



Media Standards Australia Inc.

Submission

on the

Australian Film and Literature Classification Scheme

to the

Senate Legal and Constitutional Affairs Committee

Department of the Senate

Parliament House

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Submission on the Australian Film and Literature Classification Scheme

Media Standards Australia (MSA) is an advocacy group for children and families in relation to matters of the media.

Our extensive membership is made up of many Australian families, and individuals, who turn to us to voice their concerns, and for guidance.

Media Standards Australia and its members would like to thank the Australian Government for giving us this opportunity to express our views and concerns in this Inquiry, and we hope that the Government will take our concerns seriously and take on board our recommendations to protect children and families.

Much of the material which we have been forced to submit to this enquiry is grossly offensive in nature, and it has been repugnant for us to have to research, read, edit and present it. Unfortunately, it is merely the tip of the iceberg in relation to the abhorrent material that is made available for children, youth, and the general public, to ingest on a regular basis.

MSA Submission Summary:

- The sexualisation of our youth has led inexorably to the “pornification” of our society.
- Protecting children's innocence has never been more difficult.
- Parents in particular are forced to keep abreast of the latest technology so as to ensure the protection of their children.
- There is abundant evidence of alarming damage being done, not only to children, but to the entire community, by the worsening standards of media content.
- There is abundant evidence that the media drives community standards, and is not regulated by such standards.
- It is the role of government to protect children and community standards.
- Data supporting the 'health risks of the over-sexualisation of minors' is being ignored.
- If society continues to insist that adults be free to watch unrestricted pornography, it is imperative that the strictest possible conditions be enforced for the protection of our children.
- Adults-only material should be restricted to adults-only premises and adults-only sections.

- South Australia's regulations regarding display of adult-content publications and R18+ movies ought to be adopted by all states and territories of Australia.
- The Australian territories should not be allowed to import X-rated material for their own consumption, and nor should they be free to disseminate it to the rest of the states of Australia.
- All pornography provides a grossly distorted view of sex, by rendering it, via the pornographic images, a source of selfish, voyeuristic arousal, instead of a private and intimate expression of (ideally) married love.
- The voyeuristic nature of non-violent erotica, as well as the well-documented addictive nature of pornography, whether "soft" or "hard-core", means that the users of pornography require increased levels of explicitness as time progresses, and are also more likely to inflict their sexually-pornographic desires onto others, including, sometimes, children.
- "Consensual" sex, when viewed and subsequently used to sexually-abuse another, either child or adult, then becomes "non-consensual" sex.
- The inclusion of the defence of "artistic merit" for material containing child pornography gives the impression that child pornography is acceptable if it has some artistic merit, and is, therefore, totally rejected by MSA.
- So called "artistic merit" should never be a factor in classification. It is a factor of literary criticism only. If anything it can only make the material more dangerous.
- Sexually-explicit material has been identified as a major contributor to the growing problem of the premature sexualisation of children - both indigenous and non-indigenous - of the sexual abuse of children, of problems related to future normal relationships and with problems relating to its addictive nature.
- A massive preponderance of evidence is available on the harmful, addictive, deviance-producing effects of pornography, and experts are providing more and more of this evidence.
- There is a "small leap" between viewing child pornography and molesting children; possession of child pornography goes hand-in-hand with child abuse.
- There are serious grounds for concern re. the impact that pornographic images could have on the development and behaviour of children and young people, particularly those vulnerable due to age, developmental or social challenges.
- Pornography is a significant factor in the violence and anarchy in indigenous communities.
- Given enough pornography, all persons can be conditioned into deviancy.
- Since the introduction of the Internet and the plethora of mobile phones with picture and video-taking functions, we are now seeing the huge number of people engaging in child pornography and other deviations - officially banned in Australia. People are becoming hooked on pornography, which is evolving into deviant behaviours that society abhors.
- All forms of child pornography should be strictly prohibited, and every effort made to fight its production and importation into Australia.

- Current standards of regulation and classification, by the responsible government bodies, of even the worst excesses of abhorrent material, are totally unacceptable. More and more highly objectionable material is being allowed into Australia, and being classified as “acceptable”.
- It is obvious that the classification guidelines are interpreted, by those responsible, in such a way as to be rendered meaningless.
- Classification Guidelines are designed to reflect an ongoing process of public consultation, and should aim to achieve consistent and accurate classification decisions. The inclusion of extra material, matters of context, and new cinematic techniques, should have no influence on these decisions.
- Because the general public has easy access to billboards, "general exhibition" suitability ought to be reflected in billboard advertising.
- Music has become an increasingly powerful influence, in our society, and one to which children are continuously exposed. The addition of imagery makes it even more appealing.
- Protecting the interests of minors must be foremost in relation to video clips as well as song lyrics, with sexual and/or violent content, currently freely available via the Internet and other technology.
- There is a serious need for a review of the guidelines for publications in regard to what is acceptable in magazines, etc. that are geared to "tweens", in view of the evidence of the detrimental impact on children of sexualized material. Where guidelines may be in place, little adherence seems to be evident.
- There is no log-in, age-verification or any sort of deterrent to stop children from gaining access to age-inappropriate material, including repeats of particularly offensive TV episodes.
- Any screen writer can devise a ‘story line’ to justify any scene and the word ‘high’ in relation to ‘impact’ is only a relative term.
- The complaints process is a very important factor in gauging community response. It is already far too difficult to complain, and there is so much to complain about.
- MSA members have noted the reduction in their own motivation to make complaints as well as the number of complaints actually made, which is based on the massive amount of objectionable material, the difficulties involved, and the **lack of success with the relevant body, in having complaints upheld.**
- The ACMA needs to take into account community standards and the complaints of family groups with regard to unsuitable content in television programmes when reviewing television codes of practice.
- Just because an “adult” theme is presented on-screen, it is no reason for it to be graphically portrayed.
- MSA supports the Internet filter, because it is not enough to have an effective block on individual computers, even if this were an easy and cheap option. Youngsters have access to computers outside the home.

- Any mandatory Internet filtering system ought to also apply to internet services offered via mobile phones.
- Classification Guidelines for Publications, Films and Computer Games should be amended to include a Refused Classification category for material that directly or indirectly incites, counsels, or gives instruction on methods of, how to commit suicide, or else promotes a particular method of committing suicide.
- The issue of R18+ classification category for computer games has become one of "Why shouldn't adults have their own classification?" rather than "Why should children be protected?" MSA finds this emphasis unacceptable.
- Self-regulation is a failure, as producers of publications and all forms of media have pushed the boundaries of community standards, for the sake of monetary profit. It is self-evident that an industry will not act counter to its own commercial interests.
- The sustained public criticism regarding the sexualisation of children has had **no apparent effect** upon the practices of advertisers and markets.
- In a changing technological environment, new categories of victims of crime have emerged, as in the cases of "sexting" and cyber-bullying, which current laws have no means of protecting.
- It is recommended that a new Ministry to be set up, such as a *Ministry of Cultural Security*, to attempt to provide protection for the vulnerable, and whose responsibility would include direct oversight of a Classification Board.
- Heavy fines should be inflicted on those who breach guidelines.
- The wellbeing of children and other vulnerable members of society must always be considered paramount, and ahead of, the desires of adults.

Preamble

We understand that in a changing world, people are gaining access to masses of media content through different technologies, and that the amount of new content/material being produced can be quite overwhelming for the classification process. As a result of these difficulties, a system of self-regulation and serial classification (for publications), has been adopted. The consequences of these measures have been seriously deleterious for children and youth, stripping them further of the limited protection they had. This demonstrates that an **effective Classification system** is needed now, more than ever.

In spite of the mounting evidence of the detrimental effects of pornography, including its addictive nature, it would appear that porn is considered mainstream in today's society with adults free to "read, hear and see what they want." At the time when this principle was first enunciated, the vile depth to which material could sink could not have been foreseen.

While there may be some measure of laxity for strictly adult viewing, there is a point at which a line must be drawn. Any material which promotes criminal activity, especially

when that activity consists of gross child abuse, (as in the case of the abominable film, *Salo*), has no place in civilised society.

These days everybody is held accountable and the entertainment media is no exception.

Self-regulation has clearly failed, as may have been expected. Media producers are hardly likely to act contrary to their own financial interests. Predictably, they have pushed the boundaries of community standards to excite interest in the controversial as a means of advertising their products. There is abundant evidence that the **media drives community standards, and is not regulated by such standards.**

How is a society to be judged when it places higher value on commercial interests than on the safety of its own citizens?

In a changing technological environment, new categories of victims of crime have emerged, whom current laws have no means of protecting. As a result of unrestricted licence to gain access to pornographic violence, children imbibe an **acceptance of depravity as "normal"**, and act accordingly. This fact is evidenced in cases of children sexually abusing younger children, often resulting in serious physical injury. Yet, such juvenile perpetrators are too young to be charged.

Another example of this unacceptable situation is that of child pornography initiated by children themselves -- known as "sexting". They have little idea that it is a serious crime, and nor that it exposes them to attack by paedophiles.

Other related problems are cyber-bullying, drug distribution by children, and peer pressure to engage in criminal activities.

A classification system controlled by unelected bureaucracies, not responsible to a specific Minister, but vaguely under the umbrella of a plurality of Ministries, will no longer suffice. If a realistic overhaul is not undertaken, we will continue to experience more of the same, to the detriment of the community, and most especially vulnerable minors, **whom it is the responsibility of government to protect.**

This Inquiry needs to address such concerns, and set up a process for the implementation of an independent Classification Board, in consultation, **not with the media industry**, but with representatives of parents and concerned citizens. The welfare of children and youth can no longer be effectively achieved by existing Ministries for Child Protection, under their various titles. These provide only for charges to be made against specific adult perpetrators, and are powerless to protect children from a culture devoid of any standards of justice and decency, which is consequently becoming increasingly lawless.

It is recommended that a new Ministry to be set up, such as a *Ministry of Cultural Security*, to attempt to provide protection for the vulnerable, and whose responsibility would include direct oversight of a Classification Board. Other individuals and groups,

such as Young Media, Australia have also called for the establishment of a single body, so we are not alone in our request.

In any community governed by law and order it is clear that no one can do whatever he or she wants. This would be an unrestricted licence for crime, very far removed from our concept of democratic freedom. If the common good is not paramount, anarchy will result.

If society **continues to insist that adults be free to watch unrestricted pornography**, it is imperative that the strictest possible conditions be enforced for the protection of our children. Adequate protection is difficult to put in place when access to cultural contamination is so easily available. An R18+ classification does not protect younger siblings of an 18 year old brother, who shares it with them. Indeed, who is to say, even, that every 18 year old is sufficiently mature to handle such gross content?

Moreover, when guidelines have been breached, those responsible should be fined heavily in tune with the workings of the commercial media industry. The proceeds of the fines should be then be put back into the media Government bodies such as ACMA.

Recommendation 1: That a new *Ministry for Cultural Security* be set up to provide protection for those children who are victims of unbridled lawlessness, rather than of specific adult perpetrators; That such a Minister be empowered to reform the Classification System, with a view to child protection, closing all loopholes which provide advantage to the media industry.

Recommendation 2: That Members of a new Classification board be directly accountable to the Minister, and that membership be changed at regular intervals, to avoid desensitization, which becomes inevitable when exposed to continually viewing material which the majority of citizens would consider to be objectionable.

Recommendation 3: If Members of the Board deem that the content is such as to warrant being refused classification, they should not be compelled to view the remainder of the presentation. The decision should be final, with no provision for editing to cut the worst sections in order to push it over the line of approval. It is the responsibility of the producers to keep within authentic limits of community standards.

Recommendation 4: That substantial fines be imposed on producers of those presentations seen to be in breach of classification guidelines.

Addressing of the Terms of Reference

(a) The use of serial classifications for publications;

There are major problems with the current system of classifying a complete series of publications based on the content of a single issue. Since the content will vary from one issue to another it is clearly impossible to give them a "general" classification. In recent cases of publications being submitted to the Classification Board, it was found that while some of the issues were classified as Category 1 Restricted, others contained RC (refused classification) and had to be revoked.

It is patently obvious that a publication series, designed to titillate the appetites of pornography consumers, will not produce its most graphic edition in the early days. The publishers will seek to keep its classification as low as possible, by producing a fairly mild first edition. As time progresses, however, its customer base will require more explicit pornography, thus creating the desire for future editions to be more and more graphic. These later editions will, clearly, be far more likely to contravene the conditions under which the original series classification was made.

It is our view, therefore, that the present classification enforcement system for publications cannot but fail, and changes are needed to provide adequate protection for children.

Recommendation 5: That MSA Recommendations 1, 2, 3 and 4 (above) are strictly applied to all publications and serial classification of publications.

Recommendation 6: That Serial Classification for publications, if maintained, require a follow-up system of "random spot checks", made without notice, to ensure that all issues of a publication are adhering to the guidelines.

(b) The desirability of national standards for the display of restricted publications and films;

In April 2010 a group of child experts called for a ban of "lads" magazines from delis, newsagents, petrol stations, supermarkets and convenience stores. The group asked censorship ministers to review the rules under which magazines such as *Playboy*, *Penthouse*, *People*, *The Picture Zoo* and *Ralph* are reviewed, saying that they are increasingly explicit and contributing to the sexualisation of children.

A letter to the Standing Committee of Attorneys-General/Censorship Ministers signed by former Family Court Chief Justice Alastair Nicholson, chief executive of World Vision, Tim Costello, actor Noni Hazlehurst and 34 academics, child professionals and advocates, called for such material to be restricted to "adults-only" premises.

