



## SENATE INQUIRY INTO SEXUALISATION OF CHILDREN IN THE CONTEMPORARY MEDIA

### SUBMISSION

Commercial Radio Australia (**CRA**) welcomes the opportunity to comment on the inquiry into sexualisation of children in the media (**Inquiry**). CRA is the peak national industry body for Australian commercial radio stations. CRA has 260 members and represents approximately 99% of the commercial radio broadcasting industry in Australia.

CRA strongly rejects the notion that sexualisation of children in the media might be controlled by imposing regulatory burdens or restrictions on the commercial radio industry. Commercial radio stations broadcast no programs aimed at children, do not target programming or advertising at children, and use no physical images.<sup>1</sup> Increased regulation of the commercial radio industry would be an inappropriate and ineffective means of addressing the subject matter of the Inquiry.

#### Summary

CRA's primary comments are:

- One of the main concerns underlying the Inquiry is the physical portrayal of children in the media, through photographs, video, graphics and other images. Commercial radio broadcasts contain no imagery of any kind and these concerns simply do not apply to the industry.
- CRA's members do not broadcast any targeted children's programming. Instead, programs are directed at the adult and young adult demographic. Measures designed to control the content of children's programming – or proximate advertising – should not apply to the commercial radio industry.
- CRA's members adhere to the Commercial Radio Codes of Practice, which set out standards regarding program content and language, including sex and sexual behaviour. Members are also mindful of state and territory laws and guidelines, which regulate the treatment of children across Australia.
- A survey of CRA members reveals that there have been no complaints recorded by the Australian Communications and Media Authority (**ACMA**) in relation to the sexualisation of children on commercial radio.

A discussion of these points, together with other comments, is below.

#### Existing regulation

1. The Commercial Radio Codes of Practice (**Codes**) contain provisions designed to ensure that program standards will meet the standards of decency of the listening audience. The key provisions are:

**1.5(a):** *All program content must meet contemporary standards of decency, having regard to the likely characteristics of the audience of the licensee's service.*

**1.5(b):** *The gratuitous use in a program of language likely to offend the anticipated audience for that program must be avoided.*

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<sup>1</sup> References to children throughout this submission should be read as references to children under 10 years old.

**1.6:** Licensees must not broadcast audio of actual sexual acts.

**1.7:** Licensees must not broadcast a feature program which has an explicit sexual theme as its core component unless it is broadcast between 9.30pm and 5.30am and an appropriate warning is made prior to commencement of the program and at hourly intervals during broadcast of the program.

2. Code 1.7 permits the broadcast of feature programs with explicit sexual themes only between 9.30pm and 5.30am. This ensures that children should not hear programs with sexually explicit material.
3. Standards of decency in commercial radio can only be effectively judged by reference to the likely characteristics of the listening audience. As there is no children's programming on commercial radio, it would be inappropriate for the Codes to contain provisions designed to reflect the standards of decency that would be applicable to children.
4. In addition to the Codes, CRA members are mindful of the various state and territory laws governing the treatment of children across Australia.<sup>2</sup> Members also refer to children's welfare organisations, such as the Office of the Children's Guardian in New South Wales and the Children's Interest Bureau in South Australia, on issues concerning the portrayal or treatment of children.

### **Sexualisation of children**

5. It would not be possible (nor perhaps desirable) to limit completely children's exposure to representations of teen and adult sexuality. The Inquiry relates to the premature and inappropriate sexualisation of children in the media.
6. In broad terms, sexualisation of children is the act of conferring on children an adult sexual character. This may take place directly, that is by the portrayal of children in a sexualised way. It may also take place indirectly, via inappropriate content in children's programming, which encourages children to act in ways modelled on sexual behaviour.<sup>3</sup>
7. The portrayal of children in a sexualised way takes place primarily through physical imagery. The independent public policy research centre, the Australia Institute, points to media containing visual images as being the most significant source of the sexualisation of children, specifically print and television advertising, girls' magazines and television programs (including music clips).<sup>4</sup>

### **No relevant content on commercial radio**

8. The Australia Institute produced two reports in late 2006, which discuss the sexualisation of children in the media.<sup>5</sup> Neither report suggests that radio is a source of concern.
9. CRA submits that commercial radio does not contribute in any significant way to the sexualisation of children for two key reasons:

(a) *Absence of images in commercial radio*

There is a distinct difference between media that convey physical representations and those that do not.

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<sup>2</sup> These include the *Child Employment Act 2006* and *Child Employment Regulation 2006* (Qld); the *Victorian Child Employment Act 2003* and mandatory Code of Practice for the Employment of Children in Entertainment (Vic); the *Employment of Children in the Entertainment Industry - Interim Guidelines* (SA); and the *Children and Community Services Act 2004* (WA).

<sup>3</sup> *Corporate Paedophilia: Sexualisation of children in Australia* by Emma Rush and Andrea La Nauze (The Australia Institute, Discussion Paper No. 90).

<sup>4</sup> *Corporate Paedophilia, ibid.*, page vii.

<sup>5</sup> *Letting Children be Children*, December 2006, by Emma Rush and Andrea La Nauze; and *Corporate Paedophilia*, op cit.

Sexualisation in any form relies heavily on physical representation. Imagery is usually central to the sexualisation of children. Without pictures, it is much harder to depict children as sexual adults. The Australia Institute's *Corporate Paedophilia* report provides a number of examples of advertisements and features that it considers inappropriate. All contain physical representations of children, or images of sexual adults that are directed at children.

There are no physical images on commercial radio broadcasts. Accordingly, the main theme of the Inquiry simply does not relate to the industry.

(b) *No children's programming*

Commercial radio stations contain no children's programming. Children are not a target market, either for programming or advertising. The Commercial Radio ratings surveys, conducted by Nielsen Media Research, exclude family members of under 10 years old.

This has three main consequences:

- Any discussions or regulation relating to material targeted at children are not applicable to commercial radio. The extent to which specifically targeted content encourages children to focus on sexualising themselves, or exposes them to adult themes, is not an issue for the industry.
  - The absence of child targeted programming means that there are few (if any) advertisements specifically aimed at children on commercial radio, as children are not considered to be a core demographic. CRA submits that any regulatory changes relating to child targeted advertisements should not be applied to the commercial radio industry.
  - The absence of child targeted programming means that children are less likely to engage actively in commercial radio than in other forms of media, and are less likely to be affected by content in programs or advertisements aimed at an older demographic.
10. It would be inappropriate to regulate the commercial radio industry in the same way as industries that employ visual content, or contain significant amounts of material aimed at children. To extend any new regulatory regime to commercial radio would be unnecessary and ineffective in addressing the issues that are the subject of the Inquiry.

**Absence of complaints**

11. CRA's members are not aware of any recorded ACMA complaints that have been made relating to sexualisation of children on commercial radio.
12. This suggests that the existing Codes are working effectively, commercial radio is not a medium through which children are being inappropriately sexualised, and commercial radio broadcasts are reaching their intended demographic audiences.

CRA would welcome the opportunity to discuss or amplify any of these points with the Environment, Communications and Arts Committee. The Committee should contact Joan Warner on 9281 6577 if it wishes to do so.