms of reference, supported the referral of the matter to the committee.

### **The committee's approach**

1.7 The committee's terms of reference require it to consider the three issues set out above. However, before examining those issues, it is necessary to define some of the terms being used and the parameters of this report.

1.8 The committee accepts that sexualisation, as defined below at paragraphs 1.25 and 1.26, has become much more visible in our society in recent decades.<sup>4</sup> Sexualised images and actions are more openly discussed and portrayed in the media and used explicitly as a marketing device.

1.9 There are, of course, positives to more open and frank consideration of sexual matters. Society is, generally, much less hypocritical about the subject. Young people are much more likely to receive proper education on sex and relationships and there are strong correlations between such education and a declining incidence of unwanted pregnancy, abortion and the incidence of sexually transmitted diseases among young people.

1.10 At the same time there are serious concerns in the community. Material directed at children, whether it be advertising or products designed specifically for them or unsolicited material, increasingly presents them with a limited range of stereotyped images, particularly of girls, and promotes sexualised images, attitudes and concepts which may be inappropriate to younger age groups. There is emerging evidence that this licence is having negative impacts on child development.

1.11 Ms Amanda Gordon, President, Australian Psychological Society, told the committee that:

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3 *Senate Hansard*, 12 March 2008, p. 62.

4 It is important to recognise that the status of women in particular has been determined by a range of cultural and economic orthodoxies throughout history. The current sexualised stereotyping, while undesirable, is far from the worst.

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Developmental psychologists have done a lot of research in this area and one of the problems is that many children can understand at a cognitive level, but it is very confusing at an emotional level because they are not yet ready to be sexual, to have those sexual messages...It can be both confronting and confusing, and it is part of that really subtle sexualisation that we are talking about. It confuses them in terms of: what are they?<sup>5</sup>

Ms Gordon also identified specific clinical problems she sees in her practice as flowing from this increasing sexualisation.

### **Recommendation 1**

**1.12 The committee considers that the inappropriate sexualisation of children in Australia is of increasing concern. While noting the complexity of defining clear boundaries around this issue, the committee believes that preventing the premature sexualisation of children is a significant cultural challenge. This is a community responsibility which demands action by society. In particular, the onus is on broadcasters, publishers, advertisers, retailers and manufacturers to take account of these community concerns.**

**1.13 Noting this heightened concern, the committee believes that this issue should be followed up and therefore recommends that the steps taken to address it by industry bodies and others should be further considered by the Senate in 18 months time.**

1.14 In considering research into this subject the committee acknowledges that very limited work has been done on sexualisation of younger children.<sup>6</sup> Thus it is difficult to relate particular causes and effects—that a particular behaviour can be linked causally to certain products or images.

1.15 For example, the evidence from practitioners such as Ms Gordon does show that some young people, particularly girls, have difficulties with their body image and this may lead in extreme cases to clinical problems such as eating disorders. However, what cannot be said with any certainty is what are the significant influences in causing these problems. A child may internalise parental anxieties or dietary habits long before any 'sexualising' influence from the media has an impact.<sup>7</sup>

1.16 The committee believes that the precautionary principle suggests that, as a society, Australia should take these developments extremely seriously and where possible seek to reverse some of the trends. At the very least young people and their parents must be given the knowledge, skills and support necessary to 'read' the media critically.

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5 Committee Hansard, 30 April 2008, pp 16-17.

6 For ethical and practical reasons it is difficult to conduct research on these matters with young children.

7 Although it is beyond this committee's terms of reference, it is important to remember there are other possible causes for anxiety disorders—for example, poverty and social exclusion.

1.17 Throughout this report the committee has made a number of recommendations and suggestions whose object is to assist parents in managing the influences to which their children are exposed, to assist children in dealing with these influences. It is also the primary responsibility of parents to make decisions about what their children see, hear, read or purchase. These parental decisions can have a significant impact on the market for sexualising products and services.

1.18 The committee believes that the producers of this material—whether broadcasters, publishers, advertisers, retailers or manufacturers—must give serious consideration to the quality of the products that they put before children and the potential for harm that they may embody. Much of the media is subject to self-regulatory or co-regulatory regimes to meet standards either required by law or developed in codes of practice. It is important that these regimes prove themselves to be responsive to legitimate community concerns and developing research in the area of child development.