They were particularly disturbed by the prevalence of "teen sex" magazines featuring women, apparently aged more than 18 but looking younger, and styled with braces and pigtails, in highly sexualised poses and sometimes performing sex acts.

Under Australian censorship laws it is illegal to use under-age models or models who appear to be under 18.

Julie Gale, director of the lobby group Kids Free 2B Kids, said easy access to the Internet means young people are experiencing unprecedented exposure to pornographic images, voluntarily or involuntarily.

"But allowing pornography and overtly sexualised images to be sold in the public arena with easy access for children and teens tells them that this is acceptable. It gives it public validation."

(Source: Fairfax newspapers report 5/4/10)

Publications Regulations

The current situation with publications is that sale of both Category 1 and 2 classified material is prohibited to those under 18 in all jurisdictions, with Category 2 material additionally being restricted to areas restricted to adults.

Category 1 material may contain "detailed descriptions of sexual activity", while Category 2 publications allow depiction of "actual sexual activity",

Clearly, Category 1 material is designed for the sole purpose of sexual arousal. Sale of such material in **general retail outlets**, such as newsagents and petrol service stations, is **inappropriate and grossly irresponsible**. Its sale should be rigorously restricted to adults, by limiting display and sales to premises restricted to adults, as is the case with Category 2 material in most jurisdictions.

Several jurisdictions restrict the sale and display of Category 2 restricted publications to a "restricted publications area" that must be constructed and monitored in such a way as to **exclude the entry of a minor**. They have done this in the case of the tobacco industry, and the food industry is being increasingly regulated. Both of these are due to known health risks, and yet similar data supporting the 'health risks of the over-sexualisation of minors' is being ignored.

South Australian legislation requires, among other things, that:

- *A restricted publications area must be so constructed that no part of the interior of the area is visible to any person outside the area.*
- *A restricted publications area must be managed by an adult who must be in attendance in or near the area at all times when the area is open to the public.*
- *A notice containing the following words: RESTRICTED PUBLICATIONS AREA – PERSONS UNDER 18 MAY NOT ENTER. THE PUBLIC ARE WARNED THAT SOME PUBLICATIONS DISPLAYED HEREIN MAY CAUSE OFFENCE, must be displayed in legible letters and of a specific height and colour so as to be visible from outside area.*

These restrictions are already expected of the Film industry. How has R-Rated material been allowed to become so prevalent in so many other media areas? It is more than likely due to the unfettered free reign our advertising industry appears to enjoy.

Recommendation 7: That all states and territories adopt the requirements for display of restricted publications as required by legislation passed in South Australia in 2010

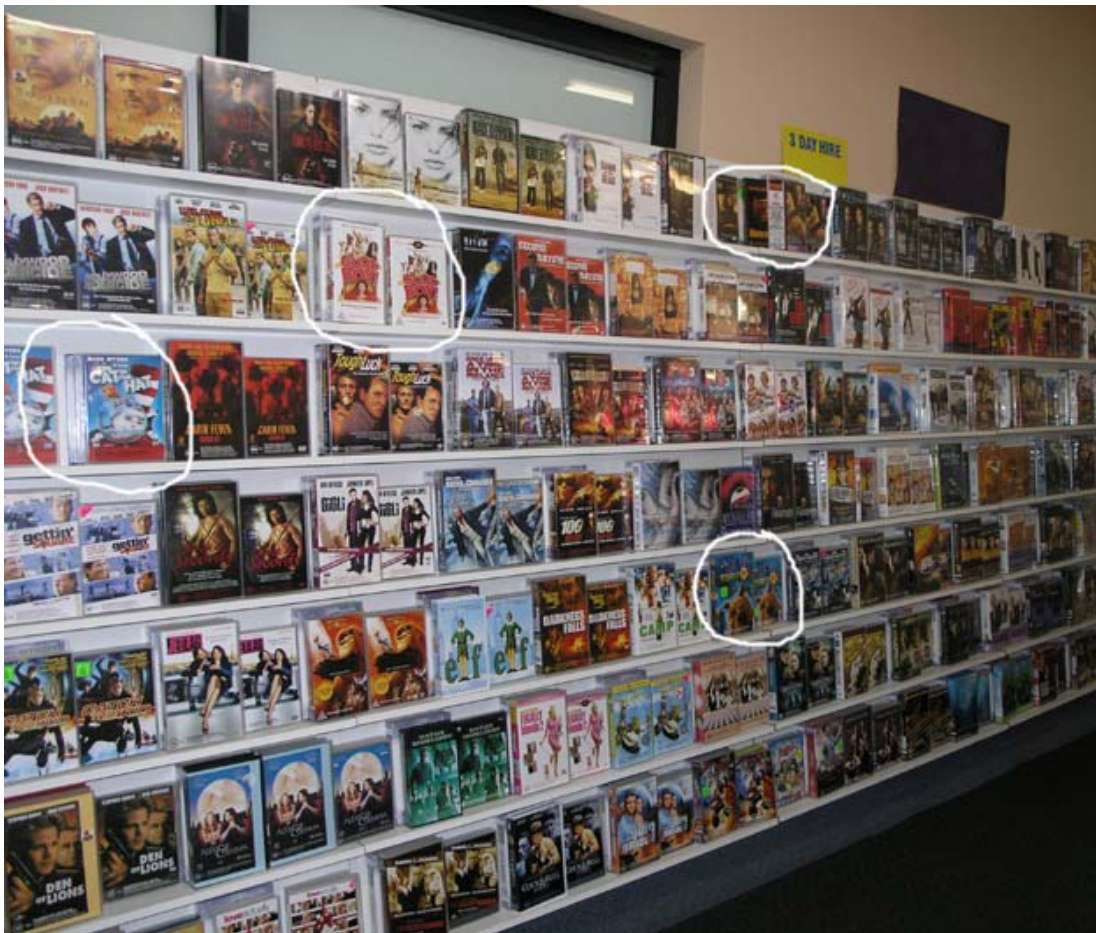
R18+ films

Currently, requirements for display vary from state to state, and, in Western Australia in particular, research by Media Standards Australia showed that many video outlets had mixed R18+ films with other rated films either in their 'For Sale' section or 'New Release'

section. Clearly, there was no consideration applied to the appropriate placing of R18+ films.

All states would do well to adopt legislation passed in South Australia in 2010: which requires, among other things that, *films with an R18 + rating must not be displayed with those of a lower rating unless displayed in another area altogether which must be marked as an area specifically set aside for films classified R18+with the following notice: R 18+ FILMS AREA –THE PUBLIC ARE WARNED THAT MATERIAL DISPLAYED IN THIS AREA MAY CAUSE OFFENCE.*ⁱ

Recommendation 8: That all states adopt legislation similar to that of South Australia with regard to the display of R18+ films.



A typical video library in Western Australia. *Irreversible* is placed at top centre of shelving with *Cat in the Hat* (rated G) and *Scooby Doo* (PG) not far away.

(c) The enforcement system, including call-in notices, referrals to state and territory law enforcement agencies and follow-up of such referrals;

It would appear that the present system is not working, with not a single distributor submitting a film or publication for classification since 1st Jan 2008, in spite of hundreds being called in. (Source: Senate Standing Committee On Legal And Constitutional Affairs, *Attorney-General's Department : Answers to questions on notice*, Supplementary Budget estimates, October 2010,

MSA believes that the current enforcement system must be improved. One suggestion is that the system could be improved by a centralized database, so that there is more feedback on referrals, with suspension and/or penalties for distributors who do not comply with call up notices within a specified time.

Another solution could be similar to the National Heart Foundation "tick-system", where family-friendly video stores would be rewarded and encouraged.

It is obvious that funds would need to be made available for any new, effective scheme.

Recommendation 9: That the current enforcement and follow-up system be improved by the introduction of a centralised database or a "Tick Rewards" system, or both.

(d) The interaction between the National Classification Scheme and customs regulations;

Customs regulations prohibit the importation of objectionable goods into Australia, including publications, film, and computer games which would be classified as RC under the Classification Guidelines.

For computer games, the M15+ rating is the highest rating permitted to be sold in Australia, and rightly so.

Australia-wide Availability of X-Rated material

At present, the sale of X-rated films is **prohibited in all six Australian states**. They are permitted for sale only in the ACT and some parts of the Northern Territory. It would, therefore, be expected that steps are being taken by the government to monitor the situation closely and to prosecute those involved with making this material available to other parts of Australia. The fact is, however, that for decades the Governments of both the ACT and Northern Territory have permitted, by law, not only the sale of X-rated videos, but also its distribution to the rest of Australia. This is obvious, because **these films are readily available in "adult shops" in every state**.

This makes a clear mockery of having X-rated legislation for the Australian states.

It is obvious, to those concerned about the offensiveness of such material, that it should not be freely available. It should not, in fact, be available at all.

The Australian territories should not, therefore, be allowed to import X-rated material for their own consumption, and nor should they be free to disseminate it to the rest of the states of Australia.

Problems with X-rated Material

There is a definite problem with governments sanctioning X-rated material. While this material may not contain the violence that some R18+ material does, non-violent erotica,

more often than not, involves explicit, gratuitous sex. This provides a grossly distorted view of sex, by rendering it, via the pornographic images, a source of selfish, voyeuristic arousal, instead of a private and intimate expression of (ideally) married love.

Furthermore, the fact that such material is "consensual" and "non-violent" does not mean that it is harmless. Its voyeuristic nature, as well as the well-documented addictive nature of pornography, whether "soft" or "hard-core", means that the users of pornography require increased levels of explicitness as time progresses, and are also more likely to inflict their sexually-pornographic desires onto others, including, sometimes, children. "Consensual" sex, when viewed and subsequently used to sexually abuse another, then becomes "**non-consensual**" sex.

Recent research done in the Aboriginal communities, by the Northern Territory National Emergency Response initiative, has shown the distinct, damaging effects of the free availability of all types of pornography. Pornography was identified as a major contributor to social problems.

Nor is such sexually-explicit material, as that contained in X-rated movies, deemed acceptable by the mainstream community, and many (if not most) would deem it "depraved".

Being serious about protecting the most vulnerable members of our community, means being serious about preventing illegal, and other offensive, material from getting into the country. We must ensure that our laws are tightened up so that X-rated material is not available at all in Australia.

Recommendation 10: Customs regulations should be amended to include X18+ films in the definition of "objectionable goods".

(e) The application of the National Classification Scheme to works of art and the role of artistic merit in classification decisions;

The Classification Act specifies that *the literary, artistic or educational merit (if any) of a publication* should be one of the matters taken into account when making classification decisions.

The inclusion of the defence of "artistic merit" for material containing child pornography gives the impression that child pornography is acceptable if it has some artistic merit. This cannot be accepted.

Commonwealth child pornography offenses do not have an artistic or literary merit defense, and the defense has now been removed from the law in NSW, in response to the public reaction to an exhibition by photographer Bill Henson of naked 12 and 13 year old girls.

Mr. Henson could not be charged with a criminal offence, unfortunately, as his work had already been classified "PG" by the Classification Board.

Public reaction to the Henson affair, however, clearly shows the need for the Classification Board to enact amendments genuinely reflecting community standards. Further, the photographic industry is not regulated and most people can now afford a professional camera, meaning that anyone can call him or herself a "professional photographer". Such a person could produce nude photos of "works of art" and/or "artistic merit" and escape prosecution, simply because of this loophole. It is also to be wondered who the customers of such "works of art" are likely to be.

So called "artistic merit" should never be a factor in classification. It is a factor of literary criticism only. If anything it would only make the material more dangerous.

Recommendation 11: Amendments should be made to The Classification Act 1995, The National Classification Code, the Guidelines for the Classification of Publications and the Guidelines for the Publication of Film and Computer Games, making it clear that material that has been Refused Classification on the basis that it depicts or describes child sex abuse, or other exploitative or offensive depictions of a person who is, or appears to be, under 18, or provides instruction in paedophile activity, should not be given a lower classification on the basis of any alleged artistic or literary merit.

(f) The impact of X18+ films, including their role in the sexual abuse of children;

There is mounting evidence of the detrimental effects for both adults and children of watching gratuitous, sexually-explicit material.

Such material has been identified as a major contributor to the growing problem of the premature sexualisation of children - both indigenous and non-indigenous - of the sexual abuse of children, of problems related to future normal relationships, and with problems relating to its addictive nature.

The Effects of Pornography

In her research paper, *From Fantasy to Reality: The Link Between Viewing Child Pornography and Molesting Children*, Candice Kim, staff attorney for the American Prosecutors Research Institute, studies U.S. federal- and state-government research demonstrating a correlation between collecting and disseminating child pornography and molesting children. Based on the research, she concludes that there is a "small leap" between viewing child pornography and molesting children; possession of child pornography goes hand-in-hand with child abuse. Research into the methodology of child molesters shows the centrality of child pornography both to fuelling the fantasies of paedophiles and to breaking down a child's resistance during the molester's "grooming" process. Kim also highlights the possession of systematized collections of child pornography as a particularly important indicator that the collector has a sexual preference for children and is more likely to be or become a molester.

Aboriginal Communities and Pornography

Stories from the N.T. report *Little Children are Sacred*, included children being exposed to hardcore pornographic videos at home and seeing adults having sex at home, thereby desensitising children to sexual behaviour.

