



18 April 2008

Senate Standing Committee on Environment, Communications and the Arts
Inquiry into the sexualisation of children in the contemporary media environment

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Dear Committee,

The purpose of this letter is to provide comment on the inquiry "on the sexualisation of children in the contemporary media environment, including radio and television, children's magazines, other print and advertising material and the Internet".

I am writing on behalf of the Australian Publishers' Bureau (APB), an association of Australia's major newspaper and magazine publishers. The APB was formed in 1977 and its primary role is to promote, protect and further the interests of its publisher members; to encourage high standards of advertising and to provide an advisory service and reference point for its members on industry and advertising matters."

Until the end of 1996, one of the principal roles of the APB was to pre-clear advertisements to ensure their conformity against particular product-based advertising codes, such as the Therapeutic Goods Advertising Code, Slimming Advertising Code and the Alcoholic Beverages Advertising Code for publishers, advertisers and their agencies.

In 1997, following the demise of the industry regulatory system and a warning from the Chairman of the Australian Competition and Consumer Commission in respect of publishers' legal obligations under the Trade Practices Act 1974, the Bureau was reconfigured to become an advisory opinion body to its publisher members and their constituent publications, on legal and other issues affecting advertising.

It is recognised by the ACCC as the representative industry association for newspaper and magazine publishers on all advertising and related matters. The ACCC has referred to the Bureau as "a model of industry co-operation".

The Bureau prides itself on its extensive knowledge of the estimated 160 pieces of Commonwealth, State and Territory legislation, which include requirements on advertising, as well as various industry sector and professional Codes of Practice/Ethics, along with publishers' legal obligations under the Trade Practices Act 1974 and the various Fair Trading Acts.

The APB's own Code of Practice states:

"In accordance with our belief that the maintenance of high standards of advertising builds character and good business we will, at all times, and to the best of our ability, only publish advertisements which:

1. comply with Commonwealth law and the law of the relevant State or Territory;
2. do not encourage breaches of Commonwealth law or the law of the relevant State or Territory;
3. are truthful and not misleading or deceptive;
4. ...
5. ...
6. ...; and
7. advertisements for any product which is meant to be used by, or purchased by children, shall not contain anything including dangerous practices which would result in their physical, mental or moral harm. Advertisements should not encourage children to place pressure on their parents to purchase the product advertised.

Should a publisher, be presented see an advertisement prior to publication and they believed that there was the possibility that it contained either an inappropriate message, image or both they would not publish the advertisement but seek further advice from the Australian Publishers' Bureau and the client.

A publisher when made aware of an advertisement would not knowingly publish the advertisement if it believed it breached legislation, an industry/professional code or contained any inappropriate and insensitive material in any mode.

It is the belief of the APB that the current regulatory environment is operating effectively with Australia's major publishers having robust internal editorial and complaint handling policies.

The Classification Act (Commonwealth) provides for the classification of publications etc it also has to bodies whose role is to make determinations on classifications: the Classification Board and the Classification Review Board. Each State and Territory also has enacted legislation which enforces classification determinations.

In making classification decisions, the Classification Board and the Classification Review Board have regard to the National Classification Code and the Classification Guidelines. Both the Code and the Guidelines are approved by Commonwealth, State and Territory Ministers with censorship responsibilities.

The APB is aware that those Publisher Members with magazines targeted specifically towards the children have excellent records of compliance and fully co-operate with the Classification Board.

Another body which ensures that areas of self-regulation are met is the Australian Press Council. The Council's aim is to promote freedom of speech through responsible and independent print media, and adherence to high journalistic and editorial standards, by, among other things:

- considering and dealing with complaints and concerns about material in print publications; and
- encouraging and supporting initiatives by the print media to address the causes for readers' complaints and concerns.

The Members of the APB comply with The Australian Press Council's principles and assist the Council with any areas subject to complaint or review as they arise.

Where a publication is marketed to children, in selecting material, publishers are attentive of the Office of Film and Literature's Code and Guidelines. When considering these codes and guidelines publishers understand the gravitas of factors when weighing up the suitability of the material to be published often excluding it because of the inappropriateness of the message.

The APB also supports the Australian Association of National Advertisers recent announcement relating to the additional measures made to prevent the sexualisation of children in the Advertising to Children Code and the APB believes that these preventative measures made to the Code will further address any concerns the Committee may have.

All of Australia's major publishers consider the interests of our society by taking responsibility for the impact of their activities on all their stakeholders; the child, the parents and the community.

This obligation is extended beyond any statutory obligation to comply with legislation and sees publishers voluntarily taking further steps to improve the quality of life for the local community and society at large. That they are taking issues such as health, social, cultural, safety, diversity and the environment seriously in their publications can be assured.

Those publishers which have magazines, whose target markets are children and teens, have a great deal of adolescent expert, parental and reader support for their publications, particularly in relation to the proactive child oriented initiatives which they undertake. Each publisher has a committed concern to ensure material is age appropriate. They provide credible and balanced information, playing an important role in correcting misconceptions and providing teenagers with a responsible and mature understanding of sexual issues and sexual development. These initiatives and information are both useful and educational.

Because of these initiatives and the commitment to high standards of principles there is a very low level of complaint (almost non-existent) across all facets of publications, but particularly in relation to the sexualisation of children. This is most evident in terms of the high readership levels of the publications directed to young children and teens.

Newspapers and magazines have acquired, over many years, a significant role in the community in providing platforms for debate by facilitating public participation in discussion on policy issues, providing consumer information and choice, along with promoting and generating innovation.

The Bureau believes that the services it offers are important to the ongoing development, reputation and success of its members. It also believes that members' support enhances the strength of the Bureau, and therefore the whole industry, in dealing with governments and industry bodies.

Given its history of participation on various Advertising Committees and Code Councils, the Bureau is always very keen to contribute in any forum which promotes a balanced approach to social and corporate responsibility in the role of advertising.

The Australian Publishers' Bureau would be enthusiastic in working with the Committee or any body which would be established to further investigate areas of self-regulation that would ensure that children are protected from any inappropriate images, advertisements or material.

Yours faithfully,

L ianne R ichards

Lianne Richards
Executive Director