1.19 The committee believes that this is the appropriate position to take at this stage. The committee notes that some in the community would like to see more intrusive regulation of these products and services. Before proposing a more regulatory approach, the committee believes that the onus is now on broadcasters, publishers, advertisers, retailers and manufacturers to address community concerns.

1.20 It is important to note that, while the committee has received many expressions of concern about the issue of sexualisation—and these have been given due weight in its deliberations—as an expression of 'community standards', these have to be balanced against the decisions of adults to buy products for their children or to watch particular television programs.<sup>8</sup>

1.21 The underlying principles in considering these issues are contained in the National Classification Code, and are echoed in various broadcasting and advertising standards and codes. These principles are:

- (a) adults should be able to read, hear and see what they want;
- (b) minors should be protected from material likely to harm or disturb them; and
- (c) everyone should be protected from exposure to unsolicited material that they find offensive...<sup>9</sup>

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8 In chapters 4 and 5 the question of the levels of complaints about products and services is discussed.

9 The National Classification Code (NCC) is a schedule to the *Classification (Publications, Films and Computer Games) Act 1995*. The NCC is available at the ComLaw website, <http://www.comlaw.gov.au/ComLaw/Legislation/LegislativeInstrument1.nsf/frameIodgmentattachments/A4DD01BB110AD94DCA25700D002EF73E> (accessed 9 June 2008).

1.22 The tension between freedom and protection inherent in these three principles is obvious. In Australia we seek to reconcile them through three processes:

- the creation of classification regimes, codes of practice and standards with regard to broadcasting, advertising and publications which, in the context of community standards, set out what it is acceptable to publish in the various media;
- on the basis of these classification systems, to provide ratings for television programs, films, some advertising and publications—the familiar G, PG, M, et cetera—as a guide to the public as to the content of the material and its suitability for various age groups. These ratings are supplemented by consumer advice which gives more detailed descriptions of the content; and
- the use of time zones in broadcast media to restrict access by children to programs designed for adults.

1.23 The report examines how effective the regulatory mechanisms which seek to manage these issues are and considers where, if necessary, reform is needed. Each of the classification systems relies on regular sampling and assessment of community standards as an indicator of how the codes should be applied. Broad conformity with community standards is also an indicator of how successfully the regulators are doing their jobs. It is clear from many submissions that there is, within the community, some confusion as to the purpose and meaning of the codes of practice.

1.24 A second important mechanism for testing the integrity of the various systems is the complaints procedure. Each of the regulatory bodies has created a complaints procedure which enables members of the public to lodge complaints with regard to breaches of the codes. The volume and substance of complaints are valuable indicators of the extent to which the codes do reflect community standards. Thus it is of concern that the complaints procedures do seem to be unnecessarily confusing and anything but user friendly. The efficacy of the various complaints procedures is dealt with at length throughout the report.

1.25 Various definitions of sexualisation have been put forward. That offered by the American Psychological Association Task Force on the Sexualization of Girls is very broad and has been quoted in a number of submissions:

...sexualization occurs when

- a person's value comes only from his or her sexual appeal or behaviour, to the exclusion of other characteristics;
- a person is held to physical standard that equates physical attractiveness (narrowly defined) with being sexy;
- a person is sexually objectified—that is, made into a thing for others' sexual use, rather than a person with the capacity for independent action and decision making; and/or
- sexuality is inappropriately imposed on a person.

All four conditions need not be present; any one is an indication of sexualisation.<sup>10</sup>

1.26 Ms Gordon in evidence to the committee noted two important elements of sexualisation:

- sexuality [that] is inappropriately and prematurely imposed on a person such as a child; and
- sexualisation where 'a person's only ascribed value would be their sexuality, their physical sex appeal'.<sup>11</sup>

1.27 It is clear from these definitions that many of the matters raised in submissions fall into the category of 'sexualisation'. However there are important distinctions to be drawn between, for example, children becoming aware of 'sex' as an idea from billboard advertising for men's health treatments and the explicit and deliberate sexualisation of young girls through advertising, products and attitudes which seek to develop a sexual identity of a kind that is wholly inappropriate to their stage of development or is narrowly focused on their physical sex appeal.