Author and social commentator Melinda Tankard Reist wrote in "Suffer the little children" (*The Courier-Mail* 11th July 2007):

At last, it is on the record: Pornography is a significant factor in the violence and anarchy in indigenous communities.

Alcohol and drugs are well accepted as causing rampant dysfunction in places already beaten down by dispossession, disempowerment, unemployment, ill health and poor education. But the trauma caused by the invasion of pornography has not been sufficiently acknowledged.

The Northern Territory's *Little Children Are Sacred* report changes that. A toxic trifecta of drugs, alcohol and pornography is fuelling a culture of violence against women and children. They are being bashed, raped, disabled and killed. Their lives are marked by desperation and terror. Predictably, the sex industry is crying censorship. But children suffering porn-driven sexual abuse should come before sex industry profits.

Children whose genitals have to be reconstructed, and the babies with sexually transmitted infections, need protection now.

While the sex radicals want business as usual, Aboriginal women are identifying pornography as one of the agents of destruction in their communities.

The report tells of rampant sexually aggressive behaviour, of children being exposed to porn films and re-enacting what they have seen, of porn being used by adults to groom children for sex.

Pornography has destroyed the cultural restraints which would have protected women and children.

These isolated communities have been destroyed by white men bearing pornography. It has fed dysfunction and increased cycles of violence.

The report states: "It is apparent that children in Aboriginal communities are widely exposed to inappropriate sexual activity such as pornography, adult films and adults having sex within the child's view . . . resulting in the sexualisation of childhood and the creation of normalcy around sexual activity that may be used to engage children in sexual activity."

The inquiry that led to the report was told that sexually aberrant behaviour involving both boys and girls was becoming more common. In all communities, men and women were concerned that teenagers were becoming more violent, sexual and anarchic. Young girls didn't even know they could refuse a sexual advance.

Exposure to pornography could be linked to a belief in rape myths, the increased acceptance of the use of physical force in sexual relations and a lessening of compassion for child victims. Also, pornography may lower inhibitions around offending and increase the likelihood of an assault.

The 1999 *Report of the Aboriginal and Torres Strait Islander Women's Task Force on Violence* highlighted the link between X-rated films and sexual violence against women and children: "The incidence of sexual violence is rising and is (in) a direct relationship to negative and deformed male socialisation associated with alcohol and other drug misuse, and the prevalence of pornographic videos in some communities.

(See Appendix 1 for full article)

Karen Jones, CEO of the Galileo House, a sexual assault service centre, told *ABC News* in Australia that she has counselled more than 60 children who display what she calls "problematic sexual behavior." In 2005, 17 primary school aged students were suspended in Australia for sexually-related behaviours. Ms. Jones receives referrals for children as young as six - and says this is a growing social problem. "Problem sexual behaviour, you're probably looking at say round five years of age, seven years of age when we see it starting in a lot of children and it can keep progressing unless something's done about it."

Ms. Jones says growing abuse and exposure to pornography are to blame. "There's also things like pornography, there's exposure to all sorts of sexual behaviour that kids generally were more protected from early on," she said. "And what we're seeing are kids being exposed to some form of abuse and then acting it out in schools and in other environments with other children."

In May 1990, a group of aboriginal pastors took an urgent message to the federal government about the horrific sexual abuse in outback communities. They told of pornographic videos devastating aboriginal communities and claimed that "X rated videos are causing the genocide of our people". The pastors said the problem had escalated dramatically since X-rated videos were allowed into Australia in 1984. Outback communities could not get access to TV so they rented X rated videos from the ACT. A boy of 5 was injured internally after two boys aged 10 and 11 copied what they saw on the video. (*Reported in Festival Focus June 2006*)

Child abuse on this scale was unknown to aboriginal culture before the 1980's. On 20/5/06 *The Australian* published a letter from a 70 year old aboriginal woman Mona Ngitji Ngitji Tur about her experiences growing up in the Western Desert. She said the sex abuse which plagues her people today did not happen during her childhood. Alcohol, cannabis and porn videos were not available in those days.

Pornography and Australian Youth

In 2003, The Australia Institute published a report on the extent of exposure and likely effects of pornography on Australian youth. The report found that there were grounds for concern re the impact that pornographic images could have on the development and behaviour of children and young people, particularly those vulnerable due to age, developmental or social challenges. Gaining access to these images increases the likelihood of:

- Developing stereotypic belief about women as objects rather than promotion of true relationships
- Undermining potential future quality of family relationships because of these beliefs
- Increased risk of indiscriminate or unprotected sexual activity
- Increased risk of criminal sexual offenses of a sexual nature

Pornography and Sexual Addiction

Dr. VICTOR B. CLINE, Ph.D., Licensed Clinical Psychologist, Salt Lake City, Utah has treated approximately 350 sexual addicts or sexual compulsives or other individuals (96% male) with sexual illnesses. This includes many types of unwanted compulsive sexual acting-out, plus such things as child molestation, exhibitionism, voyeurism, sadomasochism, fetishism, and rape. With several exceptions, pornography has been a major or minor contributor or facilitator in the acquisition of their deviation or sexual addiction.

He identifies the various steps by which the addicts and compulsives progress (See Appendix 2). These are Addiction, Escalation, De-sensitization and Acting out sexually.

In Dr Cline's clinical experience:

The major consequence of being addicted to pornography is not the probability or possibility of committing a serious sex crime (though this can and does occur), but rather the disturbance of the fragile bonds of intimate family and marital relationships. This is where the most grievous pain, damage, and sorrow occur. There is repeatedly an interference with or even destruction of healthy love and sexual relationships with long-term bonded partners. If one asks if porn is responsible or causes any sex crimes, the answer is unequivocally, "Yes," but that is only the tip of the iceberg.

Dr Cline adds that most or all sexual deviations are learned behaviours. He refers to R.J. McGuire:

As McGuire explains, as a man repeatedly masturbates to a vivid sexual fantasy as his exclusive outlet (introduced by a real life experience or possibly pornography), the pleasurable experiences endow the deviant fantasy (rape, molesting children,

injuring one's partner while having sex, etc.) with increasing erotic value. The orgasm experienced then provides the critical reinforcing event for the conditioning of the fantasy preceding or accompanying the act. (McGuire, R.J., et al., "Sexual Deviation as Conditioned Behaviour," *Behaviour Research and Therapy*, 1965, vol 2, p. 185).

In my experience as a sexual therapist, any individual who regularly masturbates to pornography is at risk of becoming, in time, a sexual addict, as well as conditioning himself into having a sexual deviancy and/or disturbing a bonded relationship with a spouse or girlfriend. A frequent side effect is that it also dramatically reduces their capacity to love. Their sexual side becomes, in a sense, dehumanised. Many of them develop an "alien ego state" (or dark side), whose core is antisocial lust devoid of most values.

In summary, Dr Cline's opinion is that:

It makes no difference if one is an eminent physician, attorney, minister, athlete, corporate executive, college president, unskilled labourer, or an average 15-year-old boy. All can be conditioned into deviancy.

(Full article - *Pornography's Effects on Adults and Children* (2001), available at: http://www.obscenitycrimes.org/cline_unabridged.pdf)

Research on Sexual Addiction and Violence

Yet more research is available from Dr Mary Anne Layden, a US based psychotherapist who specialises in the treatment of victims and perpetrators of sexual violence and sexual addiction.

Dr Layden states that:

Pornography, by its very nature, is an equal opportunity toxin. It damages the viewer, the performer, and the spouses and the children of the viewers and the performers. It is toxic mis-education about sex and relationships. It is more toxic the more you consume, the 'harder' the variety you consume and the younger and more vulnerable the consumer. The damage is both in the area of beliefs and behaviors. The belief damage may include Pornography Distortion, Permission-Giving Beliefs and the attitudes about what constitutes a healthy sexual and emotional relationship. The behavioral damage includes psychologically unhealthy behaviors, socially inappropriate behaviors and illegal behaviors.

... Pornography Distortion is a set of beliefs based in pornographic imagery, sent to the viewer while they are aroused and reinforced by the orgasm. An example of Pornography Distortion would include beliefs such as 'Sex is not about intimacy, procreation or marriage. Sex is about predatory self-gratification, casual recreation, body parts, violence, feces, strangers, children, animals and using women as entertainment.' All of these are messages regularly sent by pornography.

Permission-Giving Beliefs are a set of beliefs that imply that my behavior is normal, acceptable, common and/or doesn't hurt anyone so I have permission to continue to behave in the way that I am. In all types of violence and addiction, Permission-Giving Beliefs are involved. Examples would include 'All men go to prostitutes', 'Women like sex mixed with violence' and 'Children enjoy sex with adults'. These particular Permission Giving Beliefs are also common in pornography.

Both Pornography Distortion and Permission-Giving Beliefs increase the problem of mis-education about sexuality and relationships.

...Pornography is raising their expectation and demand for types and amounts of sexual experiences at the same time it is reducing their ability to experience sex.

...The children also show the damage. As pornography becomes normalised, it is left around the house. Children can get exposed to it. These are tender minds that are just developing their conceptualizations of sex. Normalising abnormal sex increases the likelihood that they will engage in these behaviors. This increases the likelihood of early sexual experience and with it, the increasing risk of pregnancy, and sexually transmitted diseases. These children often think that all relationships are sexual. That sex is the core of their personalities and is the way in which you raise your self-esteem. This may be one reason that we see sexual addiction running in families. The distorted beliefs are not only reinforced but modelled as well. In one report in Australia, children who had become sexual predators before the age of 12, all had experienced pornographic material on the Internet and large numbers believed that the only use of the Internet was for pornographic material.

(Extracts of Dr Layden's Testimony to the US Senate Committee on Commerce, Science and transportation, November 2004. See also Appendix 3.)

The Porn Industry and Technology

Gail Dines, a US-based professor of sociology and women's studies, author and media commentator has written, *Pornland: How Porn Has Hijacked Our Sexuality*, (April 2010).

She wrote it primarily to educate people about what pornography today is really like, she says, and to banish any notion of it as benign titillation. "We are now bringing up a generation of boys on cruel, violent porn," she says, "and given what we know about how images affect people, this is going to have a profound influence on their sexuality, behaviour and attitudes towards women."

The book documents the recent history of porn, including the technological shifts that have made it accessible on mobile phones, videogames and laptops. According to Dines's research the prevalence of porn means that men are becoming desensitised to it, and are therefore seeking out ever harsher, more violent and degrading images. Even the porn industry is shocked by how much violence the fans want, she says; at the industry conferences that Dines attends, porn makers have increasingly been discussing the trend for more extreme practices. And the audience is getting younger. Market research conducted by internet providers found that the average age a boy first sees porn today is 11; a study from the University of Alberta found that one third of 13-year-old boys

admitted viewing porn; and a survey published by Psychologies magazine in the UK last month found that a third of 14- to 16-year-olds had first seen sexual images online when they were 10 or younger – 81% of those polled looked at porn online at home, while 63% could easily access it on their mobile phones.

... Images have now become so extreme that acts that were almost non-existent a decade ago have become commonplace. From studying thousands of porn films and images Dines found that the most popular acts depicted in internet porn include vaginal, oral and anal penetration by three or more men at the same time; double anal; double vaginal; a female gagging from having a penis thrust into her throat; and ejaculation in a woman's face, eyes and mouth.

... There were two images from Hustler magazine that she found especially shocking: a cartoon of a construction worker drilling a jackhammer into a woman's vagina, and one depicting a woman being fed through a meat grinder. "I was newly married and told my husband that night how appalled I was, which he fully understood," she says. "If he had said I was a prude I don't think I could have stayed with him."

"Many on the liberal left adopt a view that says pornographers are not businessmen but are simply there to unleash our sexuality from state-imposed constraints," she says. This view was reflected in the film *The People vs Larry Flynt*, where the billionaire pornographer of the film's title – the head of the Hustler empire – was portrayed as a man simply fighting for freedom of speech. Dines disputes these ideas. "Trust me," she says, "I have interviewed hundreds of pornographers and the only thing that gets them excited is profit."

...She recently interviewed a number of men in prison who had committed rape against children. All were habitual users of child pornography. "What they said to me was they got bored with 'regular' porn and wanted something fresh. They were horrified at the idea of sex with a prepubescent child initially but within six months they had all raped a child."

(The truth about the porn industry - <http://www.guardian.co.uk/lifeandstyle/2010/jul/02/gail-dines-pornography>)

It is of no surprise, therefore, that since the introduction of the Internet and the plethora of mobile phones with picture and video-taking functions, we are now seeing the huge number of people engaging in child pornography and other deviations - officially banned in Australia. People are becoming hooked on pornography, which is evolving into deviant behaviours that society abhors.

Recommendations 12 and 13: Given the extremely offensive nature of so much X- and R- rated media material, every measure possible should be utilised to prevent its importation into Australia. The very least that should be done are as follows:

Federal legislation should be enacted to:

- (12) prohibit the sale of X18+ films from sale throughout the Northern Territory and in the ACT
- (13) prohibit carrier services from carrying or receiving films which would be classified X18+

(g) The classification of films, including explicit sex or scenes of torture and degradation, sexual violence and nudity as R18+;

Current guidelines for R18+ films state that "Themes, violence and coarse language are virtually unrestricted. [H]owever sexual violence must be "justified by context", and sexual activity can be "realistically simulated". This is a general guideline rather than an explicit rule, since films such as *9 Songs*, *The Brown Bunny* and *Romance* contain real sexual activity.

Since the downgrading, on appeal, of a Refused Classification to an R18+ classification, of the sexually-explicit film *Romance* in 2000, and the dropping of the provision in the guidelines that *nudity should not include obvious genital contact*, several films depicting actual sex have been classified R18+. (*Invincible*, *Anatomy of Hell* and *Shortbus*). The classification board seems to continue to justify this by their claim that "This is a general guideline...not an explicit rule". It is obvious that the guidelines are being interpreted in such a way as to be **rendered meaningless**. Again, MSA finds this totally unacceptable.

Child Pornography

Anatomy of Hell was classified as R18+, despite scenes in which a naked young girl is portrayed in a graphically-sexualised setting. The description by the Classification Board of a **graphic, high impact portrayal of the sexual abuse of a girl** by a group of boys as being just '*exploratory play*' and a '*positive interaction*' between children is of grave concern to MSA.

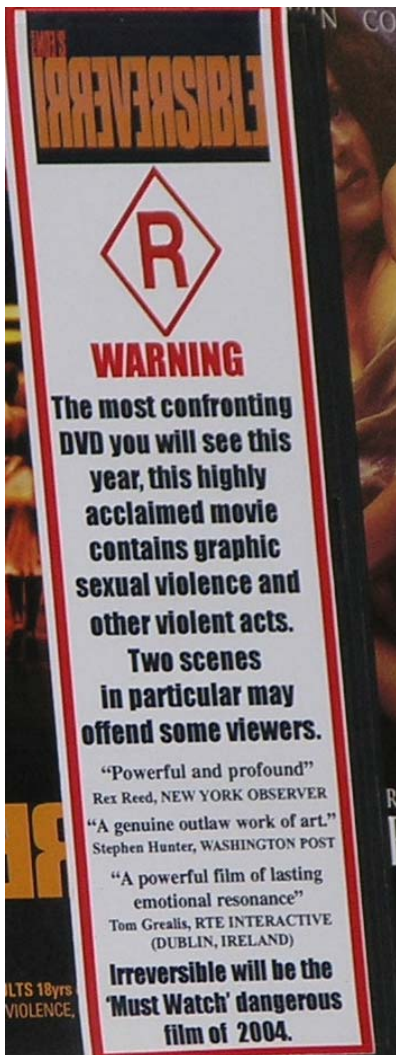
This statement by the Board would certainly not reflect the views of the majority of Australian parents who would most definitely not describe this as "normal play". Child sexual abuse should always and everywhere be named for what it is - abhorrent and never permissible.

Judging such material to be, in effect, "acceptable for adult viewing" must surely undermine any attempt to prosecute those possessing other, more pornographic, materials that display similar suggestive images of naked children engaging in sexual acts with other children.

It is notable that it is common practice for paedophiles to use images of children engaging in lewd display, and in sexual acts, in order to 'groom' child victims for sexual abuse, in order to persuade them that such acts are normal and acceptable.

It is easy to envisage a predator paedophile using the video clips of naked children in sexualised situations, isolated from films such as *Anatomy of Hell*, for their own, and other paedophiles' sexual gratification. They could reasonably argue that the use of such material for such a purpose cannot be an offence because the same scenes are readily

available (albeit in the context of a film) in the **mainstream movies available to all adults.**



Beyond Offensive

The movie *Irreversible* contained several scenes of actual sex including a 7 minute scene of a women being anally raped. The distributors advertise the film as follows.....(see picture).

The card the distributors placed into the DVD jacket to promote the film stated: *Two scenes in particular MAY offend SOME viewers* (Our emphasis).

Does this mean that most people will not be offended by a woman being anally raped?

They even describe the film as being the "'Must Watch' DANGEROUS film of 2004"!!!! (Our emphasis)

The OFLC Board Report assesses this scene as follows:

"The impact of this scene is high due to the lengthy, real time depiction of the act of sexual violation described above and the static, unedited camera work. The amount of verbal and visual detail in this scene was also considered to be a contributing factor in the Board's decision to classify the film."

Why has this horrific film been released onto DVD?

Other Offensive Films

Media Standards Australia was disappointed at the decision of the Classification Review Board to release the film *Salo* in DVD form, although it remains "Refused Classification" for public exhibition: The review board justified this by saying that the DVD was provided with additional documentary features which would: *facilitate wider consideration of the historical, political and cultural context of the film.* The film contains graphic scenes of sexual violence, the torture of minors and other extremely offensive material likely to cause offense to a reasonable adult.

Another film, *Nine Songs* featured scenes from rock concerts as well as explicit, close-up, actual sex scenes. A minority of the Classification Board found "*the amount [sic] of sex scenes and cumulative impact of those scenes, gratuitous*"

The film *Shortbus* featured people who were chosen, after having sent in a video of themselves to the director, being partnered off using the "Spin the bottle" game and having group-sex involving both hetero- and homosexuals.

In the past few years the Classification Board has given several animated films an R18+ classification in spite of the fact that they contain explicit sex scenes including "actual sex".

The decision of the Classification Board to specify, in its guidelines for R18+ films, that, in relation to actual sex in films, "this is a general guideline rather than an explicit rule" has led to a blurring of the distinction between the R18+ and X18 + classifications.

In view of these changes, it is not at all surprising that in 2007, one of the big players in Australia's pornography industry, the adult online retailer Adultshop.com, should make a film *viva erotica*, specifically as a test case for their agenda of getting rid of the X rating, and replacing it with an R rating. Adultshop.com's core argument was that sexually-explicit material ought only to be given an X classification if it was offensive to **reasonable adults**. It argued that its opinion poll findings trumped the general rule contained in the guidelines, that R18+ "should not contain actual sex". Had Adultshop.com's appeal succeeded, it would have set a precedent for other sexually-explicit material to also be placed in the R classification, thus rendering the X classification meaningless. This would effectively have ended the states' ability to prohibit the sale, or public viewing, of pornographic films within their borders.

Had Adultshop.com succeeded in its bid to abolish the X classification, it is not certain how explicit sexual content could not, over time, remain uncontaminated by violent and degrading material – an outcome about which the community has consistently raised concerns.

Classification Guidelines are intended to reflect an ongoing process of public consultation, and should aim to achieve consistent and accurate classification decisions. The inclusion of extra material, matters of context and new cinematic techniques, therefore, should have no influence on these decisions.

Recommendation 14: The guidelines for the classification of film and video and computer games should be amended to state that in R18+ classification there can be no explicit depictions, including animated, of actual sexual intercourse, of other sexual activity, or of genital contact in a sexual context.

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

Billboards are currently self-regulated under the Code of Ethics of the Australian Association of National Advertisers. Complaints re. breaches of the Code can be made to the Advertising Standards Board.

Media Standards Australia has received more complaints about AMI - Australian Medical Institute - about their premature ejaculation ("Want longer lasting sex?") billboard advertising, and advertising on TV and radio, than about any other company. The second highest number of complaints came from the Sexpo billboard advertising.

The ASB has also recorded a substantial increase in the number of complaints from 2006 to 2009. Billboards advertising the services of the Australian Medical Institute have received a record number of complaints in the past years. In 2008, the Board reversed a decision dismissing complaints against an AMI ad on the grounds that *there was now a new level of concern about the unsolicited exposure of children to advertisements dealing with sexuality*.

Although the system, based on community standards, seems to work fairly well, the guidelines need to be tightened up to more genuinely reflect community standards, and to protect children from unwarranted exposure to inappropriate sexual content.

Recommendation 15: That decisions re. suitability of billboard contents remain subject to the Code of Ethics of the AANA, but that the Code be tightened up to genuinely reflect community standards. Because the general public (including children) have easy access to the billboards, "general exhibition" suitability ought to be reflected.

(i) The application of the National Classification Scheme to music videos;

Music has become an increasingly powerful influence, and one to which children are continuously exposed. The addition of imagery makes it even more appealing.

Increasing numbers of parents have expressed their grave concerns to MSA, with regard to the sexual content, explicit lyrics, (particularly with regard to the dancing - including sexually-provocative gyrations), and sometimes even the violence contained in many music videos. This is particularly worrying in regard to Saturday and Sunday morning video clips programmes on television (*Rage* on ABC and *Video Hits* on Ten), since these are largely unsupervised timeslots in most households.

Furthermore, such video clips are frequently shown, as in-flight viewing, on aeroplanes with little cognisance of minors being exposed to these.

Recommendation 16: That the guidelines for the Classification of Films and Computer Games should include a classification for music videos which considers the effect of both unsuitable lyrics and sexual and/or violent imagery.

(j) The effectiveness of the 'ARIA/AMRA Labelling Code of Practice for Recorded Music Product Containing Potentially Offensive Lyrics and/or Themes';

Parents rely on classification guidelines, including those from ARIA/AMRA labelling, for recorded music. Frustration is growing, in many areas, in relation to the increasing amount of music being downloaded from iTunes and similar services. No alerts are provided, however, where offensive lyrics are involved, and this needs to be urgently addressed. Parents are now giving out alerts among their own networks, but the whole issue is still difficult for them to police in their own homes.

It seems appropriate that iTunes, and other music providers, make a responsible contribution to the safety of children, by providing links, or separate Web-page sections, to enable parents to research the lyrics of songs their children download.

Offensive content such as in Death Metal music is another ongoing contentious issue, with even sub-committee hearings, on the topic, being held in the United States. Themes in such genres of music as Death Metal and Gangsta Rap, and even some Pop culture, is usually outside of normal community standards, and it is unacceptable that a separate "Adults Only" section in local CD stores are not set up.

It is one thing to be a bit controversial, either politically or socially in music, but when boundaries are dragged down to depravity - it beggars belief that our Australian Classification system is incapable of protecting the interests of minors. Even a simple R18+ warning, where the most objectionable material is concerned, would suffice, and would be better than nothing at all.

Recommendation 17: That an ARIA/AMRA-type labelling code be introduced to provide information on all music with adult content and/or lyrics.

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

The growing community concern with regard to the issue the premature sexualisation of children and the objectification of women is evidenced by the emergence of Groups such as *kidsfree2Bkids* and the *Australian Women's Forum*, exposing the dangers of the sexualisation phenomenon, rightly seen as a form of exploitation.

The American Psychological Association Taskforce defined Sexualisation as occurring when a person's value comes "only from her/his sexual appeal or behavior, to the exclusion of other characteristics, and when a person is sexually objectified."

In her book *Pornland: How Porn Has Hijacked Our Sexuality*, published April 2010, Dr. Gail Dines, professor of Sociology and Women's Studies at Wheelock College in Boston, warns about the dangers of the hypersexualisation of the culture and the ways that porn images filter down into mainstream pop culture. She has studied the effects of pornography on both men and women, as well as on their relationships and sexuality:

"I have found that the earlier men use porn," says Dines, "the more likely they are to have trouble developing close, intimate relationships with real women. Some of these men prefer porn to sex with an actual human being. They are bewildered, even angry, when real women don't want or enjoy porn sex."

Porn culture doesn't only affect men. It also changes "the way women and girls think about their bodies, their sexuality and their relationships," says Dines. "Every group that has fought for liberation understands that media images are part and parcel of the systematic dehumanisation of an oppressed group . . . The more porn images filter into mainstream culture, the more girls and women are stripped of full human status and reduced to sex objects. This has a terrible effect on girls' sexual identity because it robs them of their own sexual desire."

... As a result of her research, Dines believes that pornography is driving men to commit particular acts of violence towards women. "I am not saying that a man reads porn and goes out to rape," she says, "but what I do know is that porn gives permission to its consumers to treat women as they are treated in porn." In a recent study, 80% of men said that the one sex act they would most like to perform is to ejaculate on a woman's face; in 2007, a comment stream on the website Jezebel.com included a number of women who said that, on a first date, they had, to their surprise, experienced their sexual partner ejaculating on their faces without asking.

Sexual assault centres in US colleges have said that more women are reporting anal rape, which Dines attributes directly to the normalisation of such practices in pornography. "The more porn sexualises violence against women, the more it normalises and legitimises sexually abusive behaviour. Men learn about sex from porn, and in porn nothing is too painful or degrading for women." Dines also says that what she calls "childified porn" has significantly increased in popularity in recent years, with almost 14m internet searches for "teen sex" in 2006, an increase of more than 60% since 2004. There are legal sites that feature hardcore images of extremely young-looking women being penetrated by older men, with disclaimers stating all the models are 18 and over. Dines is clear that regular exposure to such material has an effect of breaking down the taboo about having sex with children.

(The truth about the porn industry - <http://www.guardian.co.uk/lifeandstyle/2010/jul/02/gail-dines-pornography>) See also Appendix 4.

There is no doubt that popular culture is now saturated with sexualized material, as a result of which our children and young people are exposed to it on a regular basis through the various media of:

- Print: including magazines of a highly sexualized nature geared to adults but available at petrol stations, newsagents, delis etc. (*Playboy*, *Ralph*, etc).
- Magazines geared to teenagers, but containing sexualized material.
- Magazines geared to children as young as 8 ("tweens"): *Total girl*, *Girlfriend*
- Some music magazines containing material of a sexual nature unsuitable for children.

There is a serious need for a review of the guidelines for publications in regard to what is acceptable in magazines, etc. geared to "tweens", in view of the evidence of the detrimental impact on children of sexualized material. Where guidelines may be in place, little adherence seems to be evident.

- **Radio:** Many radio stations air programmes featuring inappropriate lyrics, sexualized advertising, as well as raunchy sex-talk amongst the radio personalities at times when youngsters are tuning in. Some of this is piped through to innocent shoppers buying groceries!