1.28 Thus the committee has viewed sexualisation as a continuum from the explicit targeting of children with images, attitudes and content that inappropriately and prematurely seek to impose a sexual identity on a child, through the presentation of one-dimensional and stereotypical images of children and young people, predominantly girls, in content, products and advertising directed at them, to what might be described as the 'background noise' of society at large where products, advertising and other materials made for and directed at adults are readily accessed by children and reinforce the sexualising messages they are receiving.

1.29 In considering these terms of reference the committee has sought to rely on the evidence put before it. The committee does not set itself up to be the arbiter of public taste with regard to particular advertisements, programs, products or styles. The committee has tried to identify real problems—does evidence exist that presentation of pre-teen children in adult styles and poses is damaging to children; are magazines aimed at children pushing inappropriately sexualising agendas; is exposure to television programming designed for adults harmful to child development—and to address the regulatory policies put in place to manage the media.

1.30 It is important throughout this discussion to separate real harm from differences in public taste. This debate was initiated by advertising in a catalogue for a major retail outlet. A brief perusal of some of the adverts in question would quickly demonstrate that what one person considers inappropriate sexualisation may be to another merely pretty, smart, grown-up or 'cute'. There may be a convergence of

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10 American Psychological Association, *Report of the APA Task Force on the Sexualization of Girls*, 2007, p. 2.

11 Committee Hansard, 30 April 2008, p. 15.

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views at the extremes but along the continuum of attitudes in between there is a wide range of views as to what is and is not problematical.

1.31 Similarly, there is a range of views with regard to when it is appropriate to start talking to children about sexual matters. Many parents, judging from the submissions received by the committee, clearly feel pressured by external influences into dealing with their children's questions on sexual matters at a much earlier age than they consider appropriate. Others are more ready to accept society as it is and deal with such questions as they arise.

1.32 Clearly many of the styles, activities and products which are of concern to some of those who have made submissions to the committee are within the control of parents or other adults. Inappropriately sexualising clothes, magazines which discuss sexual issues frankly or even what television programs younger children watch are all firmly in the realm of parental decision making. Thus the element of parental responsibility and choice in all these matters must be borne in mind.

1.33 At the same time, the committee is aware of the realities of family life. Parents cannot supervise all that their children see, hear or read. Television or radio is on when parents are not around, magazines circulate beyond the purchaser and target age group and unsolicited material such as billboard advertising cannot be avoided; there is a general 'background noise' of sexualising material in our society.

1.34 It is both unreasonable and unjust to put all the responsibility on parents or other adults to control children's access to the media. There is a role for government in supporting and assisting parents and other adults in managing young peoples' access to the media.

1.35 This brings the committee to the availability of research on actual harm done to cohorts of children in particular age groups. There is research with regard to older age groups and on topics such as the influence of the media on violent behaviour. Many witnesses quoted the American Psychological Association report referred to above at paragraph 1.25 but it should be noted that that report relies heavily on research conducted on older age groups and extrapolates its findings to younger children:

Much of the research reviewed in this report concerns the sexualization of women...rather than girls. One reason for this is the paucity of research specifically on the sexualization of girls—research that is urgently needed.<sup>12</sup>

1.36 The report goes on to note that the same research is nonetheless useful in that the attitudes found in women reflect 'a lifetime of exposure to comparable images and

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12 American Psychological Association, above n 10, p. 4.

messages'.<sup>13</sup> While that may be valid in a general sense, it does not help in distinguishing the sources of influence or causal relationships.

1.37 There is very little research relevant to younger children and, with regard to the specific issue of inappropriate or premature sexualisation, the situation is much the same. The committee has not been directed to any longitudinal studies which seek to isolate particular influences and follow a cohort over an extended period to measure the impact of those influences. It is particularly to be regretted that there is no research which looks at the long-term outcomes of the majority of young people who are faced with these challenges and pressures, deal with them responsibly, and go on to become good citizens and lead fulfilled lives.