In a recent online article, *Wendy Harmer*, wrote -

I WAS driving my 11-year-old daughter home from her piano lesson on Saturday morning and she tuned the car radio to 2DayFM. Miss Maeve is a big fan of Fifi Box and I am too. Bubbly, clever and funny, she holds her own with the boys. I'm pleased my daughter has found a strong female voice on the radio she can enjoy.

A song came on called "Dirty Talk", by Wynter Gordon. In part the lyrics went like this: "I am no angel. I like it when you do that stuff to me. Legs up on the bar, in the back of your car cherry pop tag team, can you make me scream?"

"Blindfold, feather bed, tickle me, slippery, G spot, nasty pose, in a video climax, hot wax, S&M on the floor, I like it hardcore.

"I wanna do some dirty things to you tonight, I wanna fight, all through the night, night, night."

"Eyeew," said Maeve and both of us lunged for the off switch.

It occurred to me that if I found those words on her *Facebook* page, I'd think some old perv was attempting to groom my child for sex, which is illegal last time I looked.

Wendy pointed out that the song with its themes of group sex and violence - and Rihanna's "S&M" which contains the lyrics: "Sticks and stones may break my bones, but chains and whips excite me" - **are unsuitable for broadcast at breakfast**. She also pointed out that little girls who dream of being princesses do not deserve this future: being appraised as chained sex objects.

She continued:

Where do I start? I could begin with a discourse on the Freudian Madonna-whore complex, but it's probably the name of Wynter Gordon's next hit song.

I know you'll say "just turn it off then", but the station rates highly in the 10-17 demographic.

I finished up on breakfast radio on 2DayFM in 2003 and while I'm no angel either, it never fails to astonish how the standard of what's acceptable in that timeslot has shifted since then. Constant and explicit inquiries to guests on the details of their sex lives were unthinkable.

I think Kyle's [Sandilands] a good broadcaster - fearless, feisty and fast on his feet. However, the current content of his program should see him on late nights.

... A former director of my 2Day breakfast program was shocked to hear a candid chat on S&M preferences in the breakfast slot on 2Day's Melbourne sister station, with listeners ringing in to discuss being choked, chained and whipped.

Media Standards Australia understands that Kyle Sandilands is widely recognised as a "shock jock" and that the job of a shock jock is to be controversial - but to have a shock jock on, when children are likely to be listening in, goes way beyond comprehension.

- **Television:** Programmes such as *Home and Away*, which were once considered wholesome family fare, **now feature adult themes and sexual references** during family viewing time. *My Family*, an ABC sitcom about a family, shown at 6.00pm week-nights, occasionally refers to sexual matters, or else shows couples in mildly-presented sexual embraces. Unfortunately, it is impossible to know when such scenes are likely to come on, thus making it difficult for parents to decide whether or not their children should be permitted to view the show.

"Situation comedies" such as *Two and Half Men* (aired at 7pm, and regularly shown on aircraft), *The Big Bang Theory* and *How I met Your Mother*, (both aired at 7.30pm), very much push the envelope featuring sexualised humour. Complaints are rejected by describing the humour as "edgy".

This list could go on and on. It is difficult, in fact, to find any prime-time TV programming without some, or sometimes even copious amounts, of sexual talk, sexual scenes, and/or offensive language. *Laid*, being shown on ABC in a 9.30pm time-slot, is all about its name - i.e. "being laid".

- **Music Video Clips** particularly on Saturday morning, feature skimpy clothing, sexual writhing, and songs such as *Get up*, *Promiscuous* and *Catch my Disease*. This industry is frequently supported by heavy merchandising, making it possible for minors to wear and 'play act' these dubious 'role models.'

The ABC's policy with regard to G rated programs is that *whether or not the programming is intended for children, the treatment of themes and other classifiable elements will be careful and discreet*. MSA contends that these clips can by no stretch of the imagination be described as 'discreet'.

- **Station Advertising:** TV stations, promoting their up-coming "**adult**" TV shows (such as *Law & Order: Special Victims Unit*, *Desperate Housewives*, *Big Love*, *The Good Wife*), will often do so **during children's viewing hours**. This advertising often shows sexually-implicit scenes (or worse), as well as sexually-loaded narrations. There have also been cases of advertising sex-related products (for impotence, or premature ejaculation, for example) or else sexually-provocative music CDs, etc. during child viewing hours. MSA has received several complaints in relation to this issue.
- **Porn and Escort Services:** These advertise in late evening television programming time-slots. That this audience is typically composed, at least in significant part, by older adolescent and young adult audiences, is clear from the programme broadcasters' schedule at this time. *Buffy*, *Angel*, *Nikita*, *Alias*, *Stargate*, *Big Brother*, repeats of *Heroes* and *Lost*, provide examples of adolescent-targeted programming.

The implicit assumption, made by the TV station programmers, seems to be that only adults could possibly be watching at this late time-slot, or else that a younger audience will already be highly-sexualised and won't be damaged any further - An arrogant attitude of "they'll know it all already!". This, again, is an example of the media creating what they claim is already in place. There is also no consideration given to ordinary, everyday people who would much rather **not** have sexually-based promotion and advertising thrust at them at any time, day or night.

- **Billboards** use sexual imagery, especially in lingerie ads, which often objectify woman, including young girls. A recent billboard men's clothing campaign used an inappropriate play-on-words of the show *Sex and the City*, by using bold print: "Sex and the Gritty".
- **Toys** are sometimes presented in a sexualized manner, particularly those that are related to TV programmes. Sexualized dolls, such as Bratz, are advertised and sold to young girls.
- **Clothing** featuring inappropriate adult slogans and sexualized messages: A few years ago clothing retailer, Cotton on, was forced by public disapproval to withdraw babies' clothing featuring sexualized logos. Whilst a family may be able to avoid actually dressing a child in these, the junk mail is relentless in bringing the scenes to the kitchen table. Men's t-shirts, especially, sometimes have pornographic wording (eg. "Give me head till I'm dead"). A "novelty" BBQ chef's apron, seen for sale in a shop doorway, had the words, "Kiss me here" with an arrow drawn down to a picture of a large mouth. The mouth was strategically placed over the groin area of the wearer. Such filth was obviously considered humorous.
- **Bumper stickers for cars:** Families are often confronted with sexually-explicit language on the bumper stickers of other vehicles in traffic. One such seen was "F-CK. The only thing missing is you".
- **Internet:** *My Minx* is an on-line game aimed at "tweens", featuring sex-workers, contraceptives and lingerie.
- **Online video clips:** Recently, News.com.au featured a video clip of two topless, busty ladies imitating *Puppetry of the Penis* with their breasts. This clip was easily accessible to anyone online, with only a small warning of "nudity may offend".

Although we recognise that it is not possible to totally eliminate children's and teenagers' exposure to sexualising influences in media and marketing, **we have a duty** to offer them **as much protection as possible**. The situation has become so pervasive and uncontrollable, however, and consequently so much more difficult for parents, that the government must make much more effort to curb the objectionable material where it can.

The AANA has just recently agreed to address the issue of sexualisation in its Code of Practice for Advertising to Children. Although this move is a very encouraging step in the right direction, a great deal more needs to be done.

Emma Rush & Andrea La Nauze of The Australia Institute, in '*Letting Children be Children - Stopping the sexualisation of children in Australia*' (2006):

As different media (print, radio, television) become less distinct due to technological advances, it will become increasingly desirable to bring all media regulation together in one statutory system. At this point a new opportunity to stop children's premature sexualisation will emerge. An all-encompassing office of media regulation could include a division with the primary responsibility of protecting children's interests in the contemporary media environment.

The sustained public criticism of the sexualisation of children has had no apparent effect upon the practices of advertisers and markets.

Such an inadequate response to both public and professional concern about the increasing sexualisation of children suggests that the advertising and marketing industry is unlikely to restrain itself.

If Australians wish to reduce the potential for children to be harmed in a variety of ways by premature sexualisation, it seems that some sort of formal government restraint beyond existing regulation of relevant areas will be necessary.

There is a dire need for the tightening up of all codes and guidelines related to these issues, in order to more accurately reflect community standards with regard to the sexualization of children and the objectification of women. Too often, complaints are dismissed as not breaching guidelines because content is justified by the "story line" or "in context".

Such a breach of guidelines can never be justified by "story line" or "in context".

In the past, in presenting a story-line including rape and murder, for instance, nothing graphic was shown – just a woman being dragged off...screams...and then "cut" (the remainder of the scene is implied) – or else: a knife raised....screams...."cut". The message was obvious, but the scene non-graphic.

Just because an adult theme is presented, it is no reason for it to be graphically portrayed. The old type of presentation certainly had more artistic merit. Restraint and subtlety seem to be something of the past.

Despite the passage of time, and the alleged advances of feminist culture, women continue to be portrayed as **mere sex objects** in television "sitcoms" and other programmes. Further, instead of us seeing a reduction in the presentation of women as sex-objects, the reverse is occurring, and, increasingly, children, and even men, are also now being portrayed as sex-objects.

From some of what is seen on our television screens, it would appear that there is a need for ACMA to pay far more heed, and take more seriously, the issue of the sexualization of women and girls, and the trivialisation and pervasion of sexuality as a whole.

Recommendations:

- **(18) The Commercial Television Code of Practice should include a provision that women are not to be portrayed as sexual objects.**

- (19) The sexualisation inherent in all media content should be more tightly monitored and regulated.
- (20) The rating of a programme should not be lowered, based on its "story line" when it would/should otherwise have a higher classification.

(l) the interaction between the National Classification Scheme and the role of the Australian Communications Media Authority in supervising broadcast standards for television and internet content

Media Standards Australia was particularly disappointed with ACMA's decision to approve an amendment to the Code of Practice, meaning that sex scenes in "MA" programmes will no longer be required to be "discreetly" portrayed. Instead, they will merely be required to follow the story-line and not be "high" in impact. Any screen writer can devise a 'story line' to justify any scene and the word 'high' in relation to 'impact' is only a **relative term**.

This, in effect, implies that programmes such as *Californication*, a story of highly offensive decadence, and featuring, among other things, oral sex between a nun in her habit and the male protagonist, are now considered to be "suitable viewing" on Free To Air television. This is totally unacceptable.

With the new selection of digital channels, furthermore, viewers now have a larger range of options to choose from. MSA's concern is that this will lead to fewer complaints, because it will be just too easy for viewers to change the channel instead of making a complaint! The complaints process is a very important factor in gauging community response. It is already far too difficult to complain, and there is so much to complain about. MSA members have noted the reduction in their own motivation to complain, and the number of complaints actually made, based on the massive amount of objectionable material, the difficulties involved, and the **lack of success with the relevant body, in having complaints upheld**.

A recent complaint made to MSA (but not necessarily to the relevant regulatory bodies) was about a programme called *Bones*, on Channel Seven, where the complainant said,

I was concerned/disturbed at a scene that was on the show *Bones* last night (21st Feb. 2011) on Channel 7 at 8.30pm. The scene happens fairly early on in the story about a female prisoner transported to court. She exits the police van and is shot in the head by an explosive bullet. I found the scene disturbing where you see the headless body on the ground losing blood and remains of the head. This was being televised at about 8.45pm. Here is a link to that episode:

<http://au.tv.yahoo.com/plus7/bones/-/watch/8873556/mon-21-feb-series-6-episode-11/>

Shouldn't this level of violence be shown after 9.00pm?

Further investigation by MSA found that this episode of *Bones*, called *The Gravedigger*, was rated "M". With the addition of this particular shocking scene it must be asked, **"Shouldn't it have an MA rating, or higher?"** It is obvious that it should, and the Code of Practice for Commercial TV says:

The Mature (M) Classification

4. Material Classified M is recommended for viewing only by persons aged 15 years or over because of the matter it contains, or of the way this matter is treated.

4.1 Violence: May be realistically shown only if it is not frequent or of high impact, and is justified by the story line or program context. Violence should not be presented as desirable in its own right. Any depiction of or verbal reference to violence occurring in a sexual context must be infrequent and restrained, and strictly justified by the story line or program context.

The MA Classification refers back to the above which means that even though it was not frequent, it was of high impact. The code also says that...

2.11 The MA classification zone is all days between 9.00pm and 5.00am.

This particular scene was horrifying in the extreme, and its aftermath lasted for several seconds. One has to wonder what it would take to be given an MA classification, when this scene/episode wasn't perceived as warranting it.

WHEN TV STATIONS AIR THEIR CONTENT ON THE INTERNET

It is also disappointing, and quite horrifying, that this particular *Bones* programme – including the scene described above – can also be seen on the Internet **at any time of the day, by anyone**, including children of any age. There is no log-in, age-verification or any sort of deterrent to stop children from gaining access to such material.

Other questionable shows, such as the *Gangs of Oz*, are also rated M – screened at 9.30p.m. – 10.30p.m. on 7mate. The gratuitous brutality and violence is of great concern seeing that it, too, is screened on the Yahoo 7 website, with no lockout for children, and available any time of the day.

See – <http://au.tv.yahoo.com/plus7/gangs-of-oz/-/watch/8862859/thu-17-feb-young-guns-loose-cannons/>

The ACMA needs to take into account community standards and the complaints of family groups with regard to unsuitable content in television programmes such as *Californication*, when reviewing television codes of practice.

Internet and improving cyber-safety:

MSA supports the government's initiative for mandatory filtering of the internet. We recognize that there are arguments for and against mandatory filtering and that it cannot

provide 100% protection for our children. Any reduction in access to offensive material is, however, a step in the right direction.

Australian Law prohibits the hosting of sites which provide instructions on methods of suicide, online gaming sites and sites facilitating financial fraud. These sites should be included in the "black list" of material to be filtered.

Currently, an R18+ rating for computer/video games is under review. However, the content of some online games is such as to warrant an RC rating and as such should be included under the filtering system.

All X-18+ rated material should be excluded from access to any part of Australia, as it is banned for sale in the states, and has recently been banned in part of the Northern Territory. There should be a blanket ban of this repellent material.

MSA understands that ACMA's role in this initiative is to maintain the list of black listed URLs to be provided to approve filter services. We suggest that the list of URLs be compiled, not just from complaints and lists of child abuse sites from overseas enforcement agencies, but by using a web-crawler-based system that seeks out URLs which contain prohibited material.

MSA definitely supports the filter. Freedom of speech is about a right to present a point of view, controversial or otherwise, and we recognise that such rights have been violated in so-called "hate speech" legislation:

http://www.salon.com/news/opinion/glenn_greenwald/2010/03/22/canada

On the other hand, however, blocking gross depravity and promotion of crime is an entirely different matter. This, for us, is self-evident, but we are aware that some people react against any form of "censorship", sometimes because of many types of "good" material which could be filtered out.

We still support the filter, because it is not enough to have an effective block on individual computers, even if this were an easy and cheap option. Youngsters have access to computers outside the home (mobile phones, etc), and paedophiles never have blocks on their computers. It is a recognised incentive to crime.

Recommendations:

- (21) That legislation for a mandatory filtering system for pornography be introduced as soon as possible.
- (22) That material that incites suicide, gambling and fraudulent schemes be included in the black list.
- (23) That computer games which have been, or would be, Refused Classification, be included in the black list.
- (24) Ensure that ACMA sets up guidelines for television stations to create safeguards such as age-verification log-in when screening content higher than PG rating.

(m) the effectiveness of the National Classification Scheme in dealing with new technologies and new media, including mobile phone applications, which have the capacity to deliver content to children, young people and adults;

It is becoming increasingly difficult to keep abreast of the rapidly changing scene with regard to the many new methods of communication. However, reason indicates that, for the wellbeing of society, and in particular for those most vulnerable, standards of decency need to be maintained and to apply across all media. Parents in particular need to keep abreast of the latest technology so as to ensure the protection of their children. **Protecting children's innocence has never been more difficult.** Social networking sites, such as *Twitter* and *Facebook*, pose privacy and safety issues the implications of which all parents should be aware.

Mobile phones:

Schools seem to be legally-bound to address bullying and yet there is a case for this being, at least partly, a natural by-product of what has been poured into children's heads from a very young age by popular culture.

Bullying, in fact, has always been around. The difference, now, is that:

- a) society is more committed to addressing it, and
- b) the Internet and mobile phones have made it so much more easy to bully others, and to remain anonymous when doing so.

Of particular concern for this submission, however, is the "sexting craze":

Technology fuelling sexting craze: study May 12, 2009 (See also Appendix 5):

A group of Tasmanian schoolgirls took explicit photos of themselves with "objects inserted into different orifices". In NSW, another group of girls took topless photos. In both cases the photos were electronically forwarded to other people.

In the first case the girls were 13. The second group involved 8 year olds.

Social researcher Maggie Hamilton, who cited the examples, says sexting among Australian teens has taken off in the last five years and is now involving more explicit images and younger kids.

"We now have young girls sending photos not just of their cleavage or even topless, but of their vaginas and various things to boys to get them interested," Hamilton said.

The NSW based author uncovered the extent of sexting while researching her book about boys' issues, due out next year, a follow-on from her most recent work, *What's Happening To Our Girls?*

While there have been no official studies into sexting in Australia, an online survey conducted by *Girlfriend* magazine in 2007 found almost 40 per cent of the 588 teenage girls who responded had been asked to send a "naked or semi-naked" image of themselves over the internet. Almost a third had been sent a "sexually explicit" image online.

Targeting of Teens

Mobile phone download companies target adolescents in their marketing and advertising. They are encouraged to purchase image files, animations, ring tones and other downloads. They are clearly being targeted with soft porn download marketing, as well as with other text-based services such as numerological analysis. Soft porn (and possibly illegally-obtained hard-core porn) phone downloads can easily be purchased by young people with their phone accounts.

MSA notes that officers were asked to "urgently develop alternative options for an interim solution ... the issue of the difficulty involved with classifying online computer games, including mobile phone applications that are games," at the SCAG meeting of 10/12/10 .

It is hoped that when the mandatory filtering system comes into effect it will apply to internet services also offered over mobile phones.

Cyber-bullying

We welcome The Australian Communications and Media Authority initiative "Lets Fight It Together", a teaching resource to combat cyber-bullying, available free to all schools in Australia. The "downside" to this initiative, however, is the impact on the teaching time of teachers and the learning time of students. The more that children must be educated about new risks and dangers, and how to deal with them, the less time that can be used receiving an essential education. The impact of cyber-bullying, therefore, is firstly on the victims, and secondly on the time spent educating children on the issue.

(n) the Government's reviews of the Refused Classification (RC) category;

Australian law prohibits the use of any service to directly or indirectly counsel or incite suicide or to promote any method of suicide.

However, in the absence of a mandatory filtering scheme, this has proved **ineffective** in preventing the suicide of vulnerable people who have been able to gain access to instructions received over the Internet.

Current categories for Refused Classification should be retained. However, the Classification Guidelines for Publications, Films and Computer Games should be amended to include a Refused Classification category for material that directly or indirectly incites, counsels, or gives instruction on methods of, how to commit suicide, or else promotes a particular method of committing suicide.

We have recommended that the sale and import of X18+ film in the territories be prohibited. We have also recommended that the R18+ classification be revised to exclude all actual, explicit sex, in which case all films depicting actual sex would be classified as Refused Classification.

Recommendation 25: That material currently classified as X18+ would be in the Refused Classification category.

Recommendation 26: That all films depicting actual sex would be classified as Refused Classification.

Other Matters

It is the responsibility of government to serve and protect the people; most especially the vulnerable, including children and minors.

The possible introduction of an R 18 + category for classification for video/computer games

MSA is aware that that this introduction is currently the subject of consultation by the Attorney-General's Department. We are convinced that the introduction of an R18+ category for computer games is a distinct item for comment in a submission such as this, despite the fact that it is not addressed in the Terms of Reference.

MSA need not go into detail re. The dangers of exposure to the graphic, violent, high impact content, including domestic violence, rape, murder and torture, of many games, since this is well-documented in numerous studies.

Our concern stems from the fact that it would appear that this issue has become one of "Why shouldn't adults have their own classification?" rather than "Why should children be protected?" This is astonishing.

The argument that an "R18+ rating has guided consumer choice in movies for years, so why not in games?" ignores the fact that we are referring to a type of entertainment (game) which **is interactive by nature**, rather than passive by nature, such as watching a movie.

Some of our concerns regarding the introduction an R18+ classification for computer/video games:

- The interactive element of computer games gives them a particularly powerful "virtual reality" effect, and trains users in the simulated behaviour,

Simulated reality also trains the user's brain to block natural human emotions, such as empathy for the victim.

In a report by Tara Brown, of Sixty Minutes, in 2003, Bill Gates admits that the "computer game industry is bigger than the movie industry", that "the games are becoming more realistic" and that "the key is to bring that level of realism to a point where people forget they're playing a game". The worrying trend here is that Microsoft has just released the new Kinect technology where the player does not use a joystick, but is physically involved with the game, using full body movements to participate within the game itself. Further, the entertainment industry is utilising 3D technology to further enhance the realism to the point where objects appear to "come out" of the screen.

- Since some computer games award points for what is, in effect, criminal behaviour, this additional, serious factor must be considered. The prevention, and not the encouragement, of crime would be expected from our government.
- Australia need not follow the trend of the world in having R-Rated computer games, since consensus does not imply correctness or appropriateness to the national situation. Further it is interesting to note that other countries have also banned computer games.

For instance – *news.com.au* reports that:

“a shoot-em-up video game set in the virtually lawless Mexican border town of Ciudad Juarez has angered local officials who are busy fighting all-too-real violence.”

Local MPs have asked federal authorities to ban a the game, *Call of Juarez: The Cartel*, which is based on drug cartel shootouts in Ciudad Juarez.

About 6000 people died in drug-related violence in Ciudad Juarez in 2009 and 2010, making the city, located across from El Paso, Texas, one of the deadliest in the world. The game's promotional slogan urges players, "Take justice into your own hands and experience the lawlessness of the modern Wild West."

Local congressman Ricardo Boone Salmon said the state legislature unanimously approved a request this week asking the federal Interior Department to ban the game.

"It is true there is a serious crime situation, which we are not trying to hide," Boone Salmon said.

"But we also should not expose children to this kind of scenarios so that they are going to grow up with this kind of image and lack of values."

(<http://www.news.com.au/technology/gaming/mexico-calls-for-ban-on-drug-war-video-game-call-of-juarez-the-cartel/story-e6frft9-1226009260736>)

According to Professor Elizabeth Handsley, Professor of Law at Flinders University and president, Australian Council on Children and the Media.-

The alleged misclassification of games in Australia is debatable because it is supported by the observation that certain games that are rated MA15+ here are rated R (or similar) overseas. The conclusion drawn is that these games would and should be rated R18+ here, if such a classification existed. The flaw in this argument is the assumption that the **criteria for classification are the same in all countries** – that R18+ in Australia means the same thing as R everywhere else. This assumption cannot be sustained. (Our emphasis)

- The current classification system needs to be more stringently applied, and each computer game judged on its own merits (or otherwise),
- The vested, financial interests of those in the Computer Gaming Industry should never be allowed to override the genuine interests of the youngest and most vulnerable in our society.

The claim that “poll after poll’ show support for such a category does not hold water, as it is well-known that these polls were carried out after campaigns by vested interest groups to sway the

results. Further, we question the gaming industry's right to make a profit no matter the long-term damage to children and the most vulnerable in our society.

- Legalisation of R18+ games would not mean better protection of children, since there is no way of ensuring that R18+ material would not find its way into the hands of children.
- The argument that “since the typical gamer is a 34 year old with a university degree and that he/she should have the right to make the choice about what he/she watches,” ignores the fact that some of our worst cases of violent acts have been committed by young adults.

In fact, the *Daily Mail* reports 21.2.2011 that:

Rocky Donadio, a 32-year-old former Fort Hill soldier from Oklahoma, punched and repeatedly stomped on [his girlfriend's son] as punishment after his saved game on *Grand Theft Auto* was deleted.

His assault on the eight-year-old in August 2009 was so brutal the boy had to spend five months in hospital.

The father-of-two also permanently damaged the boy's internal organs with doctors having to remove part of the boy's pancreas and intestines. He will have to be tube-fed for the rest of his life.

<http://news.ninemsn.com.au/world/8214227/ex-soldier-beat-boy-into-coma-over-xbox-game>

In addition this argument asserts that the position of children as a minority in the gaming community **disentitles them to protection**. Such an argument is at odds with the structure of the classification system, and the more general acceptance in human rights thinking, that sometimes the interests of the many must be sacrificed for the protection of the vulnerable few.

Research has shown conclusively that it is not only children who are influenced by a consistent diet of violence, and in particular the interactive, graphic, realism of computer and video games. Increasingly, we hear of cases of young adults “copy-catting” – acting out what they have seen in these games.

In addition, by granting an R18+ classification we increase the chances of unbalanced young adults and young adults, already pre-disposed to aggression, being influenced by these excessively violent games. (Source: *The correlation between video/computer games and violence*, a study carried out by Iowa State University, published in the March 2010 issue of the American Psychological Association journal).

Recommendation 27: That an R18+ category not be allowed for Computer games, due to both the interactive nature of the media, and the principle that the protection of children should always be paramount over the rights of adults.

Conclusions

The copious evidence available, only a small fraction of which we have been able to present, shows abundantly that children are exposed to extreme risk in our society.

- The existing classification system is not working. There is urgent need of rigorous reform of the system, in the interest of children and youth, by taking control out of the hands of bureaucratic agencies which are too ready to comply with the interests of the industry, and give family groups, in consultation with parents, a voice in decision-making.
- Self-regulation is clearly a failure. Who could expect the industry to act contrary to its own financial interests?
- A supposition that adults have a right to have access to any material they like is the “**un**-holy cow” that turns simple decision-making into a nightmare of complexity. While we accept that some allowances may be made for the content of strictly adult viewing, there is much material that goes way beyond levels of acceptability.
- Any material that promotes criminal activity, especially when that activity is gross child abuse, has **no place whatsoever in civilised society**.

This statement from a 2010 media release by Sen. Julian McGauran is highly relevant:

Minister O'Connor was either unable or unwilling to act contrary to bureaucratic decisions. We, the people, rely on our elected representatives to protect us against inefficient unelected bureaucrats.

The existing classification and regulatory system needs a major overhaul. It is recommended that the government institute a **new Ministry for Cultural Security**, rather than leaving this vitally important responsibility as subordinate parts of existing portfolios. The role of such a new Minister would include responsibility for **reform of existing classification schemes**, in consultation with group organisations consisting of parents and concerned citizens.