1.38 Many of the submissions to the committee relied on anecdotal evidence derived from individual experience and assume that, for example, because an adult is angered, offended or embarrassed by a billboard advertising a lap dancing club or 'male sexual dysfunction services', then the child interprets the material in the same way and is harmed by it.<sup>14</sup>

1.39 In discussing the state of research in Australia, Professor Catharine Lumby, Director, Journalism and Media Research Centre, University of New South Wales,<sup>15</sup> commented:

Concern about actual sexual representation of children in popular media and actual evidence that children are being presented in an adult sexual light is...such an important and charged claim that genuine empirical and methodologically sound research needs to be done.<sup>16</sup>

1.40 Ms Gordon had a different emphasis. While acknowledging the limited amount of research on this topic, Ms Gordon, citing the evidence of her own practice with regard to the incidence of depression and eating disorders, took the view that:

...sometimes we have to be preventative...How can it do any harm to reduce the level of sexualisation of kids when we know the dangers inherent in sexualisation ... rather than waiting till we have the proof.<sup>17</sup>

1.41 A particular problem is the multiplicity of influences on children, the weight to be given to them and the causal relationships involved. It is extremely difficult to

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13 Ibid p. 5.

14 See Mary Carolan, *Submission 52*, p. 1; Trevor Thomas and Jude Powell Thomas, *Submission 79*, p. 2; Moira Kirkwood, *Submission 135*, p. 1. Cath Nohlmans, *Submission 42*, p. 1. Jeynelle Grimshaw-Hughes, *Submission 1(a)*; and Peter Dolan, *Submission 71*, p. 1. That the content on the billboard may be offensive (and unsolicited) is a separate issue which clearly comes within the jurisdiction of the ASB and can be grounds for its removal.

15 The committee notes that Professor Lumby is also a member of the Advertising Standards Board, which is considered in Chapter 5.

16 *Committee Hansard*, 30 April 2008, p. 104.

17 Ibid p. 21.

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disentangle the specific roles played by family, school, friends, society at large and the media in forming attitudes. This has significant implications for public policy. In the absence of clear causal relationships between particular media and identifiable psychological and/or physical problems, regulatory interference is a very blunt instrument. This is discussed further in Chapters 4 and 5.

1.42 Some submissions also dwelt on the importance of education in equipping children to deal with the media influences to which they are exposed and, more particularly, the sexualising material presented to them. It is also true that parents may simply not be equipped to provide the kind of advice and support their children need. Ms Gordon put it to the committee that:

It would be far healthier if parents sat with their children watching a movie, instead of banning the movie and the children watching it secretly...Parents who have a diet of soap operas and who are not critically evaluating what they are seeing on television are not going to be able to help their children in their discussion and in their growth.<sup>18</sup>

1.43 Part of the terms of reference requires the committee to consider the 'sources and beneficiaries of premature sexualisation'. The 'tween' market has been identified as a growth area for the sale of products and services, and has been promoted and developed for decades by manufacturers, retailers, broadcasters and advertisers. The committee received no evidence to suggest that the production and marketing of products aimed specifically at children and young people was driven by anything other than commercial imperatives.

1.44 If children can be encouraged to identify with particular products or brands then that has both immediate and long-term commercial benefits to the owners and marketers of those products or brands. If a girls magazine develops a certain style and cultivates tastes that the reader carries into adult life with the result that she moves to the publisher's range of magazines targeted at adults then that is no different from the business practices in other sectors where marketing to develop brand and product loyalty is an accepted business strategy.

1.45 Because the 'tween' market consists of the most vulnerable in our society the regulatory responsibility of government to protect that group is concomitantly greater. Thus this report concentrates on the effectiveness of the various bodies that have responsibility for regulating broadcasting, publishing and advertising. Perhaps unfortunately there is no body responsible for imposing 'community standards' on the manufacturers of products such as padded bras for pre-pubescent girls. That is a matter for the good sense and judgement of the producers and of parents.

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18 Ibid pp 17-18.

### ***Definitions***

1.46 It is important to clarify from the outset some of the terms used in this report. There is a wide range of usages even on the matter of who is a 'child'. Various regulatory sources use upper age limits of 18, 16 and 15. Submissions and other sources talk of mid-teens and post-puberty, and properly distinguish those age groups from younger children and acknowledge different stages of development among younger children as well. Others talk of stages of development which do not conform to any precise age. Many submissions generalise across the whole period of childhood from pre-school to adolescence.

1.47 The committee has tried to avoid generalisation and make clear to what age group it is referring where that is relevant to an issue under discussion. For example, the whole question of inappropriate or premature sexualisation has quite different meanings for young people in their mid-teens exploring their own emerging sexuality and younger children of primary school age being introduced to sex-related roles or attitudes wholly irrelevant to their stage of physical or emotional development.

1.48 A related question is: who are we concerned about? Children who appear as models in advertising must do so with parental consent and are subject to a range of employment conditions. There is no evidence indicating that they suffer harm. Thus the report assumes that it is children generally in the defined age groups that are the target for our concern.

1.49 This report is not about paedophilia—corporate or otherwise. Paedophilia is variously described as a mental disorder and a crime, in the latter case involving the sexual abuse of children or direct involvement in that abuse by making, distributing or collecting images of abuse. Paedophilia refers to sexual feelings and sexual acts involving young children who have not yet reached puberty.

1.50 The shock value of a term like 'corporate paedophilia' may help to stimulate debate on the general question of the targeting of children as consumers, of which sexualisation is a particularly damaging subset, but it also distorts that debate. Targeting children through advertising, creation of the 'tween' market and the presentation of inappropriately sexualised images of children as part of these processes may be reprehensible and potentially damaging but it is not comparable to the criminal, physical, sexual assault of children.

1.51 It is important to note that there is no evidence that the presentation of children in styles of clothing or poses that are inappropriate to their age, that association with particular products or that an interest in so-called 'celebrity culture' makes either the children who appear in such material or the children who have access to that material more vulnerable to sexual abuse by paedophiles.

1.52 Thus the committee believes that, as a community, we should avoid any moves towards greater restrictions on what may be published in the media solely on that ground. As Professor Alan McKee, Queensland University of Technology, pointed out to the committee:

These criminals will find any excuse to justify their behaviour. So it is a little bit of a furphy to say that we have to stop these things because it will provide justification to paedophiles. Anything, even *The Sound of Music*, provides justification to paedophiles. We cannot run our entire media on that basis.<sup>19</sup>

## **Submissions**

1.53 On 26 March 2008, in accordance with usual practice, the committee advertised the inquiry in the *Australian*, calling for submissions by 18 April 2008; the inquiry was re-advertised on 1 April 2008. A number of organisations and individuals were contacted directly and invited to make submissions. The committee received 167 submissions, which are listed in Appendix 1.

1.54 The committee also received approximately 900 standard letters, which were sent via a website for Kids Free 2B Kids (KF2BK).<sup>20</sup> A number of standard-letter submitters also added additional comments to their letters. The letters and additional comments were considered in the course of the committee's deliberations on the subject of the inquiry; however, for administrative convenience, all standard letters were treated as correspondence. The committee acknowledges that the large number of these submissions reflects the high level of community interest in the issue of sexualisation of children.

1.55 A number of submissions were judged to contain potentially adverse comments. Organisations and individuals were advised of adverse comments and offered the opportunity to respond. Responses have been posted on the committee's website.

1.56 For privacy reasons, a number of submissions were published with the author's name withheld.

## **Hearings**

1.57 The committee held two hearings; in Melbourne on 29 April 2008 and in Sydney on 30 April 2008. Witnesses who appeared before the committee at these hearings are listed at Appendix 2.

## **Acknowledgement**

1.58 The committee thanks all those who participated in the inquiry.

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19 Ibid p. 107.

20 Kids Free 2B Kids website, <http://www.kf2bk.com/> (accessed 2 April 2008). The text of the letter and the names of its submitters may be found on the inquiry homepage: at [http://www.aph.gov.au/senate/committee/eca\\_ctte/sexualisation\\_of\\_children/index.htm](http://www.aph.gov.au/senate/committee/eca_ctte/sexualisation_of_children/index.htm)