The membership of a **new Classification Board**, directly accountable to this Minister for Cultural Security, would need to be changed frequently, to avoid desensitisation derived from continual viewing of material which the majority of citizens would consider to be objectionable.

The report, *Let Children be children: stopping the sexualisation of children in Australia*, published by the Australia Institute, has also called for “One Media Regulator”. (Source: *Small Screen* Dec 06/Jan 07, p.2)

There is much to be done in order to rectify the abysmal condition into which the media in Australia has sunk. This situation has been left alone for far too long, and the decline in standards of decency is reprehensible.

While MSA accepts that the Internet is almost beyond control, even with the use of mandatory filtering, there are some areas, such as television, that can be more tightly controlled.

The government must act to clean up the sources of depravity, protect society from its excesses, and children from its dangers, and prevent the general public from being exposed to material with which they would rather not be confronted.

The wellbeing of children and other vulnerable members of society must always be considered ahead of the desires of adults.

Thank you again for this opportunity to contribute.

Paul Hotchkin

President, Media Standards Australia

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List of Media Standards Australia's Recommendations to the Inquiry

Recommendations:

- (1): That a new *Ministry for Cultural Security* be set up to provide protection for those children who are victims of unbridled lawlessness, rather than of specific adult perpetrators; That such a Minister be empowered to reform the Classification System, with a view to child protection, closing all loopholes which provide advantage to the media industry.
- (2): That Members of a new Classification board be directly accountable to the Minister, and that membership be changed at regular intervals, to avoid desensitization, which becomes inevitable when exposed to continually viewing material which the majority of citizens would consider to be objectionable.
- (3): If Members of the Board deem that the content is such as to warrant being refused classification, they should not be compelled to view the remainder of the presentation. The decision should be final, with no provision for editing to cut the worst sections in order to push it over the line of approval. It is the responsibility of the producers to keep within authentic limits of community standards.
- (4): That substantial fines be imposed on producers of those presentations seen to be in breach of classification guidelines.
- (5): That MSA Recommendations 1, 2, 3 and 4 (above) are strictly applied to all publications and serial classification of publications.
- (6): That Serial Classification for publications, if maintained, require a follow-up system of "random spot checks", made without notice, to ensure that all issues of a publication are adhering to the guidelines.
- (7): That all states and territories adopt the requirements for display of restricted publications as required by legislation passed in South Australia in 2010.
- (8): That all states adopt legislation similar to that of South Australia with regard to the display of R18+ films.
- (9): That the current enforcement and follow-up system be improved by the introduction of a centralised database or a "Tick Rewards" system, or both.
- (10): Customs regulations should be amended to include X18+ films in the definition of "objectionable goods".
- (11): Amendments should be made to The Classification Act 1995, The National Classification Code, the Guidelines for the Classification of Publications and the Guidelines for the Publication of Film and Computer Games, making it clear that material that has been Refused Classification on the basis that it depicts or describes child sex abuse, or other exploitative or offensive depictions of a person who is, or appears to be, under 18, or provides instruction in paedophile activity, should not be given a lower classification on the basis of any alleged artistic or literary merit.
- (12): Federal legislation should be enacted to prohibit the sale of X18+ films from sale throughout the Northern Territory and in the ACT

- (13): That Federal legislation should be enacted to prohibit carrier services from carrying or receiving films which would be classified X18+.
- (14): The guidelines for the classification of film and video and computer games should be amended to state that in R18+ classification there can be no explicit depictions, including animated, of actual sexual intercourse, of other sexual activity, or of genital contact in a sexual context.
- (15): That decisions re. suitability of billboard contents remain subject to the Code of Ethics of the AANA, but that the Code be tightened up to genuinely reflect community standards. Because the general public (including children) have easy access to the billboards, "general exhibition" suitability ought to be reflected.
- (16): That the guidelines for the Classification of Films and Computer Games should include a classification for music videos which considers the effect of both unsuitable lyrics and sexual and/or violent imagery.
- (17): That an ARIA/AMRA-type labelling code be introduced to provide information on all music with adult content and/or lyrics.
- (18): The Commercial Television Code of Practice should include a provision that women are not to be portrayed as sexual objects.
- (19): The sexualisation inherent in all media content should be more tightly monitored and regulated.
- (20): The rating of a programme should not be lowered, based on its "story line" when it would/should otherwise have a higher classification.
- (21): That legislation for a mandatory filtering system for pornography be introduced as soon as possible.
- (22): That material that incites suicide, gambling and fraudulent schemes be included in the black list.
- (23): That computer games which have been, or would be, Refused Classification, be included in the black list.
- (24): Ensure that ACMA sets up guidelines for television stations to create safeguards such as age-verification log-in when screening content higher than PG rating.
- (25): That material currently classified as X18+ would be in the Refused Classification category.
- (26): That all films depicting actual sex would be classified as Refused Classification.
- (27): That an R18+ category not be allowed for Computer games, due to both the interactive nature of the media, and the principle that the protection of children should always be paramount over the rights of adults.

Appendices to MSA Submission

Appendix 1

Suffer the little children

- Melinda Tankard Reist
- From: [The Courier-Mail](#)
- July 11, 2007 12:00AM

AT LAST, it is on the record: Pornography is a significant factor in the violence and anarchy in indigenous communities.

Alcohol and drugs are well accepted as causing rampant dysfunction in places already beaten down by dispossession, disempowerment, unemployment, ill health and poor education. But the trauma caused by the invasion of pornography has not been properly acknowledged.

The Northern Territory's Little Children Are Sacred report changes that. A toxic trifecta of drugs, alcohol and pornography is fuelling a culture of violence against women and children. They are being bashed, raped, disabled and killed. Their lives are marked by desperation and terror. Predictably, the sex industry is crying censorship. But children suffering porn-driven sexual abuse should come before sex industry profits.

Children whose genitals have to be reconstructed, and the babies with sexually transmitted infections, need protection now.

While the sex radicals want business as usual, Aboriginal women are identifying pornography as one of the agents of destruction in their communities.

The report tells of rampant sexually aggressive behaviour, of children being exposed to porn films and re-enacting what they have seen, of porn being used by adults to groom children for sex.

Pornography has destroyed the cultural restraints which would have protected women and children.

These isolated communities have been destroyed by white men bearing pornography. It has fed dysfunction and increased cycles of violence.

The report states: "It is apparent that children in Aboriginal communities are widely exposed to inappropriate sexual activity such as pornography, adult films and adults having sex within the child's view . . . resulting in the sexualisation of childhood and the creation of normalcy around sexual activity that may be used to engage children in sexual activity."

The inquiry that led to the report was told that sexually aberrant behaviour involving both boys and girls was becoming more common. In all communities, men and women were concerned that teenagers were becoming more violent, sexual and anarchic. Young girls didn't even know they could refuse a sexual advance.

Exposure to pornography could be linked to a belief in rape myths, the increased acceptance of the use of physical force in sexual relations and a lessening of compassion for child victims. Also, pornography may lower inhibitions around offending and increase the likelihood of an assault.

The 1999 Report of the Aboriginal and Torres Strait Islander Women's Task Force on Violence highlighted the link between X-rated films and sexual violence against women and children: "The incidence of sexual violence is rising and is (in) a direct relationship to negative and deformed male socialisation associated with alcohol and other drug misuse, and the prevalence of pornographic videos in some communities."

The Government needs not only to ban pornography in the Territory but stop it being shipped out of Canberra. And it is not only indigenous communities which need to be freed from this sludge.

Yes, pornography is contributing to a moral tsunami in indigenous communities. But pornography feeds and legitimises violence against women and children everywhere. Some have argued that pornography is as harmful to women as racist material is to the people it targets. Many men who commit crimes of sexual violence live on a diet of pornography. Up to a third of child sex offenders said they had viewed pornography before offending.

We need to address the harm caused by pornography everywhere.

(<http://www.couriermail.com.au/news/opinion/suffer-the-little-children/story-e6frerdf-1111113928230>)

Appendix 2

Progressive Stages of Sexual Deviation - Dr. VICTOR B. CLINE

FIRST STEP - ADDICTION

The first change that happened was an addiction-effect. The porn-consumers got hooked. Once involved in pornographic materials, they kept coming back for more and still more. The material seemed to provide a very powerful sexual stimulant or aphrodisiac effect, followed by sexual release, most often through masturbation. The pornography provided very exciting and powerful imagery which they frequently recalled to mind and elaborated on in their fantasies.

Once addicted, they could not throw off their dependence on the material by themselves, despite many negative consequences such as divorce, loss of family, and problems with the law (such as sexual assault, harassment or abuse of fellow employees).

I also found, anecdotally, that many of my most intelligent male patients appeared to be most vulnerable -- perhaps because they had a greater capacity to fantasise, which heightened the intensity of the experience and made them more susceptible to being conditioned into an addiction.

One of my patients was so deeply addicted that he could not stay away from pornography for 90 days, even for \$1,000. It is difficult for non-addicts to comprehend the totally driven nature of a sex addict. When the "wave" hits them, nothing can stand in the way of getting what they want, whether that be pornography accompanied by masturbation, sex from a prostitute, molesting a child, or raping a woman. These men are consumed by their appetite, regardless of the cost or consequences. Their addiction virtually rules their lives.

SECOND STEP - ESCALATION

The second phase was an escalation-effect. With the passage of time, the addicted person required rougher, more explicit, more deviant, and "kinky" kinds of sexual material to get their "highs" and "sexual turn-ons." It was reminiscent of individuals afflicted with drug addictions. Over time there is nearly always an increasing need for more of the stimulant to get the same initial effect.

Being married or in a relationship with a willing sexual partner did not solve their problem. Their addiction and escalation were mainly due to the powerful sexual imagery in their minds, implanted there by the exposure to pornography.

I have had a number of couple-clients where the wife tearfully reported that her husband preferred to masturbate to pornography than to make love to her.

THIRD PHASE - DESENSITIZATION

The third phase was desensitisation. Material (in books, magazines, or films/videos) which was originally perceived as shocking, taboo-breaking, illegal, repulsive, or immoral, in time came to be seen as acceptable and commonplace. The sexual activity depicted in the pornography (no matter how anti-social or deviant) became legitimised. There was an increasing sense that "everybody does it" and this gave them permission to also do it, even though the activity was possibly illegal and contrary to their previous moral beliefs and personal standards.

FOURTH PHASE - ACTING OUT SEXUALLY

The fourth phase was an increasing tendency to act out sexually the behaviours viewed in the pornography, including compulsive promiscuity, exhibitionism, group sex, voyeurism, frequenting massage parlours, having sex with minor children, rape, and inflicting pain on themselves or a partner during sex. This behaviour frequently grew into a sexual addiction which they found themselves locked into and unable to change or reverse -- no matter what the negative consequences were in their life.

Many examples of the negative effects of pornography-use come from the private or clinical practice of psychotherapists, physicians, counsellors, attorneys, and ministers. Here we come face to face with real people who are in some kind of significant trouble or pain. One example from my practice might illustrate this.

I was asked to consult on a case where a Phoenix-Tucson area professional person, president of his firm and head of his church's committee on helping troubled children, was found to be a serial rapist who had violently raped a number of women at gun- or knife-point in the Arizona

area. In doing the background study on him, I found him to come from an exemplary background and trouble-free childhood. He was an outstanding student in high school and college.

His wife, children, business and church associates had not the slightest inkling of his double life or dark side. The only significant negative factor in his life was an early adolescent addiction to pornography which, for the most part, was kept secret from others. This gradually escalated over a period of years, eventually leading to spending many hours and incurring great expense at "adult" bookstores, looking at violent video-porn movies and masturbating to these.

His first rape was triggered by seeing a close resemblance in the woman he assaulted to the leading character in a porn movie he had seen earlier in the day. Reality and fantasy had become extremely blurred for him as he acted out his pathological sexual fantasies.

In my clinical experience, however, the major consequence of being addicted to pornography is not the probability or possibility of committing a serious sex crime (though this can and does occur), but rather the disturbance of the fragile bonds of intimate family and marital relationships. This is where the most grievous pain, damage, and sorrow occur. There is repeatedly an interference with or even destruction of healthy love and sexual relationships with long-term bonded partners. If one asks if porn is responsible or causes any sex crimes, the answer is unequivocally, "Yes," but that is only the tip of the iceberg.

SEXUAL DEVIATIONS ARE LEARNED BEHAVIORS

The best evidence to date suggests that most or all sexual deviations are learned behaviours, usually through inadvertent or accidental conditioning. There is no convincing evidence to date, suggesting the hereditary transmission of any pathological sexual behaviour pattern such as rape, incest, paedophilia, exhibitionism, or promiscuity.

As McGuire explains, as a man repeatedly masturbates to a vivid sexual fantasy as his exclusive outlet (introduced by a real life experience or possibly pornography), the pleasurable experiences endow the deviant fantasy (rape, molesting children, injuring one's partner while having sex, etc.) with increasing erotic value. The orgasm experienced then provides the critical reinforcing event for the conditioning of the fantasy preceding or accompanying the act. (McGuire, R.J., et al., *"Sexual Deviation as Conditioned Behaviour," Behaviour Research and Therapy, 1965, vol 2, p. 185*).

In my experience as a sexual therapist, any individual who regularly masturbates to pornography is at risk of becoming, in time, a sexual addict, as well as conditioning himself into having a sexual deviancy and/or disturbing a bonded relationship with a spouse or girlfriend. A frequent side effect is that it also dramatically reduces their capacity to love. Their sexual side becomes, in a sense, dehumanised. Many of them develop an "alien ego state" (or dark side), whose core is antisocial lust devoid of most values.

It makes no difference if one is an eminent physician, attorney, minister, athlete, corporate executive, college president, unskilled labourer, or an average 15-year-old boy. All can be conditioned into deviancy.

Appendix 3

U.S. Senate Committee Presentation on Pornography (Dr Mary Anne Layden)

Pornography, by its very nature, is an equal opportunity toxin. It damages the viewer, the performer, and the spouses and the children of the viewers and the performers. It is toxic mis-education about sex and relationships. It is more toxic the more you consume, the 'harder' the variety you consume and the younger and more vulnerable the consumer. The damage is both in the area of beliefs and behaviors. The belief damage may include Pornography Distortion, Permission-Giving Beliefs and the attitudes about what constitutes a healthy sexual and emotional relationship. The behavioral damage includes psychologically unhealthy behaviors, socially inappropriate behaviors and illegal behaviors.

Let me give some examples. Pornography Distortion is a set of beliefs based in pornographic imagery, sent to the viewer while they are aroused and reinforced by the orgasm. An example of Pornography Distortion would include beliefs such as 'Sex is not about intimacy, procreation or marriage. Sex is about predatory self-gratification, casual recreation, body parts, violence, feces, strangers, children, animals and using women as entertainment.' All of these are messages regularly sent by pornography.

Permission-Giving Beliefs are a set of beliefs that imply that my behavior is normal, acceptable, common and/or doesn't hurt anyone so I have permission to continue to behave in the way that I am. In all types of violence and addiction, Permission-Giving Beliefs are involved. Examples would include 'All men go to prostitutes', 'Women like sex mixed with violence' and 'Children enjoy sex with adults'. These particular Permission Giving Beliefs are also common in pornography.

Both Pornography Distortion and Permission-Giving Beliefs increase the problem of mis-education about sexuality and relationships. For example, the myth that women are sexually aroused by engaging in behaviors that are actually sexually pleasuring to men is a particularly narcissistic invention of the pornography industry. This is sexual mis-education.

The consequences of all these distorted beliefs are varied. For the viewer, pornography increases the likelihood of sexual addiction and they respond in ways similar to other addicts. Sexual addicts develop tolerance and will need more and harder kinds of pornographic material. They have escalating compulsive sexual behavior becoming more out of control and also experience withdrawal symptoms if they stop the use of the sexual material. The executive who goes to his office and logs on to the Internet porn sites at 9:00 am and logs off at 5:00 pm is out of control and risks a great deal. Research indicates that 70% of the hits on Internet sex sites occur between 9-5 on business computers. Research also indicates, and my clinical experience supports, that 40% of sex addicts will lose their spouse, 58% will suffer severe financial losses, and 27-40% will lose their job or profession. Those whose marriages don't end, may find

themselves increasingly dissatisfied with their spouses' appearance and sexual behavior and increasingly sexually acting out which leads to an increase in sexually transmitted diseases. Research indicates that even non-sex addicts will show brain reactions on PET scans while viewing pornography similar to cocaine addicts looking at images of people taking cocaine. This material is potent, addictive and permanently implanted in the brain.

Those who use pornography have also been shown to be more likely to engage in illegal behavior as well. Research indicates, and my clinical experience supports, that those who use pornography are more likely to go to prostitutes, engage in domestic violence, stranger rape, date rape, and incest. These behaviors should not be surprising since pornographic videos containing all of these themes are readily available and the permission-giving beliefs of these pornographic videos reinforced by the orgasm say that all these behaviors are normal, acceptable, common and don't hurt anyone.

I have also seen in my clinical experience that pornography damages the sexual performance of the viewers. Pornography viewers tend to have problems with premature ejaculation and erectile dysfunction. Having spent so much time in unnatural sexual experiences with paper, celluloid and cyberspace, they seem to find it difficult to have sex with a real human being. Pornography is raising their expectation and demand for types and amounts of sexual experiences at the same time it is reducing their ability to experience sex.

The children also show the damage. As pornography becomes normalised, it is left around the house. Children can get exposed to it. These are tender minds that are just developing their conceptualizations of sex. Normalising abnormal sex increases the likelihood that they will engage in these behaviors. This increases the likelihood of early sexual experience and with it, the increasing risk of pregnancy, and sexually transmitted diseases. These children often think that all relationships are sexual. That sex is the core of their personalities and is the way in which you raise your self-esteem. This may be one reason that we see sexual addiction running in families. The distorted beliefs are not only reinforced but modelled as well. In one report in Australia, children who had become sexual predators before the age of 12, all had experienced pornographic material on the Internet and large numbers believed that the only use of the Internet was for pornographic material.

(Extracts of Dr Layden's Testimony to the US Senate Committee on Commerce, Science and transportation, November 2004)

Appendix 4

The truth about the porn industry:

Gail Dines, the author of an explosive new book about the sex industry, on why pornography has never been a greater threat to our relationships

- [Julie Bindel](#)
- [The Guardian](#), Friday 2 July 2010

(Excerpts)

She wrote it primarily to educate people about what pornography today is really like, she says, and to banish any notion of it as benign titillation. "We are now bringing up a generation of boys on cruel, violent porn," she says, "and given what we know about how images affect people, this is going to have a profound influence on their sexuality, behaviour and attitudes towards women."

The book documents the recent history of porn, including the technological shifts that have made it accessible on mobile phones, videogames and laptops. According to Dines's research the prevalence of porn means that men are becoming desensitised to it, and are therefore seeking out ever harsher, more violent and degrading images. Even the porn industry is shocked by how much violence the fans want, she says; at the industry conferences that Dines attends, porn makers have increasingly been discussing the trend for more extreme practices. And the audience is getting younger. Market research conducted by internet providers found that the average age a boy first sees porn today is 11; [a study from the University of Alberta](#) found that one third of 13-year-old boys admitted viewing porn; and a survey published by [Psychologies magazine](#) in the UK last month found that a third of 14- to 16-year-olds had first seen sexual images online when they were 10 or younger – 81% of those polled looked at porn online at home, while 63% could easily access it on their mobile phones.

"I have found that the earlier men use porn," says Dines, "the more likely they are to have trouble developing close, intimate relationships with real women. Some of these men prefer porn to sex with an actual human being. They are bewildered, even angry, when real women don't want or enjoy porn sex."

Porn culture doesn't only affect men. It also changes "the way women and girls think about their bodies, their sexuality and their relationships," says Dines. "Every group that has fought for liberation understands that media images are part and parcel of the systematic dehumanisation of an oppressed group . . . The more porn images filter into mainstream culture, the more girls and women are stripped of full human status and reduced to sex objects. This has a terrible effect on girls' sexual identity because it robs them of their own sexual desire."

Images have now become so extreme that acts that were almost non-existent a decade ago have become commonplace. From studying thousands of porn films and images Dines found that the most popular acts depicted in internet porn include vaginal, oral and anal penetration by three or more men at the same time; double anal; double vaginal; a female gagging from having a penis thrust into her throat; and ejaculation in a woman's face, eyes and mouth.

"To think that so many men hate women to the degree that they can get aroused by such vile images is quite profound," says Dines. "Pornography is the perfect propaganda piece for patriarchy. In nothing else is their hatred of us quite as clear."

Born in Manchester, Dines moved to Israel in 1980, aged 22, and soon became involved in the women's movement. An event organised by the feminist consciousness-raising group Women against Pornography in Haifa – in which pornography was shown – changed her life forever. "I was astounded that men could either make such a thing or want to look at it," she says. From then on, she knew she had to campaign about the issue.

There were two images from Hustler magazine that she found especially shocking: a cartoon of a construction worker drilling a jackhammer into a woman's vagina, and one depicting a woman

being fed through a meat grinder. "I was newly married and told my husband that night how appalled I was, which he fully understood," she says. "If he had said I was a prude I don't think I could have stayed with him."

"Many on the liberal left adopt a view that says pornographers are not businessmen but are simply there to unleash our sexuality from state-imposed constraints," she says. This view was reflected in the film [The People vs Larry Flynt](#), where the billionaire pornographer of the film's title – the head of the Hustler empire – was portrayed as a man simply fighting for freedom of speech. Dines disputes these ideas. "Trust me," she says, "I have interviewed hundreds of pornographers and the only thing that gets them excited is profit."

As a result of her research, Dines believes that pornography is driving men to commit particular acts of violence towards women. "I am not saying that a man reads porn and goes out to rape," she says, "but what I do know is that porn gives permission to its consumers to treat women as they are treated in porn." In a recent study, 80% of men said that the one sex act they would most like to perform is to ejaculate on a woman's face; in 2007, a comment stream on the website [Jezebel.com](#) included a number of women who said that, on a first date, they had, to their surprise, experienced their sexual partner ejaculating on their faces without asking.

Sexual assault centres in US colleges have said that more women are reporting anal rape, which Dines attributes directly to the normalisation of such practices in pornography. "The more porn sexualises violence against women, the more it normalises and legitimises sexually abusive behaviour. Men learn about sex from porn, and in porn nothing is too painful or degrading for women." Dines also says that what she calls "childified porn" has significantly increased in popularity in recent years, with almost 14m internet searches for "teen sex" in 2006, an increase of more than 60% since 2004. There are legal sites that feature hardcore images of extremely young-looking women being penetrated by older men, with disclaimers stating all the models are 18 and over. Dines is clear that regular exposure to such material has an effect of breaking down the taboo about having sex with children.

She recently interviewed a number of men in prison who had committed rape against children. All were habitual users of child pornography. "What they said to me was they got bored with 'regular' porn and wanted something fresh. They were horrified at the idea of sex with a prepubescent child initially but within six months they had all raped a child."

(Full article - <http://www.guardian.co.uk/lifeandstyle/2010/jul/02/gail-dines-pornography>)

Appendix 5

Technology fuelling sexting craze: study May 12, 2009

A group of Tasmanian schoolgirls took explicit photos of themselves with "objects inserted into different orifices". In NSW, another group of girls took topless photos. In both cases the photos were electronically forwarded to other people.

In the first case the girls were 13. The second group involved 8 year olds.

Social researcher Maggie Hamilton, who cited the examples, says sexting among Australian teens has taken off in the last five years and is now involving more explicit images and younger kids.

"We now have young girls sending photos not just of their cleavage or even topless, but of their vaginas and various things to boys to get them interested," Hamilton said.

The NSW based author uncovered the extent of sexting while researching her book about boys' issues, due out next year, a follow-on from her most recent work,

What's Happening To Our Girls?

While there have been no official studies into sexting in Australia, an online survey conducted by Girlfriend magazine in 2007 found almost 40 per cent of the 588 teenage girls who responded had been asked to send a "naked or semi-naked" image of themselves over the internet. Almost a third had been sent a "sexually explicit" image online.

Sarah Cornish, editor of the popular magazine, said while some teenage girls are approached or pressured for the pictures, others willingly participate.

"Some girls say they don't see a problem with it, they think that it's kind of considered a normal way to flirt with boys nowadays," she said from her Sydney office

Both Cornish and Hamilton agree that advances in technology and easy access to mobile phones and the internet are behind the trend, allowing kids to have a "secret life" beyond the reach of their parents. Hamilton says the sexting trend was kick-started with the creation of the "tween market" and fuelled by the internet and user-friendly mobile phone features like cameras and video.

It was also symptomatic of the wider sexualisation of children, she said. "They see the odd sexy billboard ... and kids wandering around in short skirts and they think ... it's all got a bit more risque."

Easy access to online pornography was also changing the boundaries of acceptable behaviour. "If you can download porn onto your phone you don't have to wait till you get home," Hamilton said. "This is changing their views on what is acceptable and what is unacceptable behaviour." Hamilton said exposure to online porn has fuelled an interest in "kinky sex" amongst teenagers."

Appendix 6

Ex-soldier beat boy into coma over Xbox game

A former US soldier who beat his girlfriend's son into a coma after the boy accidentally deleted a game on his Xbox has been found guilty of child abuse.

Rocky Donadio, a 32-year-old former Fort Hill soldier from Oklahoma, punched and repeatedly stomped on the boy as punishment after his saved game on *Grand Theft Auto* was deleted, the *Daily Mail* reports.

His assault on the eight-year-old in August 2009 was so brutal the boy had to spend five months in hospital.

The father-of-two also permanently damaged the boy's internal organs with doctors having to remove part of the boy's pancreas and intestines

He will have to be tube-fed for the rest of his life.

Donadio and the boy's mother originally claimed the boy had fallen off his bed, but police were called in to investigate after hospital officials believed the boy's injuries were too serious for it to be an accident.

The couple then told police that the boy had been wrestling with his siblings and that one of them had jumped off the bed onto his stomach.

However, when the boy woke up from his coma, he told police Donadio had punched him for deleting the game.

"The problem we had is the victim in this case was incoherent for the longest time. Detectives could not interview him to ask him what had happened, the other siblings were obviously scared, didn't know what to do," said Captain Will Hines, of the Lawton Police Department.

An online website started by Donadio's sister, Tammy Donadio, and a former platoon sergeant maintains that Donadio is innocent despite the guilty verdict.

A jury in Oklahoma's Comanche County took just 30 minutes to find Donadio guilty and he now faces 75 years in jail.

<http://news.ninemsn.com.au/world/8214227/ex-soldier-beat-boy-into-coma-over-xbox-game>
